

SOUTH SUDAN

FACILITATING ACCESS TO JUSTICE

Despite previously signed peace agreements, South Sudan continues to experience ongoing conflict and instability, undermining the fragile and nascent justice system that struggles to provide effective legal services for the most vulnerable South Sudanese populations. The absence of a well established justice system, coupled with the limited ability of civil society to address critical gaps in current justice practices, has limited citizens' capacity to demand effective legal remedies.

In 2011, Search for Common Ground identified the young nation as a top priority and conducted a series of assessments to support the launch of our first program in 2014. Since its onset, our work in South Sudan has aimed to promote social cohesion and the peaceful resolution of conflicts across the country. Through a combination of strategic communication and community outreach activities, we aim to change perceptions, attitudes and behavior, with the ultimate goal of transforming social norms.

The *Facilitating Access to Justice* project, funded by the Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL) **aimed to improve access to justice and legal remedies for rural and marginalized citizens of South Sudan**. The four project objectives included increasing citizens' awareness of legal rights and duties; providing citizens with legal aid, including indigent individuals accused of serious crimes; providing increased support to rule of law actors, including police, prosecutors, and prisons in order to carry out their core functions; and supporting justice service providers, including customary law courts and statutory courts, to provide effective legal remedies to citizens.

PROMOTING AWARENESS OF LEGAL RIGHTS AND DUTIES

Through the use of Search's unique mixed-media campaign, the project succeeded in increasing community members' awareness and understanding of their legal rights in target areas. The mixed-media campaign included radio programming, participatory theater, community dialogue forums, justice newsletters, and a public information campaign. After the program's completion, a total of 92% of project participants were able to list one or more fact about accessing justice and 55% were able to list two or more. The most effective resources in promoting awareness of legal rights were radio programs and community dialogue sessions. In the program's final evaluation, **50% of respondents cited radio programs and 45% of respondents mentioned community dialogue sessions as their source of information pertaining to their legal rights and duties**.

Participatory theater performances also succeeded in increasing the demand for justice in communities by increasing community members' knowledge of legal issues. For instance, performance attendees from Juba

explained that **the performance was well-received by the community and started an important conversation among community members. One participant in Juba said, "What I have seen is that people were discussing the issues of child marriage and girls' and women's rights in their gathering for days."**

Similarly, the community dialogue forums were a particularly effective tool in raising awareness among community members, creating a platform for dialogue and interaction between community members and leaders, and effecting change in local prison and police systems. **These community dialogue forums have already shown results that suggest activities will be sustained after the program**. As a result of successful programming to promote awareness of legal rights, the usage of justice system increased in target areas by 53% from the baseline.

PROVIDING LEGAL AID TO CITIZENS

To address the legal needs of citizens, Search recruited pro bono lawyers from the Initiative for Peace Communication Association, held trainings for paralegals, and awarded law scholarships to promising paralegals. Participants expressed appreciation for the content of the trainings and the networking opportunity the training sessions presented. Participants explained that during the trainings, they met and built relationships with new people from within and outside their states, as well as individuals from civil society organizations. **Because of the training they received, participants expressed that they feel better equipped to handle cases, including the cases of marginalized groups.**

To gauge community satisfaction with justice services, Search asked community members to rate their level of satisfaction with their experience. **Search found that the majority of respondents (70%) reported that they were either satisfied or very satisfied with their experience with the justice system.** This represents an increase from the baseline, in which 58% were satisfied with the traditional justice system and 45% with the formal justice system.

Lastly, twenty scholarships were awarded to promising paralegals (women and men). The scholarships went toward recipients' pursuit to receive a full four-year Bachelor of Laws (LLB) degree or a one-year post-graduate diploma (PGD) in human rights.

A pro-bono lawyer in the program represented 14 cases, 11 of which were won and 3 are still pending.

SUPPORTING CSOs TO FACILITATE ACCESS TO JUSTICE

This project also aimed to increase the effectiveness of CSOs through capacity building trainings and technical trainings. The overall objective of the trainings was to improve the knowledge of civil society personnel to further enhance their capacity to deliver in a coordinated and systematic manner, pro bono legal aid services, mediation and related services. **As a result of these trainings, CSO employees from all locations have reported that their capacity has increased as a result of their involvement in the program.** CSO trainings were well received but should have been longer in duration to give participants the necessary time to absorb information and ask questions, and to allow facilitators to cover a broader range of topics and provide hands-on, practical mentoring during trainings.

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LESSONS LEARNED & RECOMMENDATIONS

Albeit the successes and improvements from the baseline study, there were several lessons learned and takeaways from the program. Program staff identified issues regarding engagement, coordination, budgeting, and the frequency of community activities. The following recommendations can improve future programming.

First, participants stressed that there is a **need for more concrete activities aimed at engaging women and youth** and provided a variety of suggestions for doing so. Their suggestions are categorized into two groups, including activities that increase demand for services among women and youth and activities that directly engage women and youth in improving the supply of legal services. Program staff also found that male participation was higher than female participation in activities, despite efforts to encourage women to attend and participate.

Program staff also noted the **inability to engage government actors**, which significantly hindered the impact of the program. Without government engagement, the program was unable to address some barriers to accessing justice, including corruption, high costs associated with accessing the statutory courts, language barriers and transportation challenges.

In addition, it was noted that **future programs should create a budget for periodic coordination and networking meetings between local program participants**, in addition to Juba-based staff. Staff from each partner organization could chair quarterly meetings at the local level during which media partners, pro-bono lawyers, CSO staff, and participatory theatre performance actors could meet, share lessons learned, and brainstorm ways to sensitize citizens to activities and ensure both demand and supply side activities remain relevant to the needs of local citizens.

Lastly, it was recommended that **community dialogue forums and participatory theatre performances be held multiple times per location to ensure that unresolved issues from prior forums and performances** are discussed in more detail and topics which could not be covered in one sitting are subsequently covered. Though these discussions and performances ignited important conversations within communities, program staff questioned the sustainability and lasting impact of events of this nature.