



FACTORS INFLUENCING THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC) IN CENTRAL EQUATORIA STATE, SOUTH SUDAN

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ABSTRACT

The Convention on the Rights of the Child (CRC) was adopted worldwide on November 20, 1989, after a decade of thorough scrutiny. This Convention is instrumental in putting children's issues on the global and national agenda as well as mobilizing action for the realization of the rights and well-being of children. This study analyzed the factors that influence the implementation of the Convention on the Rights of the Child in Equatoria State in South Sudan. The study seeks to establish the influence of internal organization capacity, involvement of the various institutional and policy stakeholders and public awareness on the implementation of the Convention on the Rights of the Child (CRC) in Central Equatoria State South Sudan. The study was based on liberalism theoretical framework that emphasizes the role of non-state actors in international relations and adopted a descriptive research design and employed both qualitative and quantitative approaches to collect analyze and present data of the study. The study revealed that the obstacles to respecting children's rights are not ignorance of the civil society and the public but rather lack of a strong coordinating and monitoring agency to ensure that the standards of the rights are enforced and respected. The respondents also affirmed that Parent and care takers, civil society, the judiciary, the media, UN agencies, local and international NGOs and others all have duties to promote and protect the rights of the child ($M=3.88$ & $SD= 0.73$). NGOs have an important role to play in monitoring the situation of child rights in a country ($M=3.70$ & $SD= 0.87$). On average majority of respondents agreed with the statement, stakeholders who are consulted on broader human rights issues can also be consulted for their perspective on children's rights ($M=3.63$ & $SD= 0.96$). The study recommends that organizations concerned with Rights of the Child (CRC) in Central Equatoria State, South Sudan should build a strong understanding of their business strategies throughout their workforce; that these institutions should always first consult with community representatives and when working with groups, there is need to find out what existing networks and structures are already in place to support community engagement and reach out to leaders and facilitators within those groups to explain their intentions and ask for their feedback on their strategy. There is need to focus on understanding what did and did not work well previously and seek to anticipate any red flags and promote the consultation procedures and timelines to ensure everyone affected receives the messages. Lastly, this should be done via existing community newspapers, radio and websites, as well as social networks.

Key Words: Internal Organization Capacity; Public Awareness; Implementation; Convention on the Rights of the Child; Central Equatorial State; South Sudan

FACTORS INFLUENCING THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC) IN CENTRAL EQUATORIA STATE, SOUTH SUDAN

1.1 Introduction

The Convention on the Rights of the Child (CRC) was adopted worldwide on November 20, 1989, after a decade of thorough scrutiny and was binding on its parties in September 1990 (Adsera, 2012). The Convention is a universal human rights instrument worldwide and has been ratified by 192 countries. In many countries around the world, the CRC is the first international legal instrument to cover the full range of human rights - civil and political rights, as well as economic, social and cultural rights, and applies to all children under the age of eighteen. (African Child Policy Forum, 2010). Adoption of the Convention on the Rights of the Child was not the beginning of the night, but the result of decades of movement and activity. These activities aimed at creating a positive attitude towards children and improving the well-being of children can be traced to the coming into force of 1990.

The Convention is instrumental in putting children's issues on the global and national agenda as well as mobilizing action for the realization of the rights and well-being of children. It is also playing a role in setting the research agenda on issues relating to children and serving as a foundation for frameworks for data collection and analysis (Bower, 2012). There is today relatively more and better data on children available for public use partly following the adoption of the Convention and the Millennium Declaration.

In Africa, the CRC emphasizes that children are holders of rights and that these rights are entitled to every child everywhere across the continent (ANPPCAN Annual Report, 2012). In Nigeria, the Convention is of equal importance to all rights and has no hierarchy of human rights. Hence, the articles of the Convention are indivisible, interdependent and interrelated (Bower, 2012). This is an important key to interpreting the Convention. The African governments that have ratified the CRC are committed to taking the necessary legal, administrative and other measures to implement the Convention. In 1991, the UN Committee on the Rights of the Child was established to monitor the implementation of the Convention. In Africa, the well-being of children is intrinsically linked to the implementation of the Convention. The magnitude of efforts geared toward the implementation of the Convention, the amount of resources committed to this cause, and the overall efficiency of the systems put in place for the implementation process have a bearing on the achievement of child well-being outcomes (UNICEF, 2015). Over the last 20 or so years, implementation of the Convention and its effect on child well-being varied from country to country and from one region of the continent to the other. In South Africa, the analysis on the basis of the four pillar principles of the Convention showed remarkable progress at the global level in addressing inequality among children in access to basic services; enactment of laws that uphold and comply with the principle of the best interests of the child; significant improvement in child survival and support to children's development to reach their full potential through education and enhancement of access to health services (UNICEF, 2014).

In East Africa, different countries such as Kenya, Tanzania and Uganda have all ratified the treaty on the rights of the children. For example, Uganda ratified the UNCRC (1989) in November 1990 and the African Charter in 1994. By ratifying these instruments, Uganda explicitly made a commitment to put in place measures to realize the rights and welfare of the child in line with the provisions and standards set forth in the charter. These includes the adoption of legislation, the review and introduction of policies and other administrative measures, as well as budgetary allocations in accordance with the requirements of the above instruments, Uganda has indeed domesticated them as seen in the legal, policy and institutional framework of the country. For example, the 1995 Ugandan constitution has a comprehensive Bill of rights that is also applicable to children, which is the contrary to South Sudan.

South Sudan is the 195th state to ratify a major treaty on child rights (Country Information, 2015). The convention was ratified by the United Nations General Assembly 25 years ago and is the most widely used international human rights treaty in history. All children in Central Equatorial State South Sudan have access to nutrition, education, improved water and sanitation, protection and health services (Eliassan, 2016). After the Convention is implemented, children in South Sudan have the opportunity to change their lives. The child soldiers with their rifles will sit on a ceremony held on February 10, 2015, as part of a disarmament campaign with UNICEF and its partners in PIBOR (AFP). UN Children's Rights Protection UNICEF has welcomed the move as a "pillar" of child rights but has registered the continuing terrible condition of children in a war-torn country.

The Convention, adopted by the United Nations General Assembly 25 years ago, is the most widely accepted international human rights treaty. The CRC is the first international law to have all human rights, including civil, cultural, economic, political, and social rights. It contains all the basic human rights of children (Eliassan, 2016). This move reflects the government's commitment to children's rights through ratification of the treaty but calls for further efforts to protect children from 17-month conflicts. In a press release issued by UNICEF on Wednesday, it used South Sudanese leaders to warn the cost of war on children, including this year's war on 680 deaths and 235,000 other children in inaccessible areas known to be at high risk of acute malnutrition (UNICEF, 2014).

All children in South Sudan should have access to nutrition, education, improved water and sanitation, protection and health services (UNICEF, 2014). However, because of the conflict according to UNICEF, 400,000 children were dropped out of school and 600,000 reportedly in need of psychological support and 13,000 children recruited to the armed forces.

1.2 Statement of the Problem

There is lack of operationalization of the framework on the Convention of the Rights of the Child (CRC) in South Sudan. The children in South Sudan are facing many crises, including child abduction, cattle raiding, communal conflict, displacement, violence in the country, gender-based violence, malnutrition due to food insecurity and forced marriages. Limited access to

education, as well as high dropout rates, mean some 2.8 million children are not in school, representing more than 70 per cent of school-age children (Saida, 2021). Although South Sudan has made enormous progress in implementing the CRC, the country has had to grapple with numerous challenges that continue to impede the successful implementation of the provisions of the said Convention (UNICEF, 2015). Lack of adequate resources and poor functioning of the government bodies in South Sudan mandated to implement and monitor the implementation of the Convention are barriers to effective implementation, hence relatively lower success in achieving concrete child well-being outcomes and undermining the four cardinal rights of the child, which are rights to survival, development, protection, and participation (UNICEF, 2016). This study, therefore sought to examine the factors that affect the implementation of the Convention on the Rights of the Child (CRC) in Central Equatoria State, South Sudan.

1.3 Objectives of the study

This study sought to achieve the following objectives:

- i. To analyze the way internal organization capacity influences the implementation of Convention on the Rights of the Child (CRC) in Central Equatoria State, South Sudan
- ii. To examine the involvement of the various institutional and policy stakeholders, in the implementation of Convention on the Rights of the Child (CRC) in Central Equatorial State South Sudan
- iii. To assess how public awareness influences the implementation of the Convention on the Rights of the Child (CRC) in Central Equatoria State South Sudan.

1.4 Research Questions

- a) How does internal organization capacity influence the implementation of the Convention on the Rights of the Child (CRC) in Central Equatoria State, South Sudan?
- b) What are the institutional and policy stakeholders involved in the implementation of Convention on the Rights of the Child (CRC) in South Sudan?
- c) How does public awareness influence the implementation of the Convention on the Rights of the Child (CRC) in Central Equatoria State South Sudan?

1.5 Study Theory

The study was based on Liberalism theory developed by Jeremy Bentham (United Kingdom, 1748–1832). This theory assumes that in an autonomous life, an individual may strive to lead him or herself into the conception of the good life but prevented by external social circumstances or the actions of others from being able to lead the preferred life (Harperet al, 2010). For example, parents may not ‘enroll their children into comprehensive doctrines’, in other words bring them up to believe in general truths about the best way to lead a life, whatever the provenance of those truths. But at the same time, it would indict the vast majority of conscientious parents seeking to bring up their children as they see best (Harperet al, 2010).

In response, it may be argued that the two domains of power are not analogous. It may also be suggested that there is a morally relevant difference between parents setting out to enroll their children in a comprehensive doctrine and children coming to share such a doctrine because of sharing their life with their parents (Waweru, 2011). Therefore, if the institution of the family as an essentially intimate and private community of adults and children can be defended and if, further, adults have a protected right to lead their lives by the light of their preferred conception of the good, then such unintended enrolment is inevitable.

1.6 Study Methodology

The study adopted a cross-sectional descriptive research design and employed both quantitative and qualitative approaches. The study targeted 500 respondents that were drawn from Officials of Ministry of Gender, Child and Social Welfare, Juba, United Nations Missions in South Sudan Officials, UNICEF and Save the Children South Sudan Officials and Community members from Central Equatorial State South Sudan. Through purposive and stratified random the study selected 217 that were presented through The Krejcie and Morgan Table of 1970 for sample distribution. Both Primary and Secondary data were used for the study. Primary data include both qualitative (from key interview) and quantitative (from questionnaires). Quantitative data were analyzed through descriptive statistical analysis and presented through tables while qualitative data was analyzed through thematic analysis and presented through narrations.

1.7 Study Results

Out of the 217 respondents to whom the questionnaires were issued, 205 were successfully filled and returned, representing 94.5 percent response rate while 5.5 percent of the questionnaires were invalid.

1.7.1 Descriptive Analysis

Table 1: Factors That Affect the Implementation of the Convention On the Rights of the Child (CRC) In Central Equatoria State, South Sudan

Implementation Factors	Mean	Standard Deviation
Internal Organization Capacity	4.43	0.44
Institutional and Policy Stakeholders Involved	4.34	0.31
Public Awareness	4.37	0.52

The findings of the study indicated that Internal Organization Capacity that had a mean of 4.43, Public Awareness that had a mean of 4.37 and then Institutional and Policy Stakeholders Involved that had a mean of 4.34. The results also indicated that the highest variation in response was on Public Awareness with a Standard Deviation of 0.52 while the lowest was Institutional and Policy Stakeholders Involved with a Standard Deviation of 0.31 respectively.

1.7.2 Inferential Analysis

Table 2: Factors That Affect the Implementation of the Convention On the Rights of the Child (CRC) In Central Equatoria State, South Sudan

Model	R	R Square	Adjusted R Square		Std. Error of the Estimate	
1	.803a	.644	.619		.44145	
Model	Sum of Squares		df	Mean Square	F	Sig.
1	Regression		200	.023	282.019	.045 ^b
	Residual		4	.000		
	Total		204			
Model	Unstandardized Coefficients		Standardized Coefficients		t	Sig.
	B	Std. Error	Beta			
1	(Constant)	.216	.152		1.424	.390
	Internal Organization Capacity	1.240	.052	2.076	23.667	.027
	Institutional And Policy Stakeholders Involved	.921	.031	2.371	30.165	.021
	Public Awareness	.360	.013	-1.434	-27.433	.023

The findings of the study showed that (Internal Organization Capacity, Institutional and Policy Stakeholders Involved and Public Awareness Influence) significantly ($P < 0.045$) influenced the Implementation of the Convention On the Rights of the Child (CRC) In Central Equatoria State, South Sudan.

The Adjusted R Squared of .619 indicates that these variables (Internal Organization Capacity Institutional and Policy Stakeholders Involved and Public Awareness Influence) in exclusion of constant variable, explained the changes in the Implementation of the Convention On the Rights of the Child (CRC) In Central Equatoria State, South Sudan by 61.9%. The remaining (38.1%) can be explained by the factors not included in the regression model under investigation.

This indicates that a unit change of 1.240 in Internal Organization Capacity factors of .921 in Institutional and Policy Stakeholders Involved factors and .021 in Public Awareness factors would influence a unit change in the Implementation of the Convention On the Rights of the Child (CRC) In Central Equatoria State, South Sudan.

1.8 Conclusion

The results indicated that Internal Organization Capacity, Institutional and Policy Stakeholders Involved and Public Awareness Influence had a significant influence on the Implementation of the Convention On the Rights of the Child (CRC) In Central Equatoria State, South Sudan.

Effective leader's support, direct, deal with conflict, acknowledges and encourages community member's voices, shares leadership and facilitate networks to build community resources and this is expected to influence their capacity in managing projects and that membership of coalitions creates new partnerships, capacity-building opportunities, and an environment that helps with information sharing and new methods of working. The study also concludes that increasing the capacity of NGOs to monitor and report on child rights violations requires meaningful and sustained commitment from donors pointing to another external factor that has a bearing on the monitoring of child rights.

1.9 Recommendation

The organizations concerned with Rights of the Child (CRC) in Central Equatoria State, South Sudan should build a strong understanding of their business strategies throughout their workforce and build trust among their employees and the community they serve. This is because employees and the victims need to know that their managers and executives care about them as people as well as being committed to their cause and success. There is also need for the institutions among other things to always first consult with community representatives before taking any action or initiative. The institutions should also make sure questions are not creating a bias towards one answer and that institutions should always provide stakeholders with the background information they require to participate in a meaningful way.

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