



STEARAWOMEN-UNDP JCC PROJECT-RAJA COUNTY QUARTERLY NEWSLETTER MAY-JULY 2024



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Project Background

In Raja County, the UN OCHA estimates that 34,200 out of 59,638 of the population have humanitarian needs, over half of them are returnees fleeing the conflict from Sudan and have been registered in Raja County (UNHCR/IOM2023). The report of an assessment conducted by STEARAWOMEN in Raja County in Sept-October 2023 indicates that domestic violence, teenage pregnancy and rape cases are high. Sexual exploitation by men working in the NGOs is common too. Women hardly get jobs where male directors are the bosses unless they offer sex in exchange. Teachers are sexually exploiting girls in schools leading to teenage pregnancy and many school drop outs. Police levy fees for form 8 at 2000SSP and police transport continues to be levied indiscriminately on survivors, thereby limiting reporting of cases. Evidence on ground generally shows that women, girls, SGBV survivors, elderly, refugees and returnees face several protection challenges including widespread sexual and gender-based violence, impact of high crime levels e.g. assault and theft as well as other grievances and rights violations. Yet, they do not have easy and equal access to justice chain actors such as the police, public prosecutors, public defense lawyers and the court, leaving many of their criminal and civil cases unaddressed or attended to.

Needs being addressed:

Huge humanitarian needs as a result of the returnees fleeing the conflict from Sudan and have been registered in Raja County. There are increased cases of GBV in Raja County thereby increasing protection challenges. Police levy fees for form 8 and police transport continues to be levied indiscriminately on survivors, thereby limiting reporting of cases. There is no easy and equal access to justice chain actors such as the police, public prosecutors, public defense lawyers and the court, leaving many criminal and civil cases unaddressed. There is no statutory court/judiciary in Raja. The available court is “C” court that is run by the Paramount Chief. That is where many GBV cases end up being handled. Some GBV cases are also resolved by the office of MoGCSW and the Women Center without jurisdiction. There are no lawyers including no law firms in Raja.

Summary of broad level of achievements:

- The support of key stakeholders were solicited and the required collaboration built for the successful project implementation and impact during the project inception meeting. For the first time since the inception of the project, there is zero reported case of rape. This can be directly attributed to the impact of the awareness on the legal implications of rape and other SGBV.
- The first justice and confidence center in Raja County was established. This has increased awareness and understanding on access to justice among women, girls, SGBV survivors, elderly and returnees through the awareness raising sessions. Each of the survivors we have served at the JCC ends up bringing or referring to us more survivors who might have been fearing to come or who didn't know about the existence of legal aid services at JCC.
- The awareness sessions through the neighborhood assemblies have increased the number of survivors visiting JCC each single day. Survivors seek refuge at the JCC in Raja. One 11 years old girl has refused to go back home due to physical abuse from their home.

- Rule of law actors in the County are engaged and working together to support future accountability for crimes committed.
- Capacities of Community Paralegals are further built as resource persons who understand their roles under the project.
- The 7 traditional chiefs and women leaders are trained as family court chiefs who are now the lead advocates of human rights, women's rights and rule of law in their various residential areas.

Activities being conducted to address needs;

o 25 (13M:12F) Key stakeholders were reached through the project inception meeting. The required collaboration, cooperation and support for the successful implementation of the project was built when key stakeholders vowed to work with STEWARDWOMEN in addressing GBV or domestic violence matters, adding that STEWARDWOMEN should prioritize women beneficiaries because they are the most vulnerable and UNDP should extend the project beyond 6 months to address problems women are facing in respect to access to justice. Participants mentioned that Raja County is behind as far as access to justice is concerned.



Group photo taken during project inception meeting in Raja.

★ 2(M) community paralegals were trained. The training equipped the paralegals with knowledge on justice, legal aid, GBV, mediation, human rights, GBV legal frameworks, roles of community paralegals in relation to legal awareness and education to the community and how they can help communities to seek for justice when their rights are violated. The community paralegals are already putting to use the knowledge and skills acquired during the training to conduct legal awareness sessions by providing communities with free legal information so as to demand their rights peacefully when violated.

★ 1 functional & operational JCC established in Raja County. The JCC is fully equipped with tables, lockable filing cabinet, office chairs and benches. To date 60 cases of vulnerable groups have been supported with legal counselling.



The Justice and confidence Center established in Raja.



Legal counselling at the JCC in Raja.

4. Provision of legal services to the vulnerable people at the JCC. The services range from legal advice to legal counselling during case filing and follow up at the police stations. The survivors are mostly the indigents and the most vulnerable people who are not versed with the legal process or not aware of their rights to open police case against those who violated their rights.

- ◆ Women mostly visited the center for family related disputes like divorce petition, child support or restraining order against abusive spouses. Through the JCC, a perpetrator is paying weekly child support to the mother for the support of the children.
- ◆ Men mostly visit the JCC for land related issues. These are returnees whose lands were grabbed behind here in Raja during their stay in Sudan as refugees so they came to the center for legal advice on how to reclaim their land. Through the JCC, a petitioner reclaimed his land which was grabbed by a state security agent. Other 4 complaints have been filed and warrants of arrest secured for criminal trespass to the land. 4 injunctions were further filed in regard to the plots in dispute with the County Land registry.
- ◆ We have also provided PSS and reconciled 2 teenage daughters who have been having problems with their parents at the JCC. One of the 2 was a victim of abuse and as such the reconciliation involved police officer

and the director of gender who have continued to supervise the girl and her family.

5. Provision of PSS, Counselling and referral of cases;

- a) 60 (42W, 7G, 11M) have been provided with legal counselling and advice at the JCC. No referrals were done.
- b) Since this was the first month of reporting, the increase in the reporting of cases could not be established in comparison to April 2024.
- c) 81% of women and girls received legal aid services, this month including people suffering from HIV and the elderly.
 - The women sought support on domestic abuse by their spouses, inheritance rights in respect to family matters, divorce procedures and legal process in matters of rape and other forms of GBV.
 - The girls sought assistance regarding abusive relatives they lived with, divorce in cases where they were forced to marry while underage while they were refugees in Sudan etc.
 - The men visited the JCC to seek information on land and property rights by returnees, how to open criminal cases against perpetrators who committed SGBV against their daughters etc.

6. **7 (4M, 3F) traditional chiefs on the some of the laws of South Sudan** including the Constitution, Penal Code Act, Child Act, Local Government Act, definition of GBV, human rights, mediation, children's rights and the girl child rights, hierarchy of courts, difference between civil and criminal procedure, referral pathways and family court and reporting. The family court were able to put to use the knowledge gained to mediate cases.



The 7 traditional leaders constituted the family court in Raja County.

7. Eight (8) cases were successful mediated by the family court. The adversary parties involved in each of the 5 cases were successfully reconciled. There are over 10 cases awaiting mediation by the family court. The pending cases are due to challenges of bringing the parties together or having the quorum of the family court to sit to mediate since people are mostly away in farms. One of the 3 cases mediated involved a dispute between a wife and husband after their adult daughter conceived and this almost resulted into divorce which the legal team intervened by engaging the family court to reconcile the two. The other two cases involved child abuse and dispute over family property inheritance respectively.



Family court sitting in Hai Musteshfa residential area of Raja town.

8. 5 survivors of rape were provided legal representation in their cases during the mobile court. Together with the State Prosecutor, 5 perpetrators were handed over several years of sentences in prison.

9. 610 (200W, 250G, 90M, 70B) people were reached through awareness raising sessions by community paralegals. As a result, community members have attested to the high rates of sexual related crimes due to ignorance of the law and cultural norms that normalizes harmful practices like FGM and child marriages. “The access to justice project is an eye opener as far as access to justice and human rights are concerned” said **Michael the chief of Khor Abuna.** In schools, awareness sessions highlighted on the importance of reporting to police or STEWARDWOMEN caseworkers any child abuse as a result of any inappropriate advances or touches from strange adults or domestic violence in their surroundings at home or school.



Awareness raising session at water point in Raja.



Neighborhood assembly awareness session at Hai Lamba residential area in Raja.

The community paralegals engaged in series of awareness raising sessions and door to door neighborhood outreaches in a number of residential areas in Raja.

These awareness sessions educated the masses on the human rights guaranteed in the constitution of South Sudan and international human rights instruments; the right to be free from any sort of exploitation by security agents or any other public figure or person of authority; the human rights of girls and women, the elderly, people with disabilities as well as people with AIDs; the right to report perpetrators of SGBV/GBV and the processes involved therein; property rights; availability of JCC, the services offered at JCC and how JCC through the legal aid attorney can help survivors seek for justice in case their rights have been violated or denied. As a result; the awareness sessions motivated many of the communities to the extent that they remain at the forefront of referring victims to the JCC or police.

10. 18 (13M,5F) rule of law actors were reached during the first ever rule of law forum in Raja County. Participants are drawn from national security, police, CSOs, traditional authorities etc. The forum has created a network for all rule of law actors in the county to pursue justice and advocate for good governance that is devoid of human rights violations including discussing challenges hindering effective delivery of justice are discussed by participants. The police requested UNDP to expedite the renovation of the

depilated police station structure and procure office stationeries and equipment, noting lack of computers and photocopiers are hindering operations.

- The deputy Director of prisons on his part shared the number of inmates and including the conditions of the prisons like the leaking of the roofs of the prison, lack of hygienic materials and bedding for the inmates and the lack of food since the government contractor no longer supplies food to the prisons. He also stressed their lack of mobility since they've no motorbikes leave alone vehicles. He requested for UNDP to procure for them at least bicycles if they cannot afford motorbikes and vehicles.
- The paramount chief who heads the C-Court also stressed the need for means of transport even at least bicycles that can ease their mobility on time to their courts. He also requested UNDP to build for them courtroom since the current building hosting C-Court is owned by the taxation department.
- The head of B-court noted the horrible state of B-Court premises and pleaded with STEWARWOMEN to ask donors to renovate their court.
- A chief from A-court of Hai Aja residential area requested that UNDP reintroduces community policing to curb the rising cases of night gangs terrorizing his neighborhoods since the number of police personnel in Raja are insignificant to cover the various residential areas.
- The Child Protection Officer of Hold the Child highlighted the various challenges faced by children who are visually impaired whose parents pull them out from school and these children are seen around markets begging. Reminding the forum that securing the future of such children requires collective efforts which should center around working with their parents so that such children can attend schools.
- *“We request the donors to renovate the police & prisons cells with women friendly cells and introduce vocational training in the prisons”* **said a participant during rule of law meeting.**



Group photo taken after the rule of law forum meeting



Participants during Rule of Law Forum.

Meeting with the chiefs of B-Court.

The legal aid attorney and the 2 community paralegals had a meeting with the chiefs of B-Court within their premises. The agenda of the meeting was centered on their operations and the cases they handle. They also shared their challenges which included lack of means of transport, poor state of the court and lack of stationeries. The legal aid attorney took them through some of the fundamental rights they should put into consideration in discerning justice and how they should be keen to distinguish matters that falls within their jurisdiction from those they don't have jurisdiction to handle. They appreciated the visit and thanked the legal aid team of STEWARDWOMEN for the brainstorming meeting and requested for such meeting to continue to happen periodically as well as the need for capacity building workshop.



Meeting with the C-Court officials at their office premises.

The legal aid team constantly monitor and attend each of the sessions at the C-Court to ensure that fundamentals of procedural and substantive aspect of rendering justice are not abrogated upon by these customary court chiefs. The Legal Aid Attorney usually shares and brings to their notice some of the principles they should observe in rendering verdicts such as; the best interest of the child, equality between man and woman and how the religious or traditional norms that are in contravention of the statutory laws are invalid. The C-Court are reminded about the nature of criminal cases that do not fall within their jurisdiction should be provided timely referrals.

Case example;

The legal team stopped the C-Court from sentencing 2 boys aged 11 and 12 years on theft allegations. The boys were given money by thieves who stole money from the boys’ neighborhood so that the young boys don’t reveal the identity of the thieves. The young boys were later arrested as prime suspects. They cooperated with the police in identifying the real thieves but yet the customary courts wanted to convict them despite these being children below the age of criminal responsibility as far section 138 of the child act 2008 is concerned.

11. Conducting Prison and Police station visits.

Overall, 44 inmates were released both from Raja police and prisons. From the police station, only one foreign woman who was detained through the husband over minor family quarrels was freed. In prison, 43 inmates (35 adults and 8 juveniles) with 1 convicted woman, 1 madman, 4 remands, one of which was accused of murder and the rest being male convicts mostly serving sexual violence related sentences except 1 who was convicted for cattle raiding resulting to death were freed. A 16 years old lactating mother who was a victim of early forced child marriage and a 24-year- old gentleman who was a victim of malicious prosecution were released. 88 % of inmates identified with legal needs were released on bond.

Hosting of radio talk show on Radio Miraya.

One live radio talk shows have been held on radio talk show on radio Miraya in Juba on the protection of women from violence in South Sudan. The talk show discussed access to justice project implemented by S TEWARDWOMEN including establishing JCCs, hosting mobile courts-taking justice to communities in Raja; traditional chiefs and community paralegals on GBV legal frameworks; prison, police and C-Court monitoring, and information sharing on access to justice through community outreaches and radio talk shows. Intimate partner violence is the most common form of violence women experience in humanitarian settings. Research suggests that IPV and child maltreatment and abuse occur more frequently when families experience an inability to meet their basic needs, alcohol and substance abuse and inconsistent income. This is not the case based on the recent mobile court concluded in Raja in June 2024 where all cases that came before police and the mobile court were 12 rape cases. The radio talk show received 7 callers with 4 from Juba, 1 from Aweil and 2 from Wau



Radio talk show on Protection of Women from Violence in South Sudan at Radio Miraya.

Some cross-cutting issues:

a) Women are usually the majority participants in the neighborhood assembly awareness sessions. This is to do with the busy nature of men trying to meet ends meet for their families.

b) Men often believe that all projects on gender are designed for women and as such they see no reason to waste their time in such gatherings which in the end only benefits women. The few men attending are mostly those with open mindset or those who have legal problems that they would like to ask the legal aid attorney.

c) On the other hand, the issues mainly pushing women to come to JCC are; family neglect by their husbands, domestic violence, assault by male neighbors, seeking divorce especially the young women who were married off as a child bride while in Sudan to these mostly abusive Moslem husbands who doesn't tolerate religious freedom to their wives.

d) Those who are disabled i.e. the physically incapacitated or visually impaired or those with hearing impairment always show up for these assemblies however, they come with the expectation that NFI will be distributed at the end of the program.

Lessons learned;

- a) It is only men with legal problems who attend awareness sessions on legal issues.
- b) Women and girls view rape as the only form of GBV. Domestic violence, denial of property rights, child neglect and custody are considered communities cultural practices and therefore acceptable.
- c) The biggest expectation of PWDs during awareness sessions is receipt of NFIs.

Implementation Challenges;

- Lack of hand-held megaphones for broadcasting during neighborhood assembly since the crowds turn up in large numbers.
- Limited number of investigators where Raja Police station has only one.
- It is expensive to appeal against decisions from the courts in Raja since all the appellate courts are based in Wau.
- Increased incidences of thefts in the neighborhoods in Raja
- The police station building and the cells are in poor state making inmates leave in unhygienic conditions.
- The C- Court making judgements violating rights of children and women.
- Lack of resident judge and prosecutor in Raja makes prosecution of cases with the police officers who barely conceptualize the operations of the law very difficult.
- The poor police cell conditions has hindered the proper administration of justice, one notable incidence was during the last mobile court visit to Raja where a culprit accused of two separate rape charges escaped. This is because the cells have no proper locking system in the doors beside having an open window.
- The prison is also in a deplorable condition with leaking roofs. The female section is not women friendly and the juveniles are kept in the same place with the hardcore criminals.

Project successes:

- We have successfully filed petition for divorce on behalf of 8 women and girls who were victims of child marriage and abusive marriages.
 - We have successfully mediated and reunited 17 years old girls who was a victim of domestic violence with the family but with the condition that the director of gender and police continue to observe that family.
 - We have established the Justice and Confidence Center and is now known to most residents of Raja who come daily for legal counselling.
 - We managed to release 2 inmates from Raja Prison who were both wrongly detained for over 5 months.
 - We have also managed to advocate for and eventual release of 8 teenagers from prisons without charges.
 - We stopped the customary court from convicting a young boy below the age of criminal responsibility.
 - Through the monthly rule of law forum, we have managed to create synergy among the various rule of law actors in Raja County. Some of these actors were previously strangers to each other.
 - Together with the family courts, we have reconciled families and have even compelled irresponsible men to meet their parental obligation in form of alimony/child support.
 - We have helped men and women in the paperwork process of seeking justice from the customary courts.
- For the first time since the inception of the project, the month of July recorded zero reported case of rape. This can be directly attributed to the impact of the awareness on the legal implications of rape and other SGBV.*

*****THE END*****