



## **Alternative report to the Committee on the Rights of the Child**

**On issues facing children born of conflict-related sexual violence (CRSV) in the context of rights defined under the Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict (OPAC)**

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**Country: South Sudan**

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## 1. Explanatory note on the Methodology Followed for the Drafting of the Report

This alternative report is based on desk-based research and primary data collected by Rights for Peace and partners. We reviewed open-source materials, including UN documentation and relevant national legislation. We also drew on qualitative insights from interviews with mothers of children born of conflict-related sexual violence (CRSV), including those featured in a short [video](#),<sup>1</sup> as well as our findings from Focus Group Discussions that led to the *South Sudan Study on the Status of and Opportunities for Reparation for Survivors of Conflict-related Sexual Violence* (2021).<sup>2</sup> In addition, new evidence was generated through a small pilot survey and a participatory workshop with affected individuals, both held in July 2025.<sup>3</sup> These sources informed the analysis and recommendations presented in this **thematic** submission.

## 2. Introduction

This report is submitted in view of the Committee on the Rights of the Child's 103rd Pre-Sessional Working Group on South Sudan, scheduled for 2-6 February 2026, in regard to the Optional Protocol on the involvement of Children in Armed Conflict (OPAC).

Conflict has been ongoing in South Sudan since 2013, when civil war broke out just two years after the country gained independence. Throughout the conflict, children have faced multiple infringements of their rights. This report focuses on **children born of conflict-related sexual violence (CRSV)** in the context of South Sudan's armed conflicts, acknowledging that these children are among the most marginalised and invisible victims of war.

Current data and statistics on the number of children born of CRSV in South Sudan is limited, however over 200 children born of CRSV have been identified by the Survivors Network in South Sudan (SUNS), with this likely to be an under-estimation due to the stigma attached to having a child born of CRSV. Although not directly recruited or used in combat, children born of CRSV are profoundly impacted by socio-cultural, psychological and economic factors, resulting directly from the sexual violence. As such, children born of CRSV have been recognised as direct victims of sexual violence by international bodies, including by the International Criminal Court in the

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<sup>1</sup> Rights for Peace, 'South Sudan: Our Invisible Children' (YouTube, 11 July 2023) <[www.youtube.com/watch?v=zhcd7ShpyYk](https://www.youtube.com/watch?v=zhcd7ShpyYk)> accessed 1 December 2025

<sup>2</sup> Rights for Peace at al., 'South Sudan Study on the Status of and Opportunities for Reparation for Survivors of Conflict Related Sexual Violence' (2021) <[www.rightsforpeace.org/reparations-southsudan](https://www.rightsforpeace.org/reparations-southsudan)> accessed 1 December 2025

<sup>3</sup> Rights for Peace, 'Children born of CRSV are direct victims and survivors in South Sudan' (August 19 2025) <[www.rightsforpeace.org/post/survivors-children-born-of-crsv-are-direct-victims-south-sudan](https://www.rightsforpeace.org/post/survivors-children-born-of-crsv-are-direct-victims-south-sudan)> accessed 1 December 2025.

Jean Bosco Ntaganda case,<sup>4</sup> Bemba case,<sup>5</sup> and confirmed in the Ongwen Case.<sup>6</sup> However, they are not referred to or explicitly protected in either the Convention or OPAC.

**Rights for Peace, the Centre for Inclusive Governance Peace and Justice (CIGPJ), and the Survivors Network South Sudan (SUNS)** bring complementary expertise in documenting conflict-related abuses, supporting survivors of sexual violence, and analysing the protection risks faced by children and their caregivers in conflict settings. Rights for Peace has experience in specialised research on CRSV and its intergenerational impact. CIGPJ contributes deep technical and contextual knowledge on gender justice, survivor-centred approaches, and accountability mechanisms. SUNS, a network of 3188 survivors of CRSV, provides direct insight from survivors and, as frontline defenders, seeks to ensure that their lived realities are represented in policy discussions.<sup>7</sup>

### 3. Clusters of rights affected

This report will focus on the following five clusters of child rights:

- General principles (arts. 2-3, 6 and 12)
- Civil and political rights (arts. 7-8 and 13-17)
- Violence against children (arts. 19, 24(3), 28(2), 34, 35, 37(a), 39 and OPSC)
- Education, leisure and cultural activities (arts. 28-31)
- Special protection measures (arts. 22, 30, 32-33, 35-36, 37(b)-(d), 38-40 and OPAC)

#### 3.1 General principles (arts. 2-3, 6 and 12)

Children born of CRSV are often rejected by both maternal and paternal families and suffer from **systemic exclusion, neglect and abuse**, threatening their right to be “protected against all forms of discrimination”.<sup>8</sup> Further Infringements of their rights, such as **physical violence** and **restrictions to their access to education** and other key services, stem from the underlying issue: **discrimination and stigma**.

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<sup>4</sup> *The Prosecutor v. Bosco Ntaganda*, ICC-01/04-02/06, Chamber VI, Reparations Order (8 March 2021) [66] <[www.icc-cpi.int/sites/default/files/CourtRecords/CR2021\\_01889.PDF](http://www.icc-cpi.int/sites/default/files/CourtRecords/CR2021_01889.PDF)> accessed 1 December 2025

<sup>5</sup> *The Prosecutor v Jean-Pierre Bemba Gombo*, ICC-01/05-01/08, Chamber III, Final Decisions on the Reparations Proceedings (3 August 2018) [3] <[www.icc-cpi.int/sites/default/files/CourtRecords/CR2018\\_03967.PDF](http://www.icc-cpi.int/sites/default/files/CourtRecords/CR2018_03967.PDF)> accessed 1 December 2025

<sup>6</sup> *The Prosecutor v. Dominic Ongwen*, ICC-02/04-01/15, Chamber IX, Reparations Order (28 February 2024) [655] <[www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd18078e195.pdf](http://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd18078e195.pdf)> accessed 1 December 2025.

<sup>7</sup> Rights for Peace, ‘Survivors Network South Sudan (SUNS)’ <[www.rightsforpeace.org/suns](http://www.rightsforpeace.org/suns)> accessed 1 December 2025

<sup>8</sup> Convention on the Rights of the Child (1989), Article 2(2).

The context of **discrimination** is set by exemplified by a survivor as follows:

*“They discriminate even at the health centre. When you are taking that child for treatment, they will ask where is the father of that child? They will tell the mother, you get out of here, you are a prostitute. If you want to get a birth certificate, they will ask for the father. They may not give you a birth certificate.”<sup>9</sup>*

A survivor of CRSV recently reported the following incident, which puts into perspective the persistent othering of children born of CRSV:

*“There was a lion who came, I don’t know where it came from. We started running, my husband took his own kids and I took this one [born of CRSV]. When the lion reached, he took the dog. When we came back, my husband asked, ‘he took the child?’. I said ‘No, I took the child with me’. The father said, ‘Ah I was expecting it to take this child. I did not want to see this child in my house.’<sup>10</sup>*

Another survivor explained a narrative about these children deep within communities:

*“This child we should kill them all from the community. We are supposed to finish them, what is the use of that child in our community.”*

Family **abandonment** is very common. Survivors participating in our thematic workshop on the rights of children born of CRSV in Juba in July 2025 raised abandonment as an underlying cause of continued displacement and poverty affecting such children. One participating survivor, living in a refugee camp in Northern Uganda, explained that most of those left in the camp in Adjumani are women and children. She highlighted that CRSV survivors and their children are often not able to go back to South Sudan because of circumstances like hers:

*“My husband and first children all migrated back to Juba, but I was left in the camp with my child because of this same issue”.<sup>11</sup>*

This “same issue” is common. The lack of a father and rejection of the is deeply rooted in patriarchal traditions. The impact is both emotional and practical. A child receives their name,

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<sup>9</sup> Key informant interview, Juba 30 November 2025.

<sup>10</sup> Key informant interview, Juba 30 November 2025.

<sup>11</sup> Survivor testimonial, Juba (18 July 2025)

tribe, boma and clan, including its chief, from his or her father's line. Protection of the family in terms of shelter, income to pay school fees, and a sense of identity is seen to come from the father. Children born of CRSV are deprived of these familial protections:

*"When children want to marry later, their family will be the one to provide the bride price in the form of cows. They will get no share of inheritance, [and] will not have a right to land."*<sup>12</sup>

### 3.1 Recommendations

**Inclusion of children born of CRSV as beneficiaries of the Child Protection Programme,** and future inclusion as direct recipients of reparation through the **Compensation and Reparations Authority (CRA)**, given that children of CRSV are direct victims the sexual violence crimes.

**High-level statement:** the Government of South Sudan should release a statement recognising children born of CRSV as children of the nation to reduce stigma and condemn discrimination.

**Research and data insight:** more research is needed to quantify, understand barriers they and their carers face, and identify measures to enforce their rights.

### 3.2 Civil and political rights (arts. 7-8 and 13-17)

#### 3.2.1 Birth notification and registration

**Stigma, discrimination and shaming** is repeatedly raised in relation to birth notification. Current laws and practices on birth registration represent barriers for children born of CRSV, denying them the "right from birth to a name, the right to acquire a nationality" and the ability to access the key services which come with these rights.<sup>13</sup> This is because the form for notification of births, designed by the Ministry of Health, requires the name of the father, as well as his State, County, Payam and Boma, to be entered on the form.

The Civil Registry Act (2018) establishes a system for registering births in South Sudan. In conjunction with this law, the Child Act (2008) provides for the "right to free birth registration".<sup>14</sup> Mothers who give birth in hospitals and clinics are asked to fill out a Notification of Birth Form issued by the Ministry of Health with relevant information.<sup>15</sup> In practice for children born of CRSV,

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<sup>12</sup> Survivor testimonial, Juba (18 July 2025)

<sup>13</sup> Convention on the Rights of the Child (1989), Article 7(1)

<sup>14</sup> Child Act (2008), Article 11(1)

<sup>15</sup> Scribd, 'Ministry of Health Notification of Birth Forms' <[www.scribd.com/document/778817589/Notification-of-Birth-Forms](https://www.scribd.com/document/778817589/Notification-of-Birth-Forms)> accessed 1 December 2025

the name of a male relative, such as the mother's brother or father, is often entered instead of the father's name.

Despite the recent enactment of these laws, the rate of birth registration in South Sudan is "extremely low".<sup>16</sup> The stigma surrounding CRSV often is a barrier to children being "registered immediately after birth"<sup>17</sup>. Of 10 respondents to a pilot survey of SUNS' members, half of the children born of CRSV did not have their births officially registered.<sup>18</sup>

The absence of birth registration directly undermines children's right to education (art. 28), healthcare (art. 24), and social security (art. 26). Without legal identity, they face barriers to enrolling in school, sitting exams, accessing medical treatment and benefiting from welfare schemes and humanitarian programmes that require documentation.

This discrimination is **not merely social stigma: it presents concrete, practical exclusion that restricts children's development** and violates their right to an adequate standard of living under Article 27, perpetuating long-term socio-economic marginalisation.

### 3.2.1 Recommendations

**Revision of the birth registration form in South Sudan:** rather than *requiring* the father's name, tribe, boma to be recorded on the Notification of Birth form, simply adding the phrase '**if known**' would acknowledge the situation of these children without blame - reducing stress, trauma and stigma for the mother, thus encouraging registration, which is critical for access to services.

## 3.3 Violence against children (arts. 19, 24(3), 28(2), 34, 35, 37(a), 39 and OPSC)

Article 19(1) of the Convention requires children's protection "from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse".<sup>19</sup> However, the authors attest that serious infringements of Article 19(1) are routine for these children.

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<sup>16</sup> Committee on the Rights of the Child, 'Concluding Observations on the initial report of South Sudan' CRC/C/SSD/CO/1 (27 October 2022) [30]

<sup>17</sup> Convention on the Rights of the Child (1989), Article 7(1)

<sup>18</sup> SUNS members have reported 200 children born of CRSV to date.

<sup>19</sup> Convention on the Rights of the Child (1989), Article 19(1)

### 3.3.1 Physical violence, abuse and neglect

Rights for Peace and partners conducted Focus Group Discussions (FGD) with survivors of conflict-related sexual violence in six locations across South Sudan in 2021,<sup>20</sup> leading to the *Study on the Status of and Opportunities for Reparation for Survivors of Conflict Related Sexual Violence in South Sudan*.<sup>21</sup> In the FGDs, **violence against children born of CRSV was frequently raised**. Participating survivors described family conflicts, for instance, when husbands returned home from war to find their spouse nursing a child that was not theirs. Three survivors described with graphic detail incidents of infanticide or attempted infanticide, where husbands tried to kill the child, for instance, by attempting to throw the baby in a latrine. The consensus from the FGD was that such violence against children born of CRSV is not uncommon in South Sudan, leaving mothers having to choose between her family (and other children) and the child born of CRSV.

In situations where the child's mother is still living with her husband or has a new partner, it is not uncommon to hear of children being subjected to undue punishments, such as beatings, being kicked with them receiving unequal treatment compared to the other children in the home setting, in clear violation of Article 19.<sup>22</sup>

In addition, mothers of children born of CRSV have mentioned thinking of or attempting suicide, simultaneously with infanticide, in response to the challenges they and their child were facing:

*"At that time, I planned to bring my son and burn my house with my son and me together inside."*<sup>23</sup>

### 3.3.1 Recommendations

**Sensitive inclusion in child protection programmes as guided by the mother or primary carer, to single out or further stigmatise children born of CRSV:** children born of CRSV should be considered as a "child victims" in the same way as other children who endure neglect, torture, abuse, so that they are entitled to the same "physical and psychological recovery" measures outlined in the Convention.<sup>24</sup> Their special vulnerability should be explicitly and legally acknowledged, in a manner that does not single them out. For example, in Article 19(1), adding in the additional phrasing: "... to protect the child, **including those born of conflict-related sexual**

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<sup>20</sup> The six locations were: Bentiu, Yei, Bor, Mundri, Juba and refugee camps in Northern Uganda (Bidi-Bidi refugee camp).

<sup>21</sup> Rights for Peace at al., 'South Sudan Study on the Status of and Opportunities for Reparation for Survivors of Conflict Related Sexual Violence' (2021) <[www.rightsforpeace.org/reparations-southsudan](http://www.rightsforpeace.org/reparations-southsudan)> accessed 1 December 2025

<sup>22</sup> Convention on the Rights of the Child (1989), Article 19(1)

<sup>23</sup> Survivor testimonial, Juba (18 July 2025)

<sup>24</sup> Convention on the Rights of the Child (1989), Article 39

**violence**, from all forms of physical or mental violence...” would provide clear protective measures for these children without stigmatising them.

**Inclusive, specific identification of children born of CRSV in domestic law:** the Government of South Sudan should ensure the inclusion of children born of CRSV in new legislation, as well as the implementation of existing legislation, such as the Child Act (2008). Language that is explicitly inclusive of children born of CRSV should systematically be used in the implementation of the Commission for Truth, Reconciliation and Healing (CTRH) Act (2024), including special protective measures, so that children born of CRSV can testify safely.

### 3.3.2 Mental violence, naming-calling and bullying

While it is extremely difficult for mothers to share details of how challenging accepting their child may have been, the naming of the child is often indicative of deep, unresolved trauma at the time of birth, resulting in inadvertent mental violence upon the child. Amongst survivor-mothers who participated in the partners’ workshop in July, as well as others interviewed or surveyed, they reported names given to their child that included:

- *Mushkeel* (difficulty / poverty)
- *Malesh* (misfortune / sorry for what happened)
- *Abu Mafi* (father of nothing / person without anything)
- *Taabu Abau* (suffered and rejected)
- *Jerima* (crime)
- *Takozi / Nazaa* (victim of conflict)
- *litow Sika* (road incidents)
- *Kilawa / sakilawa* (war)

Naming children in this way is not unique to children born of CRSV, or to South Sudan, but perpetuates stigma. Bullying and verbal abuse, including the use of vulgar language and name-calling, is commonly reported. These children, who already suffer from identity loss and lack of legal recognition, may then face exclusion, neglect and abuse due to the name they bear.

The Report of the Commission on Human Rights in South Sudan highlighted that “children born out of rape are marginalised within their communities and are a constant reminder of the conflict”.<sup>25</sup> Acceptance and integration of these children, even from their own family, can be

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<sup>25</sup> UN General Assembly, ‘Report of the Commission on Human Rights in South Sudan’ HRC/55/26 (13 March 2024) [41]



challenging. Of ten mothers interviewed in June, only five were able to say that they had come to accept their child.

### **3.3.2 Recommendations**

**Provide psychosocial support and training:** the Government of South Sudan should provide, or ensure projects which provide, psychosocial support and training where mothers can process their trauma and be encouraged to accept their children. Alongside this, sensitisation efforts to raise awareness within communities and traditional leaders is urgent.

**Establish a confidential complaints channel for mothers and children born of CRSV:** the Government of South Sudan should establish a body or support unit within the Ministry of Gender, Child and Social Welfare, where mothers and children can report stigma, harassment and examples of discrimination, such as school expulsion.

## **3.4 Education, leisure and cultural activities (arts. 28-31)**

### **3.4.1 Education**

The right to education is pivotal to children's future opportunities.<sup>26</sup> The absence of birth registration for children born of CRSV severely undermines this right. When unregistered children are prevented from joining school due to documentation barriers, this deprivation cements long-term discrimination by limiting prospects for work, autonomy, and social mobility - a violation of Article 2 on non-discrimination.

Survivor-mothers also report significant difficulty "paying school costs", undermining their children's education.<sup>27</sup> Beyond financial barriers, some children have been "forced to leave school because of stigmatisation"<sup>28</sup>, denying "equal opportunities" in education and leisure.<sup>29</sup>

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<sup>26</sup> Convention on the Rights of the Child (1989), Article 28(1)

<sup>27</sup> UN General Assembly, 'Report of the Commission on Human Rights in South Sudan' HRC/58/27 (21 February 2025) [71]

<sup>28</sup> Rights for Peace at al., 'South Sudan Study on the Status of and Opportunities for Reparation for Survivors of Conflict Related Sexual Violence' (2021) <[www.rightsforpeace.org/reparations-southsudan](http://www.rightsforpeace.org/reparations-southsudan)> accessed 1 December 2025, 17

<sup>29</sup> Convention on the Rights of the Child (1989), Article 31(1)

Several survivors raised husbands or family members who refused to support the child born of CRSV, giving “preferential treatment to the other children”.<sup>30</sup>

This layered legal, economic, and social discrimination deprives children born of CRSV of education, entrenching long-term marginalisation.

### 3.4.1 Recommendations

**Support to access education:** the Government of South Sudan should ensure Child Protection services for children born of CRSV, in a non-stigmatising manner, for instance by supporting the mother to ensure their right to education in line with Article 28.<sup>31</sup>

**Adopt anti-discrimination protocols in schools:** teachers and administrators should be sensitised on the importance of non-discrimination. Schools should adopt non-discrimination policies which condemn stigma and encourage access to education for all children.

## 3.5 Special protection measures (arts. 22, 30, 32-33, 35-36, 37(b)-(d), 38-40 and OPAC)

### 3.5.1 Inclusion of children born of CRSV in international and domestic legislation

There are **no specific protective** or mention of children born of CRSV as a category of vulnerable children within the Convention or its Optional Protocols. As a result, there are no specific provisions under which to address the issues faced by children born of CRSV, or to acknowledge their existence as a category of direct victims of armed conflict. Without explicit mention or reporting guidance for States, these children’s rights are going unenforced, as highlighted throughout this report.

Children born of CRSV often **lack protective environments** and their **invisibility in policy and programming** puts them at risk of self-harm, suicide, recruitment or exploitation. It is important to elevate the visibility and voices of these children so that they can benefit from the support they need. The Ministry of Gender, Child and Social Welfare, along with international partners, has developed the National Social Protection Policy Framework, designed to protect, among

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<sup>30</sup> Rights for Peace at al., ‘South Sudan Study on the Status of and Opportunities for Reparation for Survivors of Conflict Related Sexual Violence’ (2021) <[www.rightsforpeace.org/reparations-southsudan](http://www.rightsforpeace.org/reparations-southsudan)> accessed 1 December 2025, 16

<sup>31</sup> Convention on the Rights of the Child (1989), Article 28(1)(b)

others, children and “vulnerable people”.<sup>32</sup> Children born of CRSV are not currently mentioned in this framework.

### 3.5.1 Recommendations

**Identify children born of CRSV as direct victims of armed conflict in OPAC:** OPAC should recognise and inclusively mention children born of CRSV amongst other child victims of armed conflict, e.g. by using the phrase: “children affected by armed conflict, **including children born of conflict-related sexual violence**”.

**Recognition as a category of vulnerable children in domestic law and in transitional justice:** Children born of CRSV should be explicitly recognised within the National Social Protection Policy Framework as a category of vulnerable children who require protection.

A special committee of the **Commission for Truth, Reconciliation and Healing (CTRH)** should be established to address violations against children during the conflict, **including children born of CRSV**.

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<sup>32</sup> South Sudan Ministry of Gender, Child and Social Welfare and the United Nations Children’s Fund (UNICEF) ‘Mapping and Analysis of Social Protection in South Sudan’ (July 2019)  
<[www.unicef.org/southsudan/media/3251/file/South%20Sudan%20National%20Social%20Protection%20Mapping.pdf](http://www.unicef.org/southsudan/media/3251/file/South%20Sudan%20National%20Social%20Protection%20Mapping.pdf)>  
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