

South Sudan

Women, Business and the Law 2023 (WBL2023) presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Juba). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **South Sudan scores 67.5 out of 100**. The overall score for South Sudan is lower than the regional average observed across Sub-Saharan Africa (72.6). Within the Sub-Saharan Africa region, the maximum score observed is 95 (Côte d'Ivoire and Gabon).

South Sudan - Scores for Women, Business and the Law 2023



Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, and laws affecting women's pay, South Sudan gets a perfect score.

Areas for Improvement

However, when it comes to constraints related to marriage, laws affecting women's work after having children, constraints on women starting and running a business, gender differences in property and inheritance, and laws affecting the size of a woman's pension, South Sudan could consider reforms to improve legal equality for women.

For example, one of the lowest scores for South Sudan is on the indicator measuring gender differences in property and inheritance (the WBL2023 Assets indicator). To improve on the Assets indicator, South Sudan may wish to consider granting spouses equal rights to immovable property, equalizing inheritance rights for male and female surviving spouses, granting spouses equal administrative authority over assets during marriage, and recognizing the value of nonmonetary contributions.

Recent Reforms

No reforms were observed during the past year (October 2nd, 2021 – October 1st, 2022).



Further data details for South Sudan are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/south-sudan/2023>



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Passports and Immigration Act, Art. 10; Passport Application Form
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
	Does the law prohibit discrimination in employment based on gender?	Yes	Labor Act 2017, Sec. 6
	Is there legislation on sexual harassment in employment?	Yes	The Penal Code Act, Arts. 395-396; Labor Act, Arts. 5 and 7
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> The Penal Code Act, Arts. 395-396 <i>Civil:</i> Labor Act, Arts. 5, 7, 80(1)(a) and 85
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Labor Act 2017, Sec. 8
	Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage	Is the law free of legal provisions that require a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	No restrictions could be located
	Is there legislation specifically addressing domestic violence?	No	No applicable provisions could be located
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Civil Procedure Act, Art. 6
Parenthood	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
	Is paid leave of at least 14 weeks available to mothers?	No	Labor Act 2017, Sec. 64
	Does the government pay 100% of maternity leave benefits?	No	Labor Act 2017, Sec. 64
	Is paid leave available to fathers?	Yes	Labor Act 2017, Sec. 65
	Is there paid parental leave?	No	No applicable provisions could be located
Entrepreneurship	Is dismissal of pregnant workers prohibited?	Yes	Labor Act 2017, Arts. 6 and 73
	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
	Can a woman register a business in the same way as a man?	Yes	Companies Act, Sec. 7(1); Registration of Business Names Act, Sec. 8(1)
Assets	Can a woman open a bank account in the same way as man?	Yes	No restrictions could be located
	Do men and women have equal ownership rights to immovable property?	No	Civil Procedure Act, Sec. 7(2); Land Tenure Act 2009, Sec. 8(6)
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Child Act, Arts. 20 and 26(2-b)
	Do female and male surviving spouses have equal rights to inherit assets?	No	Land Act, Secs. 8(4) and 13(4); Civil Procedures Act, Sec. 7(2)
	Does the law grant spouses equal administrative authority over assets during marriage?	No	Civil Procedure Act, Sec. 7(2); Land Tenure Act 2009, Sec. 8(6)
	Does the law provide for the valuation of nonmonetary contributions?	No	No applicable provisions could be located
Pension	Is the age at which men and women can retire with full pension benefits the same?	No	No applicable provisions could be located
	Is the age at which men and women can retire with partial pension benefits the same?	No	No applicable provisions could be located
	Is the mandatory retirement age for men and women the same?	Yes	No applicable provisions could be located
	Are periods of absence due to childcare accounted for in pension benefits?	No	No applicable provisions could be located