



SOUTH SUDAN

NO ADVANCEMENT – *Efforts Made but Complicit in Forced Child Labor*

In 2023, South Sudan is receiving an assessment of no advancement. Despite initiatives to address child labor, South Sudan is assessed as having made no advancement because it demonstrated complicity in the use of forced child labor. The country’s military continued to recruit children, sometimes forcibly, to fight opposition groups, and for use in supporting roles. Otherwise, the government signed the United Nation’s Convention on the Rights of Persons with Disabilities, put in place a new strategic plan for education, and participated in an International Labor Organization-hosted workshop in Addis Ababa on building national capacity on child labor data collection and analysis. However, the government did not hold perpetrators of child labor accountable and has yet to ratify the Palermo Protocol on Trafficking in Persons. In addition, police continued to arrest and imprison children engaged in commercial sexual exploitation, rather than treating them as victims.

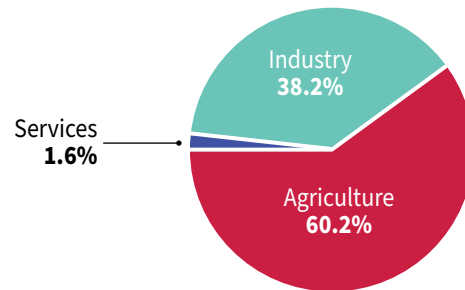


PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	45.6% (463,624)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	6 to 14	31.5%
Combining Work and School	10 to 14	10.9%

Working Children by Sector, Ages 5-14



Children in South Sudan are subjected to the worst forms of child labor, including forced labor in cattle herding. Children also perform dangerous tasks in construction.

Overview of Children’s Work by Sector and Activity



Agriculture

Farming, cattle herding,† gathering firewood, and fetching water.



Industry

Rock breaking† and construction,† including building and transporting materials.



Services

Domestic work, collecting scrap metal and empty bottles, and working in restaurants, auto repair shops, and convenience stores. Street work including vending sandals, sunglasses, and fruits, polishing shoes, delivery cart pulling, car washing, preparing tea, selling black market gasoline, and ticket taking for group transport companies.



Categorical Worst Forms of Child Labor‡

Forced labor in cattle herding, domestic work, and market vending. Commercial sexual exploitation, sometimes as a result of human trafficking. Forcible recruitment by state and non-state armed groups for use in armed conflict.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

Despite the 2018 Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), ethnic tensions and land disputes continue to drive violent conflict between state and non-state armed groups in the country, exposing children to the worst forms of child labor. State armed groups including the South Sudan People’s Defense Force (SSPDF), the Necessary Unified Forces, South Sudan Wildlife Services, the National Civil Defense Service, and the National Police Service, and non-state armed groups including the Sudan People’s Liberation Movement/Army in Opposition (SPLM/A-IO) continue to recruit and use children as combatants, bodyguards, and in other support roles during armed conflict. Children recruited by armed groups lack access to basic services and are particularly vulnerable to abuse and further exploitation. Armed groups have previously subjected children to sexual abuse as in-kind payment to fighters.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in South Sudan's implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Ratify the Palermo Protocol on Trafficking in Persons.

Ensure that the Ministry of Labor drafts and issues regulations to implement key elements related to child labor, including the number of hours and conditions for light work, and the exceptions under which children ages 16 and 17 may engage in hazardous work.

Increase the compulsory education age of 13 to the minimum age for work of 14 to comply with international standards.

Criminally prohibit the recruitment and receipt of a child for forced labor, and exclude from laws requirements that threats, force, or coercion must be present to establish a child trafficking crime.

Extend laws providing free basic public education to cover the first 9 years of education and to include all children in South Sudan, including non-citizens.

Enforcement

Report activities undertaken by agencies responsible for child labor law enforcement on an annual basis.

Provide the Ministry of Labor with regular and sufficient funding for labor inspections that covers operational costs needed to conduct labor inspections, including inspections targeting all sectors in which child labor is known to occur, such as in the informal sector and workplaces outside of the capital city.

Increase the number of labor inspectors from 14 to 109 to ensure adequate coverage of the labor force of approximately 4.3 million workers, increase the number of worksite inspections conducted, and provide labor inspectors with adequate training on child labor laws.

Establish mechanisms to receive child labor complaints and to assess penalties for child labor violations, and ensure that labor regulations provide monetary penalties for child labor infractions that are high enough to serve as a deterrent.

Adequately fund the criminal justice system so it is able to conduct investigations into crimes related to the worst forms of child labor, provide training to criminal investigators, and recruit sufficient personnel.

Establish a formal referral mechanism between criminal authorities and social services for victims of the worst forms of child labor, including forced child labor and commercial sexual exploitation, and cease the practice of arresting or imprisoning victims of worst forms of child labor crimes.

Investigate, prosecute, and impose penalties on perpetrators, including government officials, who recruit or use children in armed conflict or in other child labor crimes, and eliminate government officials' and armed groups' interference in the criminal justice system.

End the forced and voluntary recruitment or use of children by state and non-state armed groups, including the South Sudan People's Defense Force and the Sudan People's Liberation Movement Army – In Opposition, in compliance with the Child's Act.

Coordination

Ensure that the Technical Task Force on Anti-Human Trafficking and Smuggling of Persons is active, sufficiently funded, and able to carry out its intended mandates, including ratifying the Palermo Protocol and developing policies to address trafficking of migrant workers.

Ensure that the National Disarmament, Demobilization, and Reintegration Commission is funded and able to assist rescued child soldiers by locating their families and assisting with their reintegration into civilian life.

Establish a coordinating mechanism to address all worst forms of child labor, including the commercial sexual exploitation of children, and ensure that its mandates are clearly defined.

Government Policies

Ensure that the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan and the Comprehensive Action Plan to Prevent Grave Violations Against Children in South Sudan are active and that signatories do not continue to recruit or re-recruit children, and that actions are taken to demilitarize civilian areas.

Adopt policies to address child labor in all sectors in which it is known to occur, particularly in the agriculture and livestock sectors, as well as all relevant worst forms of child labor such as commercial sexual exploitation.

Social Programs

Collect and publish data on the extent and nature of child labor to inform policies and programs.

Promote primary school completion by adequately funding the education system, enforcing school attendance, reliably paying teachers' salaries, addressing the lack of school infrastructure, ensuring that children with disabilities have equal access to education, and by withdrawing government forces from occupied schools.

Report on activities undertaken to implement the Alternative Education System—including its Accelerated Learning Program, Community Girls' Schools, and the Pastoralist Education Program—all of which aim to improve literacy and provide out-of-school populations an alternative approach to formal education.

Expand the scope of social programs to reach more children at risk of child labor, including those involved in commercial sexual exploitation, agricultural work and work with livestock, those from low-income families, those living in rural areas, and girls.



CHILDREN AT HIGHER RISK

Conflict in Sudan has caused over 600,000 people to return to or flee to South Sudan, rapidly growing the country’s population of internally displaced persons (IDPs). Lack of social support systems, services, cultural knowledge, language fluency, and legal protections makes IDP children especially vulnerable to child labor. Furthermore, for certain South Sudanese tribes, cattle raiding marks a rite of passage for boys; of the estimated 10,000 children engaged in tending cattle, many are used in armed raids of other tribes’ cattle. An even greater number of children fight as part of local community defense forces. Children abducted by armed pastoralists may be forced to join heavily militarized cattle rustling networks, in which younger children tend to smaller livestock, teenagers serve as auxiliaries for armed pastoralists or self-defense groups, and some older boys are forced to work as soldiers, herders, or cattle rustlers. Non-state groups often use children released from armed groups for cattle raiding or intercommunal violence once the children arrive back in their villages.



BARRIERS TO EDUCATION ACCESS

South Sudan’s education system is underfunded and the percentage of out-of-school children in South Sudan is among the highest in the world, rendering children vulnerable to child labor and exploitation. Public school teachers are paid sporadically, leading to low morale, absenteeism, and high teacher attrition. Armed groups, including government forces, occupy schools in contested areas, and military operations in conflict-affected areas have forced teachers to flee. Although the Constitution and the Child Act provide for free primary education, some schools illegally require families to pay prohibitive school fees. This practice disproportionately impacts girls, because families with multiple children who cannot afford to pay additional fees to cover all their children typically prioritize educating sons. Underage marriage also prevents girls from attending school. Children with disabilities, especially girls, face barriers in accessing education. Schools are reportedly not sensitized to the importance of creating inclusive environments for children with disabilities, nor do they have the financial resources to make schools more accessible for such students.








LEGAL FRAMEWORK FOR CHILD LABOR

South Sudan has not ratified a key international convention concerning child labor, the Palermo Protocol on Trafficking in Persons. In addition, South Sudan’s laws do not meet international standards on the compulsory education age because there is a gap between the compulsory education age 13, and the minimum age for work 14, which renders children between the ages of 13 and 14 vulnerable to child labor.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 14 Years		Section 12 of the Labor Act; Article 25(3) of the Child Act
Minimum Age for Hazardous Work, 18 Years		Sections 12 and 13 of the Labor Act; Articles 22(3), 24(1), and 25(1) of the Child Act
Identification of Hazardous Occupations or Activities Prohibited for Children		Article 25(2) of the Child Act
Prohibition of Slavery, Debt Bondage, and Forced Labor		Articles 10(1) and 13(2)(a) of the Labor Act; Articles 277–279 of the Penal Code; Article 13 of the Constitution
Prohibition of Child Trafficking		Article 13(2) of the Labor Act; Articles 22(3)(b), 119, and 120 of the Child Act; Articles 276 and 278–282 of the Penal Code
Prohibition of Commercial Sexual Exploitation of Children		Article 13 and 126 of the Labor Act; Articles 22(3)(c), 22(3)(d), 22(4), and 25(2)(m) of the Child Act; Article 276 of the Penal Code
Prohibition of Using Children in Illicit Activities		Article 13(2)(c) of the Labor Act; Article 24(1) of the Child Act; Article 383(3)(d) of the Penal Code

Legal Framework for Child Labor (Cont.)

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Voluntary State Military Recruitment, 18 Years		Article 31(1) of the Child Act; Section 22 of the Sudan People’s Liberation Army Act
Prohibition of Compulsory Recruitment of Children by (State) Military		Article 31(1) of the Child Act; Sections 20 and 22(2) of the Sudan People’s Liberation Army Act
Prohibition of Military Recruitment by Non-state Armed Groups		Articles 31(1), 31(2), and 32 of the Child Act
Compulsory Education Age, 13 Years		Article 9.1(b) of the General Education Act; Article 14(1) of the Child Act
Free Public Education		Article 6(a) of the General Education Act; Article 13(4)(b) of the Labor Act; Article 29.2 of the Constitution

The Ministry of Labor, Public Service and Human Resource Development (MOL) is responsible for implementing regulations for child labor related laws, including the number of hours and conditions for light work in which children are able to engage, as well as the exceptions under which children ages 16 and 17 may engage in hazardous work. However, MOL has not issued these regulations, which leaves children vulnerable to exploitative work. Child trafficking laws in South Sudan do not meet international standards because the recruitment and receipt of children for forced labor is not prohibited, and the laws require that threats, force, or coercion is present to establish a child trafficking crime. Laws providing free basic public education do not meet international standards because they only cover the first 8 years of education, and because they only apply to citizens of South Sudan. In addition, children in South Sudan are only required to attend school until age 13, leaving children between the ages of 13 and 14 particularly vulnerable to the worst forms of child labor because they are not required to be in school, but are also not legally permitted to work.

 **ENFORCEMENT OF LAWS ON CHILD LABOR**

In 2023, labor and criminal law enforcement agencies in South Sudan took actions to address child labor. However, the absence of coordination between agencies, limited funding, lack of defined mandates, and an overall lack of prioritization of child labor issues hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Labor, Public Service and Human Resource Development (MOL): Enforces child labor laws, identifies child labor violations, and conducts workplace inspections. Refers violations of child labor laws to the South Sudan National Police Service, which then investigates the violation and determines whether to charge the violator in criminal court. The Ministry of Labor conducted labor inspections during the reporting period. The Ministry, however, remains severely underfunded, with labor inspectors being paid sporadically and little to no budget for operational costs.

Ministry of Justice (MOJ): Oversees courts and prosecutes violations, including those related to child labor. Partners with the UNICEF-funded Justice for Children, which refers victims of child labor to special courts in which judges are trained on how to adjudicate cases involving minors. Research was unable to determine whether these courts were active during the reporting period. MOJ serves as co-chair to the Technical Task Force on Anti-Human Trafficking and Smuggling of Persons which oversees the process of ratifying the Palermo Protocol. Research was unable to determine whether the Task Force was active during the reporting period. South Sudan’s justice system faces enormous challenges, such as low capacity, insufficient funding, interference by the government and the South Sudan People’s Defense Force (SSPDF), insufficient training for law enforcement personnel, and a scarcity of judges, prosecutors, and defense attorneys. Reports indicate that the Ministry of Justice lacks the capacity and will to combat child labor. Prosecutors and law enforcement officials, for example, are not familiar with the legal statutes regarding the worst forms of child labor, which has resulted in the imprisonment of children engaged in commercial sexual exploitation.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	No
Able to Assess Civil Penalties	No	Imposed Penalties for Child Labor Violations	N/A
Routinely Conducted Worksite Inspections	Yes	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	No
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	N/A

In 2023, **14** labor inspectors performed **104** worksite inspections, finding **0** child labor violations. The government also conducted **0** investigations into suspected worst forms of child labor crimes, initiated **0** prosecutions, and achieved **0** convictions during the reporting period.

Although the August 2013 Punitive Order commits the SSPDF to hold its military officers accountable for the recruitment or use of children, and the government continued to release child soldiers in 2023, the government neither investigated nor prosecuted officers who allegedly committed such crimes, despite ongoing evidence of officer involvement in and knowledge of child recruitment.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p>	<p>South Sudan National Disarmament, Demobilization, and Reintegration Commission (NDDRC): Oversees and coordinates the disarmament, demobilization, and reintegration of former child soldiers, and is supported by the UN Mission in South Sudan, UNICEF, and the UN Country Task Force on Monitoring and Reporting. Maintains a network of local NGOs and community members that works to locate the families of rescued child soldiers and assist with their reintegration into civilian life. The NDDRC is governed by the Action Plan of the Government of the Republic of South Sudan Regarding Children Associated with Armed Conflict in South Sudan. During the reporting period, the NDDRC assisted in the release of eight child soldiers. The government did not provide information regarding NDDRC funding for the reporting period, but previous reporting indicates that the Commission has occasionally gone unfunded.</p>
<p>Key Policies Related to Child Labor</p>	<p>Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (2018) (R-ARCSS): Establishes the structure of a Revitalized Transitional Government of National Unity and outlines actions to be taken by signatories, including prohibiting the recruitment and use of child soldiers by armed forces or militias, and stipulates that all civilian areas, including schools, shall be immediately demilitarized. Research was unable to identify activities undertaken to implement this policy during the reporting period.</p> <p>General Education Strategic Plan (2023–2027): Aims to enhance the quality of education and access to education in the country by expanding the Alternative Education Program, increasing awareness of the importance of education, increasing access to schools for children with disabilities, and increasing the number of primary schools. Provides grants and cash transfers to girls, children with disabilities, and orphaned children. The government renewed this plan during the reporting period.</p>

Coordination, Policies, and Programs (Cont.)

<p>Key Policies Related to Child Labor</p> <p>South Sudan established policies related to child labor. However, these policies do not cover all worst forms of child labor in the country, including the commercial sexual exploitation of children.</p>	<p>Comprehensive Action Plan to Prevent Grave Violations Against Children in South Sudan: Prevent and mitigates grave violations against children, including the recruitment of child soldiers and attacks on schools. Applies to all state and non-state groups. Contains a list of concrete steps meant to “halt and prevent the violations against children in situations of armed conflict.” Research was unable to identify activities undertaken to implement this policy during the reporting period.</p>
<p>Key Social Programs to Address Child Labor</p> <p>South Sudan participated in programs that include the goal of eliminating child labor. However, these social programs fail to address child labor in all sectors in which it occurs, including in agriculture and the commercial sexual exploitation of children.</p>	<p>UNICEF and Donor-Funded Programming: NGOs provide the majority of the social safety net for children in South Sudan, protecting them from root causes of child labor and exploitation. During the reporting period, UNICEF’s programming registered 4,472 children in schools.</p> <p>Alternative Education System: Aims to improve literacy and provide out-of-school populations an alternative to formal education. Includes the Accelerated Learning Program, which implements the Ministry of General Education and Instruction program for children ages 13 to 17 who have reenrolled in lower primary classes. Also includes Community Girls’ Schools, located in closer proximity to rural communities, and the Pastoralist Education Program for children and adults in pastoral areas. Although research indicates this program was active during the reporting period, the government did not report specific activities conducted to implement the program.</p>

For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects
 For references, please visit dol.gov/ChildLaborReports