

# Rescuing the Peace in Southern Sudan



Survivors of an attack in Duk Padiet, Jonglei state

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The next 12 months will be critical for the future of Sudan. As the country marks the fifth anniversary of the signing of the 2005 Comprehensive Peace Agreement that ended a devastating civil war, southern Sudan has seen a major upsurge in violence. In 2009, some 2,500 people were killed and 350,000 fled their homes. With landmark elections and a referendum on the horizon, the peace deal is fragile and the violence likely to escalate even further unless there is urgent international engagement.

Southern Sudan is one of the least-developed regions in the world. Its poverty, combined with limited government and aid agency capacity to respond to emergencies and deliver development, exacerbates the potential for renewed conflict.

The people of southern Sudan have shown extraordinary resilience to emerge from decades of war. If they are to have hope for the future, they urgently need development and protection from violence. Sudan faces many interlocking challenges, but if the international community acts now, they are surmountable.



# Summary

Sudan is at a crossroads and the next 12 months could determine the future of Africa's largest nation.

In January 2005, the signing of the Comprehensive Peace Agreement (CPA) signalled a new era of hope. The agreement – between Sudan's central government and the southern-based Sudan People's Liberation Movement/Army (SPLM/A) – brought a formal end to a devastating civil war, which left around two million people dead and four million displaced from their homes. The CPA brought significant, if fragile, gains for southern Sudan, including the establishment of the semi-autonomous Government of Southern Sudan (GoSS); significant improvements in security in some areas; the return of many displaced people and refugees to their homes; and the expansion of local markets and trade.

Five years later, the peace agreement is extremely fragile and violence is again increasing. The humanitarian situation, already one of the worst in the world, is deteriorating; and in the eyes of most ordinary southerners, meaningful post-war development has been absent.

## Civilians at risk

2009 was an extremely violent year for southerners: more than 2,500 people were killed and 350,000 fled their homes. This is a higher toll than currently reported in Darfur, the better-known conflict in western Sudan, where the humanitarian situation is also extremely concerning. Much of the violence is taking place in remote rural areas, where communities are often poorest and most difficult to reach. Many of the victims have been women and children. In one attack in a village in Jonglei state in August 2009, some 161 people were killed, most of them women and children.<sup>1</sup>

The violence stems from multiple and sometimes overlapping sources. Tensions between northern and southern Sudan, including over CPA implementation, have resulted in clashes within joint north-south military units. Competition over natural resources combined with widespread ownership of small arms is fuelling violence between southern Sudan's many tribes. The region also continues to be badly affected by attacks from the Lord's Resistance Army (LRA), a vicious rebel group with origins in northern Uganda.

Despite actions by the GoSS to disarm civilians and build a new police force, and despite the presence of a UN peacekeeping mission (UNMIS) with, among other tasks, a mandate to protect civilians, ordinary people in southern Sudan continue to face daily threats to their security. Government authorities and the UN peacekeeping mission need to act urgently to protect civilians from violence.

## Addressing critical emergency needs

The insecurity, together with erratic rainfall in 2009, has led to a sharply deteriorating humanitarian situation. Cultivation has been disrupted; livelihoods have been destroyed; and critically needed development activities have stalled, which in turn perpetuates the risk of further violence.

Due to its vast size and lack of infrastructure, the ability of humanitarian agencies to reach people in need in southern Sudan has always been extremely challenging. There are less than 50 km of tarmac roads in the entire region, concentrated in the capital, Juba. During the long rainy seasons many rural locations are unreachable by road or air for weeks at a time. The rising violence is further narrowing this limited access.

The ability of international agencies, local government, and civil society to prepare for, and respond to, emergencies must be strengthened, including by improving access to remote areas and a better mapping of hazards. But this should not divert resources from the equally critical need to bring development to southern Sudan.

## An urgent need for development

Popular confidence in the CPA has been badly undermined by the recent upsurge in insecurity, combined with the slow delivery of expected 'peace dividends' – essential services such as water and health care, livelihood opportunities, and infrastructure.

The scale of need in southern Sudan, a territory roughly the size of France, is almost inconceivable. Its human development indicators are bottom of the scale. Less than half the population has access to safe drinking water. A pregnant woman in southern Sudan has a greater chance of dying from pregnancy-related complications than a woman almost anywhere else in the world. One in seven children will die before their fifth birthday. Close to 90 per cent of southern Sudanese women cannot read or write.

After decades of war and neglect, it is not surprising that donors and the GoSS have struggled to deliver development. But mistakes were made that the people of southern Sudan could ill-afford: the design of the region's aid system was flawed, causing long delays in funding urgently needed projects. Focusing on CPA benchmarks and without core administrative functions in place, the GoSS was unable to devote sufficient attention to development.

## A critical year ahead

The next 12 months are crucial. When the CPA was signed, a six-year interim period was agreed from 2005 to 2011, in which time a number of key benchmarks were to be achieved. However, implementation is massively behind schedule and the parties enter the final year with a number of potential flashpoints ahead. Two landmark events – April 2010 national elections and a January 2011 referendum where southerners will vote on whether to remain part of a united Sudan or secede – could well result in further instability if all actors are not well prepared. Key issues such as the demarcation of the oil-rich north-south border and the wealth-sharing of oil and other revenues, are still not agreed.

The people of southern Sudan have shown extraordinary resilience in emerging from one of Africa's longest and bloodiest wars. If they are to have hope for the future, and if the peace is to last, they urgently need security, development, and greater support from the rest of the world.

Southern Sudan's complex crisis requires a multi-track approach, which should incorporate the three key objectives set out below (more detailed recommendations are set out in the conclusion).

### 1 Mitigating conflict and protecting civilians

- The Government of Sudan and the GoSS must work together, with support from CPA guarantors, to resolve key issues in the lead-up to specific CPA events, above all the 2011 referendum and its aftermath.
- The GoSS, with support from international partners, must move beyond a focus on civilian disarmament to strengthening the ability of its military and police to provide effective internal security and protect civilians.
- The UN Security Council (UNSC) should emphasise that protecting civilians must be a priority for UNMIS and consider whether UNMIS needs more resources to meet its mandated obligations.
- UNMIS should provide clear guidelines and training for all its personnel on its mandated protection responsibilities and strengthen engagement with local communities.
- The UN Security Council must refocus on the LRA and push for a comprehensive solution to the problem.

### 2 Strengthening emergency preparedness and response

- Donors should expand emergency funding to southern Sudan and ensure that it is readily available to NGOs and not just to UN agencies. The United Nations, donors, and international NGOs must strengthen support to local NGO and church structures – often the only entities capable of reaching remote communities.
- The UN's Office for the Coordination of Humanitarian Affairs (OCHA) should be fully staffed, co-ordinate robust emergency

preparedness and advocate for improved access to under-served areas.

- Emergency interventions should contribute to development by seeking, where appropriate, alternatives to food distributions and other responses that undermine community self-sufficiency.

### **3 Accelerating service delivery and support to the GoSS**

- The GoSS, with support from donors, should strengthen financial accountability and better manage its significant resources to deliver development for the people of southern Sudan.
- Donors should provide more predictable, longer-term funding, including for NGOs, for service delivery (in particular health care, education, and safe water). The goal should be handover of service delivery to government, but this must happen within a realistic timeframe.
- Donors should provide greater support to developing southern Sudan's infrastructure by prioritising the building of roads and rehabilitation of airstrips, including in remote areas. This will also enable the authorities and UNMIS to reach unstable locations quickly.
- Donors must increase and strengthen technical assistance to the government, with much more support to local structures.

# Introduction

Sudan's 2005 Comprehensive Peace Agreement (CPA), signed between the central government in Khartoum and the southern-based Sudan People's Liberation Movement/ Army (SPLM/ A), ended one of Africa's longest and bloodiest civil wars. The 21-year conflict left some two million people dead and displaced another four million from their homes, devastating lives and livelihoods.

The signing of the CPA brought significant, if fragile, gains for southern Sudan. It brought a formal end to the 21-year conflict. The semi-autonomous government of southern Sudan (GoSS) was established in the regional capital Juba and in the ten southern states. Relative peace allowed many of those displaced by the war to return home. Local markets and trade with neighbouring countries have expanded.

But for many ordinary people, a stable, secure, and dignified life is a long way off. Where development has taken place, it has concentrated in Juba and, to a lesser degree, in smaller urban centres, barely touching southern Sudan's predominately rural population. The region's woefully inadequate infrastructure makes the delivery of even the most basic social services an extreme challenge; it means that communities are cut off for weeks at a time and have only themselves to rely on. Now the few gains that ordinary people have seen since the end of the war are being eroded by rising violence.

Meanwhile, the CPA is increasingly under threat and its implementation is badly behind schedule. Following two postponements, Sudan-wide elections are scheduled for April 2010. In January 2011, the people of southern Sudan are set to hold a referendum in which they will decide whether to remain part of a united Sudan or to secede. Both these events present risks of serious instability.

This joint NGO paper is a wake-up call for the international community to an increasingly alarming situation. It is based on community consultations in towns and villages of Jonglei, Lakes, Upper Nile, and Western Equatoria states, and interviews with government, the United Nations, and donor officials in Juba and field locations.<sup>2</sup> It is further informed by the day-to-day programming experience of Oxfam, Save the Children, the International Rescue Committee (IRC), Tearfund, World Vision, Secours Catholique/ Caritas France, Handicap International, Cordaid, Christian Aid, and ICCO & Kerk in Actie, in all ten states of southern Sudan, as well as the Three Areas of Abyei, Southern Kordofan and Blue Nile.<sup>3</sup>

The paper explores the rising insecurity (section one); suggests urgently needed measures to protect civilians from violence (section two); outlines the critical humanitarian situation and recommends steps to strengthen emergency relief (section three); exposes the failure to deliver development, calling for accelerated delivery of essential



# 1 Civilians at risk

*'When the armed men came to the village, they attacked everybody: even a pregnant woman and her children were killed.'*

Young mother, Oxfam interview, Lakes state, 24 September 2009.

Five years since the signing of the CPA, southern Sudan is experiencing a major upsurge in violence. In 2009, 2,500 people were killed and more than 350,000 displaced.<sup>4</sup> Despite efforts by the GoSS to contain insecurity as well as the presence of a UN peacekeeping mission, ordinary people, among them women, children, and the elderly, are being killed and abducted in brutal attacks. The insecurity is devastating a highly vulnerable population. Homes, livelihoods, and crops are being destroyed. Five years into the peace agreement, it is unacceptable that civilians are still not being protected from extreme levels of violence.



A burnt home in the aftermath of a raid, Duk Padiet, Jonglei state

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*'We are worried about the future, we feel so confused.'*

Elderly man, Oxfam interview, Upper Nile state, October 2009.

## Multiple threats

Insecurity stems from multiple, sometimes overlapping, sources. The peace is fragile and tensions between northern and southern Sudan have resulted in clashes.<sup>5</sup> Violence has flared between and within southern Sudan's many tribes, often as a result of competition for resources and perceptions of uneven treatment by authorities. The GoSS security forces lack basic training and resources. Southern Sudan has also been badly destabilised by the Lord's Resistance Army (LRA), a brutal rebel group, and other militia. These problems are exacerbated by widespread civilian ownership of small arms.

## CPA milestones

The CPA was designed as a process. It included an interim period of six years (2005 to 2011), during which time the parties committed to meet a number of benchmarks and to address contentious issues that were left unresolved during the negotiations, such as the demarcation of the oil-rich north-south border. While the international community invested

tremendous resources in brokering the CPA, attention waned after it was signed, and the focus shifted to the crisis in Darfur, western Sudan. The CPA's international guarantors shied away from responding robustly to clear violations of the agreement.<sup>6</sup>

Well behind schedule, the CPA has now entered its final year with two key benchmarks looming: April 2010 general elections and the January 2011 referendum on whether the south will secede from the rest of the country. But the parties are yet to agree a number of critical issues, such as the modalities for holding the 2011 referendum or post-2011 arrangements. Without concerted international mediation, the elections and, above all, the referendum could spark serious instability.

## A fragile security sector

Following the signing of the CPA, important steps were taken to turn the Sudan People's Liberation Army (SPLA), a rebel group, into a professional army and to develop a civilian police service. This has involved the uneasy integration of formerly hostile southern militias into the ranks of the SPLA.<sup>7</sup>

Alongside this process, the CPA also created a number of new security arrangements, among them so-called Joint Integrated Units (JIUs), composed of troops from the former warring parties – the Sudan Armed Forces (SAF) and the SPLA. But in practice, the JIUs are co-located rather than meaningfully integrated; and on occasion, they have caused instability. In Malakal, Upper Nile, for example, heavy fighting broke out in February 2009 between the SAF and SPLA components of the JIU deployed in the town. This led to the deaths of at least 33 civilians.<sup>8</sup> Similar clashes took place within the same JIU in November 2006, killing 150 people.<sup>9</sup>

*'Not once in five years have I seen a policeman in our village.'*

Woman, Oxfam interview, Lakes state, 24 September 2009.

The capacity of the five-year old Southern Sudan Police Service (SSPS) is extremely limited.<sup>10</sup> Its rank and file are composed of former SPLA soldiers, who were transferred across to the police without proper screening or training.<sup>11</sup> As a result, the SSPS lacks understanding of civilian policing and it is also overwhelmingly illiterate, because like most southerners, its members did not have an opportunity to receive a formal education during the long civil war.<sup>12</sup> Outside of a few units, the police work without basic equipment such as radios, handcuffs, cars or even uniforms. Indeed, civilians are often better armed than the police.<sup>13</sup>

The inability of the police to provide security means that the SPLA is relied upon to intervene in cases of localised insecurity, complicating efforts to find non-military solutions to violence. Moreover, the discipline of both SPLA soldiers and the police, and their interaction with civilians, remains a cause for concern. Two public opinion studies conducted in 2009 found that citizens in several states saw harassment by security forces as a source of insecurity.<sup>14</sup>

## Clashes between armed civilians

Against this backdrop, violence surged in southern Sudan over the course of 2009. Clashes between armed civilians took place throughout the war and continued in the post-CPA period.<sup>15</sup> But some communities and observers say that the intensity and nature of the 2009 ethnic clashes, in particular the indiscriminate killing of women, children and the elderly, has exceeded anything seen since the end of the conflict.<sup>16</sup>

*'I was a trader selling sodas (soft drinks) and other small things. I fled with only the clothes I stand in. They burned everything – even the water pumps were broken.'*

Trader, Oxfam interview, Bor, Jonglei state, 5 October 2009.

In Jonglei, one of southern Sudan's most remote, under-served, and chronically insecure states, hundreds of people have died in intensifying violence. The clashes, which have been characterised by large numbers of young attackers, have in some instances resulted in more than 100 civilian casualties at a time.<sup>17</sup> Deadly clashes between and within tribes have also taken place in Lakes, Warrap, Upper Nile, Unity, and Central and Eastern Equatoria states. Some community members interviewed for this paper said they felt just as vulnerable now as during the long civil war.<sup>18</sup>

Much of the violence is taking place in isolated rural locations where a government presence is largely absent. Inaccessibility makes it extremely challenging for the authorities and UN peacekeepers to get on the ground to contain and respond to outbreaks of violence. It also hinders the delivery of emergency assistance and basic services.

Consultations with communities and local government officials indicate that the violence is rooted, at least in part, in specific, local grievances. These tend to be related to competition over cattle, land, and other resources; the demarcation of county and administrative boundaries; security concerns; retribution for past attacks; and anger at perceived exclusion from development. Perceptions of uneven disarmament have also been a significant motive in some of the attacks. Moreover, the ready supply of weapons and ammunition has meant that disputes quickly escalate.

*'There is no formula to bring warring parties together any more.'*

Senior government official, Oxfam interview, Bor, Jonglei state, 5 October 2009.

The absence of rule-of-law institutions and justice providers (police, courts, prisons) means that communities are more likely to resort to violence in the first place, and it becomes difficult to break cycles of retaliatory attacks. Communities also suggest that the youth are no longer under the control of chiefs, and that traditional dispute resolution mechanisms are being undermined by the proliferation of small arms. Moreover, despite the particular susceptibility of youth and former combatants to taking up arms, little attention has been paid to providing livelihood opportunities to such groups. Instead, young men in pastoralist communities tasked with caring for cattle see carrying guns as essential for the job.

### Box 1: Violence in Warrap state – Mary’s story

In August 2009, 47 villages were burned in Warrap state, southern Sudan, killing dozens of people and causing hundreds to flee their homes. Mary was caught up in the violence:

‘The problem started when herders took their cattle to water points and when they were returning home they were attacked and their cows were stolen.’

Soon after, a neighbouring clan attacked Mary’s village: ‘The attackers started shooting and people ran. When they did not get cows or people, they started burning houses.’

‘There was no government intervention, because there is no road going to our home village and no communication.’

Mary, 26 years old, is currently hosting 18 displaced people in her home. ‘I am the one looking after all these people,’ she said. ‘I give them food and cook for their children. I cannot desert them; even if I have nothing to give them, I will survive with them.’

Source: World Vision, Warrap, 22 October 2009

## The Lord’s Resistance Army

*They [LRA] chased us from our place. They didn’t reach here but we ran because we were frightened...we thought they’d reach here. That left us with another challenge because when we ran we left our gardens...our produce. When we returned we found everything gone.’*

Woman, Oxfam interview, Western Equatoria state, April 2009.

The Lords Resistance Army (LRA) is a notoriously vicious rebel group with its origins in northern Uganda.<sup>19</sup> Southern Sudanese communities were subject to violent attacks from the LRA up to and after the signing of the CPA, and today the LRA continues to wreak havoc in parts of the region.<sup>20</sup> Since the end of 2008 alone, LRA activity has displaced close to 70,000 southern Sudanese in Western and Central Equatoria states and led to an influx of some 18,000 refugees from neighbouring DRC.<sup>21</sup>

The unpredictable nature and brutality of the LRA attacks has sent waves of fear through Western Equatoria, the most badly hit area. With its fertile soils and relatively educated population, this should have been one of the first states in southern Sudan to thrive after the CPA. Instead, some communities are too frightened to stay in their villages or venture into the fields to cultivate. As a result, rural school enrolment has declined, and normally productive farming families are going hungry.<sup>22</sup>

To defend themselves against LRA attacks, communities have formed voluntary youth militia armed with traditional weapons. According to community accounts, the presence of these ‘Arrow Boys’ has provided a sense of security. But the reliance on a militia, which includes children among its ranks, is extremely worrying and is a sign of the inability of the GoSS security forces and the UN peacekeeping mission (UNMIS) to protect civilians.

The LRA is a regional problem, however, requiring a regional response, and neither the GoSS nor UNMIS can be expected to deal with the LRA on their own.<sup>23</sup> The UN Security Council must renew its engagement with the LRA issue and push for a comprehensive solution to the problem. At the same time, as detailed below, the GoSS and UNMIS can and must take urgent steps to improve the security of citizens, including in LRA-affected areas.



## 2 Enhancing civilian protection

Southern Sudan's size, limited infrastructure, and the remote setting of much of the violence pose huge challenges to effective civilian protection. Any deployment to one flashpoint area, be it by GoSS security forces or UNMIS military or civilian personnel, represents an opportunity cost elsewhere.<sup>24</sup> As described below, the GoSS and UNMIS, and the wider international community, must, however, take concerted, concrete measures to better protect civilians from violence. This is particularly crucial in view of the risk of further insecurity around the elections and referendum.

### The GoSS: Moving beyond a focus on disarmament

#### Challenges and pitfalls of civilian disarmament

Efforts by the GoSS to address insecurity have concentrated on civilian disarmament, through voluntary and coercive means. Jonglei state has experienced a number of forcible disarmament campaigns, some of which have resulted in large numbers of casualties and inflamed ethnic tensions.<sup>25</sup> In September 2008 in Lakes state, a search for weapons in the state capital, Rumbek, turned violent as inebriated soldiers went on a spree of shooting and harassment.<sup>26</sup> By contrast, a mid-2009 disarmament effort in Lakes was largely peaceful, relying in the first instance on voluntary disarmament through community leaders.<sup>27</sup>

The GoSS focus on disarming civilians is understandable, given the large numbers of weapons in circulation. Indeed, communities interviewed for this paper, especially women, were quick to highlight the destructive consequences of 'guns, so many guns' in the hands of civilians.<sup>28</sup>

To date, however, civilian disarmament has been poorly planned; on occasion violent; and sometimes perceived as targeting certain ethnic groups. Further, weapons seized have reportedly found their way back into circulation.<sup>29</sup> The absence of violence during a civilian disarmament campaign is not necessarily an indicator of success. Lakes state's 2009 disarmament effort was relatively calm but it has not, according to communities, translated into a sense of security. Pastoralists interviewed in September 2009 explained that a rival tribe in a neighbouring state had not yet been disarmed; as a result they felt even more exposed to attacks.<sup>30</sup>

This view is indicative of a southern Sudan-wide phenomenon: as long as communities do not have confidence in government security forces to provide for their safety or to address their grievances, civilian disarmament – whether peaceful or forcible – will remain ineffectual.

Efforts by the GoSS to disarm civilians should be pursued through a broader internationally supported strategy to reform the security sector. Disarmament must be conducted professionally and evenly across identified conflict zones, without privileging one group over another. The GoSS should also deploy trained SPLA or police to provide security guarantees for disarmed communities.

## Building capacity of security forces

The GoSS is taking steps to increase the effectiveness of its security forces and to improve outreach with communities. It will need significant international assistance, however, if these steps are to be turned into a comprehensive strategy that improves the safety of ordinary people.

As it works to improve the capacity of the police force, the GoSS requires accelerated support from donors for professional screening, training, and the provision of basic communications equipment. This is a multi-year investment, however. In the short-term, the SPLA – that is, the military – will be relied on to provide internal stability. In line with that reality, the SPLA will need significant capacity-building support, including human rights training. A key aim of such training should be to promote positive interaction with civilians, irrespective of ethnicity or political affiliation.

### Box 2: Co-ordinating disparate stabilisation efforts

In October 2009, the GoSS, the UN Deputy Resident and Humanitarian Coordinator, the UN Development Programme (UNDP), and donors finalised a stabilisation plan for Jonglei state.<sup>31</sup> This plan is based on a UNDP-developed methodology of community consultations to identify drivers of and solutions to conflict, and includes ideas such as gaining access to remote areas through labour-intensive road building.<sup>32</sup> In the meantime, UNMIS put together its own plan for Jonglei, which aims to increase both the presence of state authorities and of the mission itself.

Both these stabilisation plans are welcome, but questions remain over implementation. Further, their design and delivery is not being co-ordinated. With similar plans being formed for other conflict-prone locations, good co-ordination and communication among all stakeholders, including within the UN system, will be critical if these initiatives are to succeed.

Source: Oxfam interviews with UNMIS and UNDP in Juba, September–November 2009.

## UNMIS: Getting serious about protection

The UN Mission in Sudan was deployed in 2005 with the primary objective of supporting the CPA implementation.<sup>33</sup> Its headquarters are in Khartoum, with a regional base in Juba, and a number of smaller bases across southern Sudan and the Three Areas.<sup>34</sup> With an annual budget of almost \$960m, UNMIS has deployed 9,275 military personnel

(of an authorised 10,000).<sup>35</sup> It also includes some 666 police advisors, and more than 3,000 international and local civilian personnel.<sup>36</sup>

## The mandate

As a primarily monitoring mission, most of UNMIS's mandate falls under Chapter VI of the UN Charter – Pacific Settlements of Disputes. Its core task is to monitor, verify, and investigate violations of the CPA's ceasefire, and to observe and monitor the agreed re-deployment of SPLA and SAF troops.<sup>37</sup> UNMIS is also mandated to support disarmament, demobilisation, and reintegration (DDR), police training, voter education, and a range of recovery activities.

There is a Chapter VII component to the mandate (authorising use of force),<sup>38</sup> whereby UNMIS is mandated to 'protect civilians from imminent threat of physical violence...within its capabilities and... without prejudice to the government.' Subsequent UN Security Council resolutions have urged UNMIS to make full use of its capabilities to provide protection to civilians, including from the LRA and other militia.<sup>39</sup>

## Insufficient focus on protection

For most of the mission's life, however, the UN Security Council has not prioritised protecting civilians in southern Sudan; the UN Department of Peace Keeping Operations (DPKO) has not provided enough support for protection activities; and the UNMIS in-country leadership has neglected civilian protection. There are several reasons for this: southern Sudan's precarious security environment was not well understood; UNMIS was concentrating on CPA monitoring; and a view existed among mission personnel that the Security Council added the civilian protection component to the mandate as an afterthought.<sup>40</sup> As a result, UNMIS has been slow to grapple with its mandated protection responsibilities and to use its resources to respond to a changing context.

At the field level, awareness or understanding of the mission's civilian protection responsibilities is limited or non-existent, with some UNMIS personnel entirely unaware of the Chapter VII component of the mandate, or believing that protecting civilians from 'tribal violence' or the LRA falls outside of the mission mandate and is a distraction from its core business of supporting CPA implementation.<sup>41</sup> But with thousands of ordinary southerners being killed in deadly attacks and the potential for further violence, such a lack of awareness of protection responsibilities is untenable.

The UN Security Council should make it clear that protecting civilians should be an UNMIS priority, by giving civilian protection greater prominence and stronger language in the April 2010 mandate renewal resolution. With support from DPKO, the UNMIS leadership must develop clear guidelines on what the protection of civilians means for all the mission's units, and provide appropriate training.

## Initiatives to build upon?

While UNMIS has shown an overall reluctance to prioritise civilian protection, it has taken some recent, isolated steps to deal with protection threats on the ground. In May 2009, for example, in an attempt to stabilise the situation in Jonglei state, UNMIS established temporary operating bases (TOBs) in the flashpoint locations of Pibor and Akobo, composed of the mission's military, police and civilian personnel.<sup>42</sup> As outlined in Box 2 above, it has since developed a stabilisation plan for Jonglei. Elsewhere, ahead of the July 2009 border ruling on the oil-rich Abyei area, UNMIS put in place a comprehensive contingency plan and increased its presence in Abyei town and surrounding areas, suggesting that it had learned lessons from its inability to protect civilians when violence erupted there in May 2008.<sup>43</sup>

These efforts have met with mixed success. Despite the huge expense in setting up the TOBs in Jonglei, UNMIS withdrew abruptly after some 60 days on the ground. Moreover, it did so without consulting with local authorities or communities,<sup>44</sup> and the decision seemed to be based on internal considerations rather than an assessment of the security situation. The TOBs were useful in getting UNMIS to remote locations where civilians need protecting, and reportedly the presence of UNMIS personnel on the ground made communities feel safer.<sup>45</sup> TOBs are very resource-intensive, however, and there are mixed opinions within the mission as to whether this model should be replicated.

## Identifying and preventing threats

As some UNMIS officials rightly emphasise, protecting civilians from violence is not just a task that should fall to the military: it is as much about anticipating threats and taking preventative action, such as mediating between parties. In order to take effective preventative action, UNMIS will need to improve communication between its civilian and military wings; intensify efforts to deploy its civilian monitors to volatile areas; and deepen engagement with communities, including by working with communities to establish early warning mechanisms.<sup>46</sup>

## Strengthening UNMIS in a challenging environment

UNMIS operates in an extremely challenging environment. But mission personnel concede that UNMIS can do more with its existing resources, especially its significant logistical assets and 3,000-odd civilian personnel, to help reduce risks to communities.<sup>47</sup>

With demands on UNMIS likely to grow, the people of southern Sudan desperately need an effective peacekeeping mission. The mission should urgently review its mandated protection responsibilities, including by undertaking a comprehensive assessment of civilian protection needs in southern Sudan, particularly in identified volatile areas, and how its human and physical resources should be strengthened in order to adequately fulfil its obligations.

# 3 Addressing critical emergency needs

Southern Sudan's already critical humanitarian situation sharply deteriorated in 2009 as a result of the escalation in violence and severe food insecurity.<sup>48</sup> Late rains, together with conflict-related displacement, have led to poor harvests and a still-unfolding food crisis that is affecting some 1.5m people.<sup>49</sup> In October 2009, WFP resorted to food airdrops in several states.<sup>50</sup> The increasing pressure on grazing and farming land as a result of the erratic rains could further fuel conflict and lead to yet more suffering.<sup>51</sup> The GoSS, UN, international and local NGOs, and communities themselves have been working hard to address these emergency needs. But, as this section explains, they have struggled – and the ability of these actors to meet the immediate needs of communities affected by violence or natural hazards must be strengthened.

## Humanitarian response challenges

Following the CPA's signing, the nascent government and donors sought to bring development to southern Sudan. While vitally important, this was done without sufficient understanding of southern Sudan's complex needs. The region was described as a 'post-conflict recovery' context – even though institutions had to be built from scratch, the security environment was extremely fragile, and major humanitarian needs persisted. In this environment, southern Sudan's humanitarian community struggled to maintain its capacity and funding.<sup>52</sup> Core humanitarian issues, such as access challenges and emergency preparedness, were neglected.

### Access obstacles

Southern Sudan is roughly the size of France, but has little more than 50km of tarmac road.<sup>53</sup> During the long rainy season, vast swathes of the region are completely inaccessible for weeks on end – even by air. Cut off from any form of help, communities have only themselves to rely on. Many of the bush airstrips used to provide relief aid during the war have fallen into disrepair. Southern Sudan's bush airstrips, patches of earth long enough for a light aircraft to land, are literally a lifeline, as they are often the only way to access remote communities. Yet, as of October 2009, 75 bush airstrips across southern Sudan had been classified by WFP as 'no-go' or restricted.<sup>54</sup>

*'We can cope if we have a large emergency in one state at a time, but five states at once, that exceeds our capacity to co-ordinate and respond'*

UN humanitarian official, Oxfam interview, Juba, October 2009.

### Box 3: Rising insecurity – narrowing humanitarian access

Accessing southern Sudan's remote rural communities is already extremely challenging and sometimes impossible, but has been exacerbated by rising insecurity, leading to relocations of NGO staff on 13 separate occasions in 2009.<sup>55</sup>

The violence has generally not targeted humanitarian activities but there have been notable exceptions. On 12 June 2009, heavily armed gunmen attacked a barge on the Sobat River carrying WFP food destined for Akobo in Jonglei state. An estimated 40 civilians and SPLA soldiers, who had been deployed to protect the boats, were killed. On 12 August 2009, an LRA attack on Ezo town in Western Equatoria took place near a WFP food distribution.

Source: Oxfam interviews with UN, GoSS and NGO officials in Juba, Bor, Malakal and Upper Nile, September–November 2009.

### Limited capacity to provide emergency assistance

*'The attack happened and we ran from the village. We got some help in the place we fled to but after that nothing. Now we've come back to the village and don't have any food. We are eating leaves and wild fruit.'*

Young mother, Oxfam interview, Lakes state, 24 September 2009.

There is limited capacity on the part of the GoSS, the UN, and NGOs to respond to emergencies.<sup>56</sup> The ability of the government to access rural areas is extremely weak,<sup>57</sup> while a restrictive funding environment for NGOs (described below in section four) has led to an uneven NGO coverage across southern Sudan. As a result, the most remote and needy locations, where operating costs tend to be highest, are often the least well served. The net effect of these access challenges, limited capacity, and insecurity is that communities in need have waited for weeks to receive help – or have not received it all.

Moreover, both the UN and NGO emergency response tends to be reactive and commodity-heavy – mass distribution of food, plastic sheets, and so on – without looking for ways to build community resilience, or making linkages with development activities. There has also been insufficient monitoring of emergency activities or follow-up after an initial intervention. A UN agency head explained: 'We do a decent job of responding to immediate needs but then that's it. We're not looking at the reasons for displacement or longer-term solutions to the displacements including ways to integrate IDPs back into their communities.'<sup>58</sup>

The UN's Office for the Coordination of Humanitarian Affairs (OCHA) should have been at the forefront of advocating on the humanitarian challenges faced in southern Sudan. However, in 2007, OCHA was pressured into reducing its presence because of the move to development. While OCHA has played an important role in facilitating disaster response through its Juba-based unit, it has no permanent staff members in the ten state capitals. Humanitarian co-ordination falls instead to the Resident Coordinator's Support Office (RCSO), the arm of the UN that should be concentrating on development.<sup>59</sup>

But that office currently consists of one or two under-resourced individuals who spend their time 'fire-fighting' rather than proactively planning for either humanitarian or development activities.<sup>60</sup>

#### Box 4: Waiting for help – the example of LRA-affected Western Equatoria

Following the signing of the CPA, Western Equatoria state was seen as a food-secure area where humanitarian activities were no longer warranted. As a result, NGOs struggled to secure funding and programmes supporting the state hospital, a number of primary health-care units, and food distribution had to close. By the end of 2008, UN agencies also closed or were planning to do so.

When the area was hit by LRA attacks at the end of 2008, there was little humanitarian response capacity in the state and the UN and NGOs scrambled to respond to the needs of close to 70,000 IDPs as well as more than 18,000 refugees from the DRC.<sup>61</sup>

The UN Refugee Agency (UNHCR) has global expertise in responding to the needs of displaced persons, but in southern Sudan its programmes were focused on facilitating the return of war-time refugees from camps outside of the country. Following the LRA attacks, UNHCR provided support to the Congolese refugees, but has not had the resources or the necessary support to respond to the numerically greater IDPs. WFP re-opened an office to conduct food distributions, however neither it nor the government has the capacity to respond to the range of needs. The lack of a lead organisation to co-ordinate assistance to these IDPs has further slowed the response, leaving many communities to fend for themselves.<sup>62</sup>

Source: Oxfam interviews with local government, UN and NGO officials and LRA-affected communities, Yambio, October 2009.



Poor roads on the outskirts of Rumbek, Lakes state. Maya Mailer/Oxfam, 23 September 2009

## Fixing the problem

Southern Sudan's top UN humanitarian official, the UN Deputy Resident and Humanitarian Coordinator has energetically raised awareness of the critical situation in the region, calling for increased humanitarian funding.<sup>63</sup> The United Nations and NGOs work in partnership to deliver this assistance, yet, while NGOs are on the frontline of emergency response, they have found it more difficult than their UN counterparts to access emergency funds. This is in part because such funds are often channelled through mechanisms that NGOs can only access as sub-grantees to UN agencies.<sup>64</sup> Donors should ensure that in 2010, OCHA's Emergency Response Fund (ERF), which is directly accessible to both local

and international NGOs, is well-resourced and swift moving.<sup>65</sup> OCHA should also simplify the contracting process, to facilitate access to the fund for local NGOs.

Increasing humanitarian funding is only part of the solution to strengthening emergency response. Donors, the United Nations and NGOs also need to take a number of other actions detailed below.

### **Prioritising access**

The United Nations and the GoSS, with support from donors, must find a systematic way to maintain southern Sudan's bush airstrips, ideally through job-creation schemes for local communities.<sup>66</sup> With less than half of southern Sudan's 7,500km road network estimated to be open year-round, rehabilitating the region's roads is an indisputable priority.<sup>67</sup>

### **Support to local NGOs and church structures**

In many locations, local civil society and church structures are the only entities capable of reaching rural communities and have unparalleled knowledge of community needs and aspirations.<sup>68</sup> With more generous donor support, the GoSS, the United Nations, and international NGOs can and must help to identify and strengthen the capacity of such local groups.

### **Improving emergency preparedness**

Humanitarian programming in southern Sudan is only weakly informed by early warning systems. OCHA should take the lead in mapping preparedness gaps and identifying practical solutions for access problems, funding bottlenecks etc. In advance of the international border ruling on Abyei in July 2009,<sup>69</sup> OCHA put together a well-developed humanitarian contingency plan as part of a broader UNMIS effort that identified capacity gaps, solutions to overcome them, and different displacement scenarios.<sup>70</sup> This plan should serve as a model for other locations that are affected by both natural hazards and conflict.

### **Sustainable responses**

Emergency response in southern Sudan has concentrated too heavily on meeting the immediate needs of disaster-affected communities, without looking at ways to reintegrate displaced persons back into their host communities, build community resilience, and contribute to development. Northern Bahr el Ghazal, for example, has extremely high annual malnutrition rates and the highest number of returnees, and is therefore a habitual recipient of food aid.<sup>71</sup> It is also, however, one of the most secure states, with a number of well-developed markets, so food aid may not be the most appropriate tool for dealing with periodic hunger, and projects involving cash transfers may provide a better alternative.<sup>72</sup>

While southern Sudan's immediate needs must be met, in the long term, its chronic humanitarian challenges can only be addressed through sustainable development. As explained in section four, however, development aid to southern Sudan has also been deeply flawed.

## 4 An urgent need for development

*'I worry that with the rising levels of insecurity, agencies will shift from development back to emergency projects, when the international community still needs to support the state.'*

Government official, Oxfam interview, Upper Nile state, October 2009.

Southern Sudan's complex needs call for a multi-track approach. The situation urgently requires simultaneous investment for emergency relief *and* development. Irrespective of the outcome of the 2011 referendum, delivery of essential services and support to the GoSS must be accelerated in order to lay the foundations for sustainable development – a pre-requisite to a lasting peace.

The region's development indicators are at the bottom of the scale.<sup>73</sup> A pregnant woman in southern Sudan has a greater chance of dying from pregnancy-related complications than a woman almost anywhere else in the world.<sup>74</sup> Around 90 per cent of southern Sudanese women cannot read or write.<sup>75</sup> Half the population does not have access to safe drinking water.<sup>76</sup> Southern Sudan suffers a crippling disease burden with hyper-endemic malaria, meningitis, cholera, and haemorrhagic fever. In many rural locations, children lack schools, people are chronically malnourished, and it takes days to walk to the nearest health centre.<sup>77</sup>

### Where are the peace dividends?

After decades of neglect, the people of southern Sudan hoped the CPA would bring tangible improvements in their day-to-day lives. While Juba has seen a surge in economic activity, for many ordinary people meaningful post-war development has been absent. The delivery of basic services such as schools, health clinics, and safe water, should have been a key peace dividend that helped build popular confidence in the CPA. Instead, service provision has been painfully slow, leading to mounting frustration.<sup>79</sup>

Given the scale of the need, it is understandable that the GoSS and donors have struggled to make development work, but they also held widely unrealistic expectations about the speed at which a nascent government would be able to deliver services in a territory as vast and under-developed as southern Sudan.<sup>80</sup> At the local level, the government often consists of little more than a handful of over-stretched employees, working out of thatched-roofed buildings with no power, vehicles, communication, or regular salaries.

*'The CPA is just a word...What does it mean if the younger children can't go to school because it's too far for them to walk? What does it mean if I still have to deliver all of my babies at home?'*

Mother of six, Oxfam interview, Lakes state, 1 July 2009.<sup>78</sup>

#### Box 5: Reintegration of returnees

The signing of the CPA and a relative improvement in the security situation in southern Sudan are widely cited by returnees as their primary reason for coming home.<sup>81</sup>

The international community mobilised a massive returns programme, resulting in an estimated two million refugees and IDPs returning to southern Sudan,<sup>82</sup> but by comparison, reintegration programmes have received little funding. This has led to conflicts over limited resources and encouraged hundreds of thousands of returnees to flock to the regional capital Juba and state capitals in search of basic services and jobs.

The rapid urbanisation has seen towns expand faster than infrastructure and livelihood opportunities, leaving large numbers of people struggling to survive. Meaningful integration of returnees in both urban and rural locations is critical to long-term stability.

Source: IRC Returnee / Protection Monitoring and Reintegration Programmes, Juba, 2006–09

## Funding challenges

While there has been significant bilateral assistance to southern Sudan from the USA and other donors, most European countries and Canada chose to channel their money through pooled funds. These are funds to which a group of donors contribute and make joint decisions on allocations. In theory, pooled funds should increase efficiency; in southern Sudan, they have been highly problematic.

### *The Multi Donor Trust Fund*

The World Bank-administered Multi-Donor Trust Fund - South (MDTF) is the largest such fund for southern Sudan. Since 2005, donors have allocated some \$524m to the MDTF, with the GoSS contributing a further \$179m in counterpart funding.<sup>83</sup> Referred to in the CPA, the MDTF was intended to build government systems; deliver large-scale infrastructure; and provide comprehensive basic services packages.

The MDTF was premised on the government administering grants in accordance with complicated World Bank rules. But the GoSS had yet to come to grips with basic financial management and had nowhere near the capacity to navigate complex procurement and contracting procedures. The World Bank in Washington failed to understand southern Sudan's capacity constraints or to dispatch the necessary technical assistance to the GoSS. Senior donor representatives based in Khartoum also spent too little time in southern Sudan. A fundamental lack of understanding of the local context further contributed to unacceptable delays in delivery (see Box 6).

NGOs have also found it extraordinarily difficult to access the MDTF because of unclear application and approval processes and long contract negotiations.<sup>84</sup>

### *Some slow improvements*

Recognising the limitations in MDTF delivery, donors created additional pooled funds to fill the gap. These included the UK-established Basic Services Fund (BSF) for delivery of health care, education and water through NGOs, and the Sudan Recovery Fund (SRF), which shifted from an initial focus on livelihoods to community security initiatives.

The BSF is widely seen as an efficient and accessible fund, while questions remain over the ability of the SRF to deliver. In any case, these funds are dwarfed in size by the dysfunctional MDTF, and opportunities to scale up essential services have been missed.

In mid 2009, the GoSS and donors jointly decided to re-allocate some \$167m away from the MDTF, although they have been slow to decide on alternative mechanisms. The UK has agreed to support an expanded BSF, but as of December 2009 modalities were still being finalised.

Donors should communicate allocation decisions as soon as possible, ensuring funds are routed through efficient, flexible mechanisms. At the same time, all MDTF stakeholders must work together to ensure that the roughly \$350m that is locked into the fund delivers tangible results for the people of southern Sudan.<sup>85</sup> This will involve the GoSS and donors meeting commitments made in June 2009 to strengthen financial accountability and ensuring good technical assistance to the GoSS.<sup>86</sup>

**Table 1: Southern Sudan's aid architecture**

	<b>Multi Donor Trust Fund (MDTF)</b>	<b>Capacity Building Trust Fund (CBTF)<sup>87</sup></b>	<b>Sudan Recovery Fund (SRF)</b>	<b>Basic Services Fund (BSF)</b>	<b>Common Humanitarian Fund (CHF)<sup>88</sup></b>
<b>Fund type</b>	Development	Development	Recovery	Recovery	Humanitarian
<b>Administrator</b>	World Bank	UNICEF/JDT	United Nations	Private sector	UN-Resident Coordinator Support Office (RCSO)
<b>Start Date</b>	2005	2005	2008	2006	2005
<b>End Date</b>	2011	2011*	2011	2010*	Unknown
<b>Major donors</b>	UK, EC, Norway, Italy, Netherlands, Sweden, Canada, Germany, Spain, Denmark, Finland	UK, EC, Norway, Italy, Netherlands, Sweden	UK, Netherlands	UK, Netherlands, Norway, Canada	Multiple
<b>Committed donor funding 2005–09 (\$m)</b>	\$524m	\$22.7m	\$51.3m	\$ 66.2m	\$190m
<b>Length of interventions</b>	2–5 years	1–3 years	18 months –3 years	18 months	6–12 months
<b>Average size (\$m)</b>	\$10m – \$150m	\$0.2m – \$2m	\$0.5m – \$3m	\$2m – \$3m	\$0.2m
<b>Type of intervention</b>	Large-scale infrastructure Service delivery Productive capacity Core government systems Cross-cutting (gender & environment)	Public sector reform Public financial management – training & systems development	Productive capacity and community development State-level capacity and recovery	Service delivery (primary health, basic education, water & sanitation)	Emergency response Service delivery (existing safety nets & essential pipelines)

\* Plans are underway to renew the CBTF and the BSF. Source: Compilation of information provided by the Joint Donor Office (Juba), RCSO and OCHA, November 2009

### **The negative impact of pooled funding problems**

An inordinate amount of time has been consumed in Juba on discussions around the pooled funds. The World Bank, donors, and the GoSS all bear responsibility for this, and lessons must be learned for the post-2011 period.<sup>89</sup> NGOs, meanwhile, have had to rely on multiple, short-term funding sources. As one NGO manager described, '...our funding is pieced together from thirty small grants. It's unmanageable.'<sup>90</sup> This has made it difficult to sustain quality programming or effectively build the capacity of government or civil-society counterparts.

Some NGOs have had to close down long-running programmes, even though government authorities were not yet in a position to take over. Paradoxically, then, just as southerners were expecting to see a peace dividend, some communities actually experienced a decline in service delivery.

#### **Box 6: An example of bad practice? Support to the health sector**

It was envisaged that the MDTF would fund delivery of health services across all ten states in southern Sudan. This model involved sub-contracting lead NGO agents in each state, who would assist the state Ministry with co-ordination and sub-contract further to other NGOs to support basic service delivery at county level.

As of late 2009, however, delays in contracting and NGO inability to meet World Bank procurement procedures meant that none of the basic service provision sub-contracts had been finalised. In other words, five years after the MDTF's establishment, almost no funding had reached health facilities through this mechanism.<sup>91</sup>

MDTF funds will probably reach county health clinics in four states in 2010, while other funding mechanisms, such as the BSF, will seek to plug the gap in the six remaining states, but overall support to the health sector in 2010 will likely be at a lower rate than originally expected.<sup>92</sup>

In the meantime, NGOs across southern Sudan have continued, with difficulty, to deliver up to 85 per cent of primary health-care services, piecing together funding from multiple sources.<sup>93</sup> Health data collected in August 2009 showed that only a quarter of NGO-supported clinics had confirmed funding through until the end of the year.<sup>94</sup> This is an annual pattern, presenting a serious challenge to government capacity building: instead of concentrating on a long-term strategy, NGO attention is diverted to securing funding. As a result of the unpredictable funding environment, some NGOs are forced to serve periodic notice on clinic staff and to inform government counterparts that clinics are threatened with closure.

Source: Interviews with health sector workers, October 2009

### **The importance of predictable, multi-year funding**

The uncertainty about southern Sudan's political future is likely to contribute to a drop in predictable, long-term funding over the coming

years.<sup>95</sup> This will be exacerbated by Sudan not being eligible for an estimated €300m of EU development assistance, because the government in Khartoum has not signed a new framework agreement with the EU.

This is something the people of southern Sudan can ill-afford. Donors must ensure that southern Sudan receives effective funding commensurate with its critical needs, including direct support to international and local NGOs, who will have a vital role in service-delivery provision for the foreseeable future.

*'We are sitting on multiple challenges and don't have the ability to meet people's expectations on our own. Maybe after ten years we will be able to do it but can we wait for our people to die in the meantime? The NGOs are helping build our capacity and empowering our people after the war.'*

County government official, Western Equatoria state, 3 October 2009.

The GoSS and donors have expressed concern that NGO service delivery will undermine government authority. But it is not a straight trade-off. NGOs can, should, and often do work in close co-ordination with government at all levels, building the capacity of local government counterparts, which, in line with the GoSS's decentralisation policy, should be at the forefront of service delivery. The handover of service delivery to government counterparts, however, must happen through a phased approach based on realistic assessments of capacity.

### **Greater technical assistance to all levels of government**

Since 2005, the GoSS has benefited from significant oil revenues. It is estimated to have received approximately \$7bn to date as part of the CPA's revenue-sharing arrangement, which gives it the right to 50 per cent of all proceeds from southern-based oil fields. The GoSS, however, has been unable to manage these resources effectively to deliver services and development to citizens, particularly in areas outside of urban centres. GoSS officials have themselves acknowledged that this is in part due to corruption and bloated salary payrolls.<sup>96</sup>

*'I have no job description, no training, no feedback from above. I do what I can, but what gets done is up to me and I don't have any vehicle to move out from the office.'*

Local government official, Upper Nile state, 27 September 2009.

From the outset, however, the GoSS – with almost no first-hand experience of governing – has had to contend with an almost unimaginable set of development and security challenges. With support from the UN, World Bank and donors,<sup>97</sup> the GoSS is developing financial systems, planning processes, and payroll systems, all virtually from scratch. But technical assistance to the GoSS has been on a far lower scale than comparable post-conflict settings: there are an estimated 150 international technical assistants working in GoSS ministries, as compared with the 3,000 such assistants seconded to post-war Mozambique in 1990.<sup>98</sup>

Moreover, support to the GoSS has been disproportionately targeted at the Juba level. While building central government structures is critical, it cannot come at the expense of support to local authorities if the connection between citizens and government is to take hold and if the burden of service delivery is to be shifted away from NGOs.

Recognising this imbalance, UNDP, with donor support, is planning to scale up its technical assistance in each of the ten states in 2010. This is a welcome first step, but much more GoSS and donor engagement will be required to build effective local government structures.

## Consistent service delivery beyond 2011

The international community and the GoSS have not delivered significant development to southern Sudan during the critical window of the CPA's interim period. This failure has in turn made communities more vulnerable to disasters. Expanded support to basic service provision through the referendum period and beyond is essential – not only to meeting the current needs of the people of southern Sudan, but in contributing to a sustainable peace.



A tent school, Owiny Ki-Bul, Eastern Equatoria state. © Tim McKulka, 26 October 2007

# 5 Conclusions and recommendations

Southern Sudan faces many interlocking challenges, but with political will and a multi-track strategy, they are surmountable. Failing to act is not an option. With the elections and the referendum in sight, conflict prevention and enhancing civilian protection is an urgent priority. A deteriorating humanitarian situation makes strengthening emergency response critically important. At the same time, service delivery and support to the government must accelerate to help lift ordinary people out of poverty and give them hope for the future.

## Conflict mitigation and civilian protection

As the CPA enters its final year, the following steps are urgently needed to mitigate conflict and to enhance civilian protection:

- Concerted international mediation between CPA parties to resolve key issues in the lead-up to specific CPA events, above all the 2011 referendum and its aftermath. Both parties must work together, including through mechanisms such as the Joint Integrated Units, to provide security.
- The GoSS, with support from international partners, must move beyond civilian disarmament and strengthen its ability to provide internal security, to protect civilians and to address community grievances. Disarmament must be conducted professionally and evenly across identified conflict zones, without privileging one group over another. The GoSS should deploy trained SPLA or police to provide security guarantees for disarmed communities.
- The UN Security Council must prioritise protection of civilians when renewing the UNMIS mandate in April 2010, underscoring the mission's responsibility to address threats arising from communal violence and the LRA, as well as potential CPA-related clashes. It should support UNMIS to make better use of its current resources and, if necessary, provide additional resources to meet these challenges.
- UNMIS should provide clear guidelines and training for all its personnel (including the military) on its mandated protection responsibilities; improve internal communication; and strengthen engagement with local authorities and communities. This could include regular UNMIS joint civilian and military patrols in rural conflict-affected locations and the provision of basic communications equipment to police and appointed security focal points in communities.
- The UN Security Council must renew its focus on the LRA problem and push for a comprehensive regional solution.

## Strengthening emergency response and preparedness

The humanitarian situation in southern Sudan – already one of the worst in the world – is deteriorating. Immediate measures are needed to strengthen emergency response:

- Donors should expand emergency funding to southern Sudan and ensure it is readily available to NGOs, including through mechanisms such as OCHA's Emergency Response Fund (ERF).
- OCHA must be fully staffed in order to co-ordinate robust emergency preparedness and to map gaps, and assign dedicated focal points to each of the ten southern states. OCHA should also advocate for improved access to under-served areas, including through the rehabilitation of airstrips and roads.
- The United Nations, donors, and international NGOs must strengthen support to local NGOs and church structures – often the only entities capable of reaching southern Sudan's remote communities.
- Emergency interventions should contribute to development, where appropriate, by providing alternatives to food distributions and other responses that inhibit the growth of markets and community self-sufficiency. This should include promotion of reintegration and/or resettlement for displaced people.

## Accelerating service delivery and support to the GoSS

Strengthening emergency response must not divert resources from longer-term development activities. After decades of war, delivery of basic services and support to the GoSS must be accelerated through:

- The GoSS, with support from donors, strengthening financial accountability and improving management of its significant resources to deliver development for the people of southern Sudan.
- Donors communicating allocation decisions as quickly as possible and providing predictable, longer-term funding for service delivery, including through an expanded Basic Services Fund that runs for a minimum of two years. The long-term goal should be handover of service delivery from NGOs to government, but this must happen within a realistic timeframe and through a phased approach.
- Donors, the GoSS, and the World Bank working together to ensure the roughly \$350m remaining in the MDTF-S is spent to deliver tangible results for the people of southern Sudan.
- The EU identifying alternative channels to route development funds to southern Sudan, given that Sudan is not eligible for the 10<sup>th</sup> round of European Development Funds.

- Donors strengthening technical assistance to the government, with both the GoSS and donors giving much more support to local government (state, county, and *payam*) structures.<sup>99</sup>

## The time to act is now

The people of southern Sudan have shown extraordinary resilience in the face of decades of war and neglect. In this, the final year of the CPA's interim period, the Government of Sudan and the Government of Southern Sudan must work together to fulfil their commitments and deliver on the promise of the CPA.

With concerted and immediate action, the parties to the CPA and the international community can, and must, prevent a return to a devastating conflict. Now is the time to bring desperately needed security and assistance to the people of southern Sudan, and to build the foundation for sustainable development and, ultimately, a durable peace.



School children play on an abandoned tank, Mundri, Western Equatoria. Caroline Gluck/Oxfam  
15 December 2009

# Notes

- <sup>1</sup> Report of the Secretary-General on the United Nations Mission in the Sudan, 21 October 2009, p.1. (last accessed November 2009).
- <sup>2</sup> This paper draws on consultations with communities and local government officials that took place throughout 2009, including in Mundri and Yambio, Western Equatoria (January, April, and September 2009); Rumbek Central, Cuibet and Wulu, Lakes (July and September); Malakal and Melut, Upper Nile (September); and Bor, Jonglei (October). More than 50 interviews also took place in Juba and the state capitals of Bor, Malakal, Rumbek, and Yambio with the GoSS, UN, donors, and NGOs between September and November 2009.
- <sup>3</sup> These INGOs work both through direct operations and local partners in the fields of primary health care, food security, water and sanitation, livelihoods, education, peace-building, public health promotion, nutrition, capacity building, disaster risk reduction, emergency response and environmental conservation.
- <sup>4</sup> Consolidated Appeals Process (CAP): Work Plan 2010 for Sudan, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 11 Dec 2009, <http://www.reliefweb.int/rw/rwb.nsf/db900SID/EDIS-7YMTE8?OpenDocument> (last accessed December 2009).
- <sup>5</sup> Fighting within the Joint Integrated Units (JIU) erupted in Abyei in May 2008, leading to the displacement of 50,000 people, and in Malakal in November 2006 and February 2009.
- <sup>6</sup> Guarantors included Kenya, Uganda, Egypt, Italy, the Netherlands, Norway, the UK, and the USA, as well as the Intergovernmental Authority on Development, African Union, European Union, United Nations, and the League of Arab States. Violations include breaches to the permanent ceasefire, such as fighting between the SPLA and SAF JIUs (see endnote 5) and the July 2005 rejection of the supposedly 'final and binding' Abyei Boundaries Commission (ABC) report.
- <sup>7</sup> See, for example, Small Arms Survey (May 2008) 'Allies and defectors: An update on armed group integration and proxy force activity', HSBA Issue Brief No.11, Geneva: Small Arms Survey. [http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan\\_pdf/SIB%2011%20allies%20defectors.pdf](http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan_pdf/SIB%2011%20allies%20defectors.pdf) (last accessed November 2009).
- <sup>8</sup> G.Gagnon (2009) 'Letter to the Presidency of the Sudanese Government of National Unity Concerning the Situation in Malakal', Human Rights Watch, 21 May 2009. <http://www.hrw.org/en/news/2009/05/21/letter-presidency-sudanese-government-national-unity-concerning-situation-malakal> (last accessed November 2009).
- <sup>9</sup> *Ibid.*
- <sup>10</sup> Each of the ten states has an average of 1,500 to 2,000 police, with the GoSS aiming for 3,000 per state. With few vehicles and vast areas to cover, the SSPS is inevitably patchily deployed.
- <sup>11</sup> Oxfam interview with donor-funded police advisor, Juba, 12 November 2009.
- <sup>12</sup> Up to 90 per cent of the police force could be illiterate. A. Lokuji, A. Sewonet Abatneh, Chaplain K. Wani (June 2009) 'Police Reform in Southern Sudan', The North-South Institute: Canada and Centre for Peace and Development Studies, University of Juba: Sudan, p. 6. <http://www.nsi-ins.ca/english/pdf/SSR%20Sudan.pdf> (last accessed November 2009).
- <sup>13</sup> *Ibid.*, p.5.
- <sup>14</sup> Lokuji, *op. cit.* and T.D. Cook and D. Vexler (September 2006) 'Imagining the elections: A Look at What Citizens Know and Expect of Sudan's 2010 Vote', The National Democratic Institute: Washington DC, p. 50. <http://www.ndi.org/node/15797> (last accessed November 2009).
- <sup>15</sup> Arming proxy militia and manipulation of ethnic tensions formed part of a calculated strategy during the long civil war. Moreover, the early CPA period (2005–06) was extremely violent and chaotic, with, for example, major clashes between the SPLA and militia groups and a bloody disarmament campaign in Jonglei. The 2009 violence is therefore, at least in part, a continuation of existing trends. Further, a lack of systematic reporting (particularly in the early years of the CPA period) makes it

likely that some attacks have gone unreported.

- <sup>16</sup> Oxfam interviews, community leaders and community members, Lakes state, 22–24 September 2009. According to the Small Arms Survey, the nature of inter-tribal violence has shifted since March 2009 from attacks targeting ‘armed youth typically involved in raiding, to attacks on communities, including the elderly, women, and children.’ Small Arms Survey (May 2009), ‘Conflicting priorities: GoSS security challenges and recent responses’, HSBA Issue Brief No.14, Small Arms Survey: Geneva. [http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan\\_pdf/SIB-14-conflicting-priorities-GoSS.pdf](http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan_pdf/SIB-14-conflicting-priorities-GoSS.pdf) (last accessed November 2009).
- <sup>17</sup> Report of the Secretary General on the UN Mission in Sudan, 21 October 2009, *op. cit.*
- <sup>18</sup> Oxfam interviews, community leaders and community members, Lakes state, 22–24 September 2009.
- <sup>19</sup> In the early 1990s, the LRA established a number of bases in Eastern Equatoria, reportedly with funding from the Khartoum government. US Dept of State 2001, ‘Patterns of Global Terrorism’, <http://www.state.gov/s/ct/rls/crt/2001/>, Appendix C: ‘Background Information on Other Terrorist Groups’, May 21 2002, <http://www.state.gov/s/ct/rls/crt/2001/html/10254.htm> (last accessed November 2009).
- <sup>20</sup> Multiple attacks have taken place along the border with DR Congo, including an attack on 12 August 2009 in Ezo town in Western Equatoria, near a food distribution for people already affected by the LRA. The attack occurred despite the deployment of additional SPLA troops to the area. Oxfam interview with Ezo local government official, Yambio, 16 October 2009.
- <sup>21</sup> OCHA Gap Analysis for LRA Response, as at 21 October 2009.
- <sup>22</sup> Oxfam interviews with state government authorities, church leaders and LRA-affected communities, Yambio, Western Equatoria, 13–20 October 2009.
- <sup>23</sup> Both the SPLA and UNMIS peacekeepers have died at the hands of the LRA. See, for example: Skye Wheeler (September 2008) ‘Uganda rebels accused of attacks in Sudan, Congo’, *Reuters*, <http://www.alertnet.org/thenews/newsdesk/LJ733105.htm> and United Nations Sudan Bulletin 24 January 2007, <http://www.reliefweb.int/rwarchive/rwb.nsf/db900sid/EKOI-6XW2DR?OpenDocument> (last accessed December 2009).
- <sup>24</sup> There is approximately one armed soldier per 121km<sup>2</sup> in the UNMIS area of operation, or one armed soldier per 2,000 people, UN (2009) ‘Report of the Secretary-General on the United Nations Mission in the Sudan’, S/2009/357, 14 July 2009, p.34. <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Sudan%20S%202009%20357.pdf> (last accessed November 2009).
- <sup>25</sup> The most extreme example is a coercive SPLA-led disarmament campaign that took place from December 2005 to May 2006, which resulted in the death of an estimated 1,600 armed pastoralists and SPLA soldiers. Small Arms Survey (Nov 2006 – February 2007) ‘Anatomy of civilian disarmament in Jonglei State’, HSBA Issue Brief No.3 (2nd ed.), Small Arms Survey: Geneva. [http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan\\_pdf/SIB%203%202nd%20ed%20Jonglei.pdf](http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan_pdf/SIB%203%202nd%20ed%20Jonglei.pdf) (last accessed November 2009).
- <sup>26</sup> A. O’Brien (January 2009) ‘Shots in the Dark: The 2008 South Sudan Civilian Disarmament Campaign’, Small Arms Survey: Geneva, pp. 29–30, [http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan\\_pdf/SWP-16-South-Sudan-Civilian-Disarmament-Campaign.pdf](http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan_pdf/SWP-16-South-Sudan-Civilian-Disarmament-Campaign.pdf) (last accessed November 2009).
- <sup>27</sup> SPLA soldiers were also deployed to the state to conduct forcible disarmament in the event that voluntary disarmament was resisted. This had reportedly resulted in some sporadic incidents of violence, such as the shooting of 8 youths. More than 80 youth were also arrested, held in army barracks and reportedly mistreated. Oxfam interview, UNMIS Human Rights official, Rumbek, Lakes state, 22 September 2009.
- <sup>28</sup> Oxfam interview with group of women, Wulu county, Lakes state, 24 September 2009.
- <sup>29</sup> The government itself has identified its security forces (SPLA, police, and prison service) as a primary source of small arms acquired by civilians. See ‘Lakes State Provisional Order No. 16/2008’, cited in A. O’Brien, *op. cit.*
- <sup>30</sup> Oxfam interview, Lakes state, 23 September 2009.

- <sup>31</sup> This plan is being funded by the Sudan Recovery Fund (SRF) Southern Sudan. 'Implementation Plan, Sudan Recovery Fund – Southern Sudan, Round III – Window, Integrated Stabilization and Recovery', October 2009.
- <sup>32</sup> This methodology was developed by UNDP's Community Security and Arms Control Project, 2007–2011. [http://www.sd.undp.org/projects/s\\_cp2.htm](http://www.sd.undp.org/projects/s_cp2.htm) (last accessed November 2009). The SRF Jonglei stabilisation plan involved stakeholder consultations with communities in each of the state's 11 counties. 'SRF Jonglei Implementation Plan' *op. cit.* p. 2.
- <sup>33</sup> UN Security Council Resolution: S/Res/ 1590 of 24 March 2005, OP 4 provided the primary instruction to the Mission to 'support the implementation of the Comprehensive Peace Agreement', <http://www.unsudanig.org/unsudan/data/res1590.pdf> (last accessed November 2009).
- <sup>34</sup> The Three Areas refers to Abyei, Southern Kordofan, and Blue Nile.
- <sup>35</sup> The mission's approved budget for 2009–10 was \$958.35m, (A/C.5/63/25) see UNMIS facts and figures: <http://www.un.org/en/peacekeeping/missions/unmis/facts.html> accessed december 2009, The 9,275 uniformed personnel include 483 military observers, 193 staff officers, and 8,599 troops. UN (2009) 'Report of the Secretary-General on the United Nations Mission in the Sudan', S/2009/545, 21 October 2009, p.9. <http://www.un.org/Docs/sc/sgrep09.htm> (last accessed November 2009).
- <sup>36</sup> This includes 797 international and 2,395 local civilian personnel: UNMIS facts and figures, <http://www.un.org/en/peacekeeping/missions/unmis/facts.html> (last accessed December 2009).
- <sup>37</sup> UN Security Council Resolution: S/Res/ 1590 of 24 March 2005, OP 4. *op.cit.*
- <sup>38</sup> Under Article 42 of the UN Charter, the UN Security Council is empowered to take action 'necessary to maintain or restore international peace and security', <http://www.un.org/en/documents/charter/index.shtml>
- <sup>39</sup> UN Security Council Resolution: S/Res/ 1870 of 30 April 2009, paragraph 14: 'Requests UNMIS to make full use of its current mandate and capabilities to provide security to the civilian population... and emphasizes in particular the need for UNMIS to make full use of its current mandate and capabilities with regard to the activities of militias and armed groups such as the Lord's Resistance Army in Sudan, as stated in resolution S/Res/1663 of 24 March 2006'.
- <sup>40</sup> Thematic UNSC resolutions have made clear that protection of civilians 'must be given priority in decisions about the use of available capacity and resources'. UN Security Council Resolution: S/Res/ 1894 of 11 October 2009, OP 19. <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/POC%20SRES1894.pdf>. See similar language in UN Security Council Resolutions: S/RES/1265 of 17 September 1999 and S/RES/1296 of 19 April 2000.
- <sup>41</sup> Oxfam interviews with UNMIS military and civilian personnel, Rumbek, Lakes state and Yambio, Western Equatoria, September 2009.
- <sup>42</sup> While UNMIS had previously established TOBs in Jonglei (in Motot in 2006 and Akobo in 2007). the 2009 TOBs included authorization to undertake patrols outside of the base. Oxfam interview with UNDP official, Juba, October 2009.
- <sup>43</sup> The inability of UNMIS to protect civilians during the May 2008 clashes in Abyei prompted an internal review of the mission's approach to civilian protection. This review has not been shared with external stakeholders.
- <sup>44</sup> Oxfam interview, Akobo local government official, Juba, 1 October 2009. Confirmed in interviews with UNMIS and UNDP officials, Juba, October 2009.
- <sup>45</sup> A local government official from Akobo and UNMIS officials told Oxfam that through 'sheer presence' UNMIS had helped make communities living in the vicinity of the TOBs feel safer. Interviews with UNMIS and Akobo County Commissioner, Juba, October 2009.
- <sup>46</sup> The UN Mission in neighboring DR Congo (MONUC) has, in limited circumstances, for example, provided phone credit to community leaders in order to facilitate reporting of incidents or concerns.
- <sup>47</sup> Oxfam interview, senior UNMIS official, September 2009.

- <sup>48</sup> UNMIS (2009) Press Conference by Lise Grande, UN Deputy Resident and Humanitarian Coordinator for Southern Sudan, 'Humanitarian challenges in Southern Sudan', 12 August 2009 at <http://www.reliefweb.int/rw/rwb.nsf/db900sid/EGUA-7UUSVM?OpenDocument#>. (last accessed November 2009).
- <sup>49</sup> See Consolidated Appeals Process (CAP): Work Plan 2010 for Sudan, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 11 Dec 2009, *op cit*, p16
- <sup>50</sup> Namely Jonglei, Upper Nile and Warrap States. For details see Humanitarian Action in Southern Sudan Report, OCHA, Issue no. 37, 5 November 2009 at <http://www.reliefweb.int/rw/rwb.nsf/db900sid/EDIS-7XML4T?OpenDocument> (last accessed November 2009).
- <sup>51</sup> Oxfam interview, Ministry of Agriculture official, Lakes state, 22 September 2009. Also see Humanitarian Action in Southern Sudan Report, Issue no. 38, 20 November 2009 at <http://www.reliefweb.int/rw/RWB.NSF/db900SID/MYAI-7Y72P2?OpenDocument> (last accessed December 2009).
- <sup>52</sup> The Common Humanitarian Fund for example has declined from a peak of \$57,155,000 in 2007 to just \$35,219,061 in 2009, see the 2007 Common Humanitarian Fund for Sudan, Details by region, [http://www.unsudanig.org/workplan/chf/2007/docs/misc/CHF2007\\_All\\_Allocation\\_Details\\_by\\_Region.pdf](http://www.unsudanig.org/workplan/chf/2007/docs/misc/CHF2007_All_Allocation_Details_by_Region.pdf), p95 and 2009 Common Humanitarian Fund for Sudan, Details by region, <http://workplan.unsudanig.org/chf/2009/docs/overall/CHF%20Allocation%20Details%20by%20Work%20Plan%20Region.pdf>, p105. It is important to note that the definition of what constitutes humanitarian funding is self-ascribed by donors reporting into this database; this is likely to mask the extent to which humanitarian projects were in competition with recovery and development projects for humanitarian funds.
- <sup>53</sup> According to WFP, Juba has approximately 15km and Malakal has less than 10 km of tarmac road, Oxfam interview with WFP Logistical Officer, 13 December 2009. But with recent road construction, particularly in Juba, the figure has likely increased.
- <sup>54</sup> Of 78 airstrips assessed by the UN Humanitarian Air Service (UNHAS), 75 were classified as 'no go' and 3 as 'go with some restrictions'. UNHAS Assessment Reported conditions of various airstrips in Sudan at [http://www.logcluster.org/ops/sudan/air-transport/generalinfo/NoGo\\_Airstrips/view](http://www.logcluster.org/ops/sudan/air-transport/generalinfo/NoGo_Airstrips/view) (last accessed November 2009).
- <sup>55</sup> Information compiled and provided by the Southern Sudan NGO Security Focal Point, October 2009.
- <sup>56</sup> Oxfam interviews with government officials responsible for humanitarian coordination in Lakes, Yambio, Bor and Malakal, September-October 2009. Also Lise Grande, 'Humanitarian Challenges in Southern Sudan', *op. cit.*
- <sup>57</sup> Oxfam interviews with government officials responsible for humanitarian coordination, *op. cit.*
- <sup>58</sup> Oxfam interview, UN agency head, Juba, 30 October 2009.
- <sup>59</sup> At the state level, OCHA handed over all functions to the RSCO in a protracted, difficult process in 2007. As of October 2009, the RSCO's office was in the process of merging with the section of UNMIS that deals with Return, Recovery and Reintegration (RRR).
- <sup>60</sup> Oxfam interview, RSCO officer, conflict-prone state, 24 September 2009.
- <sup>61</sup> OCHA Gap Analysis for LRA Response, as at 21 October 2009.
- <sup>62</sup> Oxfam interviews with UN officials, local government authorities, church leaders and LRA-affected communities, Yambio, Western Equatoria, 13–20 October 2009.
- <sup>63</sup> Lise Grande, 'Humanitarian challenges in Southern Sudan', *op. cit.*
- <sup>64</sup> This includes the UN 's Central Emergency Response Fund (CERF), which was the major injection of emergency funds in 2009 (\$5m of CERF funding was allocated for LRA-affected areas and \$ 8.1m for food crisis response).
- <sup>65</sup> The value of the ERF in 2009 was \$1.5m. Oxfam communication with OCHA staff member, December 2009. This should at a minimum be maintained.
- <sup>66</sup> WFP provides humanitarian flights but does not have responsibility or a budget for

maintaining airstrips; instead it falls to individual users who wish to access a particular area. See WFP UNHAS-Sudan, Frequently Asked Questions (no 18) <http://www.logcluster.org/search?path=%2Funjlc%2Fops%2Fsudan&SearchableText=frequently+asked+questions>, accessed December 2009. Also confirmed by Oxfam email correspondence with WFP, 23 November 2009.

- <sup>67</sup> Consolidated Appeals Process (CAP): Work Plan 2010 for Sudan, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 11 Dec 2009, <http://www.reliefweb.int/rw/rwb.nsf/db900SID/EDIS-7YMTE8?OpenDocument>, accessed December 2009, p22
- <sup>68</sup> In Western Equatoria, for example, local church networks together with local government authorities have played a key role in providing assistance to LRA-affected areas that have been off-limits to international actors because of security and capacity. Oxfam interviews, Yambio, Western Equatoria, *op. cit.*
- <sup>69</sup> The Government of Sudan / The Sudan People's Liberation Movement/Army (Abyei Arbitration), Permanent Court of Arbitration, the Hague, July 22, 2009, [http://www.pca-cpa.org/showpage.asp?pag\\_id=1306](http://www.pca-cpa.org/showpage.asp?pag_id=1306)
- <sup>70</sup> OCHA's 2009 Abyei contingency plan is not a public document, but Oxfam has seen a copy.
- <sup>71</sup> According to an internal 2007 Tearfund report the counties of Aweil east, north and south in Northern Bahr el Ghazal have a global acute malnutrition (GAM) rate averaging 21 per cent or above.
- <sup>72</sup> An NGO cash transfer project carried out in 2009 in Northern Bahr el Ghazal offers some lessons. Community members identified vulnerable individuals to take part in 'cash for work' projects. The less vulnerable beneficiaries laboured on these projects, while the most vulnerable received unconditional cash transfers. The project is in progress so evaluation is premature, but feedback from beneficiaries has been positive. Providing beneficiaries with cash allows them to exercise choice in prioritisation of household needs and supports local markets.
- <sup>73</sup> While not all of the indicators which are needed to make up the human development index (HDI) are available, those statistics that are available for southern Sudan are nearly all lower than for the lowest country listed on the index. See Indicators from the *Human Development Report 2009*, <http://hdrstats.undp.org/en/indicators/>
- <sup>74</sup> United Nations Population Fund (2008) 'Final County Programme Document for Sudan', 30 July 2008.
- <sup>75</sup> See: UNFPA website, UNFPA Country Office, South Sudan [http://sudan.unfpa.org/souther\\_Sudan/index.htm](http://sudan.unfpa.org/souther_Sudan/index.htm), last accessed December 2009
- <sup>76</sup> OCHA (October 2009) 'High Level Scary Statistics – Southern Sudan', OCHA: Juba <http://rco.unsudanig.org/southern/index.php>; Consolidated Appeals Process (CAP): Work Plan 2010 for Sudan, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 11 Dec 2009, *op. cit.*, p33
- <sup>77</sup> Though primary school attendance has significantly increased since the end of the CPA, some 2.4 million children do not attend school. Consolidated Appeals Process (CAP): Work Plan 2010 for Sudan, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 11 Dec 2009, *op. cit.*, p58. There are, for example, only 22 health care centres in Jonglei state – that is, one for 90,000 potential patients. Newsletter of the Sudan Recovery Fund — Southern Sudan (SRF-SS) Technical Secretariat, UN OCHA Compound, Juba, Volume I, Issue 3, November 2009.
- <sup>78</sup> Oxfam interview, Lakes, Cuibet county, 1 July 2009.
- <sup>79</sup> Oxfam interviews with communities in Jonglei, Lakes, Upper Nile and Western Equatoria states, September–November 2009.
- <sup>80</sup> For example, according to OCHA 'the GoSS has been unable to take over the delivery of health and other services currently provided by NGOs and UN agencies due to budget cuts stemming from projected drops in oil revenue. This leaves humanitarian organisations to provide over 85% of health services and virtually all other key elements of the safety net', OCHA, 'Work plan for Sudan: United Nations and Partners', 11 Dec 2010, *op. cit.*
- <sup>81</sup> IRC Returnee / Protection Monitoring Reports, 2006–2009
- <sup>82</sup> IOM Tracking of Spontaneous Returns Project, 'Total Returns to South Sudan Post

CPA to June 2009', August 2009.

<sup>83</sup> Figures supplied by southern Sudan's Joint Donor Office, email correspondence with Oxfam, November 2009. There are two MDTFs in Sudan: the MDTF-National focusing on war-affected areas in northern Sudan and the MDTF-Southern. This paper looks only at the latter.

<sup>84</sup> Save the Children, for example, submitted an expression of interest for an MDTF teacher-training project in September 2006; received an invitation to submit a full proposal almost a year later; and then spent a further year in negotiations over technical requirements before finally being offered the contract in August 2008. The offer was then withdrawn four months later for unspecified reasons.

<sup>85</sup> An estimated \$387m remains in the MDTF (Oxfam email correspondence with southern Sudan's Joint Donor Office, 23 November 2009). As this paper was being finalised, the figure had reportedly decreased to roughly \$350 million. Even with this decrease, roughly two thirds of MDTF funds remain to be spent in the last 2 years of its 6-year lifespan (2005-2011).

<sup>86</sup> On 30 June 2009, the GoSS and donor partners endorsed a compact in which they agreed, among other steps, to enhance fiscal responsibility; strengthen public finance management systems; and accelerate inclusive economic growth and poverty reduction by end 2011.

<sup>87</sup> It is beyond the scope of the paper to assess the CBTF but this fund, which, like the BSF has been managed by a private management agent, is considered to be efficient.

<sup>88</sup> Note that the Emergency Response Fund (ERF) is accessed via the CHF, hence not meriting its own column in the table.

<sup>89</sup> Indeed, the relative success of funds managed by private agents (e.g. BSF and CBTF) versus the difficulties experienced in the other funds (MDTF and SRF) may be a lesson to be learned for the future.

<sup>90</sup> Oxfam interview with healthcare worker, Juba, 12 October 2009

<sup>91</sup> *Ibid.*

<sup>92</sup> *Ibid.* Southern Sudan's NGO Steering Committee estimates that in the health sector, the proposed new BSF allocation plus planned MDTF phase II funds for 2010 together represent a 15% contraction on available funding in 2009 (through the MDTF and the BSF), Letter from the NGO Steering Committee to DFID Sudan, 8 December 2008.

<sup>93</sup> Figure cited in OCHA, Work plan for Sudan: United Nations and Partners, 11 Dec 2010, *op. cit.* and is widely confirmed by NGOs working in the health sector.

<sup>94</sup> Data Gathering and Payroll for the GoSS Ministry of Health, weekly progress report, 6 September 2009.

<sup>95</sup> The GoSS Ministry of Finance has calculated that predictable development partner funding could decline by 87 per cent up to 2012, Presentation by the GoSS Ministry of Finance at the GoSS-donor forum, October 2009 (PowerPoint presentation shared with Oxfam by email in October 2009). The difficulty in predicting donor funding flows makes long-term planning for the GoSS and NGOs extremely challenging.

<sup>96</sup> J.G. Dak (2009) 'Kiir reiterates to scale down corruption and insecurity', *Sudan Tribune*, 11 August 2009. <http://www.sudantribune.com/spip.php?article32089> (last accessed November 2009).

<sup>97</sup> Among them: UNDP, USAID and the Capacity Building Trust Fund.

<sup>98</sup> 'GoSS Functional Prioritisation Study', presentation by USAID-funded MSI consultants to donors in Juba, 11 September 2009 (PowerPoint presentation shared with Oxfam by email on 9 October 2009).

<sup>99</sup> Counties in southern Sudan are divided into districts known as *payams*, each consisting of a number of villages known as *bomas*.

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Authors' Note: There is a profound lack of reliable data in southern Sudan. While the authors have sought to cross-check all statistics in the paper, some inaccuracies may remain. To the extent possible, the information in this publication is correct at the time of going to press.

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