2010:2 **Joint Evaluation**

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Aiding the Peace A Multi-donor Evaluation of Support to Conflict Prevention and Peacebuilding Activities in Southern Sudan 2005–2010

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Preface

This report of the evaluation of donor support to conflict prevention and peacebuilding activities in Southern Sudan comes at a critical juncture in the history of Sudan. The 2011 referendum on the future of the region is the promise given to the citizens of Southern Sudan as part of the historic peace agreement of 2005. The report was prepared during the lead up to the referendum.

The present evaluation examines the international community's efforts to support conflict mitigation and peacebuilding as well as to provide immediate peace dividends to the Southern Sudanese people in the period following the signing of the Comprehensive Peace Agreement in January 2005. By assessing the extent of progress made and pointing out the factors driving success or failure, the evaluation aims to provide an input into ongoing discussions, future policies and strategies on how to possibly improve the relevance, effectiveness and impact of international engagement in peacebuilding processes in Southern Sudan. By their nature evaluations are backward and forward looking, providing accountability and suggesting lessons for future actions. In looking forward this particular evaluation draws on the period 2005 – 2010 in order to inform future donor policies and strategies as Southern Sudan enters a new era.

The evaluation throws light on the ways in which donors' policies, funding strategies, and structures have been motivated and shaped by the challenges posed by the political and operational environment in Southern Sudan. It also examines how policies, strategies and operations have been influenced by donors' commitments to international agreements to harmonise, coordinate and align interventions in fragile situations.

The evaluation was commissioned in October 2009 to ITAD Ltd. (United Kingdom) in association with Channel Research (Belgium) following international competitive bidding. The Evaluation Team consisted of independent international and Sudanese evaluators and researchers with extensive experience in complex conflict and peacebuilding contexts including Southern Sudan.

This report draws on the evaluators' work over twelve months, which included an analysis of policy and strategy documents, donors' aid portfolios, research material and evaluation reports complemented by interviews at donor and agency headquarters, interviews in Juba, field verifications in Southern Sudan, and interviews in Khartoum.

The report contains important findings and recommendations. The Evaluation Steering Committee has guided the evaluation process and reviewed the draft of this report in the light of the requirements set out for the evaluation. The responsibility for the analysis, conclusions and recommendations contained in the final report rests with the Evaluation Team.

The Evaluation Steering Committee wishes to express its thanks to the Evaluation Team and its gratitude to the time and interest invested by all officials and individuals who have participated in the evaluation.

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Full responsibility for the text of this report rests with the evaluation team members, and the views contained herein do not necessarily represent those of the Evaluation Steering Committee, the Evaluation Management Group or the Reference Group.

Abbreviations

AEC	Assessment and Evaluation Commission
BMZ	German Federal Ministry for Economic Cooperation and Development
BSF	Basic Services Fund
BSWG	Budget Sector Working Group
CBO	Community Based Organisation
CBTF	Capacity Building Trust Fund
CHF	Common Humanitarian Fund
CIDA	Canadian International Development Agency
CPA	Comprehensive Peace Agreement
CPPB	Conflict Prevention and Peacebuilding
CRS	Creditor Reporting System of the OECD/DAC
CSO	Civil Society Organisation
DAC	Development Assistance Committee
DDR	Disarmament, Demobilisation and Reintegration
DESTIN	Development Studies Institute of London School of Economics
DFID	Department for International Development
EC	European Commission
ECHO	European Commission Humanitarian Office
EES	Eastern Equatoria State
EU	European Union
FAO	Food and Agriculture Organisation
FARM	Food, Agribusiness and Rural Markets Programme (USAID)
GDP	Gross Domestic Product
GGEPP	Good Governance and Equity in Political Participation in Post-Conflict Sudan Project
GoNU	Government of National Unity
GoS	Government of Sudan (pre-CPA)
GoSS	Government of Southern Sudan
GTZ	German Technical Cooperation
GTZ-IS	German Technical Cooperation – International Services
ICC	International Criminal Court
ICG	International Crisis Group
IDPs	Internally Displaced Persons
IMAC	Inter-Ministerial Appraisal Committee
INGO	International Non-Governmental Organisation
IOM	International Organisation for Migration
ITAD	Information Training and Development
JAM	Joint Assessment Mission
JDT	Joint Donor Team
JIU	Joint Integrated Unit
LGB	Local Government Board
LGRP	Local Government Recovery Programme (UNDP)
LRA	Lord's Resistance Army
MA	Mine Action
MDTF	Multi-Donor Trust Fund
MDTF-N	Multi-Donor Trust Fund–National
MDTF-S	Multi-Donor Trust Fund–South

MoFEP	Ministry of Finance and Economic Planning
MRE	Mine Risk Education
NBEG	Northern Bahr el Ghazal
NCP	National Congress Party
NGO	Non-Governmental Organisation
OECD	Organisation for Economic Cooperation and Development
OECD/DAC	Organisation for Economic Cooperation and Development/Development Assistance Committee
OHCHR	Office of the High Commissioner for Human Rights
OLS	Operation Lifeline Sudan
RRR	Return, Reintegration Recovery
RRP	Post-Conflict Recovery and Rehabilitation Programme (UNDP)
SAF	Sudan Armed Forces
SCA	Strategic Conflict Assessment
SDG	Sudanese Pound (Currency)
SIFSIA	Sudan Institutional (Capacity Programme): Food Security Information for Action
SPA	Strategic Partnership Arrangement
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SPLM/SPLA	Sudan People's Liberation Movement/ Sudan People's Liberation Army
SRF	Sudan Recovery Fund
SRSG	Special Representative of the Secretary General
SSDC	Southern Sudan Demining Commission
SSLA	Southern Sudan Legislative Assembly
SSPS	Southern Sudan Police Service
SSR	Security Sector Reform
ToR	Terms of Reference
UNAMID	United Nations – African Union Mission in Darfur
UNDP	United Nations Development Programme
UNICEF	United Nations Children Fund
UNHCR	United Nations High Commissioner for Refugees
UNMAO	United Nations Mine Action Office (Sudan)
UNMIS	United Nations Mission in Sudan
UNMIS/RRR	UNMIS's Section for Return, Reintegration and Recovery
US (USA)	United States of America
USD	United States Dollar (Currency)
USAID	United States Agency for International Development
VA	Victim Assistance
WASH	Water, Sanitation and Hygiene
WB	World Bank
WFP	World Food Programme
WRAPP	Water for Recovery and Peace Project

Executive Summary

Introduction

Sudan is at a critical stage in its history. In January 2011 citizens of Southern Sudan will vote on semi-autonomy or full independence. This evaluation was conducted in the lead up to the referendum and provides a reflection on the performance of donor-supported conflict prevention and peacebuilding (hereafter CPPB) efforts since the signing of the Comprehensive Peace Agreement (CPA). It aims to help prepare for the new initiatives that will be designed after the referendum, and to adjust the ongoing ones. It also aspires to improve the practice of evaluation in this complex field.

The evaluation covers the main donor programmes in the country[1], as well as a broad spectrum of activities covered under the themes of socioeconomic, governance, justice and local peacebuilding – all activities that are designed to have an influence in reducing violence as well as strengthening the cultural and institutional resilience necessary for managing conflict without violence. The evaluation uses a mixed methodology, but is anchored in a conflict analysis that contrasts the key drivers of conflict in 2005 with those identified by the evaluation team in 2010.

The evaluation was carried out by a team of 16 international and national consultants between October 2009 and December 2010. It involved a two-phase approach: a literature review, an analysis of the aid portfolios of the donors who have commissioned the evaluation and preliminary interviews, followed by field verification work in Southern Sudan covering 7 of the 10 States. Senior donor representatives, Government of Southern Sudan (GoSS) and international aid agencies were consulted, as well as many of the recipients of aid programmes. The report focuses on the 'storyline' of how activities supported by donors within the various sectors have affected the dynamics of conflict.

Throughout its history Southern Sudan has been cut-off from mainstream development owing to political and physical isolation. In 2009, Sudan as a whole ranked 150th (of 182) in the world in terms of human development indices. Sudan's economic growth over the last ten years has been remarkable: annual per capita income rose from USD506 in 2003 to USD1,199 in 2007. Since 2005, Southern Sudan, through the CPA, has been in receipt of about half of the country's new-found oil wealth, receiving approximately USD2 billion per year.

The Conflict

After the signature of the CPA in early 2005, a policy of state engagement was pursued in the South by donors, operating in what they regarded as a post-war reconstruction scenario. However, despite the CPA the situation was closer to a 'suspended war' during which local conflicts erupted frequently. This led to a serious underestimation of the residual and often complex triggers of violence in a much-neglected region of the world. At the same time donors felt obliged not to prejudge the outcome of the referendum. This has made it difficult for them to focus their aid efforts in Southern Sudan, especially in relation to governance, when they could not make any assumptions about the future.

[1] The donors that have commissioned the study and whose programmes are assessed are the Netherlands, Belgium, Canada, Denmark, Germany, Norway, Sweden, United Kingdom and US. The activities and policies of multilateral bodies such as the European Commission, World Bank and some UN agencies (including UNMIS) have also been reviewed. Finally, there is a brief overview of assistance provided by regional and non-DAC donors such as China, India and the Arab League

Table 1 presents a synthesis of the major conflict factors that have, or should have, been addressed by donor-supported interventions. In bold are the factors that did not exist or were secondary in 2005 but which have gained prominence since. This is by no means an exhaustive list, but rather a broad-brush reference to the major fault lines that continue to threaten peace in Southern Sudan. Above all, what it reveals is that donors need to complement a focus on the North/South fault lines with a more nuanced and informed approach to problem solving in the South itself.

In many respects problems identified in 2005 are still present but manifest themselves in different ways – for example, youth alienation and specific tensions around water and land have been exacerbated by poor progress over reintegration of demobilised soldiers and the enormous return of populations from Khartoum and abroad since 2005.

Table 1: Key Conflict Factors to be addressed by Interventions

Reform of justice and security institutions	Culture of justice, truth and reconciliation	Good governance	Socioeconomic development
Reintegration of demobilised soldiers is insufficient	Uncertainty about the future and false expectations	North/South disparities, and intra-South marginalisation	Status of the Three Areas. **International attention diverted from the Three Areas**
Undeveloped police and justice systems	Hardening of ethnic identities	**Tensions around centralisation and weak structures at State levels**	**Migration of armed pastoralists** (this has not featured in 2005); discontented and under-employed youth
Incomplete disarmament among the population	Unresolved issues of access to natural resources	Lack of representation	Returnees want access to resources. **Return destabilises communities**

Donor Interventions

Donors have commissioned independent studies on conflict in Southern Sudan since 2005 and used these selectively. Generally, however, there is a disjuncture between the production and reading of these reports and the assumptions present in programme design. A more rigorous application of conflict analysis would have isolated those causal factors that could be dealt with by donor programmes, and ensured that there was a common understanding among donors over how to address these. Despite the existence of donor coordination mechanisms, these tend to be limited to sharing information rather than promoting a joint donor approach based on shared analysis and consensus.

The reasons are threefold. First, high level donor meetings have taken place mainly in Khartoum or at international conferences, where the particularities of local conflict are lost to more strategic pan-Sudan concerns around the CPA. Second, most of the joint mechanisms are primarily concerned with harmonising aid around a recovery/development agenda negotiated with GoSS. As we shall see, GoSS flagged security as a priority but was unable to formulate a donor-friendly strategy around this.

Third – and perhaps the most crucial inhibiting factor in applying conflict analysis – is that flexible localised responses can rarely be accommodated by aid programmes built around relatively rigid three to five-year plans. The predictability of funding makes longer-term programmes attractive, but the execution of these programmes can entail a long, drawn out process of procurement and capacity building that ultimately inhibits rapid changes in approach, or indeed, in geographical location.

The way in which the concept of marginalisation is applied in policies and strategies and general discourse presents a good example of the confusion – and sometimes distortion – surrounding donor perspectives. On the ground this does not mean 'lack of services' but political isolation combined with military domination. Hitherto, this has applied to the dominance of Northern Sudan, but in the South itself political patronage can lead to favouring of certain ethnic groups or geographical areas above others, with those in positions of power having unregulated access to resources that can be used arbitrarily. It can thus include elements of deliberate exclusion. When state institutions are weak, regulating or even recognising such disparities is difficult.

The confusion between 'marginalisation' and 'lack of development' led to an assumption that the lack of development in the South was not simply a matter of concern but a factor causing conflict. Local conflict may arise from disputes over access to resources, but these can escalate either because of historical factors or because of political manipulation. Lack of development might, at most, be a cause of disaffection that contributes to tension in such cases but it cannot be cited as either a sole or significant cause of conflict.

A dominant 'theory of change' emerged from the 2005 Joint Assessment Mission (JAM) in which it was implied that lack of development was in itself a cause of conflict. Hence the theory is that 'all development contributes to CPPB', encapsulated in the term 'peace dividend'. The logic seems to be that development is not only a reward for peace (the CPA) but that failure to deliver a 'peace dividend' could lead to conflict. The evidence for such a claim appears to come from studies on conflict prevention and peacebuilding conducted in other parts of the world, but the link between delivering services and abating violence is not found in Southern Sudan, despite this being the dominant paradigm that informs the aid operations. In Southern Sudan a more precise identification of the causes of conflict is needed.

The efforts of donors have nevertheless been consistent and continuous. UN Work Plan budget figures for a three-year period (2007–09) show that in this period an average proportion of about 57% of the total funding (primarily for humanitarian activities) went to Southern Sudan (including the Three Areas). In actual disbursements, this amounts to about USD3.7 billion over the three-year period.

However, over a five year period (2005-2009) the total budgeted allocation to Southern Sudan from our donor portfolio analysis amounts to about USD4.2 billion (including humanitarian). If we add the assessed contributions assigned to UNMIS in the same period (averaging about USD1 billion/year), this would bring the total to above USD8 billion (although this includes UNMIS contributions from non-DAC donors). The contribution of non-DAC donors in Southern Sudan is relatively small, though their investments in the Three Areas along the North/South border are greater. Although the proportion of aid to Southern Sudan from our donor portfolio cannot be known with accuracy, it will be over 85% of the total from all donors.

Reflecting the predominant assumptions about the conflict, between 65–85% of funds was used for 'socioeconomic development' (including humanitarian) over a five-year period. The second largest category of donor expenditure, using the OECD Creditor Reporting System (CRS) categories, was government and civil society. This covered a multitude of projects relating to local governance, the justice system, and activities in reconciliation and community mobilisation. This became stronger towards the end of the evaluation period, when the severity of the absence of government capacity

became most fully appreciated. In 2009, there was a substantial increase in funds for 'good governance' (now accounting for some 27%). With the new 2009 Juba Compact, wherein donors have redoubled their efforts to ensure transparency and bolster governance, funding for that sector is likely to increase again in 2010-2011.

Some donors (notably the United States) have preferred to work bilaterally through large programmes, using contractors or non-governmental organisations (NGOs). At the same time, the majority of OECD/DAC donors have used the various pooled funding mechanisms in Southern Sudan that emerged after the April 2005 Donors Conference in Oslo. One of the largest has been the Multi-Donor Trust Fund (MDTF) administered by the World Bank, but generally this has performed poorly in terms of disbursements. Some of the pooled funds administered by the United Nations Development Programme (UNDP) have also had disappointing results, and there is evidence to show that pooled funds managed by contractors have performed relatively more efficiently.

Performance by Aid Category

Our findings are presented in accordance with the four key categories found in the OECD/DAC Guidance on Evaluating Conflict Prevention and Peacebuilding Activities (OECD/DAC, 2008)[2] – (i) socioeconomic development, (ii) good governance, (iii) reform of justice and security institutions, and (iv) culture of justice, truth and reconciliation. Within each of these overriding categories we look at the most important subcategories (sectors) assisted by international donors over the last five years. We have treated gender and capacity building as cross cutting issues.

The findings in respect of **socioeconomic** forms of assistance (including infrastructure, social services, livelihoods) are mixed. Our conflict analysis shows the importance of linking development activities to local peacebuilding in three respects: the recognition of key drivers of violence; the appropriate geographical placement of assistance in areas most prone to violence; and the institutional support necessary to uphold peaceful relations within communities. The continuing presence of pockets of insecurity, the low capacity of the new government at all levels, and the slow and, in some cases, ineffective implementation of new pooled funding mechanisms, have hampered efforts to rapidly scale up basic service delivery in Southern Sudan. Some progress has been made in establishing government structures and systems, but access to basic services remains very limited with considerable regional variations.

Since the signing of the CPA in 2005, over two million refugees and IDPs have returned to Southern Sudan, but an estimated 10% of these people have suffered secondary displacement since returning. Yet the focus on reintegration became obscured by large-scale and logistically demanding 'organised' return processes spearheaded by the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM) despite the fact that the vast majority were 'spontaneous' returnees who arranged their own transport and resources. The result has been a piecemeal approach to assistance with different agencies emphasising different interventions (e.g. service provision versus protection), and few developing a longer-term and more holistic approach towards reinforcing the absorption capacity of communities. There was, for example, a lack of a clear agenda and coordination over land issues, and geographical coverage has been inconsistent. Direct service provision (usually by international NGOs) is still important, but funding this through

[2] OECD/DAC (2008) Guidance on Evaluating Conflict Prevention and Peacebuilding Activities, OECD/DAC Network on Conflict, Peace and Development Cooperation and the OECD/DAC Network on Development Evaluation

humanitarian budgets introduces risks over sustainability, especially while GoSS is still unable to take over these responsibilities. Most donor and NGO-supported recovery has focused on capital investment, equipment and, especially training while avoiding recurrent costs such as salaries, essential supplies and maintenance.

As stated above we challenge the assumed causal link between the provision of basic services ('peace dividends') and CPPB. The reasons for violent conflict are more often found in ethnic divisions, land and cattle disputes, and disaffected youth – variables that are in many cases outside the influence of socioeconomic forms of assistance. Interestingly, there is no correlation between the relatively larger amounts of aid in some geographical areas and the occurrence or reduction of violence.

In Lakes, Warrap, Jonglei, and Upper Nile – the most conflict-affected states – measures need to be taken to ensure security before access to basic services can be realised. Inter-tribal conflict has contributed to delays in rolling out services and deterred NGOs and others from investing. Effective disarmament, a focus on the building of a trained and credible police force, the building of roads, and programmes targeting youth are the key priorities that will create an enabling environment for the delivery of basic services. Which of these interventions should be prioritised, and how these programmes should be implemented in each state, should be based on an analysis of the particular drivers of conflict in the region, and in some cases in specific counties. There has been a dearth of activities focused specifically on supporting young people's livelihoods and/or employment opportunities. The lack of livelihoods opportunities for youth has more direct potential for creating or exacerbating tensions than the lack of basic services.

The aid architecture has proven to be largely inappropriate to addressing the dynamics of conflict. Most of the bilateral and multilateral funds have not looked at basic services and livelihoods programme rationales or funding decisions from a CPPB perspective. The static and inflexible nature of the MDTF and most long-term development funding has not allowed for context specific reorientation of funding.

In the **governance** sector, we find that the rapid unfolding of decentralised expenditure and decision making to State and sub-State levels in Southern Sudan has not been matched by sufficient support from the international community. Donors have been slow to examine the specific context of decentralised government and adapt strategies accordingly. This may reflect highly centralised donor structures and mindsets. Governance programmes, some of which were designed before GoSS was established, have been over-ambitious and over-technical, with too much emphasis on formal institutions and not enough attention given to linking this with customary law, despite the fact that the latter is itself in need of reform in some areas. There were also missed opportunities to provide stronger support to the management of public finances.

In supporting the **reform of justice and security institutions**, results have been more positive, particularly towards the end of the period covered by the evaluation as the teething problems subsided, and as community-based security initiatives took off (disarmament and conflict resolution). Security Sector Reform (SSR) and Disarmament, Demobilisation and Reintegration (DDR) were highly relevant to the main conflict factors, and Southern Sudan is a case study in the successes and challenges of these types of interventions, as these initiatives are particularly advanced. They have still been affected by limited funding in relation to the needs (it is predominantly the US, UK and Switzerland that support this sector, and special funds outside ODA allocations have to be used).

There was an initial failure to appreciate the inextricable link between SSR and DDR, as well as poor sequencing between the reform of the Sudan People's Liberation Army (SPLA) and that of the police forces which still are unable to fully take over civil security. Donors have tended to focus on rule of law as a component of long-term state building, without specifically targeting areas affected by

violence. We also detail the inability of the United Nations Mission in Sudan (UNMIS) to address issues of civilian security until very recently.

Community reconciliation and peacebuilding efforts have tended to be isolated events, rarely linked to national initiatives, and beset with problems of poor monitoring and follow-up. To some extent, international engagement has been guilty of poor preparation particularly with respect to fully understanding who the key players are, and what their motivations are in participating.

However, NGOs have learned from these experiences and moved increasingly towards longer-term engagement, including the involvement of local government. The absence of a formal justice system has created a significant barrier. Although the 2009 Local Government Act seeks to extend the formal justice system to county level, the unclear boundaries and tensions between this and customary law will remain for as long as there is insufficient training and integration of chiefs and sub-chiefs.

As regards **gender** equity, there are a number of valuable initiatives, accompanied by growing guidance among aid agencies. The evaluation concludes, however, that the significant effects of the conflict, the link between gender related issues and wider violence, and the opportunities of gender sensitive programming, are still not fully understood. Similarly, **capacity building** was always a major priority, but remains focused on training rather than funding, and is very geographically focused. The assumption of donors that GoSS would be able to assume responsibility for effective local government in a relatively short period of time turned out to be a serious error.

Overall Conclusions

The transition from war to peace is not a technical exercise but a highly political process. A sophisticated and nuanced analysis of power relations, causes of vulnerability, and drivers of conflict and resilience indicators was largely missing from the design and execution of many aid programmes. In dynamic conflict settings, an analysis of the political economy of the transition must also be continuously revised to be useful. This was not done, as donors have instead tended to focus on administrative delivery and implementation. The **relevance** of many activities with regard to CPPB is thus questionable.

In part, the problem lies in the conceptual vacuum around 'statehood', as well as unclear identification of critical conditions that lead to peace, or to conflict, or the lack of sustained attention to them. Neither GoSS nor donors produced a convincing and consensual model of what Southern Sudan as a 'state' would look like in say, ten years. From the donors, the reticence to produce such a model may have been because of their commitment to the CPA and 'unity'. However it also reflected the tendency to approach the challenge purely as a technical exercise in capacity building and service delivery.

When assessing **effectiveness** it is difficult to distinguish between the achievement of an activity, often formulated in sectoral terms, and the wider purpose of CPPB. Unsurprisingly, projects evaluated as effective (UNHCR return and reintegration, Basic Services Fund (BSF), demining) have been less successful in building national capacity and in addressing subterranean factors such as marginalisation of certain groups and the hardening of ethnic identities.

Bilateral interventions – notably the substantial US programme – have provided the most effective support, based on closer and more frequent monitoring (facilitated by a sufficient number and continuity of staff on the ground). The more successful initiatives are those that have linked objectives

in one sector to those in another, and hence have been able to follow through with tracing the cumulative effects of the various activities on conflict and peace.

In SSR there have been issues over delayed contracts, but SPLA transformation is now 'on track' in terms of the set objectives of donors. Nevertheless, public confidence in a credible army, rather than a predatory local force, is still a long way off. The role of donors has not been clear, mainly because GoSS conceived security in terms of the North/South relationship in which an 'efficient and effective armed force' was the stated priority. In particular, GoSS did not designate a clear role for donors in civilian disarmament campaigns that began from 2006 onwards.

Efficiency was to be facilitated through an extensive use of pooled funds and multilateral programmes, minimising the number and divergence of interventions. However, shortcomings on delivery have led many donors to bypass them, channelling increasing amounts of resources bilaterally. Yet despite the evidence provided in earlier evaluation literature on Southern Sudan, donors have continued investing in pooled funds, including the creation of new pooled funds to 'compensate' for the poor performance of earlier funds. Southern Sudan now has seven pooled fund mechanisms. The evaluation accepts that each pooled fund has its own dynamic and record of achievement, but broadly speaking transactional costs and disbursement delays have detracted from CPPB objectives.

In the governance sectors we found delays in project implementation emerging as a strong theme, often related to inefficiencies in UN procurement and contracting procedures. NGOs were mainly (but not always) credited with being faster and more efficient. We also note that capacity building has been too slow and ill-targeted due to the piecemeal and uncoordinated approach adopted. In demining, for the most part, operations have been undertaken efficiently and effectively, contributing to the stabilisation of respective areas, preparing the ground for follow-up humanitarian and development activities.

When considering **impact**, disregarding geographical variations and the ebb and flow of particular disputes, it is clear that the overall tensions have not decreased in Southern Sudan. Obviously international interventions cannot always address, or be responsible for, conflict deeply embedded in the fabric and history of a country that has known very little peace for two generations. Aid is, however, part of the political economy, and a tangible and sufficiently large resource to be of interest to all stakeholders, and hence is not neutral to this situation. Similarly because in some places it has clearly made a difference, it is possible to track some degree of contribution to the overall situation.

Building the capability and legitimacy of state authorities, whether through training and technical assistance or through the provision of basic services, should have had longer-term positive impacts on stabilisation. However, on the basis of its own strategic conflict analysis, the evaluation holds to the central premise that there are some sectors – security, policing, rule of law – where international intervention is of greater priority than basic services, because of the importance of these functions in the formation of a legitimate state, and for the reason (often stated by GoSS and community respondents) that the effectiveness and sustainability of services are compromised by insecurity.

Many of the activities under review are poorly linked into State and local government structures. This is an essential requisite of both the **sustainability** of results accomplished and the sustainability of peace, ultimately through an inclusive political settlement. Too much focus on Juba, and specific elements within Juba, may cause a real sense of marginalisation in other areas. Donors could play a role in preventing the Khartoum-South relationship – which led to war – being duplicated in Juba-State-County relationships, but have not yet done so.

Before 2005, donors maintained good technical and political **coherence**, effectively managing and subordinating tensions and divergent agendas to a collective goal: supporting the negotiation of a just

and lasting peace (through the CPA). In the years after the agreement was signed, however, the growing distraction of Darfur and the reassertion of individual donor agendas and approaches caused coherence to deteriorate.

The Sudan Consortium (three annual meetings to date) failed to function as a strategic coordination forum, turning into a pledging conference instead. Although the establishment of the Joint Donor Team (JDT) in Juba was a direct attempt to encourage coherence and alignment, decision-makers (including the diplomatic corps) remained in their separate country offices in Khartoum and maintained a (somewhat artificial) distinction between aid and political dialogue, the latter lying outside the remit of the JDT.

Finally, much of the above critique can be directed towards an over-use of 'good practice', particularly with respect to ownership and harmonization, at the expense of field knowledge and engagement that was required (and welcomed) from 2005 onwards. CPPB, in particular, requires in-depth knowledge and field presence, and there is no substitute for the continuity and trust built through individuals being on the ground for extended periods of time. While none of the prevailing priorities, such as harmonisation, coordination and alignment, are contradictory to CPPB, the key consideration should always remain: are the interventions dealing adequately with the factors that lead to conflict? All activities and sector priorities should flow from the answer. The solutions to seemingly intractable problems are not easily found – and the evaluation does not purport to have found them – but at this critical moment in Southern Sudan's history it is important to resist the 'comfort zone' of conventional approaches.

Recommendations

The following recommendations are targeted at donors primarily, but should also be taken into account by agencies and GoSS.

Conflict Analysis

1. Ensure that revised and new programmes are always preceded by a conflict analysis that links wider dynamics to those specific to the area of operation. This should include a mapping of ethnic and political fault lines, a set of scenarios of likely events in the near future, and their implications for the programme. The design of logframes for multi-location programmes should be broken down to the specifics of State or sub-State indicators based on such a conflict analysis.

2. Framing interventions in terms of conflict prevention and peacebuilding is to be encouraged in environments such as Southern Sudan. The Utstein Palette and categories provide a useful tool for donors planning to intervene to understand the spread and reach of CPPB across all types of interventions. However they should not be used as the 'conflict lens' for planning and evaluation, they serve to enhance the perception of the range of instruments available. The 'lens' can only come from a nuanced understanding of the causes of conflict, and the relation that links aid outcomes and these causes. As factors and causes of conflict can be affected by interventions in different categories of the Utstein Palette, it is advisable to plan, monitor and evaluate interventions according to the critical factors identified, not to the CPPB categories, nor to sectoral definitions.

3. Conflict analysis should not lead to separate universally applicable principles of programming, but rather be referred to continually over the programming cycle. For example

in analysing the political economy of an area of activity (geographic and/or sectoral), agencies should give due consideration to the manner in which a local dispute can be manipulated for wider political gains by elites. Balance and representation are generally desirable, but need to be checked against the wider dynamics of the country. Overall, considerations of efficiency and accountability should give equal weight to institutional compliance to guidelines and procedures, as to responsiveness to conflict factors. An intervention that is fully compliant with internal guidelines but does not respond to local conditions should be rated as performing poorly, and needing change.

Three Areas and Oil

4. Reach agreement on all outstanding issues regarding full implementation of the CPA wealth sharing provisions. This includes significantly upgrading GoSS's capacity regarding oil sector management and capacity at both Juba and State levels. Transparency over oil contracts and revenues should include commissioning an audit of the oil sector.

5. Provide increased technical and advisory assistance to revitalise the Assessment and Evaluation Commission (AEC) Wealth Sharing Committee in order for it to perform its mandate better and serve as a constant check on implementation of CPA provisions.

6. Likewise, help revitalise the AEC Three Areas Committee in order for it to perform its mandate better and serve as a constant check on implementation of CPA provisions. Also re-enable the Three Areas' Donor Working Group.

Funding Mechanisms

7. Invest in monitoring the changing dynamics in the different States of Southern Sudan at regular intervals and ensure that chosen funding mechanisms are sufficiently flexible to respond to these changes. Although multi-year commitments should be encouraged, the disbursement of these funds – whether bilateral, multilateral or through pooled funds – should be dependent on at least bi-annual (twice yearly) updates of events on the ground.

8. Always monitor pooled funds for CPPB as well as more conventional output/impact indicators. Sustained impact on youth employment/livelihoods should be a 'cross-cutting' theme introduced as a key indicator in all programmes funded through pooled mechanisms.

Socioeconomic Development

9. Allocate major resources towards creating and maintaining livelihoods programmes for young men who are currently too easily drawn into criminal activity. As well as vocational training and improvements in access to higher education (also for women), this might include, for instance, imposing a local employment quota on all construction programmes undertaken, either by government or international agencies.

10. In the most conflict-affected States, work closely with local (State and county) authorities in assessing and addressing security priorities before access to basic services can be realised. This might involve, for instance, follow-up programmes to disarmament, a focus on the building of a trained and credible police force, the building of roads, and programmes targeting youth. Which of these interventions should be prioritised – and how these programmes should be implemented in each State – should be based on a thorough dialogue not only with local government but also with civil society, including local chiefs.

11. In the demining sector, reduce parallel or overlapping mandates within the institutions concerned. The Southern Sudan Demining Commission should be given a clear and strategic mandate for mine action as part of a transitional hand over phase from the United Nations Mine Action Office (UNMAO). Integrating demining into the development portfolio should be discouraged, since this is likely to reduce the required flexibility to respond to short-term needs. Continue funding demining and stock pile destruction through specific budget lines.

Governance and Rule of Law

12. Focus capacity building and support to decentralised levels of government and increase the level of performance monitoring. At the same time, further encourage a medium-term capacity 'provision' and technical assistance programme that uses civil service skills from neighbouring countries, and ensure adequate funding for at least 5 to 10 years.

13. Ensure that the urgent training of the judiciary at State and sub-State levels is always in tandem with dialogue with chiefs and those responsible for customary law. There should be a consistently applied procedure to ensure that the parameters of responsibility for each party are mutually understood and in accordance with the country Constitution. In particular, this applies to gender equity.

14. Enable traditional authority (chiefs) to address root causes of conflict (including disputes over land or bride wealth) at their customary courts by providing capacity building programmes for these courts.

Justice and Security

15. Develop a common donor strategy that links DDR and SSR in a more robust fashion, including the issue of how to promote greater national ownership.

16. In order to promote accountability and transparency in decision making and operational law enforcement, support the development of effective oversight mechanisms to monitor the security agencies. Such mechanisms should include civil society groups.

Civilian Protection

17. Where civilian disarmament is carried out, there should be three preconditions: (1) a full consultation with communities concerned; (2) mechanisms in place for civilian oversight and monitoring of the armed services; and (3) plans in place for incentives and rewards – for example, community services and livelihoods programmes. Donors should be involved in all three of these.

18. Strongly encourage the UN Security Council to strengthen the civilian protection mandate of UNMIS and its operational strength to fulfil the mandate. This would be through, for instance, creating a rapid response capability for conflict-prone areas and establishing a comprehensive civilian protection and conflict monitoring system. This should include the deployment of more human rights officers across Southern Sudan, especially in disputed border areas and areas prone to frequent communal conflict, and the provision of regular public reporting on human rights violations.

Civil Society

19. In recognising the importance of decentralisation and development of civil society for long-term CPPB, develop and apply norms to ensure that INGO activity provides better support both to government and Sudanese NGOs.

Gender

20. Provide long-term support for gender mainstreaming in governance. This should include gender responsive policies and legislation aimed at reducing/ending gender-based discrimination, and a systematic strategy and guidelines for integration and participation of women in governance. For example, GoSS should be encouraged to establish committees and structures that involve women in the promotion of gender equity in land matters and their greater representation on land committees. Support should be given to national processes that collect gender-disaggregated data that can be used to assess progress.

Local Peacebuilding

21. Ensure that local peacebuilding initiatives are linked to development inputs to consolidate solutions reached. This implies the use of 'do no harm' tests, especially in conflict areas. Efforts should be made to encourage greater female involvement in peace committees.

Chapter 1 Introduction

1.1. Reason for the Evaluation

Sudan is at a critical stage in its history. In January 2011 citizens of Southern Sudan vote on whether their region should become an independent state or remain a semi-autonomous entity within the Republic of Sudan. The choice is stark, controversial and steeped in the volatile, often violent, course of history, especially extending from the country's independence from British-Egyptian rule in 1956. Fundamentally, this can be viewed as a question of identity and culture, a debate over whether the predominantly African, non-Muslim South can be equitably accommodated and represented in a country dominated by the Arab-Muslim riverine peoples of the North. If the people of the South reject this accommodation, a vote for secession will lead the South to becoming the latest newly independent country in Africa.

The multi-donor evaluation is an opportunity to reflect on developments over the six-year interim period following the signing of the Comprehensive Peace Agreement (CPA) in January 2005, and to examine how the international community as a whole upheld the promises it made at the International Donor Conference in Oslo in April 2005. In this respect it is both backward and forward looking; the lessons of the last few years should inform donor priorities as Southern Sudan enters a new era.

The evaluation is intended to serve two parallel objectives – one specific to Southern Sudan, the other to broader learning within the international community. The first objective is to carry out a results-oriented evaluation of how donor interventions in Southern Sudan have impacted upon peacebuilding from the signing of the CPA in 2005 to the first quarter of 2010. The main donor programmes assessed are those of the Netherlands, Belgium, Canada, Denmark, Germany, Norway, Sweden, United Kingdom and US. The activities and policies of multilateral bodies such as the EC, World Bank and some UN agencies (including UNMIS) have also been reviewed. Finally, there is a brief overview of assistance provided by regional and non-DAC donors, such as China, India and the Arab League.

The second objective is of a broader nature. This joint evaluation is designed to improve the degree to which conflict prevention and peacebuilding activities can be evaluated, in particular by testing the applicability of the OECD Working Draft Guidance on the Evaluation of Conflict Prevention and Peacebuilding Activities (hereafter referred to as the CPPB Guidelines).[3] In turn, this would also inform broader thinking about engagement in fragile states, such as expressed at the Accra High Level Round-Table, and processes linked to early recovery, stabilisation and other concepts relating to operations in times of rapid transition.

The focus of the evaluation is on conflict prevention and peacebuilding (hereafter referred to as CPPB).

[3] OECD/DAC (2008) Guidance on Evaluating Conflict Prevention and Peacebuilding Activities, OECD/DAC Network on Conflict, Peace and Development Cooperation and the OECD/DAC Network on Development Evaluation

1.2. Evaluation Approach and Objectives

In 2009 there were 436 projects in operation across Southern Sudan.[4] The evaluation does not intend to cover any single programme or project, or any single donor's inputs, but rather the collective impact of international assistance. However, in doing so we will point to some examples of single, joint or pooled donor programmes that have alleviated the multiple factors of conflict. It is different from a conventional evaluation. It does not evaluate development activities solely in terms of their own objectives, but rather through a 'conflict lens' that asks whether these activities were cognisant of, or responsive to, the dynamics of conflict in the country. Since most donor policies have the overarching goal of contributing to peace within the CPA process, we ask whether this has translated into timely and appropriate activities on the ground that can be said to have reduced incidents of violence and/or enhanced the prospects of peace between and within communities. The notions of 'conflict prevention' and 'peacebuilding' are broader than the specialist fields of activity to which the terms usually apply. The interrelationship between social, economic and political programmes undertaken in Southern Sudan – and the wider geographical, ethnic and environmental context in which they occur – must always be taken into account. Moreover, underlying causes of discontent are not purely historical or pertaining solely to North/South relations in Sudan. They are equally provoked by local disputes over land or other resources, the failure of political inclusiveness, or the persistence of an inequitable distribution of wealth. As a result, the evaluation will cover all activities that are designed to have a beneficial influence in abating the occurrence of violence, and the extent to which they have strengthened the cultural and institutional resilience necessary for managing such conflicts without violence.

The objectives for the evaluation, as laid out in the Terms of Reference (Appendix 1), are as follows:

- Through the use of standard OECD/DAC evaluation criteria assess, as systematically and objectively as possible, the extent of progress made by the international community in supporting CPPB and in providing peace dividends to the Southern Sudanese people. This will include pointing out the factors driving success or failure; and highlighting lessons accordingly.

- Provide input into ongoing discussions and future policies/plans on how to improve the relevance, efficiency, effectiveness, and – above all – impact of the international engagement in CPPB processes in Southern Sudan in the run-up to the 2011 referendum and the post-2011 period.

- Pilot the working draft of the guidance for the evaluation of CPPB.

A fully comprehensive review of progress in supporting CPPB would also examine the adequacy, or otherwise, of diplomatic initiatives in relation to Khartoum and the Government of Southern Sudan (GoSS). This was outside the remit of the evaluation and has therefore not been done in any systematic manner. However, we have commented on the link between political and aid efforts of the Joint Donor Team, and in relation to Khartoum-based initiatives with respect to the Three Areas and to the political economy of oil.

The evaluation was carried out over a fourteen-month period from October 2009 to December 2010 by a multinational team of 16 independent consultants fielded by ITAD and Channel Research. Six of the international consultants had extensive previous experience in Sudan, and the others had extensive

[4] GoSS (2010) Donor Book 2010, March 2010, Government of Southern Sudan:Juba

evaluation experience of the types of interventions covered. The team also comprised three Sudanese consultants, and four persons worked on quality assurance. The evaluation ensured that (a) there is no conflict of interest between the chosen team and the organisations covered, (b) a rigorous procedure of triangulation and sourcing of evidence is in place, and (c) the evaluation structure (steering committee, management group, reference group) provided adequate ability to ensure that high standards of judgement were applied.

The report structure reflects the approach and sequential manner in which the study was undertaken. Chapter 2 describes the methodology in greater detail, including the inevitable limitations to a study of this kind. After a brief country profile and timeline of events in Southern Sudan (Chapter 3), Chapter 4 introduces a conflict analysis, comparing studies undertaken in 2005 with an updated analysis undertaken by the evaluators in 2010. It identifies conflict factors that should have been addressed by aid interventions over the past five years. In Chapter 5, we examine broad collective trends in donor approaches and how they have addressed, directly or indirectly, the drivers of conflict. This includes an analysis of funding trends and the aid architecture in Southern Sudan.

In Chapter 6 we look at how donors have addressed conflict within the main implementation modes and sectors. The findings of this chapter are drawn from an extensive literature as well as fieldwork undertaken by the evaluation. Again, we refer back to the conflict analysis as a benchmark for analysis, ordering the sectors according to the four principle categories found in the CPPB Guidelines. Up to this point in the report, we follow the narrative and logic of the CPPB Guidelines, comparing findings against a conflict analysis. To have followed standard OECD/DAC evaluation criteria throughout the report would have been cumbersome and repetitive. However, we redress this through findings and conclusions presented along standard OECD/DAC evaluation criteria in Chapter 7. Finally, Chapter 8 reiterates some of the central findings in relation to state building in Southern Sudan, followed by a series of recommendations.

Chapter 2 Methodology

2.1. Concepts, Definitions and the CPPB Framework

Definition of Terms

The CPPB Guidelines point out that there is considerable (theoretical) debate about what defines CPPB. This, in turn, leads to difficulties to ascertain which activities, whether or not supported by donors and aid organisations, can be considered to directly or indirectly contribute to the prevention of conflict and the building of peace. The guidelines provide a practical definition of four key categories of CPPB strategy and action that served to frame the subject of the evaluation:

- Interventions that support the promotion of **a culture of justice, truth and reconciliation**, which can be critical in post-conflict regions in order to heal the wounds of conflict and reconnect society.

- Capacity building and promotion of **good governance**, which are critical to human security, especially where States are unable or unwilling to deploy peaceful means to resolve conflict, or sustainably and independently facilitate provision of key basic services.

- CPPB policies and actions often work to create incentives for systems that promote the peaceful resolution of conflict. Supporting **reform of security and justice institutions** – including the judiciary, penal, policing, parliaments, defence and military actors – is critical and should be seen as a long-term project to achieve democratic governance over security institutions while developing a wider justice and security system that upholds the rule of law and respect for the dignity of poor people.

- **Socioeconomic development** and the policies to support it also matter, before, after and even during hostilities. Addressing structural violence and inequality is essential to reducing tensions and enhancing a society's capacity to prevent violence – and is thus often a focus of conflict prevention work.[5]

These four broad categories have allowed the evaluation to adopt a comprehensive stance, in which none of the interventions that have taken place in Southern Sudan could be considered indifferent to CPPB. All are considered in light of their contribution to the dynamics of conflict and peace.

The OECD/DAC definitions are applied for the key terms employed in the evaluation.[6] The OECD's Development Cooperation Directorate in 2009 launched a monitoring project for "Improving donor engagement in fragile states through the principles for good international engagement in fragile states". The following definitions are derived from this.[7]

[5] OECD/DAC (2008) op. cit., p17
[6] We do not include here the standard OECD evaluation criteria (relevance, efficiency, effectiveness, impact, sustainability, coordination, coherence) which are assumed throughout the study
[7] OECD (2009) Monitoring the Principles for Good International Engagement in Fragile States and Situations: Principles Monitoring Plan, Proposed Methodology for Monitoring the Principles for Good International Engagement in Fragile States and Situations, April 2009

- **Peacebuilding/Conflict prevention** are projects, policies, strategies or other interventions that adopt goals and objectives aimed at preventing conflict or building peace; they are usually (but not always) focused on a particular conflict zone – an area threatened by, in the midst of, or recovering from serious inter-group violence. A more detailed understanding of the scope of CPPB is presented later.

- **Security system** refers to core security actors (e.g. armed forces, police, wildlife forces, border guards, customs and immigration, intelligence); security management and oversight bodies (e.g. ministries of defence and internal affairs, financial management bodies and public complaints commissions); justice and law enforcement institutions; and non-statutory security forces (e.g. private security companies and militias).

- **State building** is an endogenous process of strengthening the capacity, institutions and legitimacy of the state driven by state-society relations. This definition places state-society relations and political processes at the heart of state building and identifies legitimacy as central to the process as it both facilitates and enhances state building. It recognises that state building needs to take place at both the national and local levels. It gives central place to strengthening capacities to provide key state functions. The concept of state building is increasingly used to describe a desired (positive) process of state building and therefore emphasises the importance of inclusive political processes, accountability mechanisms and responsiveness.

- **Stabilisation** is the "process by which underlying tensions that might lead to resurgence in violence and a break down in law and order are managed and reduced, whilst efforts are made to support the preconditions for successful longer-term development".[8]

- **Peace dividends.** In the context of Southern Sudan, there seem to be at least three interpretations of the term. First, implicitly (and, indeed, explicitly in the 2005 Joint Assessment Mission (JAM) process) GoSS mainly equates the dividend with the opening of markets, and state employment and regular wages. Second, the term is used rather loosely by donors to imply basic services that improve wellbeing. Third, Sudanese, particularly in rural areas, define it in terms of individual and community security. The ambiguity of the term and the imprecise manner in which results are measured lies at the heart of this evaluation.

One of the obvious problems in Southern Sudan has been discourse around themes articulated through the letters 're-' (recovery, rehabilitation, reconstruction) assuming that the starting point was almost zero. If these terms provided a blueprint for international engagement from the 2005 JAM onwards, they accounted neither for the localised political economy, nor for the evolving conflict dynamics of Southern Sudan – the tensions that have assumed greater importance in the last three years.

The evaluation has consequently chosen to depict Southern Sudan as 'in conflict' rather than 'post-conflict'. This is not to detract from substantial progress in some areas like security and governance, but rather to recognise that 'post-conflict reconstruction' as a modus operandi for donors can lead to a false sense of stability and to strategies that ignore realities on the ground (explored further in Chapter 5). These realities may be about to change rapidly, and all interventions be they for the prevention of conflict, stabilisation, or the building of peace, are of a high degree of interest.

[8] This is not an OECD definition, but has been a working definition used by DFID's Stabilisation Unit. See Teuten, R (2010) Stabilisation and 'Post-Conflict' Reconstruction, speech given to Royal United Services Institute, 31 January 2010

To avoid fragmentation and repetition within the report, we have chosen not to follow the standard OECD evaluation criteria for each chapter, but rather to summarise these in Chapter 7. A detailed outline of questions to be addressed by the evaluation is in the Evaluation Matrix derived from the Terms of Reference (see Appendix 1). Each set of questions falls under the following strategic set of issues:

- **Relevance:** Was the support provided in line with the policy and procedures of the donors and agencies, with those of the GoSS, and the needs, priorities and rights of the affected populations as well as the dynamics of the post-CPA-period?

- **Effectiveness:** To what extent did the support provided achieve its purpose? If it did not (or only partially) achieve its purpose, why was this?

- **Impact:** What have been the wider effects of donor support in supporting a climate of peace in Southern Sudan and to the implementation of the CPA in Southern Sudan?

- **Sustainability:** To what extent are the accomplished results sustainable?

- **Efficiency:** Were the financial resources and other inputs efficiently used to achieve results?

- **Coherence:** Were humanitarian, development and security efforts of individual actors in line with each other? Were policies of different actors coherent, complementary or contradictory?

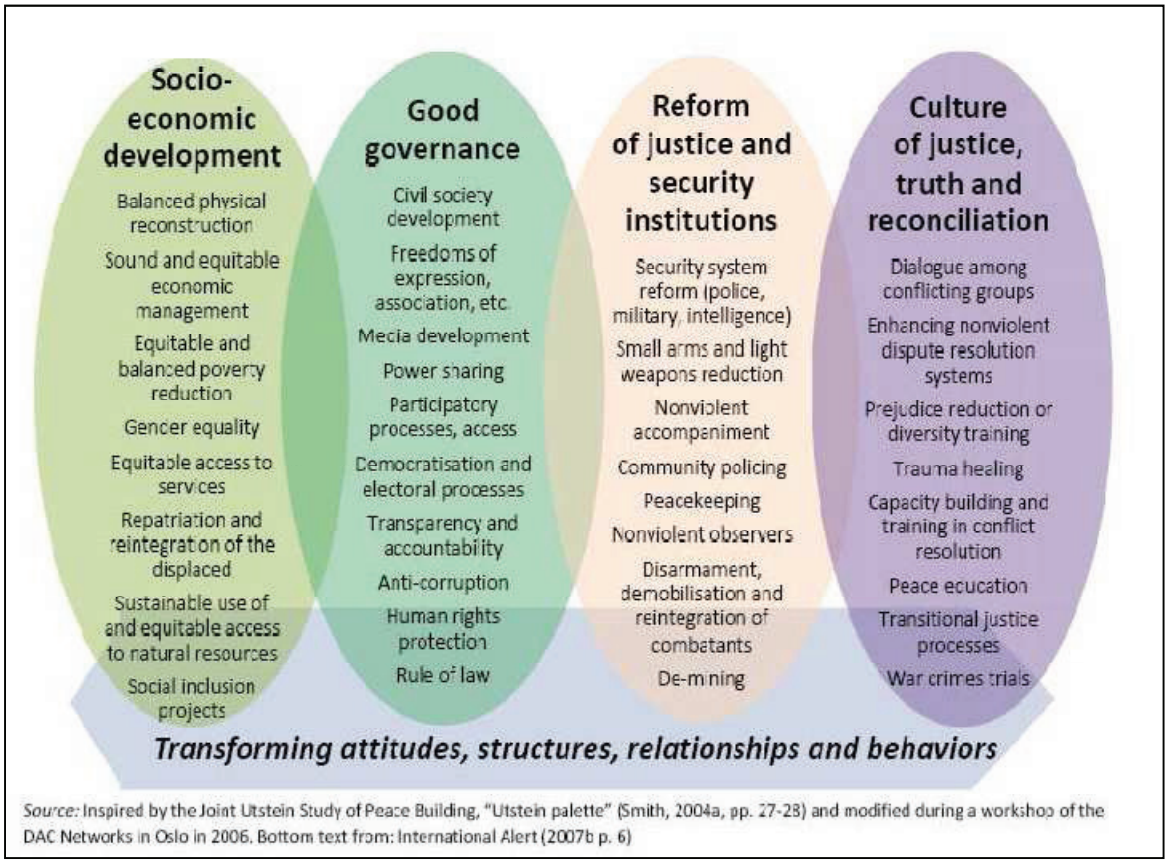
- **Coordination:** Were the coordination mechanisms chosen by donors effective? To what extent was there adherence to the Paris Declaration Principles? What was the relative emphasis on and balance between the different types of support provided (humanitarian, rehabilitation and reconstruction), and was the sequencing of the interventions appropriate?

Utstein Palette or Categories

Conflict prevention and peacebuilding do not exist as a sector of activity or even as a recognised policy goal, but represent rather a synthesis of the influence of various types of interventions. The report focuses on the 'storyline' of the effects of various interventions on factors of conflict, and so assesses their effect upon preventing or managing the occurrence of violent conflict.

A useful structuring for this combination is presented in what has been called the Utstein Palette (see below in Figure 1), suggested by the CPPB Guidance. In this evaluation we have used the Utstein Palette as a means of ordering the complex information available on Southern Sudan.

Figure 1: The Utstein 'Palette'



Source: Inspired by the Joint Utstein Study of Peace Building, "Utstein palette" (Smith, 2004a, pp. 27-28) and modified during a workshop of the DAC Networks in Oslo in 2006. Bottom text from: International Alert (2007b p. 6)

The palette is not an analytical framework as such, but a descriptive tool to define the scope of CPPB. It indicates a broad framework for the kind of interventions one might look at. The basis of evaluative judgement is instead the analysis of the conflict, and the identification of those elements that would help donors and agencies have an influence on its course. For this reason the evaluation proceeds in a succession of steps that can be summarised in the following way, and that guide the structure of the report:

- First reviewing the context, and the critical conflict factors to be addressed
- Then reviewing the strategies that have been applied by the various actors and their investments (aid portfolio)
- A thematic analysis of the performance of the interventions is carried out
- This is then reviewed in terms of their overall effect on conflict, by using the standard evaluation criteria
- From the conclusions the evaluation has derived some recommendations that are actor-specific to ensure that they are applicable, as well as some generic ones that apply to CPPB as an emerging field.

The CPPB Guidance could be further tested in respect of (a) how the links between the four categories are to be derived; and (b) the correlation between the subcategories (acknowledged as not being

comprehensive) and an outcome in the 'head' category. For example, to what degree do the disarmament, demobilisation and reintegration of combatants contribute to the reform of justice and security institutions? However, the evaluation has opted to analyse the effects of individual interventions from the point of view of key conflict factors. The evaluation thus contributes towards a 'testing' of the categorisation of the palette through the application of a conflict based analysis.

The CPPB palette may be useful as an evaluative tool, but nowhere, in either donor or GoSS strategies, do we find explicit reference to an organising principle derived from the palette. There was no jointly agreed 'pursuit of CPPB' by donors and/or GoSS – only individual programmes that addressed some of the subcategories listed. Moreover, there was never any explicit joint goal with respect to working 'on conflict'. Broadly speaking, the consensus (wrongly, as it turned out) was that Southern Sudan was 'post-conflict' (see Chapters 4 and 5). Therefore, only relatively few programmes intentionally tried to impact upon conflict/peace in a direct sense.

The Strategic Conflict Assessment (SCA) developed by DFID and adopted for this evaluation uses slightly different categories. This is further analysed in Chapter 4. In effect both are useful ways to ensure that all interventions are captured. The SCA is used in this report exclusively to draw out the conflict factors, while the Utstein Palette is applied to Chapters 5 and 6.

The CPPB Guidance states:

> "The focus of this guidance is on policies and activities working **on** conflict – meaning they are intentionally trying to impact conflict and peace prospects, not on conflict-sensitive evaluations per se (though some policies or projects working **in** conflict may also benefit from this guidance and some advice will be furnished on conflict sensitivity). All efforts undertaken in conflict areas should be conflict-sensitive. Interventions intended to prevent conflict and build peace must also be accountable for their effectiveness in impacting on the specific factors that drive and shape conflict and the contributions they make to peace."

The evaluation thus adopts a 'conflict lens' through which to explore (a) the extent to which programmes have been conflict sensitive, and (b) how different categories of assistance combine to contribute to an overall effect. Where evidence is apparent, we also suggest how the support to certain sectors might be prioritised and sequenced.

Given the enormous number of interventions undertaken over a five-year period, we have limited the inquiry to some of the CPPB subcategories, intentionally not evaluating each intervention in terms of their inherent efficiency, effectiveness and coherence, but rather their relevance and impact specifically with respect to preventing or mitigating the recurrence of violent conflict.

2.2. Steps in the Evaluation Process

The evaluation uses conflict analysis as a starting point as the principal frame of reference for the evaluation, thereby providing a 'lens' through which to examine performance over the five-year period. The logical sequence in the presentation is the following:

- A **conflict analysis** forms the basis of the evaluation, that identifies the key factors relating to conflict and the linkages between them, pointing to sources and dynamics of conflict (and conflict mitigation) as well as peace (and peacebuilding). The analysis provides a starting point for assessing the extent to which conflict understanding and sensitivity has been applied by donors at strategic and programme levels in Southern

Sudan. The conflict analysis contrasts known conflict dynamics in 2005 with an updated analysis conducted by the team from late 2009 to mid-2010. The team followed the SCA method developed by DFID,[9] the details of which are explained in Chapter 4.

- An **Aid Portfolio** and **Donor Policy Analysis** is presented that provide the facts, figures and trends of donor support over the five-year period, enabling the evaluation to comment on the coherence of policies as well as the actual support provided. In the first stage of the evaluation, donors were requested to provide quantitative and qualitative information of their portfolio over the five-year period. This overview is established on the basis of the OECD/DAC CRS codes commonly used to identify substantive categories of Official Development Assistance (ODA); efforts are then made to re-allocate these along the lines of the four CPPB categories suggested by the CPPB Guidelines.[10] Donor objectives and intervention strategies are examined, including the extent to which they have applied a 'conflict sensitive' approach to their strategies and programmes.

- The **collation of data from individual donors** is presented in summary form and by CPPB categories (Chapter 5 and Annex 10). Interviews and research on individual donor strategies and policies were undertaken (Annex 11). The key questions here were: what was the framework for donors' initial and subsequent approaches, and how has this evolved over time? To what extent has there been coherence and consistency of approach between donors and has this addressed conflict factors?

- An analysis of **evaluation reports,** project/programme completion reports and other types of source material including academic and applied research was undertaken. Findings from this analysis are integrated through the report, and a document database is presented in Annex 12.

- Based on the conflict analysis, aid portfolio and donor policy analysis, and the analysis of evaluation reports, **Terms of Reference for Stage 2** were produced.[11] These set out the preliminary findings, the basis for selecting interventions/ locations to visit, and the methodology (including questions to guide the interviews). In addition, the team produced two internal documents summarising the initial hypotheses (based on the Stage 1 literature review) and a team guide to applying conflict analysis in the evaluation.

- Finally, a **Field Verification Study** was carried out, an "in-depth evaluation of conflict prevention and peacebuilding interventions supported in Southern Sudan with emphasis on field level assessment" (Terms of Reference). In truth, 'in-depth' must be qualified by financial, time, and access constraints, inherent to an evaluation of this nature, but more particularly due to operational constraints in Southern Sudan. The fieldwork in Southern Sudan nevertheless provided an opportunity to field test the assumptions arising from the literature, nuance the conflict analysis with reference to local dynamics, derive greater in-depth knowledge of specific activities funded by aid donors, and evaluate these through a conflict prevention/peacebuilding 'lens'. The sample of activities is not representative in a statistical sense, but is a purposive and indicative selection of activities from which broader lessons are drawn.

[9] DFID (2002) Conducting Conflict Assessments – Guidance Notes, DFID

[10] The CD-ROM attached to this report contains an excel file 'Portfolio data' of interventions in Southern Sudan funded by the donors involved in the evaluation (Annex 13). This currently records 2,189 interventions, over the period 2005-2009

[11] Revised Stage 2 Terms of Reference, 16th February 2010. See Appendix 1

- The **detailed reports from each sector** and from the seven (of ten) States of Southern Sudan visited by the team are presented as essential source material in Annexes 1–9. The methods are explained in greater detail below and the summary of findings, lessons and recommendations emerging from this and from the background research are presented in this main report.

The individual field verification studies (Stage 2 of the evaluation, contained in source materials of Annexes 1–9) were more comprehensive, allowing the team to test and verify initial findings at field level while continuing to collect primary and secondary sources of information. For Stage 2, mixed methods were applied throughout, the key elements of which are outlined below.

2.3. Sampling and Data Collection

Fieldwork was undertaken by six teams, five in Southern Sudan and one in Khartoum, each team being *in situ* for an average of 16 days (including time in the field plus time in Juba). The teams were each assigned one or two of the CPPB subcategories and the brief to evaluate these for Southern Sudan as a whole. The team used primary field research to generate evidence that would highlight wider issues concerning these themes. In other words, purposive and indicative samples were taken from particular geographical locations: if the findings from these were only applicable to that location, this is stated. If they point to broader concerns, triangulated through interviews conducted in Juba and elsewhere – and cross-referenced between the evaluation teams – then this is also explained.

The rationale for the choice of CPPB subcategories is based on the following:

- The evaluation needed a sample of themes under the main CPPB categories – socioeconomic development, good governance, reform of justice and security institutions, and culture of justice, truth and reconciliation.

- Geographical variance in Southern Sudan also required considerable breadth of coverage, reflecting the importance of context, place, and time.

- The 'clustering' of activities was carried out taking into account the extent to which they were interrelated, adequately sequenced and had outcomes greater than the sum of their parts – and how they relate to wider lessons within the subcategories covered.

The heart of the analysis is the interplay between the four main CPPB categories and conflict factors. Though we cover most of the subcategories, the choice of these was not determined by the proportionality of donor support to each. Some 80% of funding has gone to the first main CPPB category (socioeconomic),[12] but arguably some smaller programmes aimed at directly conflict-related stakeholders – security sector reform and governance programmes for example – also have a significant impact on CPPB. It was also important to examine the channels of donor support – bilateral, multilateral, and through pooled funds – to determine how effective such choices have been.

There were other variables that guided sampling – access and logistics, and whether the programmes are still 'active'. The Terms of Reference also includes a commitment to examine social exclusion and gender equality as cross-cutting issues. Notwithstanding logistics and time constraints, the purposive sample of themes (and by extension, programmes) chosen was in particular related to the factors of conflict. Conflict analysis in Southern Sudan suggests certain 'flashpoints' that require more attention.

[12] See analysis presented in Chapter 5

These may be due to ethnic mix in an area, its proximity to valuable resources, tensions over land use, etc. Donors have been aware of these flashpoints, which are reflected in programming. This is reflected in the selection of cases studied in greater depth.

For example, there has been a recent concentration of resources in conflict-prone areas such as Jonglei and Upper Nile. At the same time, patterns of migration and return have, to some extent, determined where and when a greater percentage of social service resources are allocated, such as Northern Bahr el Ghazal (NBEG).[13] The major infrastructure programmes – notably roads, and by extension demining – were initially concentrated in the Equatoria States. We have included these in our analysis because of their undoubted contribution to opening up areas for trade and population movement, as well as the fact that large numbers of internally displaced people were able to return from here to hitherto 'closed' areas of the country.

Consideration of conflict factors has defined an associated question: whether donors should concentrate resources in areas of greater stability, thus potentially ensuring greater impact and sustainability, rather than in high risk areas where returns are not guaranteed. The debate has been highlighted recently by the juxtaposition of aid and military endeavours in counter-insurgency Afghanistan where the 'ink spot' theory promotes work in areas where 'quick wins' can be achieved.[14] Though it is difficult to depict Southern Sudan as having an 'insurgency', there may still be an argument for programming in high risk areas simply because small-scale skirmishes can quickly escalate, and localised armed conflict is 'political currency' easily exploited by those wishing to undermine the CPA. Some important but challenging areas – which have been taken into account in the sample – present important concerns regarding the sequence and type of interventions.

Evidence was gathered from a mix of semi-structured individual interviews and focus group discussions where individual opinions could be expanded towards generalisations by group verification. Stakeholders included programme beneficiaries as well as agency staff and GoSS officials. A list of the sources of evidence – including methods, list of interviewees and documentation – is provided in each of the source material Annexes 1–9. For brevity we present here only the broad (and common) methods used by all teams.

Due to the necessity of gaining access to beneficiaries through project staff (UN and/or NGO) who hosted the teams, interviewees were generally gathered at project sites. It was not possible to have a 'control group' (i.e. non-beneficiaries), though invariably there were individuals present who had not been directly involved in the project under review. Women-only groups were interviewed by two teams, but purely on an opportunistic basis – they were not necessarily 'representative' at any statistical level. In each location, local (*payam* or county) government officials were interviewed, and in several locations senior state officials were also included in discussions. Often Sudanese project staff had the greatest knowledge of progress over time than government officials who, in many cases, had not been in office for any length of time.

The reporting template needed to be focus-based on questions put to stakeholders. All teams adapted their questions to the context (see individual annexed reports) but worked from a core set of questions as follows:

- What has been the contribution of international aid to conflict prevention and peacebuilding since the CPA?

[13] This is the strong perception among both government officials and local people interviewed. We note, however, that it has not been an overall trend. Lakes State, for example, saw a relative decline in assistance when the capital moved from Rumbek to Juba

[14] See, for example, Bennett, J et al. (2009a) Country Programme Evaluation, Afghanistan, May 2009, Evaluation Department DFID; Bennett, J (2009) Britain and Afghanistan: policy and expectations, Humanitarian Exchange Magazine, Issue 43, Humanitarian Practice Network, June 2009

- What has been your direct experience?
- Has international aid reflected a strategic analysis?
- Has it contributed to inclusiveness?
- Has it addressed actual conflicts within Southern Sudan?

2.4. Limitations

The primary difficulty of the evaluation revolves around the appropriate framework for the evaluation of such a complex topic as the prevention of violent conflict or peace efforts. To overcome this challenge the team has opted to rely on the SCA method which is based on a quasi-focus group method whereby participants will provide and 'own' the information. This allows for a differentiated discussion of the factors of conflict, and consequently a ranking of these factors in terms of their level of influence on the situation. This discussion has not been possible for the team, and we have instead opted to triangulate the list of factors with predominant narratives found in extant conflict analyses, as well as a team workshop. The prioritisation of conflict factors hence reflects a degree of professional judgement.

The second most important difficulty is that the very objective of CPPB is not clearly acknowledged in the programming processes, or even by donor policies. Had the evaluation concentrated only on those interventions that hold the prevention of conflict or the rebuilding of peace as their main aim, we would have missed the larger part of the international efforts. These are instead framed in terms of support to a transition (for example as 'making unity attractive') whose nature is formulated at a political level, or in terms of aid effectiveness, or humanitarian principles. One frequent distinction is made between CPPB programmes (those that state in their objectives the reduction of conflict and enhancement of peace) and conflict sensitive programmes (those that minimise negative effects on conflict and maximise positive effects). However we have found this distinction not to be helpful. It risks creating a cleavage where none exists, and making this evaluation into one on conflict sensitivity. As a result we have opted to treat all interventions in terms of the higher goals of CPPB, in reference to the main causes of conflict.

Southern Sudan is a notoriously difficult environment in which to travel and conduct an evaluation. Although the teams were actually in the field from 6–10 days (plus additional time in Juba), a great deal of this time was spent travelling, accessing individuals and organising group discussions, little of which could be done in advance. Evidence therefore entailed a cross-reference of primary stakeholder views with secondary project documentation and the knowledge of certain individuals. In every location the team found that local government officials had only limited knowledge of donor activities in their area. We are confident, however, that levels of consensus were sufficient to validate our findings. Constraints were specific to each team, but included:

- Financial, time and travel constraints meant that, for instance, the team was bound to UN flight times and days. The choice could have been made to have had a smaller team for a longer period in fewer locations, but in the end seven of ten States were visited, even if not 'covered' extensively. Nevertheless, advance preparation and research ensured that the locations and projects/programmes chosen were appropriate in terms of understanding contextual nuance while extracting wider lessons.

- The field interviews were not always able to 'look back' over five years, especially where project or government staff turnover has been high. The individual experience and knowledge of team members, with a long history of engagement in Sudan in several cases, contrasted with the relative lack of knowledge of some interlocutors.

- The necessity to depend on partner agencies for logistics and access to populations and the presence of agency staff at most of the meetings that may have inhibited or influenced the discussion. Generally, we found this not to be the case, and the limitation was addressed by wider non-governmental organisation (NGO) consultation in Juba and by cross-referencing reports from different field teams.

- The difficulty of finding the right persons. In some cases, advance arrangements, particularly with GoSS officials, were often not possible and even within a two-week field visit some key individuals will have been missed.

- Disruption caused by election campaigning which made it difficult to access some government interlocutors.

- Insecurity and time constraints prevented the team from visiting certain areas. There was also a lack of time to arrange separate beneficiary focus group discussions with men, women and children as originally planned, although this was still achieved in some cases. Such discussions require several days advance preparation since people have to travel some distance.

There was an inherent danger of disjuncture between the thematic analyses in view of the fact that they were covered by evaluating different initiatives, with only occasional overlap of key interlocutors. However, this was avoided by ensuring a consistent reporting format based on: (a) a conflict analysis framework, (b) regular discussion between teams, (c) reference back to the central premise and hypotheses established in the literary review (Stage 1), and (d) a common reporting template (evaluation matrix) that refers to the key questions in the CPPB Guidelines as well as those of the evaluation Terms of Reference. The fieldwork itself was complemented by discussions with a wide selection of stakeholders in Juba and Khartoum, and the testing of some conclusions upon return from the selected States.

2.5. Consultation and Dissemination

The evaluation's governance structure has allowed appropriate involvement, cooperation and ownership of the main stakeholders whilst safeguarding the independence, credibility and quality of the evaluation, and ensuring an effective and efficient evaluation process. Common to the practice of joint evaluations, three levels of governance have been applied:

Evaluation Steering Committee

Broad participation in the conception and oversight of the evaluation has been assured through an evaluation steering committee representing stakeholders with a strong interest in the evaluation and actively participating in it.[15] The steering committee is co-chaired by the Director of the Policy and Operations Evaluation Department, Netherlands Ministry of Foreign Affairs and the Director of Aid Coordination, Ministry of Finance and Economic Planning, Government of Southern Sudan. The steering committee convened three times for review, discussion and oversight of the various stages of input. Its main tasks were to endorse the framework Terms of Reference and the Terms of Reference

[15] The original Steering Committee consisted of Belgium, Canada, United States of America, Denmark, Germany, the Netherlands, Norway, the Government of Southern Sudan, Sweden - Sida, United Kingdom, UNDP, UNHCR, UNICEF, UNOCHA, UNV, WFP, and the World Bank. The EC requested 'observer' status. In June 2010 the World Bank withdrew from the Steering Committee citing 'the team leader's conflict of interest' as the reason: no other Steering Committee member agreed with this

for Stage 2 of the evaluation[16], and review draft reports of the evaluation regarding quality, credibility and clarity. The steering committee provided detailed reviews of the draft final report.

Evaluation Management Group

The evaluation management group has directly overseen the work of the evaluation team contracted to execute the study, informing the steering committee about progress and preparing meetings of this committee. The evaluation management group consists of the Policy and Operations Evaluation Department, Netherlands Ministry of Foreign Affairs (Chair), the Evaluation Department of Danida (Ministry of Foreign Affairs of Denmark) and the OEDE (Office for Educational Development and Evaluation) of the World Food Programme (WFP). The management group is supported by experts from the Conflict Research Unit of the Netherlands Institute of International Relations 'Clingendael', who wrote the approach paper for the evaluation. The management group has not been involved in the conduct of the actual evaluation.

Reference Group in Southern Sudan

In order to maximise participation at the local level, provide advice, and give credibility, legitimacy and support to the evaluation, the Ministry of Finance and Economic Planning (MoFEP) of the GoSS established a reference group in Juba, Southern Sudan. MoFEP has chaired this group. The reference group has a broad representation and involvement of institutions of the GoSS, development partners active in Southern Sudan including international and national NGOs or their umbrella organisation(s).

The reference group reviewed key documents of the evaluation (the draft framework Terms of Reference, the draft reports of Stage 1 and Stage 2 (fieldwork) and the draft final report). It also served as a 'sounding board' and 'facilitator' for the evaluation team during its work in Southern Sudan. Its principal functions were: i) to facilitate access to documents and personnel for the purpose of the evaluators; ii) receive, discuss and provide feedback on intermediate evaluation products; and iii) assist in the organisation of appropriate workshops or seminars during the course of the evaluation.

The first reference group meeting was convened in Juba by MoFEP on 16 June 2009 when the draft ToR for the evaluation was discussed and comments were passed back to the evaluation steering committee. On 14 December 2009 the team leader met with the reference group at MoFEP in Juba, chaired by the Under-Secretary General. Eleven internationals attended (UN-RC/HC, UNDP, UNICEF, JDT staff, NGO forum, and two NGOs) as well as representatives from two ministries (MoFEP – including two directors of divisions – and Ministry of Housing). Unfortunately, few had received the ToR for the evaluation in advance so the meeting was primarily a briefing by the evaluation team leader.

The reference group met the evaluation team again on 5 March 2010, though attendance from GoSS was very low. However, an additional meeting held on 13 July 2010 was better attended, allowing feedback on the preliminary evaluation findings, discussed by some 20 GoSS representatives, six international members and a representative of the NGO Forum Secretariat.

[16]The framework ToR was further developed by the Evaluation Team in consultation with the Evaluation Steering Committee. This became the main template of questions and ToR for Stage 2 (field investigations). The framework ToR and the ToR for Stage 2 can be found in Appendix 1

External Quality Assurance

Three independent academics – Gunnar Sørbø (Chr. Michelsen Institute, Norway), David Keen (London School of Economics, UK) and Alfred Lukuji (Juba University) – have reviewed the draft report from Stage 1 and the field reports. They have also reviewed the draft final report and have provided advisory as well as substantive input.

Dissemination

It is intended that the evaluation results will be useful for a wide variety of stakeholders. The following primary users are identified:

- the Government of Southern Sudan and its different administrative institutions
- the Southern Sudan Legislative Assembly
- the Government of National Unity and the Parliament
- on the part of the donors and international organisations: policy makers, aid administrators and operational managers at headquarters and in the field
- parliaments of donor countries and governing bodies of international organisations
- other (non-government) organisations involved in the implementation of assistance in Southern Sudan
- the OECD/DAC
- the wider development community.

It is envisaged that the evaluation report will be presented and discussed in a seminar in Juba (and possibly Khartoum) in the first quarter of 2011.

Chapter 3 Country Profile

Figure 2: Map of Regions in Sudan

There is a vast literature on events in Southern Sudan both before and since 2005. Much of the contextual information is contained in the forthcoming individual chapters. Here we present only a brief overview of key political events, including a timeline, pertaining specifically to Southern Sudan and a brief outline of known socioeconomic data. The next chapter (conflict analysis) builds on this. A contextual analysis can itself often be contentious; identifying drivers of change is a selective process with different emphases. The evaluation will attempt to summarise a general consensus around these events, but will assume that Southern Sudan is still to a large extent 'in conflict' rather than 'post-conflict'; hence the importance of highlighting the remaining fault lines (national and local) that continue to influence behaviour on the ground.

Box 1: Timeline: Southern Sudan 2005-2010

2005	**January** - Government and Southern rebels sign CPA. The agreement includes a permanent ceasefire and accords on wealth and power sharing. **July** - Former Southern rebel leader John Garang is sworn in as first Vice-president. A constitution which gives a large degree of autonomy to the South is signed. **July** - Vice-president and former rebel leader John Garang is killed in a helicopter crash. He is succeeded by Salva Kiir. **September** - Power sharing Government of National Unity (GoNU) is formed in Khartoum. **October** - Autonomous Government of Southern Sudan (GoSS) is formed in the South, in line with January 2005 peace deal. The administration is dominated by former rebels.
2006	**November** - Heaviest fighting between Northern Sudanese forces and their former Southern rebel foes since the CPA signing. Fighting is centred on the Southern town of Malakal.
2007	**May** - US President George W Bush announces fresh sanctions against Sudan due to atrocities in Darfur. **October** - SPLM temporarily suspends participation in national unity government, accusing Khartoum of failing to honour the 2005 peace deal. **December** - SPLM resumes participation in national unity government.
2008	**March** - Tensions rise over clashes between an Arab militia and SPLM in Abyei area on North/South divide - a key sticking point in 2005 peace accord. **April** - Counting begins in national census which is seen as a vital step towards holding democratic elections. **May** - Southern defence minister Dominic Dim Deng is killed in a plane crash in the South. **May** - Intense fighting breaks out between Northern and Southern forces in disputed oil-rich town of Abyei and surrounding areas. **June** - President Bashir and Southern leader Salva Kiir agree to seek international arbitration to resolve dispute over Abyei. **October** - Allegations that Ukrainian tanks hijacked off the coast of Somalia were bound for Southern Sudan spark fears of an arms race between the North and former rebels in the South. **December** - The Sudanese army says it has sent more troops to the sensitive oil-rich South Kordofan State, claiming that a Darfur rebel group plans to attack the area.
2009	**March** - The International Criminal Court (ICC) in The Hague issues an arrest warrant for President Bashir on charges of war crimes and crimes against humanity in Darfur. This is the first ever indictment by the ICC for the arrest of a sitting head of state. Sudan rejects the indictment.

	May - An estimated 250 people in central Sudan are killed during a week of clashes between nomadic groups fighting over grazing land and cattle in the semi-arid region of Southern Kordofan.
	June - Khartoum government denies it is supplying arms to ethnic groups in the South to destabilise the region. The President of Southern Sudan, Salva Kiir, warns his forces are being re-organised to be ready for any return to war with the North.
	Ex-foreign minister Lam Akol splits from South's ruling SPLM to form new party, SPLM-Democratic Change.
	July - GoSS disputes the ruling by the Permanent Court of Arbitration at the Hague that defined Abyei's borders and which may have resulted in the Heglig oil field being in the North.
	October - SPLM boycotts Parliament over a Bill allowing intelligence services to retain widespread powers.
	December - Leaders of North and South say they have reached a deal on the terms of a referendum on independence due in South by 2011.
2010	**January** - President Omar Bashir says would accept referendum result, even if South opted for independence.
	Feb-March - The Justice and Equality Movement (Jem) a main Darfur rebel movement signs a 'roadmap' agreement with the government, prompting President Bashir to declare the Darfur war over. But failure to agree specifics, and continuing clashes with smaller rebel groups, endanger the deal.
	April - President Bashir gains new term in presidential polls.

Throughout its history Southern Sudan has been cut off from mainstream development owing to political and physical isolation. Despite considerable improvements in the last five years, this is still largely the case. In 2009, Sudan as a whole ranked 150th (of 182) in the world in terms of human development indices; if disaggregated data were available for the South it would doubtless rank even further down the table. The country also hosted 4.9 million displaced persons, and in the South many of these were beyond the reach of any humanitarian assistance.[17]

Outstanding border disputes, mass population movements and the forthcoming referendum on the future of Southern Sudan make statistics themselves an area of political debate. On 21 May 2009, Sudan's Central Bureau of Statistics officially released the 'Sudan Census Priority Results'. The total enumerated population from the 2008 census is 39,154,490 persons of which 8,260,490 (21.1%) are in Southern Sudan. However, in July 2009 both the Southern Sudan Legislative Assembly and the SPLM Political Bureau refused to accept the census results either as the basis for allotting constituencies for the general elections or adjusting the CPA wealth and power sharing formula on the ground. Officially that position still stands.[18]

Sudan's economic growth over the last ten years has been remarkable: gross domestic product (GDP) expanded from USD10 billion in 1999 (the year oil exports started) to USD53 billion in 2008; annual per capita income rose from USD506 in 2003 to USD1,199 in 2007.[19] Since 2005 Southern Sudan, through the CPA, has been in receipt of about half of the country's new-found oil wealth, receiving approximately USD2 billion per year.[20] Paradoxically for such a self-evidently poor region, the per

[17] UNDP (2009a) Overcoming barriers: human mobility and development, Human Development Report 2009, UNDP:New York
[18] UNMIS (2010a) CPA Monitor, Monthly report on the implementation of the CPA Vol. 6, Issue 54, May 2010
[19] World Bank (2010) Turning the Corner, 2009 Annual Report, Multi-Donor Trust Fund for Southern Sudan
[20] This dropped in 2008 due to declining global oil prices

capita GDP for Southern Sudan, with its relatively small population, is higher than many countries in sub-Saharan Africa.[21]

Revenues have fallen in the last two years because of a global slump in oil prices, but the reserves would not have eroded so quickly had there been better fiscal management and less corruption. GoSS has not, for instance, been able to keep their commitments on disbursements through the Multi-Donor Trust Fund (MDTF–South). Oil revenues account for some 95% of domestic income, an uncomfortable position for GoSS as it seeks to diversify revenue sources. Despite the over-optimistic predictions made in the 2005 Joint Assessment Mission (JAM), the South has now become more dependent on ODA than at any time in the preceding five years.

3.1. Socio-political Profile

Poverty Indicators

A direct causal link between general poverty and violent conflict is always difficult to establish, but in the forthcoming report we indicate some degree of correlation between the two pertaining to, for example, under-employment, land allocation and access to resources. The levels of poverty, food insecurity and mortality associated with poor basic services are unacceptably high in Southern Sudan and the distribution of wealth remains a source of tension. Nonetheless, care should be taken in depicting rural Southern Sudan as uniformly 'poor'. The vast lands and the numbers of cattle among some communities are in contrast to their 'cash-poor' status and the impoverishment of basic services (and therefore health statistics).

Socioeconomic indicators have tended to be unreliable due to a tendency to extrapolate from project and/or geographically-specific data in the absence of systematic national data collection.[22] The situation is changing gradually as baseline data becomes available through national institutions and the national census (see below); meanwhile, there is a heavy reliance on UN data. The following estimates are often cited in literature:

- An estimated 4.3 million people in Southern Sudan – about half the population – are expected to require **food assistance** at some point in 2010. Of five nutrition surveys completed since December 2009 in various locations, the results point to global acute malnutrition rates of over 15%, which is the emergency threshold.[23]
- One out of seven women who become pregnant will probably die of pregnancy related complications;
- In 2009, there are only 10 certified midwives in all of Southern Sudan;
- 92% of women in Southern Sudan cannot read and write;
- Only 27% of girls are in school and there are 1,000 primary school pupils per teacher;

[21] Sudan's GDP per capita in 2007 was USD 1,199, about three times higher than its neighbours Kenya and Uganda (UNDP (2009a), op. cit.)
[22] Nathan Associates Inc (2007) Southern Sudan: Data Gap Analysis for Country Analytic Report, report prepared for USAID, November 2007
[23] UN-OCHA (2010) Humanitarian Update, Southern Sudan, Issue 2 March-April 2010, UN-OCHA Sudan

- A 15 year old girl has a higher chance of dying in childbirth than of finishing school.[24]

The 2009 GoSS National Baseline Household Survey of Southern Sudan[25] for the first time broke the statistics down to State level, covered all ten States and revealed the following statistics:

- The average per capita consumption[26] per month in Southern Sudan is about USD42 (100 SDG). Among clusters of States, the highest (USD48-60) consumption rates are found in Upper Nile, Central Equatoria and Western Bahr el Ghazal. The lowest consumption rates (USD25-30) are found in Northern Bahr el Ghazal (NBEG), Warrap and Unity States.

- There were marked differences between urban and rural monthly consumption rates, with an average of USD71 in urban and USD37 in rural areas. However, the rates for the poorest people in urban and rural areas were roughly the same, averaging USD18.

- With a poverty line calculated at USD30.80 (72.9 SDG), 50.6% of the population of Southern Sudan was found to be below this. Urban areas are unambiguously better off than rural areas. Only one in four urban dwellers is poor, whereas it is almost twice that number in rural areas.

- Poverty levels vary greatly between States, but unsurprisingly follow the same pattern as consumption, with NBEG, Warrap and Unity States having the worst indices and Upper Nile, Central Equatoria and Western Bahr el Ghazal having the better indices (see Table 2).

- The distribution of the poor across States roughly matches the distribution of the population. Over all States, some 85% of the population lives in rural areas, with 92% of the poor being in these areas.

[24] All the above five bullet-point figures from Press Conference by Grande, L (2009) Press Conference by Lise Grande, UN Deputy Resident and Humanitarian Coordinator for Southern Sudan, 12 August 2009
[25] Southern Sudan Centre for Census Statistics and Evaluation (2010) Poverty in Southern Sudan: Estimates from NBHS 2009, Government of Southern Sudan: Juba. Exchange rates vary, but here we use 1SDG=USD0.42
[26] Food accounts for 79% of consumption

Table 2: Poverty Incidence by State, 2009

State	Poverty level (% of the population below the poverty line (USD30.80)
Upper Nile	25.7
Unity	63.4
Warrap	64.2
Northern Bar al Ghazal	75.8
Western Bar al Ghazal	43.2
Lakes	48.9
Western Equatoria	42.1
Central Equatoria	43.5
Eastern Equatoria	49.8
Jonglei	48.3

Source: Southern Sudan Centre for Census, Statistics and Evaluation (2010)

Political Organisation Around the Peace Agreement

Sudan is governed according to a power sharing arrangement established by the 2005 CPA. The Peace Agreement – signed between the ruling National Congress Party (NCP) and Sudan People's Liberation Movement (SPLM) – established a new Government of National Unity and an interim GoSS. The CPA brought to an end the latest iteration of North/South civil war – 22 years of civil war with roots stretching back to the country's independence in 1956. The war killed at least two million people and displaced a further four million. By 2003 this North/South war was winding down, and international attention was drawn to a rebellion in Darfur that provoked a response that claimed hundreds of thousands of civilian lives and 2.7 million displaced people. This war in Western Sudan did not, however, derail the process towards a North/South Peace Agreement culminating in the CPA signing on 9 January 2005.

Photo 1: A South Sudanese registers his name for the referendum on self-determination

Photograph: © Albert Gonzalez Farran/UNAMID

The CPA mandate promises that a referendum over the future of Southern Sudan be held no later than January 2011, giving Southerners the opportunity to vote either for unity within Sudan or separation. Formally, the six-year interim period established by the CPA closes in July 2011. The historic agreement provided for a ceasefire, withdrawal of troops from Southern Sudan, and the return and resettlement of IDPs (and to a lesser extent, refugees), and called for wealth sharing, power sharing, and security arrangements between the two parties. With the establishment of the National Population Census Council, a population census was conducted in April/May 2008 and national elections were held from 11–13 April 2010.

3.2. The Three Areas

The Three Areas of Abyei, Southern Kordofan and Blue Nile witnessed a significant share of violence in the 1983–2005 civil war. Many people from these areas fought alongside the Sudan People's Liberation Movement (SPLM)/Sudan People's Liberation Army (SPLA) for the ambitious vision of a unified, democratic 'New Sudan', though local communities became deeply divided along North/South lines.[27] When the CPA was signed in 2005, the status of the areas became a bargaining chip for the parties, the final standing of which were deferred through the establishment of separate

[27] Marina, P (2010) Blue Nile, Nuba Mountains and Abyei: Three Areas in Transition, in Heinrich Böll Foundation (eds) (2010) Sudan - No Easy Ways Ahead, Vol 18, Heinrich Böll Foundation:Berlin, pp 65-79

protocols for Abyei (Chapter IV) and for Southern Kordofan and Blue Nile (Chapter V).[28] The permanent resolution of their status has been constantly delayed due to disputes over the 1956 North/South dividing line and the deeply rooted and unresolved ethnic, religious and economic problems characterising the areas.

Peace in the region is threatened not only by these delays in implementing CPA provisions, but also by ongoing tensions and clashes among the local communities over land issues, migratory routes and grazing rights. These are especially severe between the Misseriya and the Ngok Dinka in Abyei and the Misseriya and the Nuba in Southern Kordofan.[29] On a political level, the AEC Three Areas Working Group has achieved relatively little in trying to persuade the parties to implement the CPA provisions.[30] Despite officials from GoNU claiming that tension in the Three Areas is a local problem, most observers believe that should war again break out between the North and South, the Three Areas will become a main battle ground and will be the most affected.[31] We comment further on this in Chapter 4.

In conjunction with the 2011 referendum on the status of Southern Sudan there will be a separate referendum in Abyei to determine its post-2011 status. Also, a series of popular consultations in Southern Kordofan and Blue Nile will be conducted, though these areas will remain in North Sudan. An important element of this, though, is agreement on the full demarcation of the North/South border,[32] demarcation of the Abyei District, installation of the referendum commission and voter registration (Abyei) and civic education campaign (Southern Kordofan and Blue Nile).

3.3. Oil and Wealth Sharing

The 1978 discovery of oil in Sudan near Bentiu (Unity State) and Heglig (disputed geographical location)[33] transformed the country's national economy and became an important factor in the 22-year long second civil war. While oil has been a dividing factor exacerbating conflict between Sudan's political centre and periphery, oil income has also been an important incentive for stability, particularly since the CPA was signed in 2005. The fact that both the GoNU and the GoSS remain highly dependent on their oil revenues leads to a mutual interest in upholding a relatively stable environment through current arrangements.

Oil production is set to decrease by about 10% by 2019[34] so the parties must find a compromise on the management of the oil sector for the next ten years as well as focus on other resources. The situation is particularly acute in the South. With a very small formal economy, little tax collection, low efficiency of government institutions and corruption, a politically independent Southern Sudan runs the risk of becoming an extreme example of an import-dependent country afflicted with the 'resource curse'.[35] We comment further on this in Chapter 4.

[28] International Crisis Group (ICG) (2008) Sudan's Southern Kordofan Problem: The Next Darfur? Africa Report No145, International Crisis Group:Brussels, 21 October 2008
[29] Annex 9, para 16
[30] Annex 9, para 45
[31] Marina, P (2010) op. cit.
[32] Although the demarcation of the border is essential, it is not necessarily a precursor to the 2011 referendum; GoSS and GoNU have indicated that it could be done later
[33] GoSS claims these oil fields are in Unity State, whereas the NCP (Northern Government) claims they are in Southern Kordofan
[34] Business Monitor International (2009) Sudan Oil Production Goes Less than 500,000 bpd, Sudan Oil and Gas Report, Q1 2010
[35] The term 'resource curse', sometimes also referred to as 'oil curse' refers to countries and regions which have abundance of natural resources, but lower economic growth and development than countries that possess fewer resources. See for instance; Auty, R M (1994) Industrial policy reform in six large newly industrializing countries: The Resource Curse Thesis, World Development, Vol 22:1

3.4. The 2010 Elections

An important milestone of the CPA was the first multi-party national elections held in 25 years that took place in April 2010. Omer Hassan al-Bashir was re-elected as President of the Republic, with SPLM leader Salva Kiir Mayardit re-appointed as first Vice-president. At the national level the NCP won 73% of the seats, while the SPLM won 22% of the seats (see figure 3).

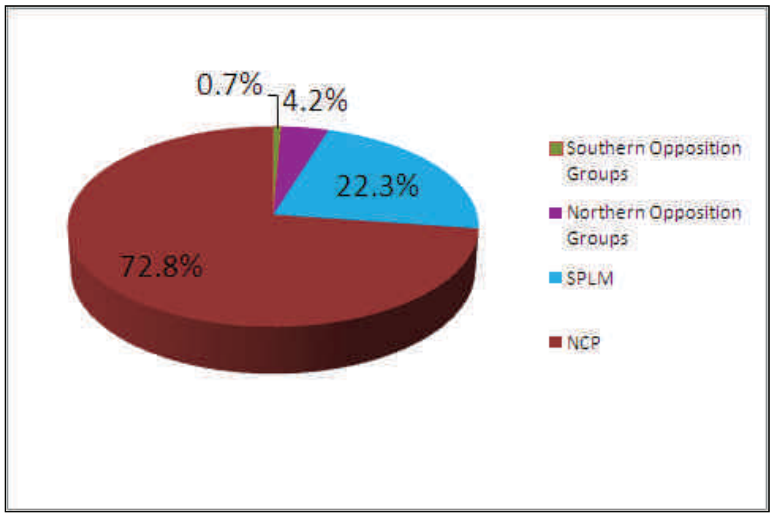
Photo 2: Southern Sudanese cattle herders move their animals in Unity state

Photograph: © Peter Martell/IRIN

In the South, Salva Kiir Mayardit was elected President and the SPLM obtained 159 seats in the Southern Sudan Legislative Assembly (SSLA), comprising 92 Geographical Constituency, 25 Party List, and 42 Women's List seats, equating to 93.52% of available seats. Independent candidates won seven seats, all Geographical Constituency, while the SPLM-Democratic Change won three seats, two Geographical Constituency and one Women's List; the NCP obtained only one Geographical Constituency seat.[36]

[36] UNMIS (2010b) UN Ready to Assist with Referendum, UNMIS briefing, 28 June 2010

Figure 3: Distribution of Seats in Sudan's National Assembly



Despite continuing human rights violations[37] and some electoral inconsistencies, there has been general international acceptance of the election results. The US and EU expressed concern about voting 'irregularities', circumscribed political freedoms, and elections that fall short of international standards. But they have not condemned the widespread abuses, nor have they pressed for accountability and reforms. Meanwhile, the Arab League, African Union, and Intergovernmental Authority on Development – a seven-country regional organisation based in East Africa – have issued statements that failed to mention election-related abuses.[38]

3.5. The 2011 Referendum

This evaluation has been undertaken at a critical juncture in Sudan's history. The outcome of the January 2011 referendum cannot be predicted with certainty, but all the signs are that Southerners will vote for secession. The death in July 2005 of SPLM leader Dr John Garang – the chief architect and proponent of unity – was an unexpected setback; many believe that his untimely death forestalled any remaining hope of a united Sudan.[39] There is, however, a large agenda of business to be completed if separation is to be an orderly process. The key issues are:

- **Borders** – Five major border areas are disputed. The first, and perhaps most potentially explosive, is around the oil-producing region of Abyei. The region will decide in a separate referendum, also in January 2011, whether to join the South or stay with the North. The borders were outlined in a July 2009 ruling by the Permanent Court of Arbitration at The Hague, but demarcation has stalled. At the same time, the northern Misseriya community has denounced the ruling.

- The **border issue –** This is not only about demarcation, but also about administration of the borders. Four other areas are in dispute: (1) the northern-most border separating

[37] Human Rights Watch (2010a) Sudan: Flawed Elections Underscore Need for Justice, April 2010
[38] Human Rights Watch (2010b) HRW Report on April 2010 Sudan Elections – Summary, Recommendations, July 2010
[39] See, for example, Heinrich Böll Foundation (eds) (2010) Sudan - No Easy Ways Ahead, Vol 18, Heinrich Böll Foundation:Berlin

Renk county in Upper Nile from the North's White Nile State, (2) the borderline running North/South between the South's Unity State and the North's Southern Kordofan (this will determine who controls the Heglig oil field), (3) whether the Bahr al-Arab river forms the exact border between the South's Bahr el Ghazal and Darfur in the North, and (4) which river forms the exact westernmost dividing line between Western Bahr el-Ghazal and Southern Darfur.

- **Oil** – An estimated 82–95% of the oil fields are in the South (depending on where the border is drawn).[40] The sole export route for the landlocked South is a pipeline running to the north to Port Sudan on the Red Sea. The two sides will have to negotiate how to share oil revenue, as well as any user fees levied against the South for using the pipeline and refineries. The two parties must also negotiate how to honour current oil contracts.

- **Water** – Under a 1929 agreement between Egypt (which had control over Sudan) and Britain, and a 1959 agreement between Egypt and Sudan, Egypt controls up to 90% of the Nile River water. The question is whether Southern Sudan would recognise these old treaties or work with Nile basin countries in eastern Africa for a new accord.[41] If it honours the colonial pacts, as it has indicated to the Egyptians, the South would still need to negotiate with Khartoum over what percentage of the 18.5 billion cubic metres of water designated to Sudan it can claim.

- **Nationality** – The fate of Southerners living in the North and Northerners living in the South has to be negotiated. Questions of citizenship and rights will have to be addressed, as well as ease of travel between the two.[42]

- **Debts and assets** – If the South secedes, the question of the South's share of Sudan's sizeable national debt – estimated by the International Monetary Fund in 2008 at USD34 billion – may again be raised. SPLM officials have hitherto accused the North of using that borrowed money to wage war against Southerners, and thus have rejected any responsibility for the debt. There is also the question of national assets and the properties of state-owned companies in the South.

- **Currency** – After the CPA, Sudan's official currency, the dinar, was replaced with the Sudanese pound.[43] A newly independent South could choose to create its own currency.

- **International agreements** – Southern Sudan would have to decide which international agreements reached by Sudan it will honour.

- **National security** – The two parties will need to agree on how to demobilise the Joint Integrated Units[44] and what would happen to the Southern portion of Sudan's national intelligence apparatus.

[40] Integrated Regional Information Networks (IRIN) (2010) Sudan: Key post-referendum issues, 20 May 2010
[41] Up-stream countries have signed the Cooperative Framework Agreement under the Nile Basin Initiative, opposing the colonial treaty
[42] A precedent and perhaps model for this is the 2004 'Four Freedoms' agreement signed between Sudan and Egypt, granting Egyptians and Sudanese free movement, residence, work, and ownership in either of the two countries
[43] The dinar was the currency of Sudan between June 8, 1992 and January 10, 2007
[44] The security arrangements of the CPA stated that "There shall be formed Joint Integrated Units consisting of equal numbers from the Sudanese Armed Forces (SAF) and the Sudan People's Liberation Army (SPLA) during the Interim Period. The Joint/ Integrated Units shall constitute a nucleus of a post referendum army of Sudan, should the result of the referendum confirm unity, otherwise they would be dissolved and the component parts integrated into their respective forces

It is improbable that agreement on all these questions can be reached by July 2011. Moreover, as this report will emphasise, there are many unresolved South-South political issues as well as those between North and South. For example, the strongest constituency in favour of unity with the North is from the groups in Northern Sudan that supported the SPLM during the war, such as the Nuba and Blue Nile people. Southern Sudan's post-referendum stability will depend on reaching consensus with these groups. The Referendum Act of December 2009 contains a provision for the parties to talk about post-referendum relations;[45] one option might be a second interim period in which these issues are negotiated.

[45] The Referendum Bill was passed on 29 December 2009. On 28 June, 2010 the Sudanese parliament endorsed the 9-person Referendum Commission mandated to 'monitor and ensure accuracy, legitimacy, and transparency' of the referendum. The Thabo Mbeki-led African Union High Level Implementation Panel was named as the main international 'facilitator', with support from IGAD (an east African regional body that was the lead international player during the CPA process), the IGAD partners forum (which includes 20 countries and international organisations combined). See Hsiao, A (2010) Important (Small) Steps Toward South Sudan Referendum, The Enough Project blog, 29 June 2010

Chapter 4 Conflict Analysis

4.1. Introduction

The CPPB Guidance advises that "one of the best ways to face the challenge of working in this (conflict) context is by using some form of conflict analysis".[46] It advises that donors working in such a context should conduct an analysis and update it over time. The guidance further proposes that evaluators should test whether donors have based their actions on such an analysis. Under the 'relevance' criterion, they should ask: "Is the conflict prevention and peacebuilding intervention based on an accurate (and up to date) analysis of the conflict?"[47]

The CPPB Guidelines also state that:

> "A thorough and up-to-date understanding of the conflict is the first step for a conflict sensitive evaluation process...evaluators will need to have some sort of conflict analysis, though they may not necessarily need to perform one themselves."[48]

This chapter sets out the conflict analyses used by the evaluation team. This is primarily a synthesis of other studies, including those commissioned by the donors, and is intended to reflect what a well-informed stakeholder would know about the context in planning and guiding aid programmes.

The conflict analyses are used in a dual manner. The more general country analysis is used to present some overall causes that should guide international and national interventions, but more as a basis for certain principles of conflict sensitivity than as specific factors that should be targeted. This is complemented by a more specific conflict analysis in South Sudan, which allows for the identification of those conflict factors that are amenable to influence, and which should be the object of CPPB activity.

A key problem of CPPB evaluation, as noted in the CPPB Guidelines and in the ToR for this evaluation (Appendix 1), is that donors cannot be expected to have the full benefit of hindsight. Hence we cannot simply apply a 2010 analysis to programmes planned in 2005. On the other hand, donors can be expected to adapt and change their programmes on the basis of regular (or continuous) analysis. Programmes should show progression both in planning and in adaptation to a changing environment. Accordingly, our South Sudan analysis is divided into two main parts – analysis as at the time of the CPA in 2005 and a current analysis.

The 2005 Southern Sudan analysis is intended to provide an indication of what well-informed donors could or should have understood at that time. It reflects the findings of the JAM which became a key framework for aid planning. The JAM did not itself contain a conflict analysis as such, but rather a contextual overview. However, there was considerable convergence in the literature about the factors underlying conflict in Southern Sudan. Johnson's comprehensive *The Root Causes of Sudan's Civil Wars* published in 2003 informed many of the later studies and should have been taken into consideration in donor analysis. Since then many other studies have been published (see the document database of the evaluation, Annex 12). There may be some variance at the political level, but in relation to the root socioeconomic factors these studies generally concur.

[46] OECD/DAC (2008) op. cit., p28
[47] Ibid., p40
[48] Ibid.

The second conflict analysis focuses on the current understanding of conflict factors in relation to Southern Sudan today. This leads to a second set of 'conflict factors' intended to test whether donors have adapted to a changing situation over time. This study benefited from a workshop convened in London with experts on Sudan in December 2009 and draws mainly on studies published since then together with the findings from the evaluation's own field studies and further interviews.

Our conflict analyses follow the SCA method developed by DFID.[49] This method is based on a mapping process. Mapping offers the most comprehensive and transparent approach whereas a more narrative approach might tend to limit or bias the analysis, and is harder to communicate. The mapping process divides issues into different levels but we have not included a regional level because this has little impact in relation to aid.[50]

The mapping also divides the causes or factors relating to conflict into four categories commonly used in academic study – security, political, economic and social, which only partly relate to the Utstein themes which guide our report. A comparison of the Utstein Categories with the SCA categories is presented below in Table 3.

Table 3: Comparison of the Utstein Categories with the SCA Categories

SCA (factors causing conflict)	Utstein (CPPB categories)	Observations
1. Social	1. Socioeconomic development	Utstein Palette covers a vast range of aid activity under the single socioeconomic heading
2. Economic		
3. Political	2. Good governance	Corresponds quite well
4. Security	3. Reform of justice and security Institutions	Utstein Palette has two 'security' categories which are convergent towards a broader understanding of security
	4. Culture of justice, truth and reconciliation	

It could be possible to relate the SCA categories directly to the Utstein categories, with a small adjustment needed. However, it would be erroneous to expect programmes dealing with livelihoods to address only socioeconomic factors, and the seriousness of conflict risk often depends on an interaction of different factors. For example, access to water is a constant problem but when exacerbated by political factors or previous security crises it can easily trigger violence. Therefore we cannot simply apply conflict analysis from a single category of causes to a single type of response (water infrastructure). The analysis by theme hence may include factors from different 'columns' of the analysis, such as for example political participation (Utstein's governance) and the sharing of water resources (Utstein's socioeconomic) converge on natural resources as a factor. Similarly while

[49] DFID (2002) op. cit.
[50] An excellent recent study is International Crisis Group (ICG) (2010) Sudan: Regional Perspectives on the Prospect of Southern Independence, International Crisis Group:Brussels

the analysis of the assistance is structured by theme in our evaluation, each theme can address a wide variety of factors.

4.2. National Level Analysis

Conflict Causes

As noted above, Douglas Johnson's 2003 study provides a comprehensive analysis that was available to aid officials at the time of the CPA. Differences in analysis at that time mainly arose because actors tended to emphasise different features of conflict. Johnson gives considerable emphasis to historical factors whereas others like de Waal take a much broader view, listing five different discourses or hypotheses for continued conflict in Sudan:[51]

1. Clash of identities
2. Centre-periphery inequality
3. Conflict over resources
4. Intra-elite competition
5. 'Brute causes': criminality, individual agency and the perpetuation of a cycle of violence.

De Waal believes a combination of factors 2 and 4 provides the best starting point for understanding the protracted nature of conflict in Sudan, yet "Each … has some traction. The multiplicity of causes of the crisis makes Sudan's conflict peculiarly intractable." Moreover, "the most likely scenario is that the structure of political power in Sudan remains unchanged." [52]

De Waal also makes the point that Sudan's conflicts are particularly impenetrable to outsiders not only because so many different factors are involved, but also because 'intra-elite competition' is difficult to understand. Although Sudan is dominated by a northern riverine political class, this elite group is by no means united. Similar observations may be made about the SPLM as a political group.

De Waal subsequently developed his analysis around the notion of a 'political marketplace' in which old patrimonial forms of balancing power give way to more exclusive and competitive patronage systems.[53] Stability depends on matching the flow of resources through the patronage system to the demands of stakeholders. Violence and threats of violence become bargaining tools. Conflict studies of Darfur generally refer to the same fundamental problems – political and economic marginalisation, manipulation of tribal interests, arming of militias, etc.[54] Similar issues have also been identified in the troubled areas of the East and North.

A later and similarly extensive conflict analysis conducted in 2008 focused on the Three Areas (Abyei, Southern Kordofan and Blue Nile).[55] This was led by DFID and carried out in consultation with a group of donors. The report reflected increasing concern that lack of progress following the CPA was itself beginning to cause tension, if not conflict. Donors were urged to engage more actively in the Three Areas to counter the sense of political marginalisation, develop communications and facilitate an informed dialogue about the future.

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[51] de Waal, A (2007) Sudan: What Kind of State? What kind of crisis? Crisis States Research Centre, London School of Economics
[52] Ibid.
[53] de Waal, A (2010) Sudan's Choices: Scenarios beyond the CPA in Heinrich Böll Foundation (eds) (2010) Sudan - No Easy Ways Ahead, Vol 18, Heinrich Böll Foundation:Berlin
[54] Notably Flint, J and A de Waal (2008) Darfur – A New History of a Long War, Zed Books:London
[55] Vaux, T et al. (2008) Stability and Development in the Three Areas, Report for the Steering Group (Draft) DFID:London

Taking de Waal's five factors as a starting point (referred to in brackets) and drawing on the other studies referred to above, the conflict for the country as a whole may be mapped out as in Table 4. Bold type and font size are used to indicate the relative importance of the factors. For the sake of argument the table may be taken to represent the situation around 2008 but should be valid for the entire 2005-2010 period. Factors susceptible to CPPB activity by donors are underlined. (Bold type and larger font indicate key factors.)

Table 4: Factors Causing Instability in Sudan as a Whole (2008)

	Security[56]	**Political**	**Economic**	**Social**
International	Destabilising influence of regional neighbours	ICC pressure on President; Political support from China, India, Malaysia around oil interests	Climate change causing pressure on natural resources Vulnerability to changing oil prices	Pressure from militant religious groups
National	**History of conflict (5)** Influence of militant groups on politics	**Non-inclusive political settlement based on ideology and wealth** **Intra-elite competition (4)**	**Concentration of resources at the centre (2)** **Conflict over resources (3)**[57] Division of benefits from oil Economic inequalities	Militant Islam; **Clash of identities (1)** Large-scale displacement and return
State	Mobilisation of armed militias by the state Personality-based activities of armed groups CPA redeployment process Imposition of justice system based on Sharia	Lack of cohesion among provincial political parties **Co-option and manipulation by the centre** Contested internal borders Low capacity of state institutions	**Competition between farmers and pastoralists** Economic marginalisation by the centre and intra-State between groups Environmental mismanagement **Land and access issues relating to oil, water, mining and agriculture**	Religious/ethnic identities open to manipulation Co-option of traditional leaders around political interests

[56] Security is taken to include the Justice sector and Human Rights
[57] Although this competition takes place locally it may be regarded as a national phenomenon

	Security[56]	Political	Economic	Social
Local	**Availability of weapons** Weak and poorly integrated police services Abuse of human rights Legal pluralism/inability of traditional structures to administer justice	**Discourse of secession causing confusion** **Lack of representation for many groups, including women**	Mismanagement of land issues New land disputes related to displacement and return, especially in urban areas	Local ethnic tensions sharpened by war context Youth alienation

The fundamental problem is that the political settlement was exclusively between two parties, both of which represented their respective elites. Aid could partly influence this issue through addressing the conflict factors set out above. The issue is not simply related to elite domination of wealth and power, but is also ideological. Different identities have profoundly different values in relation to the state, which also points to the need for a very diversified approach in implementation.

In the case of the South, the premise regarding the CPA process was that the Sudanese State could become more inclusive, even to the point of being an alliance. This presented donors with two quite different ways forward – a united government in which the periphery achieves better recognition, or else separation into at least two distinct entities. Uncertainty over this issue was compounded by the untimely death of the SPLM/SPLA leader, John Garang – who was the chief proponent of the first option – and threw a long shadow over the debate.

Conflict analysis points towards the continuation of past national trends but the international community could not (or at least, did not) ignore the possibility of progression towards inclusiveness and unity. The CPA itself could not be based on assumptions about a particular political outcome. Instead it was focused on supposedly neutral institutions of the state and neutral concepts such as 'capacity building'. Without political direction these institutions and concepts could not develop. Although a tactical compromise could be reached on sharing oil wealth, providing the basis for maintaining the SPLA and government structures, fundamental problems such as land issues and access to water were poorly addressed in the agreements, possibly because any attempt to tackle contentious issues might lead to 'proxy wars' that could derail the CPA.[58] Demobilisation, disarmament and reintegration (DDR) could not proceed and military forces and institutions could not be readily transformed into civilian ones.

[58] Thomas, E (2009) Against the Gathering Storm – securing Sudan's Comprehensive Peace Agreement, Chatham House:London

4.3. Southern Sudan Conflict Analysis 2005

Conflict Studies *circa* 2005

A number of studies of the relationship between aid and conflict were conducted about the time of the CPA and they present a clear consensus around key factors. The most comprehensive of these studies, conducted in 2004 for the World Bank[59], identifies the following:

- Historical marginalisation of the South
- History of conflict
- Religion, language and Sharia
- Sharing of national resources
- Status of the Three Areas
- Internal Southern splits.

This analysis indicated a risk that the national pattern of governance was likely to be repeated within the South. The World Bank study notes that concentration of power was already emerging as an issue within the South and that SPLM/SPLA institutions "have not been democratic, transparent or broadly based on popular will".[60] This is not at all surprising in a context of almost continuous war for forty years. Moreover, the six-year interim period until the CPA referendum (scheduled for January 2011) means that fundamental issues of governance were unlikely to move forward. The period between the CPA and the referendum was always likely to be a hiatus.

Uncertainty about the future, and about relations with the North, left the SPLM/SPLA in an ambiguous position with regard to critical issues such as political pluralism, democracy and decentralisation. The focus was on holding the central power structures together rather than state building. The SPLM/SPLA did not want to undermine its own strength *vis-à-vis* the North by possibly weakening the unity of the South. Indeed, it had reason to fear that the North might manipulate elements within the South; decentralisation could create serious risks in this respect. This led to a concentration of power which began to appear 'exclusive' – at least to some elements.

Donors tended to operate as if the way was open to pluralism and state building. The Paris Declaration had been signed by major donor governments in 2005, just after the CPA. This promoted principles of alignment with government and harmonisation among donors in support of government. According to some interviewees, the Paris Declaration made it more difficult for donor representatives to pursue more cautious, selective precepts, such as the OECD/DAC Fragile States Principles.

The Paris Declaration approach may also have encouraged donors to operate in what they regarded as a 'post-war reconstruction' mode (although not labelled as such). But despite the CPA the situation was not 'post-war' but something closer to a 'suspended war' during which local conflicts might emerge. It was misleading to talk of 'reconstruction' in a territory that had never been 'constructed'. This led to a serious underestimation of the difficulties and dangers.

[59] Pantuliano, S. (2004) Understanding Conflict in the Sudan: An Overview. World Bank, October 2004
[60] Ibid., p27

Conflict Mapping 2005

Drawing on wider Sudan studies available at the time (including those presented above) and on documents focused particularly on the South such as the World Bank study already cited, the following analysis uses the SCA method. Again, the most important issues are in bold and those most susceptible to aid inputs are underlined.

Table 5: Factors Related to Conflict in Southern Sudan at the Time of the CPA (2005)

	Security	**Political**	**Economic**	**Social**
International	Continued threat of the Lord's Resistance Army (LRA) as a spoiler	Regional power interests	Foreign oil interests support NCP control	Some international perceptions or lobby groups biased by a false assumption that this is simply a religious conflict
National	**Unresolved border issues** **Status of the Three Areas** **Migration of armed pastoralists** Links to Darfur insurgency	**Uncertainty about the political future** Lack of inclusion and representation in political structures Institutional weakness of the State Weak civil society	**Historic marginalisation of the South and of areas within the South** **Returnees demand access to land and resources**	Returnees expect better level of services and may compete with locals for services
State	Traditional leaders unable to resolve disputes Weak police service	**Weak structures at State level** **Conflicts manipulated by political interests** Discrimination against areas/peoples lacking representation in political structures	**Unresolved resource issues (land and water)** Rural-urban disparity	**Hardening of ethnic identities because of war**
Local	Joint Integrated Units (JIUs) not providing local security	Lack of representation False political expectations	Alienated unemployed youth	

4.4. Southern Sudan 2010

Conflict Studies 2005-2010

Ongoing research and analysis on Southern Sudan is conducted by Chatham House, International Crisis Group (ICG), Clingendael Institute, ODI, Rift Valley Institute, Small Arms Survey and others. In the Three Areas, as well as the 2008 study led by DFID (see above), key sources include UNDP's Threat and Risk Mapping and Analysis Programme and research on public awareness by the National Democratic Institute. A comprehensive conflict analysis of Southern Sudan has recently been undertaken by the London School of Economics Development Studies Institute (DESTIN).[61] The recent Report of the Secretary General on the UN Mission in Sudan[62] provides a comprehensive review of political developments relating to the CPA.

There has been little progress in building an inclusive political settlement either in Khartoum or Juba.[63] "There has been no progress in the initiation of national reconciliation" concludes a recent Chatham House report.[64] The possibility of any form of joint governance with the North appears to be receding and most analysts (and polls) now predict that the referendum in 2011 will support secession for the South. Officially, GoSS continues to maintain a scrupulously neutral position on this issue. Any other approach might provide a pretext for the North to renege on the CPA. There is also a degree of uncertainty whether a referendum result in favour of secession would be put into effect without conflict.

Donors have felt obliged to abide by this formal determination not to prejudge the referendum. This has made it difficult for them to focus their aid efforts in Southern Sudan, especially in relation to governance, when they cannot make any assumption about the future. DFID, for example, uses four widely-different scenarios in its policy paper for 2008[65]:

- Agreed secession
- Contested secession
- Troubled unity
- Agreed unity.

Strategies for CPPB would obviously need to be significantly different in each of the four cases. It seems likely that this may be a reason why donor efforts have been diffuse and there has been relatively little focus on CPPB objectives and programming.

Evolution of Conflict Factors to 2010

The 2005 conflict analysis specified three risks, which are still apparent, but have not yet resulted in violent conflict:

1. Discrimination against areas/peoples lacking representation in political structures
2. Urban/rural disparities

[61] DESTIN (2010) Southern Sudan at Odds with Itself: dynamics of conflict and predicaments of peace, London School of Economics/DESTIN
[62] UN Security Council (2010) Report of the Secretary- General on the United Nations Mission in Sudan, Security Council S/2010/168, 5 April 2010
[63] Notably, ICG (2009a) op. cit.; IKV Pax Christi (2009) The State of Sudan's Comprehensive Peace Agreement, Alert No 1(author: Ashworth, J) Utrecht, 4 September 2009
[64] Thomas, E (2009) op. cit.
[65] DFID (2008) DFID Sudan Country Plan Framing Paper, DFID

3. Returnees expect better levels of services and may compete with locals for services.

The fear of discrimination along tribal lines (mainly a fear of dominance by the Dinka) has not been dispelled. There has also been some resentment about the concentration of development in Juba, and the evident wealth of some leading politicians, but there is no indication that such feelings have converted into violent intent (the outburst of violence has not formed around these themes). These issues may become more important (at least at the political level) as people begin to anticipate secession and politicians seek to develop power bases centred on identity. It appears that peripheral conflict has not materialised because people have been willing to see as inevitable the stark consequences of a long civil war, and have shown determination not to resort to violence, despite the ubiquity of guns, at least until the referendum is over.

But progress on issues relating to access to resources (the perennial starting point for Sudanese conflicts) has been slow, even where it has been stipulated in the CPA. For example, the CPA provided for a review of land policy, but laws drafted to set up the National Land Commission have not yet been adopted.[66] Similar observations can be made about human rights and the Human Rights Commission.

The CPA stipulated that the Sudan Armed Forces (SAF) and the SPLA should merge into Joint Integrated Units (JIUs) but progress has been limited – probably reflecting the general ambiguity about final union or division of the country. In one of the two major ceasefire breaches, SAF and SPLA components of the JIUs fought each other in Malakal, using heavy weapons and tanks.[67] Nevertheless, in general terms the CPA clauses have been followed. UNMIS has monitored the CPA but has done little to address local conflicts, such as the Malakal incident (UNMIS focused entirely on evacuating itself and foreign aid staff). Violence provoked in Abyei by SAF and Misseriya tribesmen in 2008 was allowed to continue despite a strong UNMIS presence, with 89 deaths and 50,000 people displaced. The limited manner in which UNMIS used its mandate – the unwillingness of commanders to push it to the limits – has meant that its role has been limited to the grand architecture of the North/South conflict, with relatively less done to prevent or limit localised conflict.

Evolution in the Three Areas

The impending referendum on the status of the South puts increasing pressure on the Three Areas. A referendum on the status of Abyei is due in 2011, but the border demarcation process is not yet complete. The process of 'popular consultations' on the status of Southern Kordofan and Blue Nile States was also due to take place prior to the referendum on the status of the South, though this is unlikely. It seems that the most that these States will be able to achieve under the terms of the CPA is negotiation with the government of the North about special status (within the North). Whether this will prove acceptable to the people remains to be seen.

In Annex 9 we examine and evaluate in detail the course of events in the Three Areas since 2005. We conclude that although international engagement started too late and was poorly coordinated (including a poor disbursement record for the MDTF-N),[68] things have improved considerably since 2008 with a sustained level of attention by donors through the Three Areas Steering Group. There are, for example, notable recent examples of good practice such as cooperative initiatives in tandem with local authorities through coordination meetings and reconciliation efforts. However, the impact of the

[66] Denmark provided funding for the Secretariat to the National Land Commission in 2005, but no action was taken by GoNU
[67] Thomas, E (2009) op. cit., p18
[68] See Annex 9, sections 3.4 and 3.5

international community has been reduced by the paucity of effective local government capacity, limited access to the areas, and the expulsion of NGOs from the country in 2009.[69]

At the national level parties to the CPA seem to be willing to compromise on some of the key contentious issues that need to be resolved in the lead up to the referendum in 2011. Although the negotiations between the parties are conducted on a bilateral basis, the consent and willingness of the local administration in the Three Areas, as well as the ongoing negotiations on the national level offer windows of opportunity for donor involvement. This is particularly the case in preparing the Three Areas for the post-referendum/popular consultations period and in averting and containing localised violence that could easily spread to country-wide conflict.

Oil

A factor that is now much better understood than in 2005 is the impact of oil on Southern Sudan. On the current basis of equal sharing of oil revenues between North and South, GoSS receives a very substantial income, greater than Kenya's national budget, but remains highly dependent on this. The sudden decline in the global price for oil in 2008 demonstrated that this massive resource also creates vulnerability to factors beyond the control of government.

Mistrust remains high between the parties at the official level due to the lack of transparency and accountability regarding revenue transfers to the South. Moreover, corruption continues within both governments, and Sudan's oil wealth has yet to be significantly disbursed to sub-State levels. There are additional concerns over the social and environmental impact of the oil industry, raising tensions among local communities within the oil areas. Overall, Sudan's oil industry remains poorly supervised and highly politicised, and as such, is a source of political strife and division.

The Assessment and Evaluation Commission's 2010 report highlights the continued concerns about the lack of progress regarding the demarcation of the North/South border, the lack of transparency of the oil sector, the lack of consultation and participation of local communities, and the need to build GoSS capacity in the lead up to the referendum.[70]

Opportunities exist for the international community to have a bearing on developments beyond the bilateral negotiations of the parties, especially within the scope of the AEC Wealth Sharing Committee. The obvious entry points are technical assistance to the negotiation process (if requested), and a redoubling of efforts towards capacity development in the South in terms of the oil industry management. Asian countries could also use their leverage provided by the fact that they are major purchasers of Sudanese oil, through reporting on their imports of Sudanese oil and promoting transparency, as well as by raising standards and expectations regarding the social and environmental impact of oil production activities.

Donors (and analysts) have now begun to think forward beyond the referendum and assess the risk that the oil factor, as in other oil-producing States, may tend to reduce the likelihood of an inclusive political settlement in Southern Sudan and lead instead to a 'winner takes all' style of politics, as in Nigeria. In Nigeria, despite acute tensions, civil war has been avoided since the 1960s by revolving power between the country's three main competing groups. It is uncertain how Southern Sudan will address such issues but the uncertainty is likely to create intense bargaining in the 'political marketplace' as political actors strive to advance their positions, perhaps using violent conflict as a tool to assert their claims to be recognised.[71]

[69] Annex 9, paras 48-55
[70] AEC (Assessment and Evaluation Commission) (2010) AEC January 2010 Report, January 2010
[71] A more comprehensive overview of the oil sector is presented in Annex 8

Localised Conflict in the South

A key question is whether the general heating up of the political climate, accelerated by elections held in April 2010, is related to the sudden outburst of 'tribal conflict'[72] in 2009. Most of these conflicts appear to have begun from local or even individual disputes but then escalated into clashes based on identity. According to an ICG study[73] more than 2,500 people were killed in 2009 (exceeding the number in Darfur in the same period) and 350,000 were displaced. This number had risen to 440,000 by April 2010.[74] Moreover, there has been some post-election destabilisation in Unity, Upper Nile and Jonglei by independent candidate losers who retain their private militias.[75]

Although there was a heavy concentration of violence in Lakes, Upper Nile, Warrap and Jonglei States,[76] all States in the South were affected with the sole exception of Northern Bahr el Ghazal (Figure 4).

Throughout the five-year period there has been a dangerous combination of high levels of civilian gun ownership in Southern Sudan, ongoing tensions between ethnic groups, frequent resource scarcity (grazing land, cattle, water), and very limited security provision. The process of political transition under the GoSS has been interrupted by what the UN has called 'persistent, localised conflict'.[77] Allegations of destabilisation through the funding of Southern militias – either by the North or by Southern leaders – persist. The legitimacy of the State is particularly challenged in the remote rural areas where the notion of a 'peace dividend' is in stark contrast to reality. Our Timeline (Box 1) selects mainly those events having a profound bearing on continuing conflict in the South. Intra-Southern tensions have been fuelled by ill-disciplined security forces and historical grievances.

2008–09 were particularly violent years, an abrupt reminder that the initial euphoria in the first three years of relative peace in Southern Sudan was misplaced.[78] Many of these conflicts are cyclical, having deep historical roots. Clan fighting and cattle raiding caused more displacement than any other factor. According to the Southern Sudan Relief and Rehabilitation Commission and UN Office for the Coordination of Humanitarian Affairs more than 350,000 people were displaced and 2,500 people killed by conflict from January to December 2009, double that of the previous year. Over 80% were displaced by inter-tribal and related clashes. The other 20% were displaced by the Lord's Resistance Army (LRA) rebels, mainly in Western Equatoria State and to a lesser extent, Central Equatoria State.[79] Such conflagrations may ultimately trace their roots to a historically-unequal distribution of resources between North and South Sudan, but these disputes have much more immediate causes. For instance, a dispute over county boundaries was at the root of the clash between two Dinka clans over grazing lands in Warrap State in 2008, and between Shilluk and Dinka communities near Malakal in January 2009. Likewise, in a violent incident on August 29, 2009, 42 people were killed and 60 were injured in a clash between communities in Twic East County, Jonglei State that led to the displacement of 24,000 from 17 villages.[80] And violence perpetrated by the LRA in the Equatorial States forced a further 65,000 Sudanese to leave their homes.

[72] In the DESTIN (2010) report, the notion of 'tribal conflict' is challenged on the basis that many other factors are involved and such conflicts are often intra-tribal. Nevertheless the phrase still captures the dominant and dangerous feature of this type of conflict-identity

[73] International Crisis Group (ICG) (2009a) Jonglei's Tribal Conflicts: Countering Insecurity in South Sudan Africa Report Vol 154 International Crisis Group: Nairobi/Brussels. ICG conclusions based on UN-OCHA figures

[74] UN Security Council (2010) op.cit., p14

[75] See, for example, Hackett, M (2010) Sudan: Post-election violence in Pibor Operation Broken Silence, 26 May 2010

[76] Ibid., p8

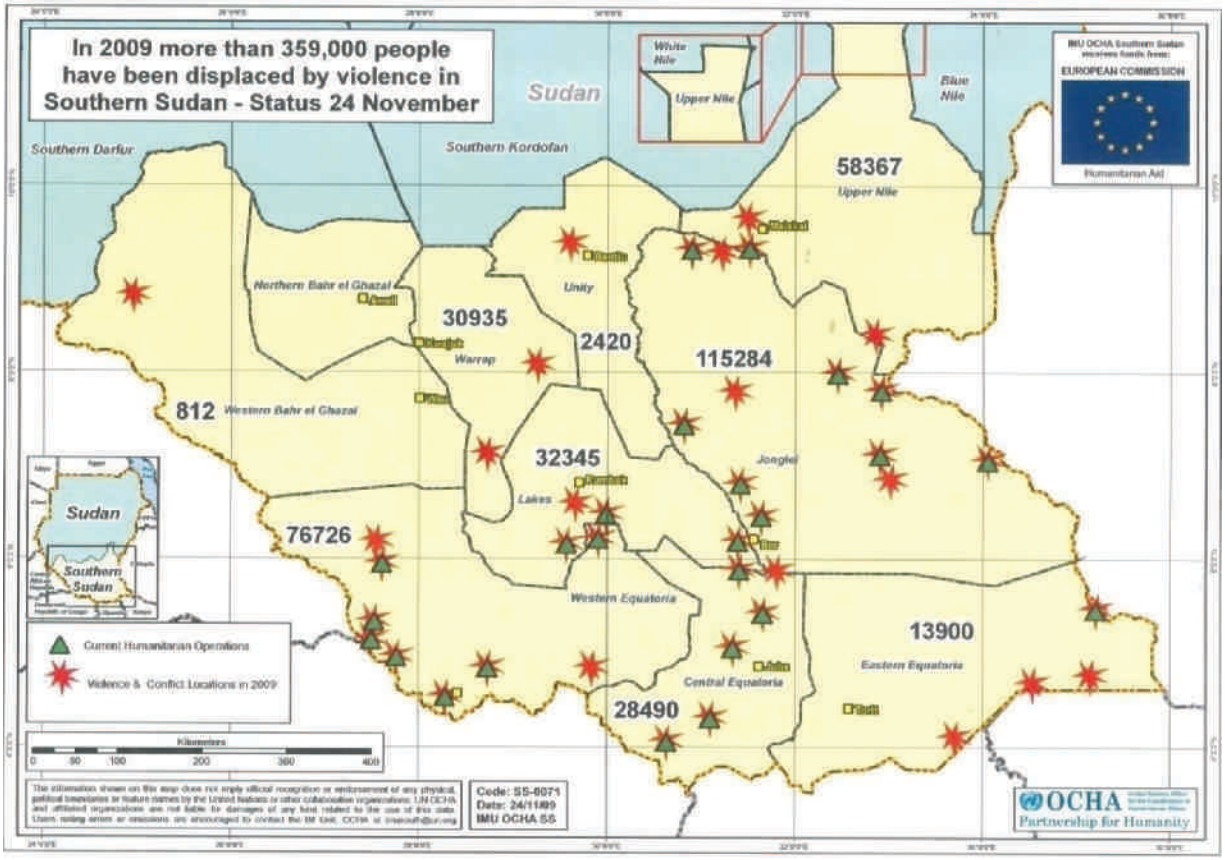
[77] Miraya F M (2009) UN Security Council Extends UNMIS Mandate for a Year, 1 May 2009

[78] The Minister of Presidential Affairs, Luka Biong Deng, confirmed this in an interview with the evaluation team

[79] UN-OCHA (2010) Humanitarian Update, Southern Sudan, Issue 2, March-April 2010, UN-OCHA Sudan

[80] Integrated Regional Information Networks (IRIN) (2009) Sudan: Women, Children Increasingly Targeted in Southern Clashes, 4 September 2009

Figure 4: Displacement by Violence



The civil war has had profound impacts on young men. Their lives have been disrupted by warfare and now, when they may want to get married, the bride price (in cattle) has increased, at least locally,[81] while their traditional means of acquiring cattle, mainly through relatives, have declined because so many relatives have been killed and so many cattle lost. Even the social basis for providing young men with cattle for marriage has been eroded. This tends to propel young men towards criminal activity, including cattle raiding.[82]

Other factors have become more prominent during recent years:

- The ability of traditional leaders to mediate in disputes over land, water etc. appears to be reducing and this allows such conflicts to escalate. It also appears that respect for traditional leaders among younger men has generally declined.[83]
- The ability of the State to intervene and control such events through the police and justice systems remains rudimentary.
- Drought (possibly related to climate change) is putting pressure on farmers and pastoralists and challenging agreed relationships.

[81] Ochan, C (2007) Responding to Violence in Ikotos County, South Sudan, Feinstein International Center, Tufts University, p12. Bride-price doubled after the end of the war
[82] Small Arms Survey (2010) Symptoms and Causes: insecurity and underdevelopment in Eastern Equatoria, Human Security Baseline Assessment, Small Arms Survey Issue Brief No 16, April 2010, p4
[83] Cited in many papers including McEvoy, C and E LeBrun (2010) Uncertain Future: Armed Violence in Southern Sudan, Working Paper 20, Small Arms Survey, April 2010, p20. The spread of guns is often seen as a contributory factor

The ICG study found no direct evidence for meddling by the North (a subject of much speculation) but did not rule it out either. A paper published in April 2010 by the Small Arms Survey[84] more clearly links the upsurge in violence to increasing political tensions within the South. It asserts that "powerbrokers appear to be actively stoking conflict in the South" (p12). This paper warns of the re-emergence of independent armed groups and splits within supposedly united forces, including the SPLA.

The role of civilian disarmament[85] in relation to 'tribal conflict' is contentious. The UN Security Council report concludes that the majority of the processes monitored by UNMIS (in Jonglei, Warrap and Lakes States) remained peaceful but the "lack of mechanisms to provide security to disarmed communities led to a number of violent incidents with an unconfirmed list of casualties."[86] The Small Arms Survey report cited above considers that the SPLA's failed attempts at disarming civilians have exacerbated conflict in some cases. This is certainly true of the disarmament of Lou Nuer communities by the SPLA in 2006 which led to serious fighting with the SPLA and a serious (renewed) rift between the Lou Nuer and the Dinka. This may not mean that disarmament is impossible but that the difficulties were underestimated in early attempts. Although traditional leaders[87] and the people[88] in general appear to support civilian disarmament, the challenge is to conduct the process simultaneously across the whole territory, or at least a large part of it. Otherwise groups that remain armed are likely to raid and loot unprotected groups, as the Murle have done in Jonglei State. This leads back into a process of re-arming with the added problem of loss of credibility for the SPLA and the State. This issue now seems to present the most likely threat to stability in the South, assuming that the CPA arrangements are not seriously violated.

Conflict Mapping

Based on recent published reports, an expert round-table was held in London in December 2009 and the analysis showed that some factors from the 2005 analysis have proved less significant. In Table 6 below we present the new picture at the time of writing (we underline factors which donors could most easily address).

[84] McEvoy, C and E LeBrun (2010) op.cit.
[85] Note that this is quite a separate issue from the disarmament of the SPLA
[86] UN Security Council (2010) op.cit.
[87] See Small Arms Survey (2010) op.cit., p9: 68% of the sample in this survey said they were willing to give up firearms. The civilian disarmament campaign started after a meeting at which traditional leaders declared themselves in favour
[88] The study by Small Arms Survey in Eastern Equatoria supports this, Small Arms Survey (2010) ibid.

Table 6: Factors Causing Instability in Southern Sudan Today

	Security	**Political**	**Economic**	**Social**
International	Limitations of the United Nations Mission in Sudan (UNMIS) Activities of LRA across the region	Donor attention diverted to Darfur from Three Areas Pressure from ICC indictment of President Bashir	International competition for access to Sudanese oil	
National	Lack of progress on disarmament, demobilisation and reintegration (DDR) Undeveloped police and justice sector Increasing risks of conflict in Three Areas	**Tensions in the political marketplace** Dependence for oil to fuel patronage systems Weak civil society and representation of people's views	Cost of maintaining military forces Lack of diversity and growth in private sector	Migration and return destabilises communities and exacerbates tension around identity
State	Political involvement in violent clashes Incomplete civilian disarmament campaigns	Tensions about centralisation Risk that decentralised structures become political/tribal power bases	Flashpoints around oil facilities; Tensions over land, water, etc. exacerbated by drought Fear of political manipulation in allocation of resources	**Political manipulation of conflict around (tribal) identity**
Local	Escalating violence in raiding	Political interference in local disputes		Escalating bride price leads to independent raiding by youths leading to tribal conflict

Looking Forward

Some analysts continue to argue that the North will not allow the South to secede in any circumstances: "The main, if unspoken, priority of GoSS is preparing for the next war. This overrides many other priorities, such as development, anti-corruption, accountability, good governance,

peacebuilding, reconciliation, justice, etc."[89] But a compromise between Northern and Southern elites may be more likely on the simple basis that war would disrupt the oil revenues on which these elites (and governments) depend in order to support the patronage systems on which governance is based (despite the semblance of Westminster-style structures).

Patronage (or 'patrimonialism' in its more friendly form) is a centralising system of governance which leaves open the option for war and militarisation. It relies on close control over military forces and the ability to maintain military loyalty through patronage.[90] This has inevitably paralysed the process of security sector reform. The SPLA is both a massive patronage system and a tool of war. Lack of clarity about the future has inhibited donors from pursuing many pro-democracy strategies. But as the referendum approaches, these become more relevant and important. Service delivery may have its own value but is not really a contribution to stability.

4.5. Applying Conflict Analysis to the Evaluation

Table 7 presents a synthesis of the key conflict factors that should be addressed by donor supported interventions.[91] This synthesis is based on the previous tables depicting conflict factors in Southern Sudan, 2005 and 2010. In bold are the factors that did not exist or were secondary in 2005 and which have gained prominence in 2010. In many respects problems identified in 2005 are still present but manifest themselves in different ways – for example, youth alienation and specific tensions around water and land have been exacerbated by poor progress over reintegration of demobilised soldiers and the enormous return of populations from Khartoum and abroad since 2005.

Table 7: Key Conflict Factors to be addressed by Interventions

Reform of justice and security institutions	Culture of justice, truth and reconciliation	Good governance	Socioeconomic development
Reintegration of demobilised soldiers is insufficient	Uncertainty about the future and false expectations	North/South disparities, and intra-South marginalisation	Status of the Three Areas. **International attention diverted from the Three Areas**
Undeveloped police and justice systems	Hardening of ethnic identities	**Tensions around centralisation and weak structures at State levels**	Migration of armed pastoralists (this has not featured in 2005); discontented and under-employed youth
Incomplete disarmament among the population	Unresolved issues of access to natural resources	Lack of representation	Returnees want access to resources. **Return destabilises communities**

[89] IKV Pax Christi (2009) op.cit., p5
[90] For further analysis of this issue see Collier, P (2009) Wars, Guns and Votes – democracy in dangerous places, Bodley Head
[91] Although the CPPB categories do not have any inherent prioritisation, we have intentionally reversed the order of these in the table, placing socioeconomic development as the fourth rather than the first category, because our conflict analysis suggests greater importance given to security, justice and governance issues

It is striking to see that most if not all of the main conflict factors in 2005 are still present – although it should be said that our methodology does not allow a ranking. One of the inherent difficulties of applying the CPPB categories is that 'insecurity' pervades almost all the categories, and the solution (whether from GoSS or UNMIS) is a question of capacity and coordination, as well as resources.

In assessing the findings of the evaluation from a CPPB perspective, we apply these factors according to the nature of the interventions, not to the four CPPB categories. Where appropriate (especially in the case of programmes designed around the time of the CPA) we refer back to the 2005 conflict analysis, to avoid holding an agency to account for a programme that was developed without the benefit of hindsight.

It should also be pointed out at the outset that the increasing salience of a factor, for example the destabilisation of communities due to returnee arrivals, is not necessarily related to poor performance of aid programmes. It would be a fallacy to seek to create a link of attribution: many other forces are at play that will have a more pressing influence. As will be demonstrated in the later chapters, aid contributes to the improvement in the critical conditions, or possibly slows down their deterioration. It is rare to see aid programmes having a direct correlation to changes in the environment. It is however, important to keep in mind that the continued deterioration of a conflict factor is related, in one way or another, to a failure of aid. The table above shows that the greater salience of conflict factors is in the left hand column that relates to justice and security. Some deterioration has also occurred in the socioeconomic field.

Chapter 5 Donor Policies and Strategies

In Chapter 4 we outlined factors causing instability in Southern Sudan over the five-year period, highlighting those within the purview of donor influence. Southern Sudan is a rapidly changing environment in which 'flexibility' is a byword for successful intervention. In Chapter 6 we examine specific donor interventions in more detail, organising our assessment around the four CPPB categories. In this chapter, however, we look at donor policy and strategy overall, accepting that there are some important variations between donors. For the most part, our evaluation is based on those donors who submit information through the OECD/DAC database. Thus, in the absence of detailed data, we are unable to provide more than just a brief description of priorities pursued by other donors (China, India, Arab States).

First, we look at the use of conflict analysis as an informative tool. Second, we present a summary and comment on the totality of financial aid to Southern Sudan from 2005-2010 broken down to CPPB categories as far as possible. Third, we examine how donors have aligned their interventions to priorities set by GoSS. In Annex 11 we also present further details of each individual donor policy and contributions to Southern Sudan.

Finally, we examine the complexity of the aid architecture in Southern Sudan. We look at how the aid architecture has evolved over the five-year period, and its key components. These include the pooled funds. We conclude by examining the issue of aid harmonisation and its relationship to CPPB.

5.1. Donor Involvement

Our analysis needs to be prefaced by a few general and overriding observations concerning the complexities and working environment that influenced donor choices over the five-year period covered by the evaluation.

The CPA to a large extent tied donors to giving particular attention to making the agreement work within a fixed period of six years. The risks of a return to war, heightened by the precarious (and in some cases vaguely worded) nature of the CPA, were greater than any other concerns. These risks were perceived as pertaining mainly to North/South 'macro' issues – the Three Areas border security, wealth sharing, army demobilisation, etc. In such a climate the basic functions of government and the *modus operandi* of the various commissions were to take precedence over wider concerns of political inclusiveness that might have included civil society, gender equity, etc.

The CPA obliged donors to 'make unity attractive'. Diplomatic and aid agreements with GoSS were thus constrained by a necessity to formally work under GoNU. The rules of engagement were to some extent ambiguous, but the default position was to rely on UN and pooled funds as the main aid vehicle. An important exception was the largest bilateral donor, the United States of America, which – because since 2006, the South and the Three Areas have been exempt from US sanctions imposed on the North[92] – was able to outsource work to contractors and to ensure that oversight was enhanced by having a greater number of their own staff on the ground than any other donor.

[92] US Department of Treasury (2008) An Overview of Sudanese Sanctions Regulations, Office of Foreign Assets Control, 25 July 2008

At the same time, many donors could not consider bilateral support through GoSS until sufficient capacity, accountability and safeguards were in place; the risks of corruption considerably narrowed the options available.

From the outset there was an inbuilt lack of coherence in the donor community, with USAID's relatively large resources channelled bilaterally, most European donors opting for pooled funds and oversight through the Joint Donor Team (Box 2), the European Commission having its hands tied by the Cotonou Agreement and the necessity to work only through GoNU, and the wholly separate, yet substantial development assistance and loan programmes of China, some Arab States and India.

The relationship and influence of donors *vis-à-vis* GoSS has varied in accordance with external factors; most notably, the levels of vulnerability experienced by the financial crisis in 2008. The 2009 Juba Compact was an opportunity for donors to speak for the first time with one voice with a *quid pro quo* that pushed GoSS to effectively rationalise the civil service payroll and improve its performance in public finance management. With improvements in exchange rates and revenues in 2010, it could be that the urgency to adhere to these Compact stipulations has decreased.

For many donors the UNMIS peacekeeping arrangements, including their civilian components, were the sole and appropriate channel through which to prevent and address conflict. Apart from a small number of technical assistance issues (SPLA professionalisation for example) and NGO-supported community dialogue programmes, donors did not perceive their role as anything other than complementary – helping to enhance a peaceful environment through development aid. But the initial UNMIS deployment was based on garrison towns and perceived entry points for population return. It did not take into account likely South-South conflagration in other areas; and, as we shall see, it was unable to robustly apply its mandate with respect to civilian protection.

The 'rude awakening' to the failure of CPA provisions in addressing local conflicts occurred mainly from 2008 onwards. Yet by that time most of the aid architecture – based broadly on more peaceful scenarios – was in place. The remaining questions are (a) could donors have better anticipated the events that unfolded and (b) how could the existing aid apparatus adapt to new circumstances?

The CPA process and the drafting of the 2004–2005 Joint Assessment Mission (JAM)[93] provided an opportunity to 'think big' in terms of long-term development planning for Southern Sudan. The annual UN humanitarian Work Plan was to continue to absorb a substantial percentage of international aid, but relative stability in the South enabled planners to think of two to three-year programmes, even if within the Work Plan and funded in annual packages. Meanwhile, the JAM had provided an overall framework for development priorities in the immediate post-war period; its remit was national, but for Southern Sudan in particular it established a series of strategic targets for the six-year interim period, 2005–2011. Major DAC donors and the UN used it as a blueprint for their planned policies. For Southern Sudan in particular, though, the JAM was an important process in assisting the incoming SPLM government in national planning procedures.[94]

The Oslo International Donors' Conference in April 2005 was a key event: USD4.5 billion in aid was pledged for Sudan to cover the first three years. A year later GoSS drafted an *Aid Strategy for Southern Sudan*[95] based on the JAM which was to become the basis for managing aid and development activities. Importantly, it already outlined basic donor coordination mechanisms (see

[93] Joint Assessment Mission Sudan (JAM) (2005a) Framework for Sustained Peace, Development and Poverty Eradication, Volume 1: Synthesis, Joint Assessment Mission, March 2005

[94] See, for instance, Bennett, J (2005) Joint Assessment Mission Provides Roadmap for Peace, Forced Migration Review, No.24, November 2005

[95] Ministry of Finance and Economic Planning (2007) GoSS Aid Strategy 2006-2011, November 2007, Government of Southern Sudan:Juba. The priorities were subsequently revised in 2010

below). Southern Sudan does not yet have a comprehensive national strategic planning framework approved by the Council of Ministers, but current GoSS strategic planning priorities are set out in *Expenditure Priorities and Funding Needs 2008-2011*.[96]

Finally, the 2009 *Juba Compact*[97] committed GoSS to producing an overriding strategic plan in 2010 that includes the key elements of a Poverty Reduction Strategy and a basis for the allocation of government and development partner resources.

Since 2007 the Sudan Consortium has been an important forum for enhancing communication between GoNU, GoSS and the donor community and furthering development aid and policy for Southern Sudan. Meeting three times to date, it was established to discuss progress on the ground, review policies and develop recommendations. The Sudan Consortium 2008 held in Oslo was an opportunity to raise further donor commitments for the remainder of the interim period up to 2011 – a further USD4.8 billion was pledged.[98] In terms of policy development this event was a turning point: GoSS for the first time had systematically reviewed the JAM, and – based on experiences gained since 2005 – had revised its priorities for the remainder of the interim period until 2011.[99] The revised GoSS priorities were:

- **Security:** develop efficient and effective armed forces, to safeguard security and implement the CPA
- **Roads:** rehabilitate road infrastructure, to promote socioeconomic and private sector development
- **Primary health care:** provide primary health care to improve the health status of the people of Southern Sudan
- **Basic education:** provide equitable access to basic education
- **Water:** increase access to safe water and sanitation
- **Production:** improve rural livelihoods and income.[100]

[96] GoSS (2008) Expenditure Priorities and Funding Needs, 2008-2011, Prepared for the 2008 Sudan Consortium, Ministry of Finance and Economic Planning, April 2008
[97] USAID (2009) South Sudan: Post-Conflict Economic Recovery and Growth: an Agenda for USAID Engagement, Management International Systems Ltd: Washington DC, 31, July 2009, Annex B
[98] Sudan Tribune (2008) Oslo donors pledge around $5 billion to Sudan, European Coalition on Oil in Sudan (ECOS)
[99] These revised priorities are in GoSS (2008) op.cit.
[100] The evaluation notes that post-election GoSS priorities changed again in 2010 with Referendum, Basic Infrastructure and Food Security (emphasising agricultural production) now being the top three. (Source: WFP Juba, though we were unable to independently confirm this)

Box 2: The Juba Compact

The Juba Compact was endorsed in Juba, Southern Sudan, by the GoSS and its development partners on 30 June 2009. It represents a new higher level of cooperation and commitment to certain objectives from both parties. In particular, the Compact represents agreed measures to address the current fiscal and economic situation and focuses on important adjustment measures and reforms. The principal focus of the Compact is on GoSS achieving fiscal sustainability by the end of the Interim Period as set out within the CPA. Three key objectives are set:

1. Enhance fiscal responsibility;
2. Strengthen public finance management systems; and
3. Accelerate private sector-led development, inclusive economic growth and poverty reduction.

The Compact also focuses on support, policies and programmes which will ensure that the SPLA develops into a force which is affordable and effective in relation to its agreed mission, as outlined in the SPLA White Paper. GoSS commits to fight corruption at all levels and partners pledge to provide direct support to assist with these efforts.

The Juba Compact contains proposals for monitoring progress on the main objectives. It is formulated as a mutual accountability results framework, with the GoSS and donors pledging to monitor progress jointly against the benchmarks outlined in the accompanying policy matrix.

Although detailed sector strategies do not exist, the **GoSS Budget Sector Working Groups** (expounded upon below) have defined objectives and priority activities. Implementation follows annual work plans drafted by these working groups.

5.2. Use of Conflict Analysis by Donors

Donor Policies and 'Theories of Change'

The 2005 JAM included a conflict assessment, though not a rigorous analysis as such based on the above conflict drivers.[101] It specifies the key features in relation to the South as:

- Historic underdevelopment of the South
- Lack of inclusion in decision making
- Urban bias and centralised regimes
- Bitter contest over border areas especially the 'Three Areas'
- Potential insecurity in relation to the CPA processes including returns, referenda, etc.

This assessment does not include, at least as a key issue, the risk of splits within the South or the widespread problem of local conflict arising from lack of access to resources such as land, water, etc. Instead the JAM focuses (as its first issue) on the 'historic underdevelopment of the South'. This modifies de Waal's analysis (referred in Chapter 4 above) which refers to 'historical marginalisation of the South'. De Waal is referring to deliberate political and economic marginalisation leading to underdevelopment.[102]

[101] UN/World Bank (2007) In Support of Peacebuilding: Strengthening the Post Conflict Needs Assessment, PCNA Review, January 2007

[102] Interestingly, this interpretation of 'marginalisation' was introduced during the drafting of the JAM but rejected due to political sensitivities around producing a document acceptable to both NCP and SPLM interpretations of history, and the necessity of producing a consensus document (cf. Bennett, J (2005) op.cit.)

The issue of 'marginalisation' needs to be reviewed. In the Sudan context this does not equate to 'lack of services' but to political and military domination, including violence. It includes elements of deliberate exclusion. In the case of Southern Sudan there is the added resentment that some areas produce enormous wealth, especially from oil but also from cattle, which may then be appropriated by the dominant political entity. The role of the State in regulating such disparities has been minimal or even negative. It operates on the basis of exclusive circles of patronage and marginalisation. Marginalisation is the 'stick' and patronage is the 'carrot'.

The confusion between 'marginalisation' and 'lack of development' led to an assumption that lack of development was not simply a matter of concern but a factor causing conflict. Yet local conflict arises primarily from disputes over access to resources. These might escalate either because of historical factors or because of political manipulation. Lack of development might, at most, be a cause of disaffection that might have a minor contributory effect in such cases but could not be cited as a significant cause.

The JAM analysis implies that lack of development is in itself a cause of conflict. This opened the way for what became the dominant 'theory of change': that all forms of development contribute to CPPB. This theory may have held good in other situations, but in Southern Sudan more precise targeting of conflict causes was needed.

The theory that 'all development contributes to CPPB' became transposed into the phrase 'peace dividend'. The logic seemed to be that development was not only a reward for peace (the CPA) but that failure to deliver a 'peace dividend' would lead to conflict. The evidence for such a claim appears to come from global studies[103] but in Southern Sudan there was no evidence that conflicts might arise from (or even be seriously affected by) lack of services. And yet this became the dominant paradigm of the aid operations.

This is not to say that donors failed to recognise political imperatives. Most OECD/DAC donors (Canada, UK, Norway, Denmark, Sweden, Netherlands, Germany) recognise the importance of a parallel political process to uphold the CPA provisions – and this is done programmatically and/or through Khartoum diplomatic channels – but rarely does this 'two-pronged' approach imply a fundamental change in the development aid programme itself which is still 'conventional' in assuming a correlation between service provision and peace dividends. Indeed, the separation of political policy from aid policy was explicit in the mandate of the Joint Donor Team and the interpretation of 'political' was largely related to macro (CPA, elections, etc.) issues rather than to the fluid conflict factors specific to Southern Sudan.

Our own findings (Chapters 4 and 6) challenge the inherent assumption of there being a direct causal link between the provision of basic services and the prevention or mitigation of violent conflict. The perception of unequal access to resources and services may contribute to general discontent, but is unlikely to be a reason in itself for violent conflict. If it is not a prime reason, then providing such resources cannot be a prime solution. If international aid is a 'peace dividend' (meaning that it provides resources as a benefit deriving from the peace), this does not mean that it contributes either to conflict prevention or building future peace. This finding is, of course, controversial, for it challenges the premise upon which a great deal of assistance to Southern Sudan rests – that the provision of socioeconomic services addresses needs, leading ultimately to the enhancement of state legitimacy and stabilisation.

[103] Such studies are too numerous to list here, but the *CPPB Guidelines* and the bibliography consulted for this evaluation (Annex 12) contain examples

Recent studies tend to follow the line that more aid means more peace. A recent study by a group of INGOs under the title *Rescuing the Peace in Southern Sudan* rightly analyses the conflict factors but then refers to the need for 'accelerating service delivery'. No claim is directly made that service delivery will contribute to CPPB, but neither is it separated out as a different issue. The recent DESTIN study[104] focused on 'dynamics of conflict and predicaments of peace' goes further, by recommending, as the first of only four recommendations and without any evidence for the claim, that donors should 'provide for a peace dividend'. This is supposed to be done by 'emphasising the improvement of infrastructure to bring visible and tangible peace benefits' (Executive Summary). No evidence is presented in the report to suggest that lack of 'visible and tangible peace benefits' is a significant cause of conflict.

A recent survey in Eastern Equatoria[105] finds that "respondents ranked education and access to adequate hospital care as their most pressing concerns, followed by clean water". Security is given a much lower rating, despite evidence in the report that the people face a number of security threats and about half the households keep firearms. The study goes on to cite a range of serious security threats and the explanation may be that people (rightly) distinguish between a 'pressing concern' and a fundamental underlying fear.

There is no suggestion in the survey that lack of education, hospital care and water contribute to insecurity but it contends that "given the linkages between violence, cattle and land issues, it is clear that redressing the marginalisation of these communities would reduce the incentives and motivations for violence"(p.10). The term 'marginalisation' is then extended to include institutions and services. The report notes that there is a 'profound sense of marginalisation among these communities' without distinguishing between marginalisation that means 'lack of development' (leading to some grumbling but no conflict) and marginalisation that refers to a profound sense of being a victim of discrimination. As in the JAM analysis in 2005, absence of a 'peace dividend' (services and infrastructure) has been converted, through the term 'marginalisation', into an implied threat to stability.

Our source evidence from the field studies (Annexes 1–9) clearly indicates that there is in fact no such linkage. Annex 2 (Basic Services) presents evidence that there is no correlation between the spread of services and the incidence of violence. In Jonglei State there is a relatively high level of services and at the same time a high level of violence. The theory that 'all development contributes to CPPB', never justified in conflict analysis, is contradicted by our field evidence.

Quality of the Application of Conflict Analysis

It is important at this stage to ask how these assumptions behind the theories of change have emerged. We draw a distinction between a context analysis and the more specific exercise of conducting a conflict analysis (it would be incorrect to suggest that little was known of the dynamics of conflict in Southern Sudan in 2005). In fact, there was an extensive seven-volume detailed Integrated Planning for Peace Framework undertaken by UNDP in 2002 in anticipation of a permanent peace settlement.[106] The JAM (2005) drew on existing knowledge of the history of the Sudan conflict, referring to bibliographies and studies undertaken by Douglas Johnson[107], Holt & Daley[108], Sara

[104] DESTIN (2010) op. cit. The pages of this study are not numbered
[105] Small Arms Survey (2010) op.cit.
[106] UNDP (2002), Integrated Planning for Peace Framework (7 volumes), March 2002
[107] Johnson, D H (2003) The Root Causes of the Sudan's Civil Wars, International African Institute:Oxford/Bloomington/Kampala (a detailed political history of the civil war from 1955 to the Machakos Protocol, with an important chapter on the use of relief for political purposes)
[108] Holt, P M and M W Daly (2005) A History of the Sudan: from the coming of Islam to the present day, Pearson Education: London (essential background reading on the Sudan's history since the coming of Islam)

Pantuliano[109], ICG[110] and Justice Africa.[111] It did not, however, present these findings in terms of 'dos and don'ts' for contributing donors.

Since 2005 very few donors explicitly and regularly refer to conflict analyses in programme planning, the notable exceptions being German Development Cooperation (GTZ), DFID and USAID. GTZ draws on specific studies using the GTZ method[112] – for example in its returnees' programme for Central and Eastern Equatoria. Its work on state building reflects an explicit analysis of the transformation from conflict to peace. This is probably the most methodical donor approach to CPPB. At the other end of the scale some donors apply a range of analytical tools but not one relating to conflict. CIDA in Juba, for example, undertook gender analysis, governance analysis and environmental analysis in its Peace Process Support programme but no conflict analysis. This may be because conflict analysis is subsumed in other processes such as political or military analyses.

In most other cases, conflict analysis exists but is conducted independently and then used selectively by donors who funded the study. For example, Norway draws on work conducted by Norwegian research institutes (and funds them to conduct this) but does not follow a specific conflict analysis method. Similarly, UNDP uses various local and global studies to inform the planning of its programmes. The EC supports Concordis International to implement programmes and, at the same time, to undertake conflict analysis. The influential Small Arms Survey – possibly the most detailed and up to date information – is funded by a very wide range of donors. The ICG continues to produce reports particularly valued for their willingness to explore hidden political pathways and present challenging findings: these were frequently cited by donors interviewed for this evaluation.

Generally, there is a disjuncture between the production and reading of these reports and the preconceptions and perspectives presented in donor programme preparation. We should, of course, be careful to distinguish between the higher level strategic overviews contained within donor policy papers and the individual experience and conflict sensitivity of implementing partners, including the various sub-contracting arrangements that extend down to local NGOs. But this is precisely the problem: that the rigorous application of conflict analysis and 'do no harm' has been delegated without due oversight and without clear inter-donor sharing. The various donor fora examined below at best share information, but most of them are not conducive to a joint donor approach based on shared analysis and consensus.

The reasons are threefold. First, high level donor meetings have taken place mainly in Khartoum or at international conferences where the particularity of local conflict is lost to more strategic pan-Sudan concerns around the CPA. Even the Joint Donor Team in Juba has not been mandated to deal with political dialogue with GoSS, despite aid and politics in the South being almost inseparable, as we discuss below. Second, most of the joint mechanisms are primarily concerned with harmonising aid around a recovery/development agenda negotiated with GoSS. And, as we shall see, GoSS flagged security as a priority, but was unable to formulate a donor-friendly strategy around this. In Chapter 6 we note that some programmes were able to respond flexibly to conflict situations as they arise. For example, the UNDP-UNMIS Joint Justice Programme in Jonglei State, CIDA's inbuilt provision for new initiatives in peacebuilding in Nuba Mountains, and the recent round of deliberations over the Sudan Recovery Fund. But over a five-year period these have been rare.

[109] Pantuliano, S (2004) op.cit.
[110] The Sudan reports of the International Crisis Group, on the website www.crisisweb.org (closely followed the developments of the peace process, from a North-American perspective)
[111] The Sudan reports of Justice Africa, on www.justiceafrica.org (a more intimate knowledge of the development of ideas of war and peace inside the Sudan)
[112] GTZ (2001) Conflict Analysis for Project Planning and Management: a practical guideline, available at http://www.gtz.de/de/dokumente/en-crisis-conflictanalysis-2001.pdf

Third – and perhaps the most crucial inhibiting factor in applying conflict analysis – is that flexible localised responses can rarely be accommodated by aid programmes built around three to five-year logframes that cannot easily be changed. The predictability of funding makes longer-term programmes attractive, but the execution of these programmes can entail a long, drawn out process of procurement and capacity building that ultimately inhibits rapid changes in approach, or, indeed, in geographical location. Actors on the ground pressed this point to the evaluators very strongly: even with knowledge of unfolding events, and an express willingness to respond urgently to needs as they arise, the building of staff and infrastructure – in a country conspicuously lacking both – confounds efforts in this respect.

Our initial conclusion – tested again below in relation to the aid apparatus – is that the problem is one of application rather than access to conflict analysis. Even those donors who have not invested in conflict analysis are often aware of other studies available and acknowledge the comparative advantage of specialised agencies. This was certainly the case within the Joint Donor Team where studies undertaken since 2005 were widely shared.

At a programmatic level, donor support to the four main CPPB categories and their subcategories are explored in Chapter 6 with reference to specific examples. At the level of policy and strategy this is more difficult because donors have not demarcated contributions along clear divisions between these categories, preferring multi-sectoral inputs through (primarily) pooled funds – or, as with USAID, multi-year, multi-sectoral programmes often with a geographical focus. As far as possible we break down financial inputs along the four categories below; but a more useful perspective – and one we use in subsequent sections – is to apply a conflict 'lens' to the chosen aid apparatus and ask whether this apparatus has been appropriate to the situation on the ground.

5.3. Analysis of Donor Expenditure

'Humanitarian Plus' – the UN Work Plan

The donor landscape in Southern Sudan is similar to many countries where a combination of humanitarian and recovery activities run parallel. Until 2005 international activities were almost exclusively 'humanitarian plus' – i.e. a mix of basic services delivered through NGOs and a large-scale food aid programme delivered in the South primarily under the UNICEF-led Operation Lifeline Sudan. Operation Lifeline Sudan effectively closed in February 2005 with the creation of the Deputy Humanitarian and Resident Coordinator (HC/RC) post in Juba. Funding for the UN coordination function shifted to UNMIS in November 2005 when the Deputy RC/HC was brought into the mission structure, becoming also the Deputy Special Representative of the Secretary General (SRSG).

Since 2005 there has been an annual UN Work Plan for Sudan (previously known as the Consolidated Appeal Process – CAP). The appeal rose from USD1.91 billion in 2005 to USD2.11 billion in 2009, and the average percentage actually funded over these years was about 70%. The bulk of the Work Plan is generally classified as humanitarian, although the amount of 'early recovery' funding has been growing since 2007, the majority for Southern Sudan and the Three Areas. Nevertheless, the allocation of projects between humanitarian and early recovery can sometimes be arbitrary, with many projects falling into either category.

Most donor administrations use the whole of Sudan as the administrative unit in their databases and do not separate Southern Sudan. In some cases a specific geographical allocation is indicated, and the proportion allocated to Southern Sudan can be discerned. In Table 8, where this is not the case, we have analysed the proportion of funding in the Common Humanitarian Fund (CHF) and Work Plan allocated to Southern Sudan; this can provide a useful proxy for determining the overall level of assistance.

Looking at UN Work Plan budget figures for a three-year period (2007–09), we see that in this period an average proportion of about 57% of the total funding went to Southern Sudan (including the Three Areas). In actual disbursements, this amounts to about USD3.7 billion over the three-year period.[113]

In Table 9 we see that our estimates of total ODA of our portfolio donors (those OECD/DAC donors covered by this evaluation) to Southern Sudan in the same period (2007–09) is USD1.634 billion, including 'emergency relief' as the largest component. However, contrasting this with the above figure is not possible because:

- The figure of USD3.7 billion will include some donors outside of our portfolio
- The figure of USD3.7 billion also includes the Three Areas (and therefore is not registered with GoSS).

Despite these caveats, we note that there will be significant disparities between humanitarian expenditures registered in Southern Sudan and those that appear in the Work Plan and CHF. This is (a) because of a dual reporting system (Juba and Khartoum) and (b) the fact that only a proportion of money allocated to the South is actually transferred to respective agencies in the South – and until this is uniformly codified as "Southern Sudan" expenditure, it is not possible to disaggregate it.

Table 8: Proportions of CHF Funding Allocations and Work Plan Projects

% of CHF Funding and WP Projects by area	CHF				WP				
	2007	2008	2009	2007-09	2006	2007	2008	2009	2006-09
Khartoum & North	2.7	3.4	2.8	3.0	8.5	7.6	11.2	11.5	9.9
Darfur	26.2	30.5	28.5	21.9	16.2	16.2	24.2	23.2	21.6
Eastern States	2.3	6.2	4.3	4.3	9.4	7.3	10.2	10.2	9.3
National Programme	17.0	10.2	13.3	13.5	9.3	15.3	3.0	3.0	7.2
Abeyei	1.8	2.8	1.9	2.2	6.8	6.0	3.6	3.9	4.9
Blue Nile	4.7	4.0	2.9	4.1	7.8	6.6	10.3	10.5	9.0
Southern Kordofan	7.0	7.7	3.0	6.4	8.5	8.0	6.0	6.2	7.0
Sub Total: The Three Areas	**13.5**	**14.5**	**7.8**	**12.7**	**23.1**	**20.6**	**19.9**	**20.6**	**21.0**
South Sudan	38.3	35.3	42.9	38.1	37.7	33.1	31.8	31.5	31.1
Sub Total: South Sudan plus The Three Areas	**51.9**	**49.8**	**50.7**	**50.8**	**50.8**	**53.7**	**51.7**	**52.1**	**52.1**
Proportion of non-NP for South Sudan and The Three Areas	0.62	0.55	0.58	0.59	0.56	0.63	0.53	0.54	0.56
National Programme for the South	10.6	5.7	7.8	7.9	5.2	9.7	1.6	1.6	4.0
Total for South Sudan and The Three Areas	**62.5**	**55.4**	**58.5**	**58.7**	**56.1**	**63.4**	**53.3**	**53.7**	**56.1**

GoSS Receipts and Expenditures

Despite early optimistic projections, Southern Sudan became more dependent on ODA than the North, not least because of a significant drop in the oil revenues that was not anticipated in 2005. GoSS had expected to receive a total of USD8.5 billion in oil revenues from 2005–2009, amounting to approximately 98.6% of its total revenues.[114] In the event, the global drop in oil prices in 2008 led

[113] See Work Plan figures presented in Table 3, Annex 10
[114] Ministry of Finance and Economic Planning (2009) Approved Budget 2009, January 2009, MOFEP, Government of Southern Sudan:Juba

GoSS to cut its budget in 2009 by almost a third from the previous year.[115] Although the recent rise in oil prices will compensate for this to some extent, GoSS's income is likely to be 40% less than its budget in 2009 and 2010.

Table 9: GoSS Receipts, Expenditures, and Donor Support[116]

Amounts in Millions of USD	2005	2006	2007	2008	2009 (not final)	2005-2008 plus 50% of 2009	% of expen diture
Oil Revenues	822	1,221	1,474	3,206	1,466	7,609	107%
Non-Oil Revenues	-	2	7	57	105	91	1%
Total Revenues	822	1,223	1,481	3,263	1,572	7,700	108%
Expenditure (GoSS and GoNU)	**295**	**1,652**	**1,505**	**2,757**	**1,549**	**7,118**	**100%**
Residual/Exchange losses	-	-	-	31	-	31	0%
Reserves/Deficit	527	-428	-24	475	22	561	8%
Govt. estimate of donor funding	101	426	398	696	600	1,921	27%
Expenditure by portfolio donors	**424**	**437**	**533**	**548**	**553**	**2,940**	**41%**

Source: Budgets 2005-2010 for South Sudan and donor portfolio data. Note that there are variations in historic budget data from year to year (presumably due to corrections) and that the donor portfolio data by year does not include UK expenditures (USD425 million for the period) but that this is included in the total. Budget amounts after 2007 have been converted from New Sudanese Pounds (SDG).

At the 2008 Sudan Consortium a further USD4.8 billion was pledged to Sudan for the remaining three years of the interim period. Expenditure for the South recorded by the ten donors in the portfolio study equalled 41% of expenditure by GoSS and by GoNU for the South. This is more than the GoSS's own estimate of donor support (at only 27% of other government expenditure). The discrepancy is due mainly to the fact that GoSS will not have included donor expenditures in the Three Areas because these are not channelled through GoSS. We have chosen to include these here, for reasons explained below.

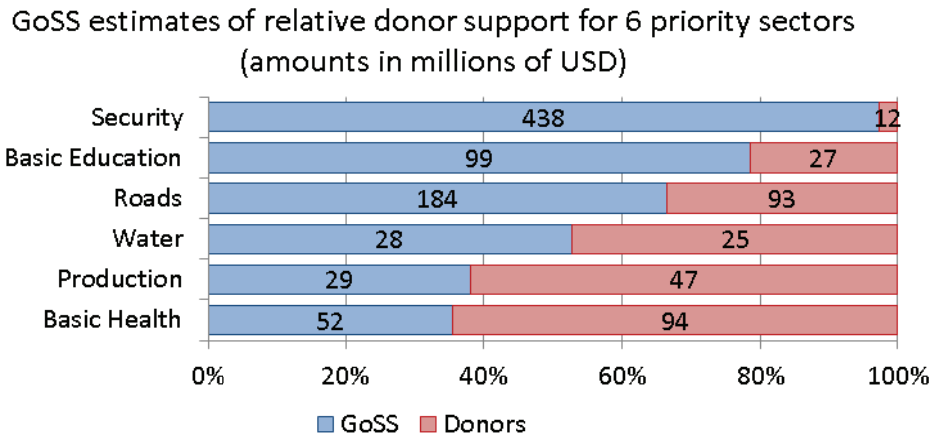
Given that a significant percentage (almost 40%) of the GoSS budget for 2010 has been unmet from domestic sources, international aid will assume even greater importance. Figure 5 shows the level of donor support by sector[117]; this figure relates to overall donor support, including our evaluation portfolio donors. This uses the GoSS's own sector classification rather than the sector classifications used by donors.

[115] Mees Research (2009) Energy and Geopolitical Risk Mees Research Special Report, 23 December 2009. In 2008, the Government of Southern Sudan's budget was 5.5 billion SDG; in 2009 it is 3.6 billion SDG

[116] Not all donor funding is included in the GoSS Donor Book, GoSS (2010) op. cit.

[117] Not all donor funding is presented in the GoSS Donor Book, GoSS (2010) op. cit.

Figure 5: Distributions of Funding for Priority Sectors by Source for 2009



Source: GoSS (2010) op.cit., p3

Security accounts for approximately 40% of all expenditure on the priority sectors in Southern Sudan, though this declined to 25% in the 2010 budget. It is a sector with relatively low levels of donor support. By 2009, about half of GoSS expenditure was salaries, with the balance divided about 60:40 operating expenses and capital expenditure. For basic services, according to Ministry of Finance data for 2008, health and education expenditure amounted to a total of about 7% of budget and rural development about 3.4% – very low percentages for a country with such huge needs.

Donor Allocations to Southern Sudan

The total budgeted allocation to Southern Sudan from our donor portfolio amounts to just over USD4 billion (2005–09). Adding the assessed contributions assigned to UNMIS in the same period (averaging about USD1 billion/year), this would bring the total to approximately USD8 billion (but this includes UNMIS contributions from non-DAC donors). The contribution of non-DAC donors in Southern Sudan is relatively small, though investments in the Three Areas are greater. Lack of data from non-DAC donors, fluctuating exchange rates, the difficulties of distinguishing aid from trade with non-DAC donors, and non-specific geographical allocations mean that no accurate calculation can be made of total aid to Southern Sudan. Hence, the proportion of aid to Southern Sudan from our donor portfolio cannot be known with accuracy, but it will be over 85% of the total.

All the following data should be considered in light of the caveats outlined in Annex 10. Due to a combination of geographically un-demarcated allocations, incomplete data and exchange rate fluctuations our summaries here are necessarily estimates; nevertheless, they represent the best consolidation of data available and convey an overview of our donor portfolio contributions to Southern Sudan since 2005.

The budgets for Southern Sudan of the donors involved in this evaluation vary substantially from Belgium's USD8 million to more than 200 times as much from the United States (Table 10). The United States is the most generous donor to Sudan and accounts for 42.7% of all budgeted funding for the period under study. The EC and EU member States account for 44.8% of the budget. Norway did not report any budget figure, but instead the budget was assumed to be equal to the expenditure. The expended figure is 99% for Norway rather than 100% as a small amount of money was recorded as being returned by grantees.

Table 10: Donor Budgeted Support for Southern Sudan

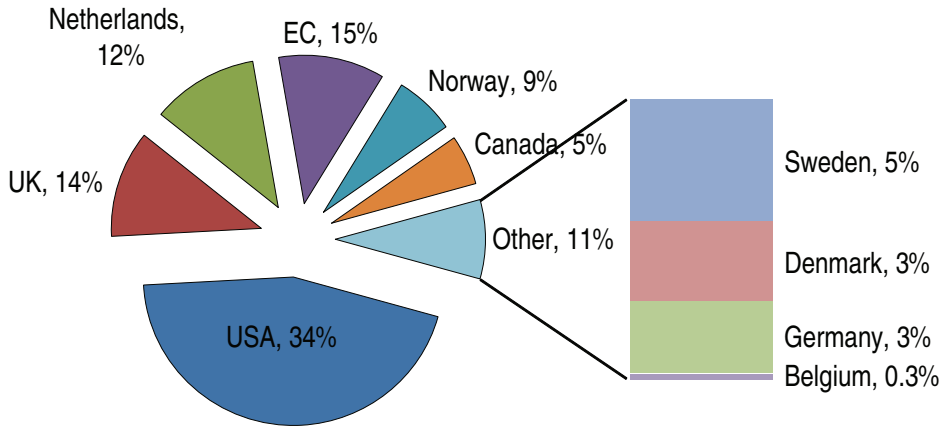
Donor	Budget for South Sudan (2005-2009) USD million	As % of the total	Of which reported expended
US	1,730	42.7%	58%
EC	487	12.0%	90%
Netherlands	486	12.0%	70%
UK	480	11.9%	88%
Norway	277	6.8%	99%
Canada	230	5.7%	69%
Sweden	158	3.9%	88%
Denmark	103	2.5%	79%
Germany	94	2.3%	79%
Belgium	8	0.2%	93%
Total	**4,052**		**73%**
EC plus EU states	1,816	44.8%	83%

Source: Portfolio data

The level of expenditure of the budget also varies by donor from Belgium's high of 93% to 58% for the United States. The percentage of grants by the United States that was expended is low because of the many very large multi-year projects with complex design phases were funded by the United States. As many of these large projects were executed using contractors the rate of disbursement (as contractors are paid in arrears, whereas UN agencies are paid in advance) is considerably slower than for grants.

A re-calculation of Table 10, based on actual expenditure, brings the total expenditure to USD2.958 billion. Figure 6 indicates the approximate percentage of this spent by each donor. The impact of large projects on overall expenditure reduced the US's share of expended funds to just over one-third of the expended funds. Although the share of the US is reduced, it is still more than twice that of any other single donor. The EC and EU member States account for over half of the total expenditure (51%).

Figure 6: Spending in Southern Sudan (2005–2009) by Donor (as percentage of total actual expenditure – USD2.958 billion)



Source: Analysis of portfolio data

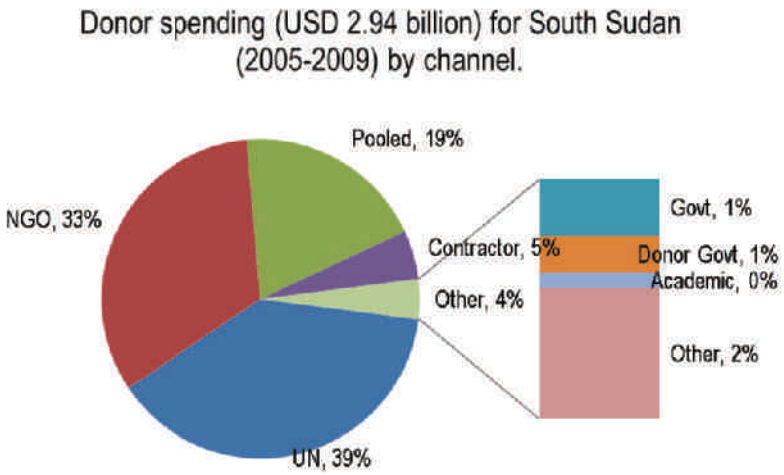
Funding Channels

We have classified eight basic implementation channels for analytical purposes. Over the five-year period, the UN was the most significant channel in terms of both planned and actual expenditure, accounting for more than one-third of planned expenditure and 39% of actual expenditure (Figure 7). NGOs were the next largest channel, accounting for about one-third in each case. While contractors were the third most important channel in terms of planned expenditures, they were fourth (after pooled funding programmes) in actual expenditures. Two points should be noted here: first, the proportion of spending through NGOs, UN and contractors is skewed heavily by the bilateral programme of the US (the US does not use pooled funds); without this, the pooled funds would assume greater statistical importance; second, pooled funding is booked as expenditure by donors on paying into the pool, but it may sit for years in the pool before being spent, as has been the case for the MDTF for Southern Sudan (MDTF-S).

The total money contributed to pooled funds since 2005, including the contribution by GoSS, is USD 878 million. The actual money committed, with signed legal agreements in place is approximately USD650 million.[118] This money is used to support projects that are directly executed by international agencies, or through contractors including NGOs. Bilateral funds in 2009 accounted for 66% of expenditure.[119]

[118] The International Dialogue on Peacebuilding and State Building (2010) The International Dialogue on Peacebuilding and State Building: Contribution by the Government of Southern Sudan, March 2010
[119] Ibid.

Figure 7: Donor Actual Expenditure by Channel in Southern Sudan[120]



Source: Analysis of portfolio data

Pooled funding includes channels such as the MDTF-S, Common Humanitarian Fund (CHF) and Basic Services Fund (BSF), plus several smaller funds. The category 'Government' (1%) includes funds channelled through a particular government department or government linked institution.

Despite pursuing a determined bilateral approach outside the pooled funds, USAID has made efforts to deploy sufficient staff on the ground to monitor the use and impact of funding provided (thanks in great part to a liberal use of contractor services). We note, moreover, that USAID programmes are fewer, much larger, and are multi-year funded.

The ratio between donor budgets and recorded expenditure (Table 11) varies by donor. This relates to the time-span of donor projects and the channel chosen. Again, we emphasise that this is only expenditure 'into' the channels, not expenditure 'by' the channels, as considerable time may elapse between the receipt of funds and their eventual expenditure by the recipient.

Table 11: Average Levels of Expenditure for Different Channels

Channel	*% of planned funding through this channel that was reported as expended*
UN	85%
NGO	76%
Pooled	84%
Contractor	29%
Govt	75%
Donor Govt	60%
Academic	74%
Other	35%
Average	*73%*

Source: Analysis of portfolio data. Note: Norway is included in the analysis by assuming that the budget is equivalent to expenditure

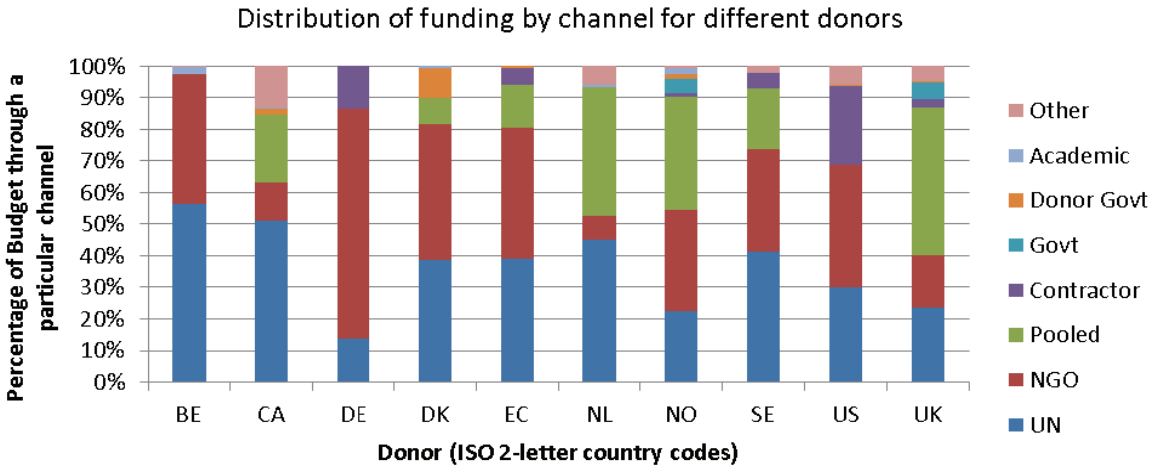
[120] The figure of USD2.94 billion is actual expenditure as opposed to budgeted amounts presented in Figures 9 and 10 (USD4.05 billion)

The differences noted in Table 11 are in part a reflection of how donors use different channels:

- Payment into pooled funds is done in advance, and donors regard the money as spent, even though it may not be used by the administrative agent for some years.
- Donors normally pay the UN either on a programme basis or as a full advance, so full expenditure may be recorded as soon as the grant is made.
- Many donors pay NGOs on a project basis with payments in tranches, so expenditures lag planned funding.
- Contractors are paid not only in tranches, but also in arrears. As many contractor-implemented projects were sophisticated infrastructure projects with long lead times, this keeps the level of budget expenditure low.

The choices of different channels vary by donor (Figure 8). Canada, the Netherlands, Norway and the UK placed particular emphasis on pooled funding. Germany made only one contribution and two donors – Belgium and the US – did not use pooled funding channels at all. The Netherlands was the donor with the smallest proportion of funding via NGOs and Germany had the largest.

Figure 8: Choice of Channel by Donor



Source: Analysis of portfolio data

Allocations and Expenditure by Year

Donor budgets for Southern Sudan peaked in 2005 after the Oslo Donors' Conference (Table 12). Budgeted allocations for Southern Sudan have been steadily declining in value since then.[121] Unsurprisingly, older projects were more likely to have expended a greater part of their budgets; the one exception being projects from before 2005, which have a slightly lower percentage expended (83%) than 2005 projects (91%). The reasons are not clear, but it seems that some of these projects may have been overtaken or reallocated after the April 2005 Oslo Conference.

[121] The budget figure for 2009 in Table 12 is not final since the donors provided their budget and expenditure information for the period January – July 2009 (i.e. prior to the start of the evaluation). Subsequently no updates (or final figures) were provided to the evaluation team.

Table 12: Donor Budgeted and Reported Expenditure for Southern Sudan by Year[122]

Year of start of intervention	Budget (USD million)	Expended 2005-2009 (USD million)	As % of budget
Starting before 2005	845	699	83%
Starting in 2005	913	832	91%
Starting in 2006	732	563	77%
Starting in 2007	692	357	52%
Starting in 2008	534	344	64%
Starting in 2009	337	146	43%
Total for all interventions	**4,052**	**2,940**	**73%**

Source: Analysis of portfolio data

Expenditure by Sector 2005–2009

GoSS set a number of priorities at the Oslo Donor's Conference in 2008, requesting that donors strive towards allocating at least 80% of their funds towards six priorities – security, roads, primary health care, basic education, water and production. In 2010, 64% of all development aid will be allocated to GoSS priorities. In terms of alignment this represents an improvement on 2009 but still falls short of the target.[123]

We present here expenditure figures by sector for the four-year period, 2005–2009. In order to avoid a long and meaningless list, expenditure here is grouped by general categories derived from the OECD/DAC CRS codes. Unsurprisingly, emergency relief is the largest category (Table 13) at 31% of the total funds budgeted. Government and civil society is the second largest category at 16% of the total.

[122] For 2009 these are still provisional figures
[123] GoSS (2010) op.cit. Again, this is based on the Government's view of Development Assistance, which is not a complete one

Table 13: Donor Budgets for South Sudan (by DAC/CRS Code) 2005–2009

Sector Description	USD Million	%
Emergency relief	1,244.9	31%
Governance and civil society	665.5	16%
Transport	349.9	9%
Reconstruction	288.1	7%
Health	244.0	6%
Multi-sectoral aid	237.8	6%
Education	236.5	6%
Agriculture	194.8	5%
Humanitarian aid	119.7	3%
Social services	117.0	3%
Support to NGOs	66.8	2%
Food aid	57.4	1%
Water and sanitation	55.8	1%
Population and reproductive health	40.3	1%
Energy	24.3	1%
Enterprise	21.8	1%
Financial services	21.3	1%
Communications	17.1	0.4%
Environment	15.9	0.4%
Administrative costs	10.6	0.3%
DDR	9.2	0.2%
Development education and others	6.2	0.2%
Industry	3.5	0.1%
Trade	1.9	<0.1%
Refugees in Donor countries	1.2	<0.1%
Other multi-sectoral aid	0.8	<0.1%
Debt reduction	0.2	<0.1%
Total budget	**4,052.4**	**100%**

Source: Analysis of portfolio data

Of particular interest to this evaluation are projects listed under the Governance and Civil Society head. A breakdown for these (Table 14) shows that the largest expenditure was under the 'civilian peacebuilding, conflict prevention and resolution' head.

Table 14: Breakdown of Donor Budgets in the Governance and Civil Society Sector

Description of sub-sector	*USD Millions*
Civilian peacebuilding, conflict prevention and resolution	134.2
Post-conflict peacebuilding (UN)	80.7
Economic and development policy/planning	71.8
Government administration	53.8
Strengthening civil society	52.0
Government and civil society (unspecified)	51.7
Elections	48.0
Land mine clearance	38.9
Legal and judicial development	29.4
Reintegration and SALW[124] control	25.1
Public sector financial management	21.4
Security system management and reform	15.3
Human rights	12.8
Free flow of information	10.0
Women's equality organisations and institutions	5.6
Child soldiers (Prevention and demobilisation)	5.6
Human rights	3.2
Women's equality organisations and institutions	2.6
Legislatures and political parties	2.1
Public finance management	2.0
Media and free flow of information	1.4
Decentralisation and support to sub-national government	1.2
Total budget for the Governance and Civil Society sector	**665.5**

Source: Analysis of portfolio data

The CPPB Categories

For the purpose of this evaluation, we use the CPPB categories as a reference framework. This categorisation has, however, been followed neither by donors nor by those responsible for collating annual contributions by sector. We have therefore had to deduce the four CPPB categories from OECD/DAC CRS codes and make estimates accordingly. This has severe limitations, as:

- Activities may only be allocated a single CRS code for convenience, but may include components that could be described by a range of CRS codes. For example a primary education project may be allocated the CRS code 12200 (primary education) but may also include school construction (CRS code 11120), teacher training (11130), and setting up parent teacher associations for school governance (11110).

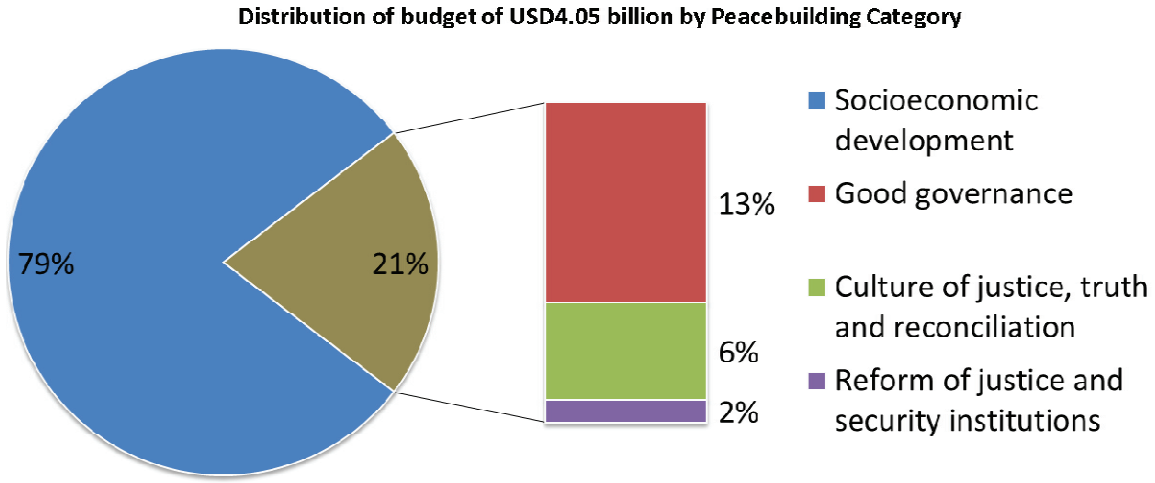
- Even activities that fall wholly within one CRS code may also include elements from different CPPB codes. For example a water project (socioeconomic development) may also include the setting up of water committees (good governance) or efforts to get cross-community on inter-community agreement on the shared use of particular sources (culture of justice, truth and reconciliation).

[124] Small Arms and Light Weapons

In Annex 10, we draw attention to the constraints in making such estimates. However, even though the allocation of budgets and expenditures to CPPB categories is approximate, defining the portfolio through this lens still yields some interesting findings.

Unsurprisingly, the largest amount of expenditure over the five-year period was against the socioeconomic development category (Figure 9). On average, this accounted for 79% of the budget overall, including the substantial humanitarian expenditure. Yet, as already mentioned, many interventions falling under this category will undoubtedly contain, for example, smaller elements of capacity building, community dialogue and civil society development – activities that would fall under the other CPPB categories. It has not been possible to separate these out in financial terms, though.

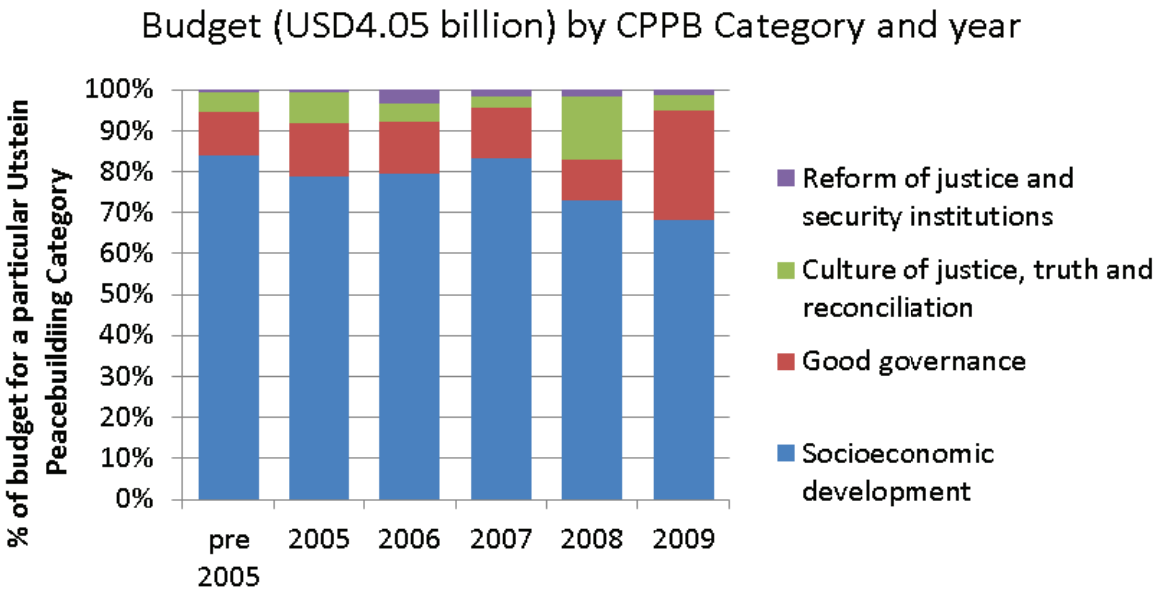
Figure 9: Average Distribution of Budget by CPPB Category 2005-2009



Source: Analysis of portfolio data

The nature of the funding changed over time. Figure 9 gives only the average over the five-year period. Yet, the proportion of the funding classified as being for socioeconomic development (including humanitarian) fell from 84% pre-2005 to 68% in 2009. And good governance grew very strongly in 2009 to become 27% of the total expenditure (Figure 10).

Figure 10: Changes in the Pattern of Funding Over Time by CPPB Category



Source: Analysis of portfolio data

When looking at the rate of implementation there are marked differences by type of activity. *Good governance* has the lowest rate of implementation, and *reform of justice and security institutions* has the highest. However, given that the balance of different interventions changed with time, it is necessary to look at rates of implementation by CPPB type by year of start of activity. Nevertheless, this still shows that *reform* interventions generally have the highest rate of implementation and *governance* interventions the lowest.

Conclusions on Figures Presented

We have attempted here to highlight a number of collective trends that emerge from the sum of individual donor commitments and disbursements. Notwithstanding the problems of disaggregating expenditures North and South (especially humanitarian), we have concentrated on an estimate of funding allocated by the portfolio donors specifically for Southern Sudan.

The CPPB categories are not followed in CRS coding, but the evaluation has been able to make approximations based on existing codes. Thus, between 65–85% of funds have gone to 'socioeconomic development' (including humanitarian) over a four-year period, while in 2009 there was a substantial increase in funds for 'good governance' (now accounting for some 27%). With the new 2009 Juba Compact, wherein donors have redoubled their efforts to ensure transparency and bolster governance, funding for that sector was set to rise again in 2010.[125]

[125] Japan is not one of our portfolio donors, but is an OECD/DAC donor. It has committed USD230 million to post-CPA development, with a further USD200 million pledged at the 2008 Oslo Conference. This is all channelled bilaterally via Japan International Cooperation Agency (JICA), much of it through UN agencies. Japan is also involved in the Three Areas, and takes part in the donor working group on the Three Areas. Japan is the second largest oil customer for Sudan (oil is not purchased directly from the Sudanese government, but from China).

Much of the discourse on aid effectiveness is rightly around the use of pooled funds. Although these only accounted for about 19% of the overall total of donor funding in the South, they are an important signal of where the majority of OECD donors allocate funds. Yet the proportion of bilateral funds elsewhere is significant (notably US, but also Germany and Belgium). In turn, it reveals the important role of NGOs, the chief bilateral channel receiving above 30% of allocated budgets. Indeed, NGOs as implementers will receive a considerably greater percentage than this if we take into account receipts through UN and pooled funds.

The second largest category of donor expenditure (after humanitarian emergency relief) in Southern Sudan is, according to the CRS codes, 'government and civil society'. Under this, 'civilian peacebuilding, conflict prevention and resolution' receives the highest level of budget (USD134.2 million over 5 years). Arguably, this would signal an increasing interest and concern by donors towards CPPB, but no further breakdown can be provided.

Finally, all the above figures relate only to budget allocations and to disbursements by donors, not to actual implementation on the ground. The complex sub-contracting procedures – for example, where money passes from donor to UN, to international NGO, to national NGO and sometimes even to local contractor – make it almost impossible to obtain details of when (and how much) money was actually spent. Yet if the pooled funds are typical, we do know that some 20% of budgeted expenditure has remained unspent each year.

Support Outside ODA

Our financial summaries in this chapter are based only on ODA figures submitted to OECD. Yet several donors support security sector reform through their respective political offices, rather than the aid programme. The US State Department has supported the SPLM substantially both before and after the CPA, including the largest external budgetary support to SPLA training. Canada is engaged in security, peacekeeping, peacebuilding and policing through their Departments of Foreign Affairs and International Trade, National Defence and the Royal Canadian Mounted Police. This 'whole of government' strategy is similar to that of the UK where work in the security sector (SPLA transformation, for example) is funded through a Foreign Office joint fund (Ministry of Defence, Foreign and Commonwealth Office and DFID), even though DFID takes a lead on the ground. In addition, Germany is engaged in peacekeeping (giving substantial support to UNMIS) as well as support to the improvement of policing via its Ministry of Foreign Affairs.

In monetary terms the proportion of total non-ODA expenditure is small compared to total development funds. For this reason – and in view of the difficulty of tracing these expenditures (including smaller Embassy funds, etc.) over the five-year period – we have not included it in our summary tables.

Non-DAC Donors

The emergence of new actors in development efforts is challenging traditional aid and development cooperation.[126] Our tables and analysis do not include development contributions from the Arab States, China and India mainly because financial figures are rarely disclosed and there is no equivalent of the OECD/DAC donor mapping process. The overall aid volumes by Arab donors to Sudan as a whole have been estimated in 2006 to be "in the range of USD2–3 billion a year, mainly from Saudi-Arabia".[127] Arab donors mostly provide assistance bilaterally in the form of loans, with at

[126] See Grimm, S et al. (2009) European Development Cooperation to 2020: challenges by new actors in international development, EDC Working Paper No. 4, May 2009

[127] Manning, R (2006) Will 'Emerging Donors' Change the Face of International Cooperation? Lecture at the Overseas Development Institute, UK, 9 March 2006

least 50% being channelled through Arab multilateral agencies. Such agencies (for example, the Arab Fund and the Saudi Development Fund) have been built up over the years in such a manner that their cumulative contributions are greater than the bilateral national aid agencies of individual Arab countries.

Sudan is China's third largest trading partner in Africa. In turn, China is Sudan's largest trading partner, since it purchases 71% of Sudan's global exports, mostly oil. The Chinese state-owned oil company, China National Petroleum Company, is the largest stakeholder in Sudan's biggest energy consortium, the Greater Nile Petroleum Operating Company, through its 40% stakes. China makes no distinction between aid and trade and investment, the latter being disbursed in the form of technical assistance projects, with a particular focus on infrastructure. Loans are provided on the basis that they are spent on development, predominantly through Chinese companies, and with very low interest rates. China opened a consulate in Juba in 2008 and also contributes peacekeepers to UNMIS (and UNAMID in Darfur).

At the April 2005 Oslo Conference, India pledged USD100 million in soft loans for various projects, and USD10 million in grants. India has not made a new pledge since 2005. Again, it does not work through pooled funds, preferring bilateral and investment programmes in the oil industry and has contributed to technical training (especially Information Technology) through scholarships and small relief grants. It opened a consulate in Juba in 2007 and contributes troops to UNMIS.

Despite significant accumulative totals in loans and investments, non-DAC donors have played a relatively small role in Southern Sudan to date, though their influence in the Three Areas is significant. In the closing months of 2010 there was intensified political dialogue between GoSS and Arab, Chinese and Indian officials particularly over the status of oil concessions in the post-interim period and the potential opening of trade relations.

5.4. Alignment, Coordination, Harmonisation

Alignment

Preparatory studies in 2004 and 2005 noted an almost total lack of the baseline information necessary for an informed development strategy in Sudan. This was particularly the case in the South, but was true throughout the country.[128] A contributory factor was relations between donors and the warring parties, where the latter had, in many cases, actively obstructed the gathering of information. Sudan was (and still is) a security state; the culture of misinformation and the manipulation of figures were the warring parties' stock-in-trade.[129]

The JAM was essentially the first baseline study upon which more specific aid strategies and programmes were to be formulated. Other than setting benchmarks, however, it was never intended to be a practical implementation guide.[130] The majority of donors interviewed for this evaluation stressed that the JAM, albeit a good starting document, lacked harmonising and sequencing, thereby reducing its value for policy guidance. Because it took GoSS three years to revise the JAM and to develop priorities fully owned by the government, there was a gap that left donors ample space to cherry pick projects with high visibility. For example, although one of Dr. Garang's major priorities was the

[128] World Bank (2004) Knowledge Deficit in Sudan, unpublished memorandum, 13 May 2004
[129] World Bank (2004), ibid.
[130] Joint Assessment Mission (2005a) op.cit.

building of trunk roads, many donors preferred, initially at least, to fund more media-friendly projects.[131]

The lack of GoSS capacity, even if appreciated, does not appear to have fundamentally influenced strategies pursued by the donor community. The expectation was that there would be at least a minimum of national institutions with whom to coordinate, despite evidence to the contrary presented in numerous reports and first-hand accounts available to donors.[132] In part, the 'discovery' of a complete lack of capacity led to a concerted effort to build GoSS central institutions while largely ignoring the ten State governments. The time taken to do this was longer than envisaged. For reasons explained elsewhere in this report, the total amount of spent funds in the first part of the interim period was nearly two billion dollars short of expectations, and over-ambitious expectations were soon thwarted by realities on the ground. Meanwhile, in the absence of appropriate checks and balances – themselves a measure of capacity – corruption became widespread, a situation still prevalent.

Immediately after the signing of the CPA the focus was on recovery, the assumption among many donors being that this was a fragile and post-conflict state. It was some time before donors accepted the conceptual anomaly: that in Southern Sudan there was no state and conflict was still very prevalent in the South. After the Oslo Conference in 2008, a focus on harmonising and sequencing became more urgent. GoSS had produced its first policy development guidance for donors, *Expenditure Priorities and Funding Needs 2008–2011***,** in which it requested donors "to commit to shifting the bulk of their remaining humanitarian funding towards more sustainable and predictable recovery and development interventions"[133] by:

- directing 85% of their support to six sectors – security, roads, primary health care, basic education, water and rural livelihoods
- respecting the principles of its Aid Strategy for Southern Sudan formulated already in 2006[134]
- directing new pledges to the priorities identified by GoSS for the remainder of the interim period until 2011
- avoiding concentration of funding in certain geographic areas
- further harmonising funding and implementation mechanisms where possible, and
- ensuring GoSS appraisal of projects through the Inter-Ministerial Appraisal Committee (IMAC).

Even a generous interpretation of data shows that less than 60% of total donor funding is on the six GoSS priorities. As the Joint Donor Team 2009 mid-term review noted, one of the reasons this cannot be known with accuracy is that "few donors actually submit projects to the government's IMAC; it appraised only 37 out of 339 projects reported in 2008. On the one hand it might reflect poor

[131] This view was expressed widely by donors and implementing agencies interviewed for the evaluation. WFP's Road Project could be viewed as responding closer to the GoSS preference than other projects, and was initially launched by Dr. John Garang with USAID funding to WFP in 2003

[132] Ministry of Finance and Economic Planning (2008) Progress in Southern Sudan, March 2008, MOFEP, Government of Southern Sudan:Juba

[133] GoNU/GoSS (2009) Sustaining the Peace through Development 2008-2011, joint report of the GoNU and GoSS, presented at the Third Sudan Consortium 6-7 May 2009, Oslo

[134] It was actually published in November 2007 and included the following principles: alignment, coordination, predictability, harmonisation, institutional development and mutual accountability

commitment by donors towards government ownership; on the other hand, the GoSS as a whole (outside the MoFEP's mandate on donor coordination) has been inclined to let donors lead on development, while focusing on priorities related to the consolidation of its power and defence of its territory."[135] Despite efforts to do so through the pooled mechanisms, funding continues to be insufficiently harmonised, with about 60% of projects still implemented on a bilateral basis. USAID, the largest donor, channels its funding exclusively through private contractors, NGOs and UN.

The insufficient response to the situation in Southern Sudan in the early years after the CPA was in part due to the Darfur conflict which distracted the donor community from carefully tracking CPA and implementation progress in the field. Shortly after the CPA signing the situation in Darfur deteriorated rapidly and political attention shifted from North/South to west and consequently funds and other resources were diverted to this 'new' war torn area.[136] Interviews in Khartoum underscored the general feeling that Darfur hijacked the CPA. Not only did this delay the UNMIS start-up, but also donor funding over the period 2005/07 fell almost USD890 million short of the JAM donor funding needs estimated at USD1,437 million. Notwithstanding MDTF disbursement delays and inadequate reporting of commitments by some donors and UN agencies, this was a significant setback.[137]

By the time of the CPA conference in Washington 2009,[138] the focus was again back on the CPA for a number of reasons. First, the looming commitment towards a 2011 referendum gave added urgency to fulfilling the CPA provisions, many of which were still unresolved. Second, a combination of poor exchange rates, falling oil prices and controversies over the transparency of transactions in the North had led to disappointing revenues for the South and a ring-fenced GoSS budget with little opportunity for expansion in, for instance, basic services. Third, there was growing recognition of severe governance problems combined with an increase in security infringements and violence on the ground, especially from 2008 onwards.

Government-Based Coordination in the South

By presenting its aid strategy one year after the JAM process started, GoSS had opened the possibility for a donor coordination system at an early stage. The development of the strategy was led by MoFEP, the GoSS authority responsible for aid coordination in all sectors, and aimed at assisting GoSS with managing practically the significant quantities of aid pledged at the Oslo Conference in April 2005. The main instruments that emerged from the aid strategy are:

- **GoSS Donor Forum** The forum provides a platform for sharing information and enhancing dialogue between GoSS and donors. The agenda varies according to the needs, but it is generally used as a platform for GoSS to seek enhancement of donor alignment with government priorities.

- **The Inter-Ministerial Appraisal Committee (IMAC)** The IMAC is mandated to appraise and approve all donor funded interventions. Its main objective is to ensure that donor projects are consistent with GoSS policies, including the aid strategy, and to ensure coordination of interventions. The core members of IMAC are the Ministries of Finance, Regional Cooperation, Presidential Affairs, Legal Affairs, Housing, the Southern Sudan Commission for Census and Statistics, and the Local Government

[135] Bennett, J, et al. (2009b) Mid-Term Evaluation of the Joint Donor Team in Juba, Sudan: Evaluation Report, January 2009, Norad:Oslo. Some caution is needed on the figures, however. In terms of percentage, the number of projects reviewed was low, but in terms of financial percentage it was much higher because projects reviewed tended to be the multi-million dollar inputs. Moreover, it should be noted that it is the implementers, not donors themselves, who should submit information to IMAC

[136] We also note that donors at the pledging conference in April 2005 warned that unless positive developments happened in Darfur the full release of the pledged funds could not be expected

[137] Ministry of Finance and Economic Planning (2008) op.cit., p13

[138] This was a conference hosted by the US Administration in Washington on 23 June 2009 to bring North and South parties together to discuss progress over the CPA

Board (LGB). These members meet regularly. MoFEP chairs the committee. Ministries belonging to the sector in which a project falls are invited as required.

- **The Budget Sector Working Groups (BSWG**) are the main bodies for government-wide coordination and planning, and include donors as well as UN and NGO representatives. The ten groups are responsible for developing the annual budget sector plans that set government priorities and expenditure allocations for the next three years in the given sector. However, some donors have noted that GoSS sets its priorities in advance of the BSWGs, leaving little room for negotiation at the BSWG meetings.[139] The BSWGs are also expected to monitor expenditure within their respective sectors, review annual performance against the sectors' objectives and work to ensure the alignment and coordination of all partners' assistance in Southern Sudan. In principle, the groups are mandated to be the technical quality assurance instruments for GoSS *vis-à-vis* proposed donor funded projects.

These coordination instruments have limitations. Due to capacity constraints, the IMAC is not in a position to appraise and monitor all projects; only the largest projects are actually appraised. Moreover, many donors (or their implementing partners) have failed to submit information to IMAC – only about 20% of all projects are registered.[140] The quality assurance role lies officially with the BSWGs, but since they meet only annually, this has tended to fall under the responsibility of IMAC.

By improving public finance management and procurement legislation and practice GoSS has attempted to improve coordination and alignment. The UN and World Bank have established a **Donor Coordination Forum** which meets monthly. GoSS does not participate in these meetings. MoFEP, moreover, is aware of limited aid coordination that takes place at State and local level; most States have a very poor overview of interventions being implemented within their jurisdiction. A key finding from this study is the widespread tendency for aid allocations to be decided at central level, only retrospectively to be known by State authorities and sometimes quite accidentally discovered.[141] To further enhance the overview of development assistance at all levels, GoSS, with assistance from UNDP, in 2009 launched the **Aid Management Information System**,[142] but this has yet to be actively used outside Juba.

Donor Coordination

There have been two important initiatives of the donor community to improve coordination and alignment of interventions. Both originated in 2005 and have dominated the aid architecture of Southern Sudan since: the Joint Donor Team (JDT) for Southern Sudan, comprising lead OECD/DAC donors; and various pooled fund mechanisms.

After the signature of the CPA, the Governments of the Netherlands, Norway, Sweden and the UK established the JDT for Southern Sudan, joined later in 2005 by Denmark and in May 2007 by Canada. Its office is located in Juba and was opened in May 2006 with four main objectives: (1) to support sustainable peace, poverty reduction and the implementation of the Millennium Development Goals; (2) to support the MDTF-S as well as to cooperate with the relevant stakeholders in Southern Sudan; (3) to manage programmes not implemented under the MDTF, and (4) to strengthen donor coordination and aid channelling in Sudan.

[139] Donor discussions by the evaluation team and subsequent correspondence
[140] Bennett, J et al. (2009b) op.cit.
[141] See, for example, evidence from Annexes 2 & 3
[142] UNDP (2009b) Establishment and Implementation of Aid Information Management System (AIMS) Ministry of Finance and Economic Planning (MoFEP) Government of Southern Sudan (GoSS), Expression of Interest (EOI) 24 April, 2009

The JDT has been an important entry point for policy discussion with the government, supporting GoSS in the development of an aid strategy, co-chairing the BSWGs, and contributing towards the preparation of the Sudan Consortium in 2007, 2008 and 2009. It also assisted GoSS in drafting its future priority paper and with capacity building activities for budget planning, in particular for the budget planning process.

The establishment of pooled funding mechanisms has been a central strategic plank of support to Southern Sudan based on the premise that pooled funding will increase aid effectiveness, efficiency and flexibility. Six main funding mechanisms were established since 2005, each of them with a special focus and intention:

- **MDTF** – Multi-Donor Trust Fund. Originating from the JAM, the two MDTFs (for both North and South Sudan) had an initial injection of USD500 million at the Oslo Conference in April 2005. Both funds are administered by the World Bank.

- **CHF –** Common Humanitarian Fund. The UNDP-administered CHF became fully operational in 2006 with the main objective to provide early and predictable funding to the most critical humanitarian needs under the direction of the Humanitarian Coordinator. Only those programmes listed in the annual UN Work Plan can be in receipt of CHF funds.

- **BSF –** Basic Services Fund. The BSF was launched in January 2006 as a result of a study and related consultations initiated by DFID. The aim was to develop a fund for strengthening the delivery of basic services in Southern Sudan (primary education, primary health care and basic water, sanitation, hygiene education) via NGOs to the most underserved populations. Its intention was to bridge the gap until the MDTF became operational. The BSF is managed by a private sector contractor reporting to a GoSS-chaired committee.

- **SRF –** Sudan Recovery Fund (Southern Sudan): Launched in 2008, mainly in response to frustrations over the MDTF–South, the Sudan Recovery Fund for Southern Sudan (SRF-SS) is a joint partnership of GoSS, the UN and donor partners. DFID is the lead donor for SRF, and the fund is jointly chaired by GoSS and donors. With an emphasis on development programming, it was intended to fill the gap between short-term CHF funding, and the larger scale and longer-term MDTF funds. The SRF is administered by UNDP and monitored by a steering committee.

- **CBTF** – Capacity Building Trust Fund: The CBTF was created in 2004 and was until 2010 administered by UNICEF with contributions from Norway, Denmark, the Netherlands, Canada, Sweden, the UK, the EC and Italy. It is now administered by a private firm.[143] During the creation of the GoSS civil service, it was intended to provide technical assistance to the establishment of accountable local government. In its first two years, however, the fund had a broader remit, channelling funds for GoSS recurrent and capital expenses to 'quick win' projects. From mid-2006 onwards, the CBTF modified its focus to respond to its core mandate of supporting capacity building and institutional strengthening projects for GoSS.

[143] KPMG was the financial and monitoring agent when the fund was overseen by UNICEF. It is now administered by Mott MacDonanld, a company that has a good track record of fund and programme management in Sudan (EC-Humanitarian Plus programme for North and South, and the BSF in Southern Sudan)

- **SPA – Strategic Partnership Arrangement:** The three-year USD54 million Strategic Partnership Arrangement was administered by the UNDP with contributions from the Netherlands, Denmark and the UK. The SPA funded UNDP projects only, supporting medium-term capacity building of governance and rule of law, including the Local Government Recovery Program in Southern Sudan. The SPA was extended until March 2009. Interestingly, its objectives included building the capacity of UNDP to build the capacity of GoSS.[144]

Harmonisation and Pooled Funds

The choice of aid instruments has had a huge impact on the efficiency and effectiveness of service delivery programmes in Southern Sudan. Sensitivities over formally still working through GoNU in Khartoum, as well as acute concerns over corruption in GoSS, led donors to choose multilateral channels of support. Also, with reference to the Paris Principles, donors consciously looked for ways to minimise administrative overload for GoSS, and pooling funds was an obvious choice. To some extent they were 'imposed' as a solution to GoSS inexperience; nevertheless, GoSS officials interviewed for this evaluation expressed clear satisfaction with the principle of pooled funding mechanisms as enhancing harmonisation and limiting transaction costs of the government ("the best thing after general budget support").[145] Pooled funding also provided predictability and enabled GoSS to undertake longer-term planning.

The heart of the debate in Southern Sudan is not pooled versus bilateral fund mechanisms; rather, it is how effectively and efficiently these are managed, and how their governance arrangements translate into fast and flexible disbursement procedures. There are significant differences in the performance of the various funds. Our evidence on the ground suggests that pooled funds managed by private contractors who can be held accountable for performance – such as the BSF and the Capacity Building Trust Fund (CBTF) – have performed well. US style direct bilateral interventions compare favourably to these.[146] By contrast, World Bank and UN-managed funds generally have not performed as well.[147]

UNDP-managed pooled funding instruments, although achieving more than the MDTF–South,[148] have also been criticised for being slow, overly bureaucratic, UN-centric and for adding relatively little value in relation to the high overhead costs charged. For example, the overhead costs for the BSF,[149] run by a private contractor, are 10%. By comparison, the overheads for the Sudan Recovery Fund (SRF), run by UNDP, are almost 6% higher. The BSF evaluation team suggests that the, "…GoSS and donors may wish to consider whether the UN system costs of 15.9% offer value for money".[150]

The UNDP-managed CHF is considered to be a valuable gap-filler, but its complete lack of GoSS involvement, slowness and unpredictability, short annual timeframe and humanitarian mandate undermine its effectiveness in supporting basic service delivery.[151] In addition, rather than reducing

[144] Fenton, W (2008) Funding Mechanisms in Southern Sudan: NGO Perspectives, Juba NGO Forum/Joint Donor Team; Foster, M et al. (2010) Country Programme Evaluation: Sudan, DFID Evaluation Department/ITAD

[145] Senior MOFEP interviewee

[146] See, for example, the analysis presented in Annex 2

[147] The exception was the first phase of the CBTF co-managed by KPMG (private sector firm) and UNICEF, despite the fact that UNICEF took its 3% overhead costs and KPMG was criticised for not establishing a consistent presence in Juba

[148] Fenton, W (2008) op.cit.

[149] The BSF was initially a £10 million DFID-funded pilot, designed to enable the continuation of basic services until the MDTF–South was able to finance service delivery programmes. In 2008, when it became clear that the MDTF–South would not be able to achieve this aim, and in line with the recommendations from several different reviews, a decision was made to extend the BSF timeframe and transform it into a multilateral fund

[150] Morton, J et al. (2009) Review of Basic Services Fund, South Sudan, DFID/TripleLine

[151] Juba NGO Forum (2009) NGO Perspectives and Recommendations on Pooled Funding Mechanisms in Southern Sudan - A Collective Response of the NGO Forum in Southern Sudan, Briefing Paper

transaction costs – a key rationale for its establishment – the CHF has merely shifted these from donors to NGOs and UN cluster leaders.[152] The magnitude and quality of the CHF contribution to basic service delivery is difficult to measure because, "...despite a complex allocation process, quality control at entry remains weak, as is monitoring and evaluation".[153] Despite a perceived increase in humanitarian needs in 2009, donor funding to the CHF has decreased by 26% due to a combination of exchange rate fluctuations, the establishment of the SRF and increasing donor reservations around the effectiveness of pooled funding mechanisms generally.[154]

Beyond the humanitarian portfolio of the UN Work Plan and the CHF, the MDTF-S is the largest pooled fund for development assistance in Southern Sudan. Much has already been written about the slow and bureaucratic nature of the MDTF and its failure to deliver timely and tangible peace dividends in the form of basic services to Southern Sudanese.[155] It has 14 donors, from which it received USD526 million of commitments between 2005 and 2009. In addition to this, the GoSS 'counterpart contribution' was initially to have been twice that of the international community. This was later reduced to a ratio of 1:1, but even this proved difficult for the government to meet, and matched contributions have been poor or non-existent.[156]

The GoSS fiscal crisis was certainly a contributing factor to the poor performance of the MDTF-S, but there were also, by its own admission, procedural errors of the World Bank.[157] By the end of 2009 funds deposited by donors stood at about USD526 million, of which USD212.5 million had been disbursed and about USD190 million actually spent. The performance began to pick up towards the end of 2009 following a thorough review process.[158] This has not yet offset intensive debate over international aid administration in the South and the frustrations expressed by both donors and GoSS over the MDTF performance.

Reviewing this through a CPPB lens, we simply note that if the MDTF was to be a principal source for 'peace dividends' its shortcomings have ramifications across the entire spectrum of aid delivery systems. The MDTF–South was supposed to provide the main framework for donor alignment with GoSS development policy, but failed to do so for a number of reasons. Chief among these was the lack of effective administrative leadership, but this was compounded by the lack of GoSS capacity. As a result, the Oversight Committee, co-chaired by the JDT, became increasingly preoccupied with just trying to make the fund work, rather than addressing strategic issues affecting MDTF and GoSS performance. Another factor was the decision of USAID, one of the biggest and most influential donors, to continue to programme resources bilaterally.[159]

Most donor officials interviewed in Khartoum were especially clear on the disappointing performance of the MDTF, referring to both the MDTF–South, as well as the MDTF–National, the latter being mostly targeted at the Three Areas. The administration and disbursement of funds was complicated by lengthy bureaucratic procedures within the World Bank administration, causing serious delays in implementing projects and increasing frustration from government partners and donors alike. The deficiency led the donor community to search for alternative and more flexible pooled funding mechanisms as well as a shift by some major donors towards bilateral programming.

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[152] Foster, M et al. (2010) op.cit.
[153] Ibid.
[154] OCHA (2009) Common Humanitarian Fund Interim Report (Jan-Sept 2009), prepared by the CHF Technical Unit (OCHA) and the CHF Fund Management Unit (UNDP)
[155] Scanteam (2007) Review of Post-Crisis Country Multi Donor Trust Funds, Final Report and Annexes, Commissioned by World Bank, Norwegian Ministry of Foreign Affairs, and NORAD in cooperation with CIDA, Netherlands Ministry of Foreign Affairs and DFID; Fenton, W (2008) op.cit.; Juba NGO Forum (2009) op.cit.; Foster, M et al. (2010) op.cit.
[156] In 2009 GoSS provided no counterpart funds to the MDTF–South. In the preceding three years its disbursements had been about equal to that of international donors, but actual expenditures had been, on average, 40% lower. See World Bank (2010) op.cit., Table 2
[157] The World Bank's lessons learned emphasise particularly the importance of managing expectations. World Bank (2010) ibid.
[158] Southern Sudan Multi-Donor Trust Fund (MDTF –South) (2009) First Comprehensive Portfolio Review , May 2009
[159] USAID coordinates closely with the MDTF–South and also attends Oversight Committee meetings

Inevitably, results on the ground were affected by the various failures of the aid architecture. Although there has been no formal evaluation of the MDTF since 2007, there is little evidence to suggest that impact has improved dramatically in the meantime, especially with respect to basic service delivery. The DFID Country Programme Evaluation notes that most MDTF-supported interventions (distribution of drugs, bed-nets and textbooks) have had limited coverage and are 'of an unsustainable and quasi-humanitarian nature'.[160] By contrast, the BSF programmes report impressive results. By June 2009, NGOs funded under the BSF had completed 17 out of 21 primary schools, 36 of 47 primary health care centres, 220 of 239 water points and over 1,200 latrines when only 783 were planned. Approximately 800 teachers had been trained and support provided for service delivery at 60 primary health care facilities. An estimated 16% of the population has access to a BSF supported health facility.[161]

Our own field evidence shows that in the health sector in particular, the MDTF-S has failed to deliver results on the ground. The Umbrella Health Programme for Health Sector Development was supposed to deliver, through lead agent contracts (one lead agent per each of the ten States), the government's Basic Package of Health Services to 37 counties across these ten States. Four years later, only three lead agent contracts were active (there were four but one has been terminated due to non-performance) and not a single subcontract signed (or cent dispersed) for health service provision in the 37 counties due mainly to procurement and contracting problems and delays. The World Bank mission report, however, states that "During Phase I, the Umbrella Programme for Health Systems Development is the second best disbursing program under the MDTF–South" and "NGOs perceived the activities of the lead agencies as slowing down their implementation".[162]

Not all MDTF projects have fallen short of expectations: we note that MDTF-funded road infrastructure, "slashing journey times by 80% on 800 kilometres of critical roads".[163] Also, a high percentage of its funds for rural water and sanitation have been disbursed and spent.[164] Used as a complementary fund alongside EU and USAID, the MDTF-S has shown some impressive results in water (alongside USAID's Water for Recovery and Peace Programme, for example).

[160] Foster, M et al. (2010) op.cit.
[161] Annex 2, paragraphs 50-61
[162] Back to Office Report, World Bank Mission, May 2009 (unpublished)
[163] Ibid.
[164] PricewaterhouseCoopers (2009) Muti-Donor Trust Fund Monitoring Report, Oct-Dec 2009

Photo 3: Children attend classes under a tree in a village near Yei, Southern Sudan

Photograph: © Manoocher Deghati/IRIN

The above results illustrate findings with respect to CPPB. The choice of funding modality (bilateral or pooled) and fund manager (World Bank, UN or private sector), and where funding priorities and decisions have been made, make a profound difference not only to the achievement of results on the ground, but also to the perception and visibility of 'peace dividends'. We have already questioned the cause and effect of such dividends above. We find that MDTF-supported programmes have generally performed less well than BSF and bilateral programmes in terms of delivery of results on the ground.[165]

More importantly, most of the bilateral and multilateral funds have not looked at basic services and livelihoods programme rationales or funding decisions from a CPPB perspective. Even if we accept the questionable premise that service delivery can help alleviate multiple drivers of conflict, the extent to which they have strengthened the cultural and institutional resilience necessary for managing such conflicts without violence is obviously limited by the quantity of such services delivered over the five-year period.

In 2009 donors reallocated some of their MDTF resources to other funds such as the BSF to help accelerate delivery of basic services, in the hope that this could have a positive impact on conflict dynamics on the ground. The latest round of negations over the SRF involved a complete rethink, now basing interventions around a stabilisation approach firmly built on in-depth conflict analysis and sustained government engagement at both Juba and State levels.

[165] Annex 2

The Joint Donor Team

The Juba-based JDT, established by six country partners in 2006 to enhance donor harmonisation in Southern Sudan, represents the major contributor to the pooled fund mechanisms. The mid-term evaluation of the JDT concluded that its approach contributed significantly to promoting GoSS 'ownership' in Southern Sudan and strengthening donor alignment with government policies. However, JDT performance *vis-à-vis* donor harmonisation and its adherence to the OECD/DAC Fragile States Principles were assessed as having been much less successful.[166] The proliferation of projects has continued to make aid coordination in Southern Sudan difficult and has 'limited the JDT's ability to contribute to state building in a coherent and sustainable manner'.[167] Technical advice on land policy and the resolution of land disputes has been particularly uncoordinated and often conflicting.[168]

JDT partners failed to agree clear 'rules of engagement' and as a consequence, did not develop and operate under a coherent political and development strategy with common goals and approaches. In part this was due to the inherent contradiction between diplomatic relations in Khartoum with GoNU and JDT having relations solely with GoSS. JDT made an early decision to delink the political dialogue with GoSS from the aid dialogue – a wholly unrealistic demarcation of responsibilities between the JDT staff and the various donor representatives, several of whom actually sit in the JDT office in Juba.

The JDT did have a governance agenda, but the distinction between a governance/development focus and political issues was hard to make. The fact that the lines between development aid and political interference in a fragile environment are not clearly distinguishable was also recognised by several officials in Khartoum. It certainly led to tensions between the JDT and bilateral donor policies and it hampered JDT's ability to adequately address and execute its stated intentions. One outcome has been an inability to contain the increase in bilateral programmes among its own members.

The JDT, like many international organisations in Southern Sudan, has also had difficulty in attracting and retaining appropriately skilled and experienced staff, which has undermined performance.[169] For it to realise its potential as a productive and value added partnership, the report emphasises that donor partners will need to agree on strategic priorities for the JDT based on, "…a shared analysis and common understanding of the South Sudanese context. Context analysis, rather than the availability of advisers and/or bilateral interests should dictate the choice of sector priorities".[170]

The JDT has not, however, pursued a 'stovepipe' agenda exclusive only to its membership. USAID has been able to make use of the JDT's ongoing analysis of different development sectors; USAID has also made contributions to this analysis particularly through its 2009 functional capacity assessment of the GoSS.[171]

Finally, with all embassies in Khartoum and an uneven distribution of donor representatives in Juba it was inevitable that there would be a degree of fragmentation in policy development and implementation. Cautionary donor approaches associated with CPA compliance meant that a fully delegated authority to negotiate development policies with GoSS was unusual. In some cases this has resulted in policy decisions being made in Khartoum without sufficient communication with GoSS. It

[166] Bennett, J et al. (2009b) op.cit.
[167] Ibid.
[168] Pantuliano S et al. (2007) The Long Road Home; opportunities and obstacles to the reintegration of IDPs and refugees returning to Southern Sudan and the Three Areas, Report of Phase I, Humanitarian Policy Group, Overseas Development Institute: London
[169] Bennett, J et al. (2009b) op.cit.
[170] Ibid.
[171] Interview with senior USAID official, Juba, June 2010

also has implications at delivery level: contracts with UN and NGOs have sometimes been negotiated without reference to GoSS systems and procedures.

5.5. Conclusions

The OECD/DAC *Principles for Good International Engagement in Fragile States and Situations from 2007* recognise that the long-term vision for international engagement in fragile states is to help national reformers build legitimate, effective and resilient state institutions. Progress towards this goal requires joined-up and coherent action within and among governments and organisations. Above all, a strong case emerges for projects to be able to respond to critical factors of conflict as they emerge, and not be constrained by results-oriented management systems based on early project design documents.[172]

A report on the use of the Principles in Sudan up to 2007 (referring to the previous edition from 2005) focused on the North/South conflict.[173] No evidence was found that the principles were explicitly used by donors but the report argues that they could have provided useful pointers for donor behaviour, especially if they were taken together rather than considered separately. We found that donors placed great emphasis on the principle of coordination, to the point that inputs were delayed and the entire response was slowed down. This meant that the (more important) principles relating to state building were impaired. The weakness, partiality and political tensions surrounding the state would have required a more direct approach.

Uncritically following the Paris Principles on harmonisation, while paying insufficient attention to key conflict factors defined in donors' own analysis, exacts a price. The latter would have drawn greater attention to the need for alignment with GoSS priorities on security and to designing responses around specific contextual analysis (governance, instability) rather than general principles of development for stable and 'post-conflict' environments.

Indeed, the discourse around 'post-conflict' and 'recovery' has been a smokescreen that obscures the fact that there is little to 'recover' and the country is still very much 'in conflict'. Security was always a foremost priority of GoSS. They developed an outline aid strategy and priorities by 2008, but did not have the capacity to ensure donors adhered to them. The result has been aid policy driven largely by donors themselves with attendant problems of coherence and sequence, and mistaken assumptions that gave greater priority to socioeconomic development than was warranted.

Failure to take context as the starting point appears to have led to unrealistic and faulty assumptions and over-ambitious objectives which later had to be scaled back. This has been compounded by project designs and/or funding mechanisms being insufficiently flexible and responsive to rapid changes.[174]

The JDT in Juba has strengthened its basic services team and has taken on an active role in sectoral donor coordination fora (education & health, in particular). They are also now using USAID's functional capacity assessment of GoSS to address the key cross-sectoral human resource challenges. Yet, because of an intended emphasis on government 'ownership', they have yet to acknowledge that the premature handing over of services to government will have a negative impact on quality. There is

[172] Koekebakker, W (2008) Good Governance and Equity in Political Participation in Post-Conflict Sudan Project (GGEPP), UNDP Final Project Evaluation Report
[173] Haslie, A and A Borchgrevik (2007) International Engagement in Sudan after the CPA, Norwegian Institute of International Affairs
[174] Koekebakker, W (2008) ibid.; Buchanan-Smith, M et al. (2009) Mid-Term Evaluation of SIFSIA-S Programme, Final Report, FAO

a clearly stated desire by communities and civil society in Southern Sudan to see donors more closely involved in directing aid efforts because they perceive GoSS as still unable to deliver services and public goods on the scale required, as well as for fear of misappropriation of funds by GoSS officials.[175] Donors could also build up their policy dialogue to help reorient GoSS policies that may have a negative impact on communities.

The public finance management and procurement legislation and procedures of GoSS, though improving, are still encumbered by capacity constraints, and a comprehensive Aid Management Information System has yet to emerge. Ostensibly, initiatives such as the various pooled fund mechanisms would be an efficient, coordinated and flexible way of reducing transaction costs. In the event, the way this was implemented has resulted in a proliferation of relatively small and sometimes inefficient aid instruments that have not supported these objectives. The pooled and multilateral aid mechanisms have relied on the procedures and reflected the institutional characteristics of the less flexible agencies tasked with managing them, without sufficient adaptation, and without achieving the scale to make real progress on harmonisation.[176]

From 2005–2009 donors channelled 81% of their funds either through the UN (39%), NGOs (33%) and contractors/others (9%). If pooled funds account for only about 19% of donor spending, why have these assumed so much importance in the aid architecture? The answer is that they represent the collective endeavour of a majority of donors. If the US as the largest single, exclusively bilateral donor (34% of total) were removed, the pooled funds would dominate donor inputs to Southern Sudan.

GoSS and donors acknowledge that the principle of pooled funding is sound, and have begun to take account of the comparative advantages of each mechanism. Achieving real benefits from pooled funds, however, requires careful attention to issues of design and targeting. The budgeting time frames of international donors often ignore or obscure the necessary 'time lag' for implementation and results. The MDTF–South was intended to be the leading instrument for providing development assistance for the South and the World Bank was envisaged to assume a leading role in donor coordination in support of the new Government of Southern Sudan. The in-country staffing and support was greatly underestimated. By 2009, MDTF spending in the South was equal to just 2.5% of GoSS expenditure.[177]

In later sections of this report we look at some specific examples of short-term budgeting and its consequences. An important corollary to this has been the high turnover of staff in international agencies, the transaction costs in 're-briefing' them, and the frustration expressed by many Sudanese officials at having constantly to re-establish new relationships.[178]

Several interviewees pointed out that the political imperative of 'making unity attractive' has de facto led many donors to have a more restricted engagement with GoSS at senior level and, in the words of one interviewee, 'treat Southern Sudan as a backyard of the North rather than a status *nascendi*'.[179] The junior level of most donor representation in Juba and the limited number of staff (with the exception of USAID and the EC) is seen as a case in point.

The recent opening of donor bilateral offices in Juba may signal a progressive departure from the political constraints which have impacted on donor engagement in Southern Sudan so far. By 2009

[175] Schomerus, M and T Allen (2010) Southern Sudan At Odds With Itself: dynamics of conflict and predicaments of peace, London School of Economics/DESTIN, September 2010, and feedback from a number of focus group discussions with NGOs and with local government officials
[176] See, for example, Foster, M et al. (2010) op.cit.
[177] Ibid.
[178] This point was often expressed by GoSS interviewees throughout the evaluation
[179] Interviews in Juba, 24 February 2010

there was an increasing priority given to monitoring of results in terms of conflict: conflict sensitivity, peace impact, and more generally an emphasis given to tracking results. While donor assistance has been focused on 'state building', the politics of the CPA and the tensions between maintaining the unity of Sudan and allowing the secession of the South, have resulted in different interpretations of what kind of state should be built.

Chapter 6 Sector Performance

6.1. Applying a Conflict Lens to Sector Performance

The following chapter combines the evaluation fieldwork in Southern Sudan with assessments drawn from independent and agency-specific literature reviewed in Stage 1 of the evaluation. The chapter is ordered along the four key Utstein CPPB categories – socioeconomic development, good governance, reform of justice and security institutions, and culture of justice, truth and reconciliation. Within each of these overriding categories we look at the most important subcategories (sectors) assisted by international donors over the last five years.

The analysis and findings focus on the extent to which the activities themselves contribute towards CPPB. Referring to the key drivers of conflict identified in Chapter 4 – particularly those in Table 7 – we ask not only whether the activities were inherently fit for the purpose set for them, but whether that purpose included conflict prevention or mitigation, and the successes and failures of the activities in this respect.

The evaluation could not exhaustively cover all sectors funded directly or indirectly by international donors, but the key sectors accounting for the vast majority of financial inputs are represented in the following four sections. Thus, against each of CPPB categories we examine the subcategories as follows:

- **Socioeconomic development** – physical reconstruction, land issues, basic services and livelihoods (including poverty reduction and social inclusion), repatriation and reintegration of the displaced.

- **Good governance** – decentralisation and power sharing, political accountability, rule of law, civilian protection and human rights, civil society.

- **Reform of justice and security institutions** – security system reform, SPLA transformation, disarmament, demobilisation and reintegration (DDR) and civilian disarmament, peacekeeping (UNMIS), demining.

- **Culture of justice, truth and reconciliation** – community dialogue/dispute resolution, transitional justice and customary law.

There are many overlaps between subcategories in terms of specific conflict drivers. For instance, land issues are inevitably linked to returnees, community dispute resolution and gender issues, as well as customary law and the capacity of local government. We consequently process related factors in different sections.

Although gender equity and capacity building (specifically for local peacebuilding) are subcategories of the Utstein Palette, we have chosen to separate them as cross-cutting issues presented in sections 6.6 and 6.7 to emphasise their importance across all CPPB categories.

In Chapter 5 we commented on the lack of, or inconsistency within and between, conflict analysis as understood and practiced by various donors. We pointed out that conflict analysis tends to favour flexible localised responses, whereas aid programmes are often built around relatively inflexible three to five-year plans or logical frameworks. With the exception of some recent initiatives under the

Sudan Recovery Fund (SRF), the latitude to redirect or adapt larger programmes to conflict arising in problem areas does not generally exist.

We are sensitive to the danger of undue criticism based on hindsight; some of the events and developments of recent years could not have been anticipated in 2005. The CPPB lens is, however, purposely focussed on a series of challenges that are often overlooked by regular aid programmes. Our underlying question – and our answer in the affirmative – is whether the risk of conflict in Southern Sudan is great enough to warrant a rethink over sector allocations and priorities within these. The alarming increase in violence since 2008, the precarious nature of the outstanding components of the CPA, and levels of uncertainty over the post-referendum period together signal a degree of urgency in reconsidering where limited resources are best spent.

The following sections draw heavily on evidence obtained from secondary sources (evaluations and field studies undertaken by Sudan experts) and from the detailed source evidence of the field studies in Annexes 1 to 9. For each of the four main CPPB categories we reintroduce the conflict analysis summarised in Chapter 4.

6.2. Socioeconomic Development

Since one of the main thrusts of support immediately following the CPA was the reintegration of returnees, it was incumbent upon actors in the field to be aware that migration and return has the potential to destabilise communities and exacerbate tensions over key resources such as land and water; and that these tensions could be politically exploited by certain actors. A key finding derived from our conflict analysis, then, was the importance of linking development activities to local peacebuilding in three respects – the recognition of key drivers of violence, the appropriate geographical placement of assistance in areas most prone to violence, and the institutional support necessary to uphold peaceful relations within communities.

Repatriation and Integration

The conflict analysis singled out issues relating to return as one of the flashpoints to be aware of. The social impact of as many as two million people resettling in the South has been huge. The promise of new skills and fresh ways of thinking is counterbalanced by the enormity of the challenge presented by bringing these people into an impoverished and ill-prepared post-war social and economic environment.

Since the signing of the CPA in 2005, over two million refugees and IDPs have returned to Southern Sudan, but an estimated 10% of these people have suffered secondary displacement since returning.[180] The need for successful reintegration of IDPs and refugees was identified as an early priority by the JAM, which emphasised community based reintegration programmes. In practice, however, the focus on reintegration became obscured by the large-scale and logistically demanding organised return processes. With the exception of WFP, all UN agencies halted their support to spontaneous returns by the end of 2008. Yet those returning through these organised channels comprised less than 13% of returnees by then; the vast majority were 'spontaneous' returnees who arranged their own transport and resources.[181]

[180] Internal Displacement Monitoring Centre (2010) Sudan: a profile of the internal displacement situation, May 2010
[181] UNMIS/RRR (2009) Sudan IDP & Refugee Returns, Reintegration Operations Statistical Overview, Information Management Office, UNMIS/RRR:Khartoum

'The Long Road Home'[182] reviews the leadership and coordination role of UNMIS, and the successes and failures of one of the largest repatriation programmes in recent history. It was carried out in two phases in Southern Kordofan, NBEG, Juba town and Jonglei. The work of UNHCR on the reintegration of refugees was also evaluated in 2008.[183] International Organisation for Migration's support to the return of IDPs to the South does not appear to have been formally evaluated.

Both the UNHCR evaluation and 'The Long Road Home' concluded that the pressures of maintaining large return operations (for refugees in the case of UNHCR and IDPs in the case of International Organisation for Migration (IOM) and UNMIS's Section for Return, Reintegration and Recovery (UNMIS/RRR) overshadowed more nuanced and relevant reintegration work. For GoSS the political priority was to facilitate return to ensure that as many displaced as possible were 'home' in time for the census. This policy was based on an implicit assumption that relatives and local communities would be able to carry the burden of reintegration, an assumption that has proved ill-founded.[184] The prioritisation of return over reintegration programming also reflected donor priorities; numbers of people returned representing a CPA implementation 'result'. This theme, in which broad operational priorities have taken over more nuanced local analysis, will be repeated again through this section, and deserves specific attention.

In terms of how returnees and local residents perceived the priorities for reintegration, there has been remarkable consistency. The top priority was security, with services a close second to cope with a rapidly expanded population and very limited infrastructure. The third priority was economic and other support to livelihoods. However, 'The Long Road Home' comments on how a shared conceptual framework for reintegration has been lacking. Instead the approach to reintegration has been piecemeal with different agencies emphasising different interventions (e.g. service provision versus protection), and few developing "a longer-term and more holistic approach towards reinforcing the absorption capacity of communities".[185] Similarly, the evaluation of UNHCR's work found that it had not adequately incorporated protection into its reintegration operation: "despite strong initial inputs on key issues such as land and property, and the development of community based protection mechanisms, these have been gradually de-prioritised as the repatriation operation gained momentum".[186]

Immediate needs of returnees were intended to be addressed through a 'reintegration package' of three months of food aid supplied by WFP, seeds and tools provided by FAO, and household items from UNHCR, UNICEF and the UN Joint Logistics Centre.[187] There were several challenges related to this assistance: the 'package' components and quantities were based on assumptions rather than assessed needs; the verification and registration of spontaneous returnees took up to several months (undermining timeliness and predictability of assistance) and some were never registered; in the case of IDP returnees, the different components were delivered by different agencies at different times using different targeting methodologies; in Northern Bahr el Ghazal, the amount of food aid received by returnees was reduced due to diversion and corruption.[188] Operational constraints took precedence over field effectiveness.

[182] Pantuliano, S et al. (2007) op.cit.; Pantuliano, S et al. (2008) The Long Road Home: opportunities and obstacles to the reintegration of IDPs and refugees returning to Southern Sudan and the Three Areas, Report of Phase II, Conflict, Urbanisation and Land, Humanitarian Policy Group, Overseas Development Institute:London

[183] Duffield, M, et al.(2008) Evaluation of UNHCR's returnee reintegration programme in Southern Sudan, Policy Development and Evaluation Services, UNHCR:Geneva

[184] Ibid.

[185] Pantuliano, S et al. (2008) op.cit., p1

[186] Duffield, M et al. (2008) op.cit., p2

[187] UNMIS/RRR (2008) Sudan Return and Reintegration Operations, 2008 Semi-Annual Report, Information Management Office, UNMIS/RRR:Khartoum

[188] Bailey, S and S Harragin (2009) Food Assistance, Reintegration and Dependency in Southern Sudan. Overseas Development Institute:Chatham, UK

Overlooking the land issue emerges as a major problem. Much analysis of land programming issues was conducted pre-CPA; but given the large numbers of returnees expected, the various studies were not complemented by a clear agenda for action, nor were they translated into appropriate programming. This is mainly because of a lack of coordination amongst UN agencies (particularly UN-Habitat, UNDP and FAO). A number of studies on urban planning that preceded the CPA were similarly not acted upon.[189]

Geographical coverage has also been inconsistent. 'The Long Road Home' is critical of the inadequate UN presence in Jonglei (which has since become the scene of much insecurity). This study, conducted in 2008, observed that a UN presence was yet to be fully established beyond the UNMIS base outside Bor Town: "Overall, the combined structures appeared weak and poorly resourced with few experienced staff, and were not providing the incentive and added value needed to attract wider and deeper participation from other contributing agencies. The pressure on resources is telling as the demand for services continues to outstrip aid supplies."[190]

A recent UNHCR evaluation captures the heavy focus on reintegration activities in Western Equatoria in 2004–05, where security-related access was initially better and where significant numbers of spontaneous returns were recorded. But this waned with a shortfall in funding and under pressure to measure the success of the operation through the number of UNHCR-assisted returns.

The UNHCR evaluation concludes that UNHCR has achieved a, "major success in Southern Sudan in supporting the voluntary repatriation of more than 135,334 refugees between late 2005 and May 2008". [191] By May 2010 this had risen to 330,000.[192] However, a key problem impeding the success of the reintegration process was the limited geographic presence of NGOs and of most UN agencies with which UNHCR could partner.[193]

Displacement for IDPs and refugees has had an urbanising effect, a process that is not necessarily a failure of reintegration: "it is only a failure if future policy fails to take into account what is now the new reality on the ground".[194] The mismatch between the imperative of returnees to live in urban areas (due to poor services elsewhere) and government policy is demonstrated by the GoSS aversion to the natural process of urbanisation, instead promoting a policy of 'taking towns to the people'. The inevitable process of rapid urbanisation, especially in Juba, suggests that international donors should help transform it into an opportunity for economic growth and development rather than exclusively focussing on rural areas.[195]

Return and reintegration in Southern Sudan has brought to the surface some ambiguities over the humanitarian versus development dichotomy. This is another example of 'good practice' principles taking precedence over actual local reality. Some donors have made an implicit assumption that Southern Sudan is now in a 'development phase', so it is no longer the role of aid agencies to provide the kind of basic hand-outs that took place during the 'relief-phase'. Yet little has really changed on the ground where there is a profound need for resources, especially services. Concerns that relief assistance causes dependency persist despite all evidence to the contrary.[196] At the same time, the emphasis on organised return versus reintegration programming in part played to the strength of the actors on the ground – logistics and short-term humanitarian inputs.

[189] See, for example, UNEP (undated) Urban Environment and Environmental Health, part of UNEP's Sudan Post-Conflict Environmental Assessment undertaken in 2004
[190] Pantuliano, S et al. (2008) op.cit., p75
[191] Duffield, M et al. (2008) op.cit., p2
[192] UNHCR (2010) Update on Southern Sudan Operations, May 2010
[193] Ibid.
[194] Ibid.
[195] Pantuliano, S et al. (2008) op.cit., p3
[196] Bailey, S and S Harragin (2009) op.cit.

Direct service provision (usually by INGOs) is still important, but funding this through humanitarian budgets incurs the risk of unsustainability, especially while GoSS is still unable to take over these responsibilities. Most donor and NGO-supported recovery has focused on capital investment, equipment and, especially training while avoiding recurrent costs such as salaries, essential supplies and maintenance.

The overall lead responsibility for return and reintegration has been with UNMIS, part of an integrated civil and political UN mission. Questions have been raised (particularly by humanitarian agencies) over what drives its decision making – political considerations in working with GoSS, the NCP and the GoNU (hence the focus on organised return rather than community level reintegration which would have benefited many more people), or the needs of local residents and returnees.[197]

There are also questions around the value added of UNMIS/RRR in its coordination role for protection, return and reintegration: UNMIS's two main civil/political and humanitarian/development pillars translate into more than a dozen specialist sections. These roughly overlap with the mandates and competences of the specialist UN agencies in a non-operational/operational division of labour respectively. This duplication of roles and names is widely seen as significantly multiplying coordination problems and demands while clouding lines of responsibility and "adding little to the efficiency of the operation".[198]

Our own fieldwork highlighted some very specific issues with respect to reintegration. In Yambio (Western Equatoria), the UNHCR/BMZ regional co-financed programme on reintegration brought returnees back, but then left without doing much in terms of reintegration activities.[199] Meanwhile, IDPs fleeing from the LRA have mixed with the local host communities, but this put extra pressure on existing facilities, especially schools. IDPs cannot afford to pay school fees. Where assistance has come from the international community, the long lead time in planning can mean that actual implementation clashes with the rainy season, so they cannot get to *payams* which are cut off by poor roads. Some interviewees also mentioned the rush of activities such as workshops and conferences to absorb unspent money before the end of the year, the impact of which is doubtful.[200]

There have been some interesting successes, however. In Yambio, World Vision decided to focus on IDPs, returnees and demobilised soldiers through its cash for work programmes. In doing so, conflict with the host communities was avoided, for it alleviated the hosts' burden. The easing of tensions between IDPs, refugees and host communities in Makpandu (Western Equatoria), for example, has been helped by allowing access by host communities and IDPs to the primary health care units initially set up for the refugee settlement. At the time of the evaluation, World Vision was drilling boreholes outside the refugee settlements to also help the hosts and IDPs.[201]

Basic Services

Our fieldwork, undertaken in Northern Bahr el Ghazal (NBEG) and Lakes, looked at the actual and potential impact basic services have had on building and consolidating peace. The contrast between these two States allows us to draw some wider conclusions concerning Southern Sudan as a whole. Like all ten States, patterns of conflict are evolving differently in the two locations, yet there are some common themes, and trends in socioeconomic development and access to basic services highlight variables found elsewhere in the country.

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[197] Pantuliano, S et al. (2008) op.cit.
[198] Duffield, M et al. (2008) op.cit., p33
[199] In Southern Sudan the UNHCR/BMZ regional co-financed programme, which is active in various countries in East Africa, focused on the logistical repatriation of returnees from 2005-2008. After having passed a peak in the number of returnees, from 2008 onwards the programme changed its focus and started with reintegration measures in selected regional centres
[200] Annex 3, para 91
[201] Annex 3, para 92

NBEG has been a main destination for spontaneous returnees from South Darfur and other parts of Northern Sudan, receiving some 500,000 returnees between 2004 and 2009 – more than twice as many as received by any other state.[202] The high levels of return are commensurate to the high levels of displacement during the war. Returnees have joined the already highly vulnerable host communities putting further strain on levels of basic services in the State. Integration has therefore been a particular challenge, and this exacerbates the very conflict drivers that revolve around return: access to resources, marginalisation of certain groups, and subsequent instability in some communities. It should be pointed out again here that the main sources of violence in the South have been related to ethnic clashes.

NBEG has, however, remained relatively peaceful since 2005. There are a number of possible reasons. One is the ethnic homogeneity of the State. The vast majority of the inhabitants are Dinka Malual. Paradoxically, the intensity of external attacks communities suffered during the civil war may also have become a unifying factor. From the mid-80s until 2002 the northern border areas of Greater Bahr el Ghazal, of which NBEG is a part, were subject to attacks and raids, by Government of Sudan (GoS) sponsored Popular Defence Force militia or *murahaleen*. Communities were the victims of killings and abductions, cattle looting, widespread displacement, as well as sexual violence. Rizeiqat and Misseriya tribes supplied the manpower for these raids and resentment is still very strong amongst many of the Dinka clans. A third factor towards relative stability has been the Governor's proactive approach to managing the potential for conflict along the border.[203] NBEG is now widely regarded as the most secure state in Southern Sudan.[204]

By contrast, Lakes State in the post-CPA period has been characterised by violence driven by conflict over land and cattle as well as by the consequences of the civilian disarmament process undertaken by the government. Social cleavages between majority Dinka pastoralists have periodically erupted into violence with minority groups such as the Jur. In many ways Lakes State is more representative of the overall security situation in Southern Sudan, with conflict fault lines including intra-county and cross-border disputes, and competition over resources such as water, pastures, and land.[205] A key factor in this highly volatile context is the high concentration of small arms coupled with the presence of a large body of disaffected youth.

[202] GoSS Statistical Yearbook, 2009
[203] Feb-Mar 2010 interviews with UNMIS Civil Affairs and RRR Staff in Aweil, Rumbek and Juba and the Head of the NBEG Peace Commission
[204] Violence does, however, sometimes occur between the Dinka Malual and the tribes along its northern borders over grazing and water. The traditional legal system is unable to resolve or prevent emerging tensions, especially where civilians are armed - one of Southern Sudan's most pressing concerns. See, for example, Schomerus, M and T Allen (2010) op. cit.; McEvoy, C and E LeBrun (2010) op.cit.
[205] UNDP (2009c) Monthly Programme and Project Update Report, 1-30 November 2009

Photo 4: Norwegian People's Aid clearing a mine field on the Juba-Yei road, Southern Sudan

Photograph: © Manoocher Deghati/IRIN

The situation in Lakes State also reflects the growing trend to target women and children in attacks.[206] As elsewhere in Southern Sudan, conflict here is often triggered by disputes over access to resources with conflict peaking seasonally during the period of greatest need – the dry season. Retaliatory raids have increased, as have conflicts around the intense pressures of high bride wealth demands and the subsequent impact on cattle raiding.[207] Some raids are said to be supported by senior government officials who own large amounts of cattle in the State.[208] The 2008 GoSS disarmament campaign in Lakes State heightened insecurity by leaving a few disarmed groups exposed to opportunistic raids by other armed communities – a pattern we also found in Upper Nile and Jonglei States. As a result arms were quickly replaced. In the last eight years Lakes has been subjected to three attempts at civilian disarmament specifically targeting the Gelweng; each campaign has sparked violence and insecurity.

Paradoxically, levels of conflict in the two States do not correlate with development indicators. NBEG continues to show worse human development indicators and levels of access to basic services than Lakes. In NBEG, access to health, education and water has improved since 2005 but progress has been slower than hoped, partly as a result of MDTF-related delays but also because the large numbers of returnees to the State has added further strain on resources and the State's capacity for service delivery.[209]

[206] Garfield, R (2007) Violence and Victimization after Civilian Disarmament: the case of Jonglei, Working Paper No 11, Small Arms Survey, December 2007
[207] McEvoy, C and E LeBrun (2010) op.cit.
[208] This point was raised in several interviews with different interlocutors; it is a highly sensitive issue, but the evaluation collected sufficient evidence to suppose it to be true
[209] GoSS Statistical Yearbook 2009, pp30, 34, 62

GoSS and donors have failed to recognise and address the key drivers of conflict such as the lack of employment opportunities for the growing numbers of discontented youth, the issue of bride wealth accumulation, and the related lack of support to pastoralist communities in general – between whom most of the conflict occurs. This chronic lack of livelihoods and employment opportunities for youth was highlighted by many interviewees and in focus groups as having a much more direct potential for creating or exacerbating tensions than the lack of basic services. Another important factor is boundaries – not just between North and South Sudan, but also between States and counties. These have exacerbated conflict fault lines and have been left largely unaddressed by programmatic interventions.[210]

In Annex 2 we look in detail at trends in education, health, water and livelihoods support in Southern Sudan as a whole and the targets set for these in 2005. In **education**, we note that the surge in school enrolment since 2005 – a success largely attributed to UNICEF's successful 'Go to School' campaign and WFP's school feeding programme[211] – has not been matched by trained teachers, equipment or new schools, resulting in the frustration of older and younger students having to share facilities. There are also considerable regional variations.[212] By early 2010, only ten schools had been constructed with MDTF funding – less than 25% of the revised target.[213] The lack of involvement of the States and counties in the MDTF process has to some extent undermined implementation. States complain that as they are not responsible for the contracting process, they cannot hold contractors to account. Similarly, the lack of consultation with State and county authorities on site locations has meant that the potential for insecurity and land disputes in some areas was not analysed or identified.[214]

School construction under the Basic Services Fund and bilateral programmes (NGOs and contractors) has performed better, though there is no appreciable difference between NGOs and private contractors with regard to efficiency and effectiveness of school construction. One actor that outperforms all others in the provision of education services is the churches and their partners.[215] The relatively new element within the alternative education system within the Ministry of Education, which has the most direct association with CPPB, is the promotion of mobile schools for pastoralists in four States; its curriculum and methods include building relationships across different ethnic groups. However, this MDTF-funded programme has been plagued by delays which have undermined its effectiveness, and it has yet to yield results on its potential to prevent conflict between communities.[216]

The evaluation is unable to comment on whether provision of **health services** in a particular location helps reduce violence, but at State level there is no discernable correlation between health service expenditure/provision and impact on CPPB. The highest per capita expenditure for health occurs in Upper Nile, one of the four most conflict-affected States.[217] Two of the remaining four States have medium to high health coverage compared to the other States. However, if a correlation were to be made, it would have to be at sub-State level, because here we find that county coverage is quite random – a 'Swiss cheese' effect suggesting the need to improve alignment to local conditions.

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[210] In NBEG, the Governor is perceived by some to have directed more resources to his county, Aweil East, than to others. Although each county claims to be disadvantaged in some way, the evaluation can confirm that Aweil Centre county is certainly less advantaged than the other 4 in NBEG. The county contains Aweil Town, and was the last county to be reached by the road network (in late 2010). The minority Jur population is concentrated in Aweil Centre although they have intermarried extensively with the Dinka Malual. This marginalisation is a potential source of tension but conflict has not erupted as a result

[211] WFP has supplied school feeding for up to 400,000 children per year since 2006, a key initiative in promoting enrolment and attendance. There is also an important gender element here: girls are given incentive take-home rations that offset potential risks and disruption to their education caused by food shortages, especially in conflict areas

[212] NBEG has less than 10% of the number of secondary students enrolled in Central Equatoria. Also, in Central Equatoria, 28% of teachers have been trained compared to only 2% in NBEG

[213] Annex 2, para 35

[214] Annex 2, paras 38-39

[215] Annex 2, para 47

[216] Annex 2, paras 42-45

[217] Annex 2, Table 3

In terms of service provision, USAID is the largest bilateral donor to the health sector, with UNICEF being the other key actor, focusing on primary health care, mother and child health, and nutrition. As a cross-cutting issue, nutrition is still a chronic emergency in six out of the ten States. Again here there has been disappointment over MDTF performance. Contracting lead agencies for health in each of the States was subject to significant delays, with revised lead agent contracts only being finalised in May 2010. The result is that over four years communities have yet to receive any health services delivered through MDTF funding.[218]

There have been large differences between **water** coverage across the ten States of Southern Sudan.[219] Here, the MDTF–South performed much better: almost 90% of its funds for rural water and sanitation have been disbursed and 76% actually spent.[220] Complementary funds through EC and USAID have also performed well. The USAID funded Water for Recovery and Peace Project (WRAPP), implemented by Pact, which also received MDTF funding, was considered particularly successful by a series of evaluations,[221] serving an impressive 17% of the population with an overall budget of USD27 million until 2008. It was also the only basic services programme to have a specific CPPB objective. A number of donors and funds, particularly the Sudan Recovery Fund (SRF), are now trying to accelerate the construction of *hafirs* (water points for animals). Access to land and water for livestock is undoubtedly a major cause of disputes and inter-community conflicts in several States, especially in the dry season, and increased access to water can play a role in helping defuse tension temporarily. However, conflict dynamics vary considerably across States, and USAID funded projects appear to be the only ones systematically including conflict analysis at the forefront of programming.

In a country where half the population is under 18, young people are regarded as a key strategic asset, provided GoSS and its supporting donors can provide the necessary training and **livelihood support**. In the short-term the public sector is likely to continue to be the main employer in Southern Sudan, but the sector is staffed largely through patronage – rewards to loyal 'comrades', regardless of experience or aptitude – and performance is thus sub-optimal. There are signs that the problems with this approach have been recognised as evidenced by "…the recruitment [in 2009] of 6,000 high school graduates to replace the elderly and infirm personnel of the Police Service".[222] Long-term consultants engaged in the CBTF-funded payroll reform work also note that they are "...building a cadre of bright young civil servants as agents of change".[223]

The dearth of baseline data on agriculture and livestock activities in Southern Sudan has made it particularly difficult to map out strategies for livelihoods and growth.[224] The challenge was taken up by two MDTF projects in the five eastern States which are mirrored by an EU-funded project in the five western States. The emphasis has been on institutional development at central government and sub-State levels. There have been stark differences in performance of the MDTF and EU funded initiatives. Whilst the EU-funded project had built, furnished and equipped offices in all planned States and counties, undertaken several training courses, conducted market studies, and supported a whole range of other activities aimed at strengthening farming and livestock keeping, the MDTF-funded project had hardly started implementing by 2009.[225]

[218] Annex 2, para 59
[219] Annex 2, Table 4
[220] PricewaterhouseCoopers (2009) op. cit. The stronger performance of the MDTF-S in the water sector can partly be attributed to the secondment of an additional technical resource person to the World Bank office in Juba, paid for by the German Government
[221] Welle, K et al. (2008) Water for Recovery and Peace Programme PACT Sudan: External Evaluation, Final Report, Overseas Development Institute:London; Foster, M et al. (2010) op. cit.
[222] UN Security Council (2010) op. cit., para 53
[223] Goldsmith, C (2010) Lessons Learned Exercise on Data Gathering and Payroll Implementation, revised draft submitted to Aggrey Tisa, Chair, Capacity Building Trust Fund
[224] Joint Assessment Mission Sudan (JAM) (2005b) Basic Services Cluster Reports, Volume III
[225] Annex 2, para 77

None of these projects appears to have been informed by conflict analysis; by contrast, Vétérinaires Sans Frontières has incorporated a strong peacebuilding component in its relatively new project focused around livestock marketing.[226] The livelihoods base of many agro-pastoralist communities has been significantly undermined over the last three years as a result of conflict between pastoralists, and a focus on pastoralist livelihoods is clearly urgent. The overall number of cattle has reportedly increased since the war, but its ownership is concentrated in the hands of few. The high price of livestock was seen by community members and government officials as a key driver behind cattle rustling, as youth need to accumulate enough cow to pay for the bride wealth and cattle raiding is at present one of the very few means for impoverished youth to acquire expensive livestock. Many of these young men have been fighting during the war and have lost all their assets.

Some interesting livelihood projects have been funded under the SRF, the third round of which is more sharply focussed on stabilisation in conflict-prone areas. The problem, though, is that these are highly scattered, not sufficiently 'at scale', and not focused specifically at supporting young people's livelihoods opportunities. All evidence suggests that youth employment would have a more direct potential for reducing tensions than any other form of basic services.[227]

Land

The majority of the population of Southern Sudan lives in rural areas and depends on subsistence farming or herding for their livelihoods. Land is plentiful in relation to the estimated size of the population of 7–9 million; 90% of the area is judged to be suitable for agriculture, 50% of which is prime cultivatable land for a great variety of crops.[228] The future prospects for peace depend not on the availability of land and resources but rather on how it is used. For example, access to ground water is critical, raising the issue of who controls the places where water is most available.

The CPA defers issues of land ownership to the Southern Sudan Land Commission, the mandate of which is yet unclear. With returning IDPs and refugees, uncertainties over customary practice in the settlement of land disputes, and the lack of codified title to land have led to many local disputes, some of which have escalated into wider conflict. Complaints have emerged about displaced ethnic groups refusing to return to their areas of origin, remaining in some parts of Greater Equatoria and forcefully occupying the territories of other communities, with the support of senior GoSS members. Here, and in Lakes, accusations of 'land grabbing' have been levelled against the GoSS and SPLA. In Juba, animosity developed between the GoSS and the local Bari population, who accused senior GoSS officials of encouraging the unlawful occupation of land belonging to local communities. In Western Equatoria in particular, the existing plans for larger scale farming are coming into conflict with prevailing rural practices and norms of community control.

In 2007, DFID, Danida and CIDA commissioned The Long Road Home study, the second phase of which looked at displacement and land interventions in Juba and Jonglei. Organised return had completely overshadowed support to spontaneous return, especially in terms of reintegration. In Juba problems include forcible occupation by military or the powerful; multiple issuing of leases for one plot; unauthorised building on plots; illegal sale of land; and long-term occupancy without registration. Town planning master plans were developed by USAID and JICA but with little engagement with the local community, which caused problems in terms of implementation of the plans for infrastructure development.[229]

[226] Annex 2, para 80
[227] Annex 2, para 88
[228] Brown, M and A Sidahmed (2009) Expanding Agriculture and Food Security Activities in Southern Sudan, Assessment Report for USAID/Sudan Economic Growth Team, June 2009, Management Systems International:Washington DC
[229] Pantuliano, S et al. (2008) op.cit.

Disputes over land are often linked to ethnic diversity. In Bahr el Ghazal, an ethnically homogenous State dominated by Dinka Malual, tensions have been relatively few. By contrast, disputes between Dinka pastoralists and the Jur in Lakes reflect more common patterns of inter-ethnic violence in Southern Sudan where land and resources are fiercely defended. Similarly, in Eastern Equatoria there has been heightened tension between the indigenous Madi population and the remaining displaced Bor Dinka who have chosen not to return to Jonglei. The disputes are complex, sometimes over land and property vacated during the war, occupied by others, and then reclaimed by returnees.[230]

Donors have worked on the premise that because land is so crucial a resource in Southern Sudan and has caused a variety of conflicts, efforts to define and promulgate laws, rules, and regulations regarding how land should be used will bring these conflicts under control. Thus, the EU has given legal assistance to the Ministry of Legal Affairs in the drafting of land law; and USAID provided technical assistance through ARD Inc. (a private contractor) to the Southern Sudan Land Commission for developing a land policy. Technical assistance also has been provided to the Southern Sudan Land Commission by the FAO and Norwegian People's Aid regarding customary land law, land access and tenure, and natural resource management. The Land Coordination Forum – a consortium comprising FAO, UNHCR, and the Norwegian Refugee Council – organised workshops on issues of land use and returnees in order to sensitise local communities on land and property rights, which increased the Land Commission's profile. FAO's programme ended in 2009 and the Norwegian Refugee Council and Norwegian People's Aid are now working with fewer resources.[231]

Land policy is being formulated in a context in which traditional customary laws and courts already operate, thus leaving unresolved the question of who has the rights to the land. What is missing are actual negotiations between these two systems – on a project by project basis – to persuade the current local holders of land of the advantages of any contemplated new uses, such as government ownership for building schools and infrastructure. There is also a serious question as to whether some local communities are ready to accept compensation in the form of new roads and schools, when in the short-term their way of life and economies require good grazing lands and watering conditions for their livestock, which is what they would be asked to give up.[232] In other countries, formalisation of land rights, such as through land registration and titling programmes, has not necessarily been found to produce the desired results, and has sometimes caused conflicts and marginalisation.[233] The ambiguity of the present situation in Southern Sudan makes the system vulnerable to domination by powerful forces thus leading to exploitation, marginalisation and poverty.[234]

Few international programmes so far have supported direct engagement in local land disputes, making it difficult to handle the problems that have been growing as transient groups increasingly move into various communities, especially the towns. Moreover, not enough attention has been paid to the needs of populations that continue to experience dislocation, and thus to the conflict issues that they raise. Not only are returnees coming back home, but new waves of IDPs and refugees are arriving in various communities. Although these groups are transient for differing reasons, they all increase the pressure on local resources such as land, water and social services.

In Western Equatoria the gaps show up especially with regard to the needs of IDPs as a result of Lords Resistance Army (LRA) attacks. In some cases, people who were refugees or IDPs as a result of the war, have come back to their home areas, but have been displaced once again by LRA attacks

[230] For a detailed exposition of issues surrounding land disputes and returnees, see Pantuliano, S et al. (2008) ibid.
[231] Annex 3, para 28
[232] Gullick, C (2009) Natural Resource Management, Equity and Conflict, report commissioned by Government of Canada, August 2009, p23
[233] Shanmugaratnam, N (2008) Post-War Development and the Land Question in South Sudan, paper presented at International Symposium on Resources Under Stress, Afrasian Centre for Peace and Development:Kyoto, Japan
[234] Ibid., p12

or the fear of them. In 2009, for example, an LRA attack within ten miles of Tambura affected many people who had just cultivated crops and wanted to harvest them. Now there are an estimated 3000 IDPs in the area, but they often do not receive any assistance. Congolese and Central African Republic people who are fleeing into Sudan because of the LRA attacks in those countries have received more support from the international community than the Sudanese communities displaced by the LRA within Western Equatoria. Food distributions in and around the refugee settlements have become focus of tensions between refugees and IDPs affected by the LRA, for refugees are often taken better care of under mandate of UNHCR.[235]

The evaluation concludes that donors have not done enough to work with, and support, local governments and their communities to address the growing cross-pressures building up around land issues as a factor of conflict. Technical advice on land policy and the resolution of land disputes has been particularly uncoordinated and often conflicting.[236] The hope is that the consolidation of policy and law will reduce land conflicts, yet little is known about what is actually going on at the local level. There is concern that both traditional authority and customary practices are being disregarded as major channels for mediating rural land rights disputes,[237] and that the effectiveness of large-scale farming in boosting productivity is being overrated.[238]

Infrastructure

When GoSS reviewed the JAM in 2007/2008, infrastructure – notably the rehabilitation of roads, to promote socioeconomic and private sector development – was the second of the main six priorities listed.[239] In a land area of 648,000 square kilometres, Southern Sudan has only a few kilometres of paved roads in Juba and in Malakal, and only 5,500 km of main roads and 7,500 km of feeder roads, most of which are in disrepair.[240] Our own literature review highlighted not only the importance of road construction in opening up the country to trade and facilitating the speedy return of displaced people, but also how it can present a tangible demonstration of development alongside peacebuilding activities.

The Pact Early Warning Project in Upper Nile[241], for example, included the provision of physical infrastructure (buildings and equipment), access to water, and livelihoods training for youth in addition to building the capacity of local government and legal institutions and supporting the creation of a forum for community dialogue and reconciliation.[242] Engaging unemployed youth who were potential 'peace' spoilers in road building work provided employment and livelihoods skills and the creation of useful infrastructure. This has helped underpin the less tangible reconciliation work.

[235] Annex 3, para 57
[236] Pantuliano, S et al. (2008) op.cit.
[237] Brown, M and A Sidahmed (2009) op.cit.
[238] Annex 3, para 40
[239] GoSS (2008) op.cit.
[240] World Food Programme Sudan (2009) Road Repair and Mine Clearance in Sudan, October 2009
[241] Pact (2009) Early Warning Posts – Stabilizing Rural Areas of Upper Nile Region, USAID/OTI-Pact Final Report; Brethfeld, J. (2009) Promoting Stability at the Sudan-Ethiopia Border Through Enhancing Conflict Sensitive Cross-Border Trade: a Pilot Project to Support the Sudanese - Ethiopian Transition to Peace and Stability, Final Report; Welle, K et al. (2008) op.cit.
[242] The Early Warning Post Project, which claimed to have used this approach effectively in its final report, had other design faults such as failing to clearly assess who would staff the early warning posts, how communities would select them and how this early warning could be linked with effective response. Nevertheless, other actors are apparently interested in replicating this approach

Photo 5: SPLA soldiers redeploy south from the Abyei area

Photograph: © Timothy Mckulka/UNMIS

Recalling that the 2005 JAM was a consultative process between donors and GoSS, the latter's emphasis on large-scale construction (particularly roads) was made at a time when oil prices were high and the nascent government was keen to make a highly visible 'stamp' of its presence and authority. Connecting the South's landlocked economy to the regional outlets for trade, including to the North, was ambitiously perceived as opening the country to a possible market of 300 million people as well as access to the nearest international port in Mombasa, Kenya. The road system thus promises to eventually make possible new thresholds of agrarian development.[243]

There was always going to be some tension between GoSS desiring expensive externally-contracted trunk roads and some donors' preference for repairing tertiary roads using local labour and, for example, food/cash for work to address more immediate food security issues.[244] In Eastern Equatoria, for example, GTZ, Catholic Relief Services wanted to provide 'food for work' to rehabilitate the roads when sustainable improvement required heavy machinery. Food for work programmes tend to be done mainly by women, adding to their already heavy work load. In Magwi, it was proposed to GTZ to combine all the food and sell it, and then rent a grader from the money to make the road. However, because of requirements and regulations of the Food Aid Convention, the money was approved only for food aid and therefore could not be spent on the grader.[245]

[243] Deng, L A (2004) The Challenges of Post-Conflict Economic recovery and reconstruction in the Sudan, paper presented at the Woodrow Wilson Center, September 2004, p6

[244] We also note that decisions over road construction were partly informed by the demining programme and how quickly routes could be safely opened

[245] Annex 3, para 80

WFP has reconstructed 2,600 kilometres of roads in the Equatorias, at a cost of USD260 million, of which USD85 million is provided by GoSS.[246] Combining road construction with demining, this, along with the Juba-Nimule trunk road supported with USAID funding, has arguably been the best single example of donor accomplishments in general terms in the Equatorias.[247] The Sudan Infrastructure Services Project supported by USAID, and the Rapid Impact Emergency Project of MDTF-S have been implemented in conjunction with UNDP and NGOs such as Catholic Relief Services and World Vision. The projects covered construction and/or renovation of State and county administration offices, reopening old roads, opening new roads, construction of markets, and renovation of airstrips/airports. USAID is working with UN Office for Project Services on airstrips and bridges, and USAID is providing emergency road repair.

Photo 6: Posters in Juba in support of full independence for the South in the referendum

Photograph: © Peter Martell/IRIN

There is evidence that new road building programmes have increased economic activity and encouraged social integration.[248] In the process, the road building programmes have created jobs for several hundred people, including veteran SPLA as security guards for contractors, as well as in demining.[249] Also, the trunk roads have enabled the motorised units of Uganda Peoples Defence Force and SPLA to drive the LRA out in the areas of Nimule, Yei, and further west.

[246] This has been under a Special Operations project that ran from 2004 to 2011
[247] Annex 3, para 33
[248] For instance, along the USAID funded Nimule–Juba road construction/rehabilitation it is noted that local trader shops and local restaurants have sprung up. Local merchants in Ayii said they can easily sell charcoal now, and women have set up small businesses along the road. Annex 3, para 116
[249] For example, the international contractor, Louis Berger has trained local contractors, making it possible to have two local contractors for every State. Annex 3, para 116

However, activities on the main trunk roads have not been matched by the maintenance of secondary roads; aside from increasing the scale of the operation, there is also a question of sustainability, with most of these roads requiring annual repair. Feeder roads are excluded from support by the big donors' pooled funds.[250] In Eastern Equatoria, for instance, some of the worst roads are between Magwi County and *bomas*. As a result, many areas are poorly linked to service centres, such as Nimule where there is, for example, a referral hospital.

The ability of the farming areas to produce and market food crops still remains virtually untapped. Local people cannot send goods anywhere because they do not produce enough of them, and they cannot afford to pay the transport costs. Farmers cannot market their surplus produce due to lack of reliable roads. For example, the local people in Parjok (Western Equatoria) got a bumper harvest of sesame in 2008 but could not sell it. Consequently, they did not grow much sesame in the following year. The Ayii/Kit people have come back, but can produce very little beyond subsistence agriculture as they lack tools and seeds to produce more. In other words, even were LRA threats to end, significant barriers remain for putting local product value chains into operation.[251]

A key conclusion is that despite visible benefits derived from roads, without a vibrant private sector, the benefits of access will continue to be outstripped by the lack of marketing opportunities and outlets. Donors have not given attention to developing, for example, farming and trading; nor, indeed, have analysts made links between this and the potential for increasing stability in conflict-prone areas.[252] In particular it is striking to see that no in-depth analysis has been done on the connections between rebuilding roads and the possible increase in tensions that might arise from new arrivals – not least future investors in the mining and oil sectors for example.

Conclusions

The continuing presence of pockets of insecurity, the low capacity of the new government at all levels, and the slow and, in some cases, ineffective implementation of pooled funding mechanisms, have hampered efforts to rapidly scale up basic service delivery in Southern Sudan.[253] Some progress has been made in establishing government structures and systems in Southern Sudan, but access to basic services remains very limited with considerable regional variations. Addressing these differences has been difficult given that until recently 'equity' was interpreted by the GoSS as the distribution of benefits equally across the States. However, some recent documents suggest a growing recognition amongst both the central and State governments that block financial transfers should take into account State characteristics such as relative size, poverty rates and revenue generating capacity.[254]

Increased levels of violence and sustained advocacy by Office for the Coordination of Humanitarian Affairs and NGOs[255] in 2009 led to better awareness of conflict dynamics and some reorientation in funding, for example with the SRF.[256] But, the static nature of other funding mechanisms, notably the Multi-Donor Trust Fund (MDTF), and most bilateral long-term development funding has not allowed for a flexible context specific reorientation of donor funds. With the exception of Juba, aid is highly dissipated and although some States may receive proportionally greater amounts, it is still very scattered and sector-specific.

[250] This situation may change in the near future as GoSS in 2010 approached the World Bank and USAID for assistance towards feeder roads, especially in areas of high agricultural potential
[251] Annex 3, paras 121-122
[252] Annex 3, paras 37-38. A recently launched initiative by USAID has begun to address the issue. This is the 5-year, USD55 million Food, Agribusiness and Rural Markets Programme (FARM) focused on agriculture and marketing focused in the Equatorias
[253] Mailer, M (2010) Rescuing the Peace in Southern Sudan, Joint NGO Briefing
[254] PowerPoint Presentation to Donors, by D Athorbei, Ministry of Finance & Economic Planning, GoSS, 2009
[255] Mailer, M (2010) op.cit.
[256] Annex 2, paras 85 and 95

We have argued that the totality or scale of international aid had little direct relationship to conflict factors. We also challenge the assumed causal link between the provision of basic services ('peace dividends') and CPPB. Unequal access to resources and services may contribute to general discontent, but this is unlikely to be a reason in itself for violence conflict. Those reasons are more likely to be found in ethnic divisions, land and cattle disputes, and disaffected youth – variables that are in many cases outside the influence of socioeconomic forms of assistance.

We accept, though, that international aid can potentially underpin and help consolidate peace in some circumstances. Building the capability and legitimacy of state authorities through the provision of basic services may have longer-term positive impacts on stabilisation, though this is hard to measure in any empirical sense. In the absence of causal links, we hold to the central premise: that there are some sectors – security, policing, rule of law – where international intervention is of greater priority than basic services, simply because (as was often stated by GoSS and community respondents) the effectiveness and sustainability of services are compromised by insecurity and in several States the limited resources of GoSS are diverted to 'fire fighting' persistent security infringements.[257]

6.3. Good Governance

In our conflict analysis we highlighted the weaknesses of government structures, most particularly at State and county levels. We recognised the risk that a decentralised political structure in Southern Sudan could encourage political and/or tribal power bases. And we further recognised the weakness of civil society, the poor representation from across the full spectrum of society, and the potential for discrimination that this entails. The analysis suggests that donors should concentrate on three key areas of support in relation to governance:

- decentralisation backed by a high level of political intelligence and understanding of political economy in which one is working
- transparency and accountability at all levels of governance
- the development of an independent civil society that would provide checks and balances to offset the negative aspects of political patronage systems within government.

Governance

In the list of priorities established in 2008 and presented to the Donor Conference in Oslo, GoSS does not include governance.[258] Donors have placed much greater emphasis on systems of governance than GoSS itself has done. Indeed, in the first three post-CPA years there may have been a perception on the part of GoSS that governance was an internal matter. This was to change as GoSS increasingly looked to UNDP and others to assist in building the capacity of local government.

Only a few internationally supported governance projects have been formally evaluated: two were either managed or implemented by UNDP – the Local Government Recovery Programme (LGRP), the Good Governance and Equity in Political Participation in Post-Conflict Sudan project. The EC funded the Post-conflict Recovery and Rehabilitation Programme. The Sudan Institutional Capacity Programme: Food Security Information for Action (SIFSIA), implemented by FAO and reviewed in

[257] Annex 1, paras 80-82
[258] GoSS (2008) op.cit.

2009, has a governance element designed to inform and influence government decision making and policies on food security.

Other projects worth noting, specifically targeted at building capacity at State level in ways that should contribute to governance are: the Sudan Productive Capacity Recovery Programme, covering the five western States and due to be evaluated in February 2010, and the World Bank-designed Support to Agriculture and Forestry Development Project, covering the five eastern States and funded by the MDTF-S, but seriously delayed in implementation. Under the Local Government Board, GTZ built a facility in Juba for training officials in various aspects of public service. The Swiss Government is assisting the Local Government Board through providing a platform supporting conferences intended to explore ways to integrate effective Councils of Traditional Authorities at the State level in five of the States. Traditional Authorities Councils have been formed in Jonglei and Western Equatoria. These councils, along with customary law councils and local courts, are recognised by the Constitution and called for by the Local Government Act.

In the vacuum of governance post-CPA, each of the four formally evaluated projects – LGRP; Recovery and Rehabilitation Programme; Good Governance and Equity in Political Participation in Post-Conflict Sudan Project, and SIFSIA – were judged to be highly relevant. However, beyond the relevance of each project's broad aims and objectives, problems emerge. For example, the LGRP appears to have placed too much emphasis on legislative issues, developing the framework, which has been slow and time-consuming. This has been at the expense of helping governance to recover more generically through 'quick wins' at the local level, for example by promoting participatory planning processes and developing county plans. Both the Recovery and Rehabilitation Programme and the Good Governance and Equity in Political Participation in Post-Conflict Sudan Project (GGEPP) were designed before GoSS was established, which negatively affected ownership in the South: some stakeholders felt that issues emphasised in the project document were not in line with their priorities, although the evaluations do not elaborate on this dissonance.[259]

All four evaluations comment on the over-ambitious nature of the respective project's objectives in view of the low institutional and governance starting point in 2005: "Some of the many anticipated [LGRP] activities could not take off without the requisite institutions and attendant capacities".[260]

In terms of geographical coverage, the feedback is mixed. The GGEPP "has received an overwhelming response at State level".[261] By contrast, the SIFSIA programme follows the more common pattern amongst aid projects of focusing too much at the GoSS level and inadequately at State level, both in the original project design and during implementation. Coverage of the LGRP has tended to follow the existing geographical focus and comparative advantage of its implementing partners (Catholic Relief Services, Pact and UNDP) with the result that it concentrates on the greater regions of Equatoria, Bahr el Ghazal and Upper Nile respectively, The EC funded Recovery and Rehabilitation Programme, a national programme administered by UNDP, covers only one or two counties in five States each in the North and the South. By focusing on small administrative and geographical areas, the EC hoped to be able to build sustainable local government capacity and deliver visible 'peace dividends' (improved livelihoods and basic services) within a relatively short three-year timeframe.

However, delays in project implementation emerge as a strong theme in the evaluations of all these projects, related to inefficiencies in UN procurement and contracting procedures. Most of the first year of the Recovery and Rehabilitation Programme was taken up with NGOs re-doing proposals and budgets to ensure compliance with EC and UNDP regulations and organising staff recruitment and

[259] Moyo J et al. (2007) Assessment of the Local Governance Recovery Project, UNDP Southern Sudan, February 2007, Final Report
[260] Moyo J et al. (2007) ibid.
[261] Koekebakker, W (2008) op.cit.

logistics. Unrealistic assumptions were made by all actors regarding how rapidly local authorities and structures would be in place and how receptive they would be to shifting from a relief to a recovery mode. As a result, the Recovery and Rehabilitation Programme has had difficulties in managing the trade-off between capacity building and service delivery objectives.[262]

Decentralisation and Power Sharing

The issue of decentralisation is important in relation to CPPB because the concentration of oil resources at the centre, and an excessively centralised military-political system, risks increasing dissatisfaction over a detached elite. Yet there are dangers in decentralisation, especially at the lower levels. DESTIN notes that "what are meant to be accountable, decentralised government structures have in reality begun to resemble ethnic fiefdoms".[263] There is thus a need for highly specific case-by-case approaches to international support that take into account marginalisation as a conflict driver.

What is new to Southern Sudan is the very concept of formally-defined governmental jurisdictions whose boundaries and territories are explicitly demarcated.[264] Amid all the cross-currents since 2005, these as-yet nascent State and local governments are being increasingly asked to be both providers of basic services for their populations and political representatives for peacefully reconciling the competing interests within their respective jurisdictions. Unprecedented prerogatives are being conferred on the new governing authorities, such as local governments' right to tax the citizens within their boundaries. However, these authorities are often ill-prepared and have insufficient resources to handle the problems in ways that are effective or seen as legitimate.

The Local Government Act confirmed that responsibility for all budgets (except the army and wildlife service) was being transferred to the States. The problem for the States is that the budget covers little more than the core salary payments and running costs, leaving little for development and new initiatives. GoSS has included in its budgets a provision for 'Block Transfers to States' (development grants) but we found no evidence that these were yet taking place.

The Local Government Board (LGB), established under the Presidency, is an advisory body that reviews local government policy and helps to implement the Local Government Act (2009) through dissemination and several phases of training over five or more years. But there is no ministry for local government in Juba and the LGB lacks a spokesman to present its views before the cabinet and Assembly. Basic implementation of the Local Government Act is left to the ministries of local government at State level. The need for a cabinet level ministry has been advocated both by the LGB and the State ministries but to no avail.[265]

The LGB has an impressive new training facility in Juba. Trained officials are expected to go to their home counties to plan and manage public services. The efforts of the LGB to place its 'graduates' in county government offices reportedly have sometimes met resistance by county commissioners who lack the same professional training and were initially appointed by the SPLM.

These could be categorised as 'teething problems', but there are ramifications in terms of CPPB. The ability of county governments to resolve disputes is limited and there have been incidents where local disputes are exploited for political capital. Local institutions also find it difficult to handle resource conflicts involving war displaced pastoralists and farmers and powerful firearms. For example, our field investigations looked at the Kit River boundary dispute that was initially addressed by the county

[262] Fenton, W (2008) op.cit.
[263] DESTIN (2010) op.cit.
[264] Gullick, C (2009) op.cit.
[265] Annex 3, para 101

governments.[266] The dispute, however, escalated and soon involved two governors. A lasting solution has yet to be found, and the issue has been sitting with the SSLA for some time. It has been highly politicised, with the Speaker of Parliament deeply engaged in the negotiations. Our field interviews indicated that the local people themselves get along with each other, but that politicians have stirred up the conflict as they jockey for power over local resources.[267]

Although donor programmes have extended across the full range of States, and may have been moderated by assessment of relative needs, decisions have mostly been taken without clearly identifying and supporting the specific aspirations and priorities of the States (let alone local government). By 2008, GoSS began to be more critical of governance support staffed by Western advisers, insisting that such advisers should be based in government offices, rather than in the aid agency office. In UNDP's Annual Review with GoSS in 2008, GoSS strongly criticised UNDP for being separated from government priorities and practices. UNDP was forced to undertake radical reforms, including a decision to move all project staff into counterpart offices, and to refocus on capacity building. In the 2009 Annual Review these issues were reported as largely resolved.[268]

However, as aid programmes moved from 'advisors' to actual placements within local government, there have been missed opportunities in providing strong support to public finance management, and State budgets are often completely ring-fenced around recurring costs.

International NGOs (INGOs) have also been under pressure to adapt better to decentralisation. The Minister of Finance in Upper Nile complained that despite requests to feed information into the State working groups, no INGOs had yet submitted such information. Our discussion with INGO representatives suggested that GoSS in Juba was still the major interlocutor and starting point for negotiations with government.

UNDP has now launched two major initiatives to support the States in handling decentralised budgets. Firstly the rapid capacity placement initiative seeks to deploy up to 150 UN volunteers with a focus on the States.[269] The UN Resident Coordinator's Office is pursuing a more radical approach, encouraging neighbouring countries to provide such 'embedded' counterparts. The Resident Coordinator has concluded that the use of experienced civil servants from neighbouring countries is likely to be highly effective because they have a better understanding of the context, especially the political context.

Regarding the long-term stability of the South, donors should now be thinking ahead to promote an inclusive political settlement. A decentralised form of government and civil society implies more than simply using them as the necessary instruments of service delivery and donor programmes. Unless donors recognise and understand the balances of political power that flow from their actions they may inadvertently cause harm in relation to conflict. Too much focus on Juba, and specific elements within Juba, may cause a real sense of marginalisation in other areas.

Rule of Law

GoSS authority, competence and legitimacy rest on improving the rule of law. Some good progress has been made through strengthening the Southern Sudan Legislative Assembly and its extension to the ten States. But sub-national judicial apparatus and capacity is still very inadequate. Controversies surrounding civilian disarmament and the unclear relationship between traditional and State structures

[266] This is a border dispute between Ayii Boma in Magwi County and a boma in Central Equatoria state. For details, go to Annex 3, and the fourth annex at the end of that report

[267] See further information in Ashkenazi, M et al. (2008), Services, Return and Security in Four Counties in Southern Sudan, Survey commissioned by AAH-I and IPCS, Final Report , Bonn International Centre for Conversion: Bonn, p8

[268] See UNDP (2010a) op.cit.

[269] UNDP (2010b) op.cit.

lie at the heart of the problem. Meanwhile, the development of police services has been extremely slow, largely because the police service has been staffed by cadres considered unsuitable for the SPLA.[270] The problem is that the police and wildlife services, like other jobs in the civil service, are perceived as a kind of pension.[271]

Rule of Law is inextricably linked to security sector reform which we cover more extensively later. Our literature review shows that almost without exception there has been a failure to develop and implement an integrated approach to the security and justice sectors. International assistance has been fragmented, with little formal coordination between support to disarmament, demobilisation and reintegration (DDR), security sector reform (SSR), small arms and light weapons control and rule of law programming. There were no systematic linkages between the planned DDR and SSR initiatives such as the SPLA transformation process and rule of law sector reforms, within the police and prisons, which have absorbed a large number of demobilised SPLA personnel.[272]

In 2007, an independent joint donor assessment of SSR[273] advised that the division between the security sector and rule of law was counterproductive. However, no serious attempt was made to agree on a common policy framework for engagement in Southern Sudan and genuinely link interventions such as the SPLA transformation, the DDR programme and interventions in other rule of law areas, particularly the police. Instead, activities were pursued bilaterally while security sector reform was dropped from the priorities of the Joint Donor Team.[274]

Again, a focus on national ownership has largely translated into support to central institutions in Juba, while very little appears to have happened in the ten States.[275] The evaluation of the UNDP Strategic Partnership Framework, whilst positively reviewing the programme overall, criticises its rule of law component for being "currently too focused on the 'formal institutions' at the centre and give insufficient attention to informal structures and State level institutions",[276] especially to traditional authorities and customary law. Indeed, the problem may not be the 'inability' of the powers of traditional authority to mitigate conflict, but rather its curtailment through years of political/military institutions during the war. This is particularly significant considering that for 80% to 100% of the population access to justice is through customary law.

A number of donors are focused on the rule of law as a long-term aspect of state building.[277] Their activities include training of judges, construction of court-houses, etc, but it is difficult to target these comprehensive programmes towards the places and areas affected by violence – and when they were planned this was not such a high priority. There are exceptions: special programmes such as Joint Justice Programme in Jonglei State run by UNDP is intended to support institutional capacities in areas affected by conflict and linkage between justice and security mechanisms.[278]

Despite some evidence of the benefits of training to the judiciary of Southern Sudan, our interviews suggested that no comprehensive strategic framework exists for training and capacity development of the judiciary. This echoes a wider concern about capacity building being piecemeal and often un-strategic. Capacity development of the police has been particularly deficient, with a general lack of

[270] Annex 1, para 24 and Annex 5, para 11
[271] We also note that donors' insistence on the inclusion of women in the police resulted in most SPLA and police commanders simply adding their wives to the list. This was stressed by both the Deputy Governor in Lakes and UNMIS Civil Affairs in Juba
[272] Lukuji, A et al. (2009) Police Reform in Southern Sudan, Policy Paper, North South Institute/Centre for Peace and Development Studies
[273] Osland, K et al. (2007) Joint Donor Security Sector Needs Assessment, an Independent Assessment of the Future Involvement of the Joint Donor Team in Security Sector Reform in Southern Sudan, Norwegian Institute of International Affairs
[274] Bennett et al. (2009b) op.cit.
[275] This changing now with the UNDP support to states and USAID's BRIDGE programme
[276] Boyd, G et al. (2007) UNDP Strategic partnership fund 2005-2007: End of Strategic Partnership Review (Draft), report commissioned by the governments of the UK, Netherlands and Denmark
[277] Including DFID, UNDP, Germany, Canada
[278] Annex 1, para 27

proper training and infrastructure (prisons, accommodation facilities for all officers, etc.) and basic equipment, from radios and handcuffs to police registers and incident report forms, in short supply.

There have been some successful projects (for example, GTZ's support to police radio communications) but some 90% of Southern Sudan Police Service (SSPS) members are completely illiterate in both Arabic and English, making it difficult for them to enforce the law, conduct investigations, or manage cases. Also, many of these police officers are heavily militarised and lack training and expertise in civilian law enforcement. The British Council has been implementing a project which successfully supported the establishment of a Central Training and Development Unit in Southern Sudan. Some mid-level police personnel have received basic police training. However, "the Central Training and Development Unit is not yet integrated into the overall framework of the SSPS, and the vast majority of rank-and-file police officers have yet to receive any training to affect the SSPS's overall organisational development agenda".[279]

In our own fieldwork we looked at justice and rule of law issues particularly in Upper Nile and Jonglei, as well as in relation to SPLA reform. We are able to confirm many of the above shortcomings regarding the linking of rule of law with security and conflict. In supporting the formal justice sector, donors have placed too much emphasis on standard Western 'good practice' models promoted by foreign experts unfamiliar with Southern Sudan.[280] In doing so, they may have underestimated the importance of a gradualist approach based on local assessment. Sudanese authorities at State and county levels suggested that at this stage of development a formal system is both expensive and possibly inappropriate. On the other hand, if customary methods are more appropriate in dispute resolution – and are to be coupled with the GoSS-endorsed 'community based policing strategy' – there needs to be a more rigorous effort to obtain supportive evidence for this contention.[281]

The UNDP's Rule of Law programme seems to have achieved a degree of success, with reported evidence of appropriate support to a number of bodies and institutions, mainly at the central level. A recent evaluation concluded that the programme has been particularly successful in relation to access to justice, through the establishment of legal information centres and the promotion of human rights and legal awareness raising activities and trainings on the CPA.[282] The Justice and Confidence Centres established in Juba, Yei, Rumbek and Aweil in partnership with NGOs have seen a progressive increase in the number of justice seekers, with a number of successful mediations. However establishing Justice and Confidence Centres is not sufficient in itself; the programme needs to build on and involve customary administrators of justice.[283]

The GoSS civilian disarmament and the UN DDR processes can only succeed if backed by State control through a strong police presence and vigorous action by local government through the offices of county commissioners. GoSS has passed a Police Act (2009) which establishes a clear basis for policing but the development of police services has been very slow. There is a very high level of illiteracy among the police and many are too old to be re-trained in a modern force. GoSS sought 15,000 new young recruits to monitor the elections but it is not yet clear whether they will be kept on to reinvigorate the current police force.

The effectiveness of the police can be considerably enhanced by the provision of communications equipment such as radios and vehicles. GTZ is working on a programme throughout Southern Sudan

[279] Lukuji, A et al. (2009) op.cit.
[280] Annex 1, paras 32 and 63
[281] Boyd, G et al. (2007) op.cit.
[282] Langan, R (2009) Programme Outcome Evaluation for the Country Cooperation Framework 2002-2006/Bridging programme 2007/08 for Sudan Rule of Law, Final Report, UNDP
[283] Ibid.

to provide radios and this is to some extent targeted towards areas of conflict. A different approach has been taken by the government's Community Security and Small Arms Control Bureau which, with Saferworld and UNDP support,[284] has initiated a process of consultation with key stakeholders in disturbed areas followed by input of top priority items. For example, community representatives in Twic East have requested vehicles and radios for the police and County Commissioner as key requirements.[285] This input could help to reduce the current raiding that is threatening to cause a collapse of the disarmament campaign.

Civilian Protection and Human Rights

While GoSS holds the primary responsibility for protection in Southern Sudan, weak and overstretched government institutions have hampered its capability to protect civilians, particularly in remote rural areas. Civil security services are embryonic and the involvement of civil institutions in security policy and decision making structures is limited. GoSS and State authorities have undertaken civilian disarmament campaigns, but while there is acceptance in principle, they have often been coercive and triggered violence.[286]

The few international interventions that have been attempted have suffered from inadequate adaptation to complex contextual realities. In a recent analysis of security promotion in Southern Sudan,[287] the authors observe that multilateral and bilateral donors have tried to identify the most effective route to stability, security, violence reduction and state building through conventional security promotion and peacebuilding interventions featuring DDR and other forms of SSR based on globally accepted normative and operational standards and principles. Most of these activities are promoted through a national, state-centric framework despite the fact that there is limited evidence that DDR and SSR yield effective outcomes during (or after) the transition from war to peace. These security programmes are rarely tailored to local political and economic realities on the ground.

UNDP, donors, NGOs, and a number of other partners are supporting GoSS to develop its capacity to undertake community security programming in a more holistic manner. One programme reportedly now on track to achieve many of its objectives is UNDP's Community Security and Arms Control – the bureau for which is currently under the Ministry of Internal Affairs – in Jonglei State, established in 2008.[288] The programme initially suffered from a lack of sufficient international support. However, despite considerable delays the 2009 review of the Bureau for Crisis Prevention and Recovery review[289], and the DFID Country Programme Evaluation, noted that the project has demonstrated progress by bringing together county commissioners with State level officials, strengthening the relationship between State and national institutions and helping consolidate a network of structures at the community, State and national levels.[290] The project was meant to be replicated in Eastern Equatoria and Upper Nile, but funding has not yet been confirmed.

We have noted elsewhere in this report the work of Pact in carrying out conflict assessments. In additional to its work in the South, Pact has received funds through the Peacebuilding Fund for the Three Areas (a DFID initiative) that led to a programme to design models of Community Early Warning Systems, local dissemination of information on the CPA, development of community capacity to resolve conflict peacefully, and targeted support to civil society organisations. It operates

[284] Through the Community Security and Arms Control Project
[285] Under the Community Security and Small Arms Control Bureau Stabilisation Programme. This will provide communications and vehicles to all counties in Jonglei and also covers Eastern Equatoria and Upper Nile
[286] Smith, H (2008) Disarmament, Demobilisation and Reintegration in Sudan, Saferworld and CICS:Bradford
[287] Muggah R et al. (2009) Alternatives to Conventional Security Promotion: Rethinking the Case of Southern Sudan, Southern Sudan and DDR, Workshop Paper 1, Adopting an Integrated Approach to Stabilization Workshop, 25–26 June 2009, Juba, Southern Sudan, Human Security Baseline Assessment, Small Arms Survey, Geneva
[288] Southern Sudan Bureau for Community Security and Small Arms Control (2009) Strategic Plan Document 2009
[289] Eavis, P et al. (2009) Community Security and Arms Control Project, a joint review by DFID and UNDP-BCPR, October 2009
[290] Eavis, P et al. (2009) ibid.

alongside the support of the Southern Sudan Peace Commission to lead South-South conflict resolution dialogue.[291]

Internationally-acknowledged human rights and freedoms, including a commitment to a bill of rights and basic freedoms of expression, religion and association, were included in the *Protocol on Power Sharing* signed in May 2004 between the GoS and the SPLM/SPLA, and later became an integral part of the CPA.[292] The emphasis to date has been on top-down security sector and SPLA reforms, including the development of key policy and legal documents. Important though this has been, a crucial future emphasis should be on ensuring synergies between top-down and bottom-up SSR interventions. Such bottom-up assistance would include advice, training, outreach, capacity building and the sustainable integration of the former other armed groups.[293]

In section 6.4 below, and in Annex 5, we cover the performance of UNMIS in detail. Here we simply note that the Office of the High Commissioner for Human Rights (OHCHR) and UNMIS have deployed insufficient numbers of human rights officers across Southern Sudan, especially in disputed border areas and areas prone to frequent communal conflict. Many human rights violations have gone unreported. At the same time, donors have not provided enough technical support to indigenous institutions – including the Southern Sudan Human Rights Commission, and the Anti-Corruption and Land Commissions – to assist them to become effective and operational in all ten States.

Civil Society

State building in Southern Sudan, however urgent, might also reinforce and reward a particular faction in power. A technical approach to state building could miss underlying signals that question the legitimacy of the State. Our field interviews revealed increasing dissatisfaction with the 'elite' in Juba, accused of usurping resources. If State legitimacy rests on its ability to respond to security alerts, it is not simply a matter of reactive military strength. A more inclusive manner of conflict resolution and prevention would include civil society, customary law and 'bridge building' between different ethnic communities and the nascent State, as well as a gradual building of trust in conventional policing, etc.

The indigenous NGO and CBO[294] sector is certainly very weak, but its development is not inhibited by GoSS. Rather, there has to be an extended period of shadow partnership from international NGOs combined with community level capacity development before civil society is adequately represented in the broader polity. DFID has directly supported the costs of the Secretariat of the NGO Forum in Southern Sudan,[295] a loose membership of international and national NGOs. Within this is a 'branch' specifically for national NGOs claiming a membership of some 50 NGOs. The definition of NGO is very imprecise, but GoSS has encouraged the development of the sector through registering

[291] Foster, M et al. (2010) op. cit.
[292] JAM (2005a) op. cit., p12
[293] During the civil war, armed groups proliferated across Southern Sudan. Many of them were used as proxies by the National Congress Party, to fight against the SPLA. This strategy was predominantly used after the 1991 split in the SPLA, which led to multiple intra-Southern conflicts that fed into the overall 'North/South' war. Khartoum successfully exploited ethnic and political divisions, buying loyalty with material goods, arms and ammunition, leading to the formation of dozens of Southern militia groups as part of a successful strategy of 'divide and rule'. In 1997, seven armed groups signed the Khartoum Peace Agreement with the National Islamic Front, thereby forming the largely symbolic South Sudan Defence Force umbrella of government-backed armed militias. Other groups continued to operate outside of the umbrella. The Juba Declaration of January 2006 led to more than 30,000 former militia members joining the SPLA. An additional 34,000 joined the Southern police, wildlife, and prison services. Some remained in the Sudanese Armed Forces (SAF) camp, as part of a bidding war for loyalty between the SAF and the SPLA
[294] CBO: Community Based Organisation
[295] This is a two-year project, beginning April 2008, with funds administered through the Catholic Relief Services. The NGO Forum consists of a Coordinator, Assistant Coordinator and a Security Officer (suggested by DFID)

organisations under the Ministry of Legal Affairs and drafting the NGO bill, yet to be ratified by Parliament.[296]

The cumbersome financing mechanisms adopted in Southern Sudan, such as the Multi-Donor Trust Fund, tend to favour larger organisations, especially the UN and INGOs, which can go to scale and invest in long application processes. This has tended to exclude local NGOs from direct association with donors and often reduced them to simple contracting roles, implementing programmes that they did not help to design. The short-term nature of many interventions further reduces the opportunity for capacity building. NGOs find themselves being drawn from one project to another without being able to build up core skills or clarify their actual intentions. They engage in short bursts of activity rather than a sustained presence in particular localities. The withdrawal of NGOs was often found to be ill-planned and not properly communicated to local people. As a result their relationship with communities is often transitory and weak and therefore they are not in a position to represent those communities in relation to government.

Donors have been reluctant to provide capital inputs such as vehicles and office equipment for Sudanese NGOs. Instead they may support 'capacity building' through short trainings. This limited commitment has left international non-government organisations (INGOs) arguing that the lack of capacity among Sudanese NGOs is a justification for their continued presence. Sudanese NGOs argue that 'capacity is money'. Capacity comes through having the means to invest in staff, transport and to run an office. INGOs recognise the need for 'inclusive state building' but tend to relegate Sudanese NGOs to minor roles.

Going some way towards tackling this problem, the Sudan Recovery Fund was created in 2008. The focus of the first round allocation of the SRF included rural livelihoods, income generation, vulnerable groups, rural infrastructure and related activities, which were implemented by 12 NGOs – and subsequently subcontracted to a number of CBOs. The second round (USD2.6 million) was allocated to the INGO Bangladesh Rural Advancement Committee which will disburse small grants to 70 CBOs/NGOs across the ten States. Women's groups comprised 57 of the grantees. The third round has had a profound shift in focus towards stabilisation support, although implementation is yet to start.

We have noted above the important role the Sudanese churches play in providing basic services. For example, the Diocese of Rumbek has been particularly active using Sudan Recovery Fund, Basic Services Fund (BSF), Global Fund and church resources to provide quality education in areas affected by conflict.[297] With BSF and other funding, World Relief is supporting the Episcopal Church to train teachers across the ten States. Churches are also working in urban areas but their activities and impact are not always recognised or included in mapping exercises, largely because '…they are busy doing rather than talking'.[298]

Basic Services Fund staff and other interviewees highlighted the churches' key role in linking civil society with government. Civil society, they noted, is the other half of state building, or the State-citizen contract, and thus it is important to build a pluralistic society which can demand services and hold government to account. For these reasons, the BSF education programme in particular has a focus on supporting school parent teacher associations, social advocacy teams, and other associated groups.[299] The church was also instrumental in prompting the Capacity Building Trust Fund (CBTF) and its donors to fund a Southern Sudan-wide education sector headcount in early 2008 to filter out 'ghost workers'. This was followed by the development of a computerised payroll system the roll-out

[296] The NGO Association Bill responds to the freedom of association guaranteed by the Interim Constitution for Southern Sudan. It was drafted by the Southern Sudan Relief and Rehabilitation Commission in 2005
[297] Interviews with BSF Staff, payroll consultant, and MoEST, Feb/March 2010
[298] Interview with BSF, 25 Feb 2010
[299] Ibid.

of which was completed by the end of 2009.[300] It is worth noting, though, that not one BSF project to date has received recurrent or capital cost commitment from GoSS. Thus, when a project closes, no further service is provided.[301]

The USAID-supported Sudan Peace Fund, created in 2002, brought new developments in people-to-people peacebuilding. It added a broad range of complementary peacebuilding activities to the work championed by the New Sudan Council of Churches. It could not, however, disassociate itself from deeply embedded ethnic rivalry, but it has provided a starting point in providing a platform for grassroots peacebuilding.[302]

Conclusions

There appears to have been a sequential mismatch between, on the one hand GoSS's fairly rapid unfolding of its commitment to decentralise expenditure and decision making, and on the other hand, the level of support given to this from the international community. In general, there has been too much focus on the central institutions of GoSS and not enough on building up democracy in States (and perhaps counties). There were also missed opportunities to provide stronger support to the management of public finances. A combination of insufficient attention and institutional competition led to a failure to put in place an independent procurement agent for two years after the CPA and there were also key failures to put in place strong systems of payroll management for public sector staff.

This may reflect highly centralised donor structures (and mindsets). Early on, GoSS had committed itself to transfer responsibility for budgets to the States. Yet the UNDP State assessment in November 2005 showed that "the capacity and development conditions at the State level are much less than was perceived while preparing the JAM".[303] UNDP itself was slow to address this issue; only since 2009 has it begun to develop significant capacity to work with State governments.

In our field investigations we found that there should have been greater coordination and synergy between the various governance projects. There has been some duplication between the Local Government Recovery Programme and Post-Conflict Recovery and Rehabilitation Programme (both UNDP-administered) and no clear standardised approaches to local governance. The SIFSIA project, for example, included a food security information system that was unlikely to become operational without linking it to other capacity building projects that brought able staff into State offices.

There has been some lack of consistency in supporting key sectors that define an effective State. We have pointed to the problem of supporting the formal judiciary system without due attention to how this links with customary law. Likewise, the building of an effective police force should be linked more closely to the UN DDR process, with infrastructure to support their work.

On issues of civilian protection we have noted some success achieved by the community security and arms control in promoting community security. Meanwhile, translating 'on paper' human rights commitments to effective monitoring on the ground will require greater assistance to local institutions to fill gaps left by the insufficient deployment of UNMIS and OHCHR officers.

Southern Sudan has little history of a vibrant NGO sector and will continue to rely on INGO support for some years. The current aid architecture also is not conducive to small grants, but subcontracted

[300] A similar exercise was carried out for the health sector in mid-2009, although by the end of February 2010 implementation was not yet complete. Goldsmith, C (2010) op. cit.
[301] Foster, M et al. (2010) op. cit.
[302] Murphy, P (2006) The Delicate Practice of Supporting Grassroots Peacebuilding in Southern Sudan, Conciliation Resources
[303] UNDP (2006) Preparatory Assistance Document 000 32490, Preparatory Support for Reintegration of Former Combatants and Community Based Weapons Reduction, Full Narrative Report, 9 May 2006

grants through the SRF have made some inroads. Meanwhile, the pre-eminent civil society institutions are the long-established churches, some supported through international NGOs. They have been particularly instrumental in providing basic services and in building the capacity of CBOs. They often operate outside the mainstream aid environment (though some, notably the Episcopal Church of Sudan have received grants through the Capacity Building Trust Fund and SRF for educational projects) and for this reason are relatively under-represented in international fora despite an incontestable long history in the country.

6.4. Reform of Justice and Security Institutions

Our conflict analysis suggests a stronger focus on the justice sector, particularly in supporting the police to consolidate gains made through civilian disarmament and DDR. It also suggests that the reintegration of demobilised soldiers is critical, and is closely linked to the provision of alternative livelihoods to detract from widespread criminal activity based on ownership of small arms. If security and local justice institutions remain so poorly equipped, the arbitrary use of armed groups, including ill-controlled elements within the SPLA, will continue.

The evaluation examined in detail progress made over the five-year period in security sector reform. In particular, we looked at the ongoing DDR process, the role of UNMIS and transformation of the SPLA from a guerrilla army to an auxiliary of the State. To obtain an impression of how this has unfolded beyond Juba, we visited sites in Upper Nile, Jonglei, Equatoria States, Lakes and Northern Bahr el Ghazal where security issues are acute. The issue was also raised among many stakeholders in Juba.

Security issues are specific to each State and can roughly be divided into three tiers: those pertaining to North/South border issues, CPA provisions and the integrity of the 'State' of Southern Sudan; those involving 'other armed groups' that can be subject to political manipulation and patronage; and those that are either 'tribal' or of local concern, involving undisciplined youth groups often involved in cattle rustling or armed crime. With increased small arms in the community, civilians have become targets and displacement is common.

A priority for GoSS has been to secure a monopoly over the use of force while curtailing remaining threats from non-aligned armed groups. In addition to the UN-led disarmament, demobilisation and reintegration (DDR) campaign (itself initiated only in the last two years), the huge proliferation of small arms in the South has forced GoSS to become involved in *ad hoc* coercive and 'voluntary' disarmament campaigns, some of which have caused more problems than solutions.

Civil security services are embryonic and the involvement of civil institutions in security policy and decision making structures is limited. The deepening GoSS budget crisis has led to a more urgent review of the architecture of security systems. The principal mechanisms for holding on to power are defence and security structures, but traditional patronage networks, financed by oil revenues, have repeatedly escaped full accountability.

SPLA Transformation

The transformation of the SPLA from a guerrilla army to a professional adjunct of the State is an urgent priority in several respects: first, because a vote for Southern secession will lead to the requirement of an independent standing army; second, that the legitimacy of that army will depend on ridding it of all independent or predatory elements; and third, that the financial burden of the current SPLA force is unsustainable. Related to these are other issues of equal importance: how to find alternative employment for those demobilised; how to ensure that no gap is left in civilian protection; and how to provide adequate oversight of the responsibilities and mandate of the SPLA.

In 2005 there were no fewer than 18 armed groups in the South that had to be integrated into a single force and given the financial, managerial and logistical challenges this entailed, it is important to recognise achievements to date. Technically, the SPLA does not have the legal authority to fulfil law enforcement functions unless directed by civilian government officials.[304] However, GoSS has yet to develop the political authority to ensure civilian oversight of law enforcement operations conducted by military.

Even when civilian authorities call upon SPLA for law enforcement there is little oversight or adherence to human rights.[305] The SPLA is itself untrained in civilian law enforcement and often undisciplined. One example among many was a policing operation carried out by SPLA soldiers in Eastern Equatoria in June 2008 that spiralled out of control, leading to the deaths of at least 12 civilians, arbitrary arrests, torture and the displacement of 4,000 people.[306] The SPLA is still effectively a guerrilla army of unconfirmed size (their own estimate is 153,000) and has absorbed almost 40% of the GoSS national budget, reduced in 2010 to 25%.[307] Its current size has been bloated by the requirement within the CPA for both the SPLA and the SAF to integrate aligned militias within their number.[308] For as long as the SPLA is a 'guarantor' of the CPA in the 'cold war' with the North, downsizing is not a serious prospect. Nationally, 21,037 (about 25% of whom are from the South) former combatants and members of special needs groups have so far been demobilised and have received reinsertion packages, comprising approximately 33% of the caseload for phase one of the UN's DDR programme.[309] On paper, the Southern Sudan DDR Commission is committed to demobilising 80–90,000 SPLA soldiers over the next three to four years, but the programme is unlikely to make serious inroads until after the 2011 referendum. Moreover, the SPLA White Paper commits GoSS to the establishment of a reserve force which is employed in a productive capacity within the economy but is still affiliated to the SPLA.

Bearing in mind that alternative economic opportunities are still very few, no government will run the risk of further increasing unemployment through rapid demobilisation; the SPLA will remain a social support structure for many families for the time being. Even those who have been reassigned to police, prisons or wildlife services have frequently found themselves without a regular salary since SPLA resources have not been transferred across government departments.

In reality, the downsizing of the SPLA has occurred simply through the process of more effective registration and budget allocation. The SPLA now has an agreed transformation strategy and technical support to help implement this. Challenges have included the regulation of decision making and resource allocations based around the March 2008 Defence White Paper; and how to avoid predatory behaviour of an under-trained, under-educated force.

The evaluation fieldwork included reviewing ongoing programmes undertaken by the three key donors – the UK, US and Switzerland. The US is the major external supporter of the SPLA, with a budget approximately three times that of the UK and Switzerland. Their focus is on the provision of infrastructure such as Divisional Headquarter buildings and barracks, and non-lethal equipment, such as vehicles. The Dyncorp team contracted through State Department has worked with DFID in supporting defence transformation, with DFID taking a lead on the defence sector aspects of security

[304] The Interim Constitution of Southern Sudan point 154 (c) states that armed forces do not have a mandate for internal law and order "except as may be requested by the civil authority with necessity so requires."
[305] Human Rights Watch has documented several incidences where international law has been violated by the SPLA, including extra-judicial executions, destruction of property and torture. See Human Rights Watch (2009) There is No Protection: insecurity and Human Rights in Southern Sudan, February 2009, Human Rights Watch: New York
[306] Annex 5, para 11
[307] For detailed figures, refer to Annex 5, pp10-11
[308] The figure of 153,000 also includes the integration of elements of the South Sudan Defence Force and other militia; in some instances these militia may not formally recognise themselves as SPLA
[309] UN Security Council (2010) op. cit.

sector reform, including early assistance in the drafting of the Defence White Paper and SPLA Act. There is still much work to be done on the dissemination and implementation of codes of conduct and military justice system to improve discipline and respect for human rights (including the Geneva Conventions) amongst SPLA. This has been an area of particular interest for the Swiss Government with its relatively smaller programme.

There were some early problems over coordination between UK and US programmes, and also over sequencing. The US standard African 'training' model (some 8–10,000 persons trained to date), in which this role is outsourced to technical contractors, was begun before the rudimentary structural issues – budgetary procedures, lines of authority and linkages with GoSS, etc. – were adequately addressed. Infrastructure was being built before a conducive policy environment emerged. Training is inherently short-term, yet proper mentoring takes at least 2–3 years, and many of those trained were reintroduced into a chronically inefficient army.[310] For its part, DFID accepts that its procurement processes caused long delays before its contractor was in place. [311]

With the legal status of the SPLA (established by the Interim Constitution of Southern Sudan and Defence White Paper) having passed into law by the Legislative Assembly in January 2009, the principle of the SPLA being part of the formal apparatus of the State is now well established. The relationship between the SPLA and GoSS is complex, not least because historically the ruling SPLA/SPLM were one and the same, and many GoSS officials were drawn from senior SPLA ranks. Nevertheless, after some initial delays and an inevitable period of building trust with donors, the last two years has seen significant advances in the SPLA transformation programme that is now broadly 'on track'. The emphasis has necessarily been on central and institutional functions, including relationships between GoSS, its ministries and SPLA. Weaknesses are thus starker at State levels where the SPLA often acts as a substitute for the lack of civilian security apparatus. Here, greater understanding is required over where the authority of SPLA begins and ends.

The financial management and decision making processes to ensure accountability and transparency within the defence budget are still very weak. There is a broader need to link the transformation of the SPLA to wider public sector reform – including enhancing the capacity of the Ministry of Finance and the Audit Commission to play an effective role in scrutiny of budget proposals and in accounting for their use. The Ministry of Finance has established a Security Sector Budget Working Group (BSWG) comprising the SPLA, the Ministry of SPLA Affairs, South Sudan Disarmament, Demobilisation and Reintegration Commission and the Southern Sudan Demining Authority but like all BSWGs this meets only once a year. The downsizing of the SPLA would not necessarily mean greater budgetary resources available for other sectors; the SPLA themselves often interpret a reduction in staffing costs to mean more money spent on military hardware.[312]

Disarmament, Demobilisation and Reintegration (DDR)

The security protocol within the CPA outlined a collaborative approach to security issues by providing for two armed forces (SAF and SPLA) and Joint Integrated Units (JIUs) that would become the nucleus of a future national army.[313] However, the ceasefire and security arrangements of the CPA contained a number of issues that fell outside the post-war UN framework; these were to be the responsibility of the respective CPA signatories. They included the reorganisation of the defence apparatus, proportionate downsizing of the respective forces of North and South, and the formation and training of the JIUs.

[310] Interviews with contractors of US and UK programmes, Juba, February 2010
[311] Annex 5, para 67
[312] Interviews conducted with senior GoSS officials, February 2010
[313] The April 2010 UN Security Council report states that "joint integration of SPLA and SAF stands at approximately 83% of the mandated strength of 39,639 troops" UN Security Council (2010) op. cit.

In recognising that the full deployment and functioning of the JIUs was central to the CPA, the UN Security Council issued a resolution on 31 October 2007 instructing the United Nations Mission in Sudan (UNMIS) to assume a much greater role in funding and training the units.[314] A JIU support group was established in November 2007 to coordinate international support; it is chaired by the UNMIS Force Commander and comprises the JIU Commander, representatives from UNMIS and donor countries including the UK, US, Egypt, Norway, and the Netherlands.

The JIUs have not developed as planned, partly because of likely Southern secession, but also because of a stark contrast between the rhetoric of post-war unity and peace and the realities of heightened tensions on the ground. GoSS security planning has been largely based on the perception that the North is actively working to undermine the CPA and that a future war is likely.[315] The SPLA continues to see SAF as the biggest threat to its security, as it did during the civil war.[316] Their concerns have been reinforced by the SAF strategy of deploying former SAF-aligned Southern militias to the JIUs. Tensions came to a head, for instance, when SAF and SPLA components of the JIUs fought each other in Malakal in February 2009.

The politics of redeployment are the most contentious of all the post-CPA issues. By January 2008, SAF had claimed to have withdrawn 92% of its forces from the South, which was verified by UNMIS. This increased to 100% by December 2009. By contrast, SPLA have withdrawn from the North only 35% of its stated strength of 59,168.[317] Tensions between North and South have inevitably been provoked by the continued presence of these forces on each other's territory, especially in the contested areas of Abyei and Blue Nile. For example, the Southern Kordofan-Unity state border has seen continuing clashes between the Misseriya, a pastoral Arab group whose migration patterns straddle the North/South border, and the SPLA.[318]

The 2009 GoSS *Southern Sudan Security Strategy* identifies the failure to demarcate the North/South border as the most pressing challenge to the CPA. In 2007–08 there were significant troop build-ups along the strategic border areas, with a continuing importation of arms, including the controversial (hijacked) shipment of tanks and heavy weaponry bought from Ukraine by the SPLA in late 2008.[319]

There is no shortage of similar violations of the CPA by both sides.[320] Such an intensified competition between North and South is not necessarily a predilection for war, but rather a manifestation of the logic of a policy of deterrence. It underlines the fact that in the South the reform of the SPLA is more a question of enhancing professional competence and ridding itself of expensive 'dead wood' than of reducing military strength. The reduction, however, comes with high political risk in a country where the large numbers of extended family depend on the regular income provided (particularly since the hike in salaries in 2006) to the SPLA.

Since 2005, and with support from UNMIS, UNDP, NGOs, donors, and private contractors, GoSS and the SPLA have embarked on a combination of DDR and security sector transformation. The Interim DDR Programme and subsequent Multi-Year DDR Programme were developed to 'right size' the SPLA and reduce military expenditures. The current DDR initiative[321] emphasises an individual

[314] UN Security Council (2007) UNSC Resolution 1784. S/RES/1784 (2007), 31 October
[315] See, for example, Small Arms Survey (2009a) Conflicting priorities: GoSS security challenges and recent responses, Human Security Baseline Assessment, Sudan Issue Brief No 14, Small Arms Survey, May 2009
[316] Young, J (2007) Emerging North–South Tensions and Prospects for a Return to War, Human Security Baseline Assessment Working Paper No 7, July 2007, Small Arms Survey:Geneva
[317] UN Security Council (2010) op. cit.
[318] Fick, M and A Hsiao (2010) Southern Sudan Clashes in 2010 So Far Rival Those of 2009, 26 March 2010, The Enough Project
[319] See, for example, Henshaw, A (2008) Pirates Reveal Sudan's Precarious Peace, BBC news report 7th October 2008
[320] Young, J (2007) op. cit.
[321] The current programme was initiated in the Three Areas in February 2009 and in Southern Sudan in June 2009

(as opposed to collective) approach to disarmament and demobilisation, utilising a host of reinsertion and reintegration incentives.[322]

The actual DDR of Sudanese armed forces in the North, the South, and the Three Areas finally did not begin until 2009, four years after the CPA called for the parties to do so.[323] There has meanwhile been a protracted series of negotiations, the establishment of national DDR institutions, and planning for cooperation with international agencies. While the programme as a whole targets 90,000 ex-combatants in the South, the Southern Sudan Disarmament, Demobilisation and Reintegration Commission is focusing initially on 34,000 Phase 1 candidates in the interim period ahead of the 2011 referendum, largely comprising 'special needs groups'.[324] The multi-year DDR scheme is being led jointly by the DDR commissions (North and South), with financial and technical support from the UN. By June 2010 4,980 ex-combatants (including 2,690 women) had been demobilised from the special needs group in Southern Sudan, mainly from Central Equatoria and Lakes.[325] The programme is thus very much at an early stage.

The implementation of the first phase of the new programme immediately faced serious challenges. A recent evaluation[326] has uncovered clear operational gaps with respect to DDR pre-registration which have allowed fraudulent insertions in the lists of eligible candidates for the programme in exchange for payment to local commanders. This is likely to be as much a reflection of UN operational failure as it is an indicator of continued lack of genuine commitment by the parties to the DDR process. The evaluation observes that the mechanism for candidate list generation in both the North and South is not uniformly agreed and that there seems to be little control from the centre: "As a result, the system is corrupted at every level, and this has facilitated a process whereby entry into the programme can/must be purchased".[327] This report also highlighted the lack of agreed mechanisms to monitor the collection and management of ex-combatants weapons handover during DDR, making it impossible to verify whether new weapons handover is occurring on a regular basis or whether the old ones are simply being recycled – being passed from one participant to the next – in order to meet required criteria.

Communities are ill-informed about the DDR programme objectives and eligibility criteria, and many believe that DDR is a wider war-recovery initiative in which all are entitled to participate.[328] This is also a consequence of the fact that there has been very little effort to link transitional support to ex-combatants with other transitional programming, such as programmes to support the return and reintegration of IDPs, or to provide food aid and promote food security.[329] Even within UNMIS, collaboration and cooperation between the UN DDR Unit and the Recovery, Return and Reintegration Section is almost non-existent.[330] In our own field investigations we found that reintegration of ex-combatants into farming communities is more challenging without the active participation of the communities concerned, as land is usually owned by tribes, and therefore the willingness of communities to provide land to returning ex-combatants is crucial to their reintegration.[331] There have however been some examples of good cooperation, even though they were unplanned. For example,

[322] The current package is: 875 SDG at demobilisation plus food for a family of 5 for 3 months. GoSS originally requested for USD3 billion for a community based scheme but the programme ended up being an individually based scheme worth USD1500 per person. GoSS was supposed to commit USD250 per person but budget constraints have so far prevented this

[323] 'The parties agree to implement with the assistance of the international community DDR programmes for the benefit of all those who will be affected by the reduction, demobilisation and downsizing of the forces as agreed' Comprehensive Peace Agreement (2005), ch. VI. para. 3e)

[324] These include disabled veterans, women and children associated with armed forces and elderly people

[325] Information provided by UN DDR Unit, 24 June 2010 by email. Of the 4,980, 3,151 had been referred to their implementing partner for reintegration assistance and 368 had completed this process

[326] Burhe, M et al. (2009) The 'Eligibility Criteria' Assessment Mission to Sudan, Transition International

[327] Ibid.

[328] Ibid.

[329] Smith, H (2008) op. cit.

[330] Pantuliano, S et al. (2008) op. cit.

[331] Annex 3, para 47

in March 2007, the Southern Sudan Disarmament, Demobilisation and Reintegration Commission and the WFP organised an emergency distribution of food to nearly 5,000 SAF in Juba who did not want to move north, were 'voluntarily' discharged and were considered a serious risk to security.[332]

There are socioeconomic factors that constrain DDR. Combatants rarely want to demobilise.[333] Since 2006 their salaries have ranged from USD300–500 per month. For many, this is the first time they ever received a regular salary and the DDR 'package' bears no comparison. In the South no-one gets a pension. Over all, GoSS salaries have increased by 50% since 2006; to put this into context, the 2008 SPLA salaries budget was six times greater than that envisaged for construction and civil works.[334]

There have been setbacks, both internal and external. First, there were the reported corruption issues mentioned above; and second, the tensions that have existed between different UN agencies over the five-year period, particularly between UNDP and Department of Peacekeeping Operations. Despite some progress towards greater cohesion since 2008, UNDP and UNMIS have maintained separate systems for recruitment, procurement, financial management, human resource management and communications, and maintain separate offices in different locations in Juba. This in turn has compromised the ability of the Integrated UN Disarmament, Demobilisation and Reintegration Unit to support the capacity of the DDR commissions.[335]

To date there has been insufficient involvement of communities and local authorities in DDR planning and implementation. The result has been misinformation and unrealistic expectations. The problem with adopting an individual-based reintegration programme rather than a community based one is that the burden of economic and social reintegration falls mainly on the shoulders of 'absorbing' communities; yet these communities are often even worse off economically than the ex-combatants.[336]

Civilian Disarmament

The corollary to the process of legitimising the SPLA as a bona fide element of State apparatus is the disarmament of civilians. This includes not only the loosely affiliated and semi-autonomous militias who pose current or potential military threats, but also individuals or groups whose use of arms to resolve disputes undermines the legitimacy of newly formed rule of law processes and mechanisms. There have, however, been some major security problems provoked by the disarmament process. Extreme violence marked during the first 2005-06 disarmament when, for example, in Jonglei State alone some 1,600 lives were lost when the SPLA attempted to disarm the Lou Nuer. By contrast, the 2008 campaign was relatively calm. Continuing in 2010, it nevertheless appears to have had limited positive impacts in terms of improved security, and in some cases it has had a negative effect. There are three reasons for this: first, the campaign itself has only been very selectively undertaken; second, disarmament is perceived by some communities as being targeted along ethnic lines thus exacerbating existing tensions;[337] third, in the absence of adequate protection provided either by GoSS or UNMIS, retaining weapons for self-defence is seen as crucial to many civilians. These issues play out differently depending upon the local security and conflict dynamics.

Faced with capacity and budgetary constraints, disarmament is seldom followed up with security guarantees towards the civilian population. Reports abound of disarmed communities being attacked

[332] Smith, H (2008) op. cit.
[333] Interview with UN DDR officer, Juba, February 2010
[334] Swiss Government (2009) The Swiss Armed Forces Security Sector Reform Project, Southern Sudan, Interim Review, March 2009. The figure excludes contributions through the MDTF–South
[335] Smith, H (2008) op. cit.
[336] Annex 5, para 80-81
[337] We also note that Southerners have increasingly criticized the GoSS for engaging in 'tribalism' and specifically for allowing the Dinka ethnicity to dominate government – see, for example, Human Rights Watch (2009) op. cit.

by neighbouring ethnic groups.[338] It is not surprising, then, that political and military establishments, as well as civilians themselves, express the view that coercive disarmament may be the only solution to stability. In some cases it has been used to bring particular groups under the control of the State. In Lakes, for example, the Gelweng have, by re-registering their weapons, become more formally linked to the State security apparatus.[339] In other States – notably Jonglei – selective disarmament has encouraged competing groups (in this case the Murle) to take advantage of communities without guns and without effective protection from the SPLA.[340]

Even the CPA is ambiguous about civilian disarmament. Its stipulation to 'monitor and verify the disarmament of all Sudanese civilians who are illegally armed' does not clearly define what constitutes a civilian in such a heavily militarised society.[341] International donors and the UN have shown little coherence in what is variously perceived as either an 'internal' security matter, or at best the remit of UNMIS. Due either to resource or mandate constraints UNMIS has been unable to ensure consistency and compliance with security provisions set for it (see below).

Where donors might have made a significant difference was by aligning their activities to respond to the needs of the civilian disarmament campaign. The Pochalla-Pibor-Bor-Juba road is among the six roads that are 'first priority' for GoSS in Southern Sudan.[342] Since 2006, GoSS has been trying to construct this road but has been unable to finance it. Only very recently UNDP under the Sudan Recovery Fund has come forward with a stabilisation programme that includes construction of the crucial Bor-Pibor section of the road – an essential prerequisite for disarmament and now very urgently needed.[343]

There is also a need to precede and follow-up disarmament with development inputs in order to encourage cooperation. Some representatives interviewed during our fieldwork reported that they had been promised development help when they agreed to disarm but this promise had not been fulfilled. Peacebuilding efforts through civil society and alternative livelihood programmes for young men could also have been better aligned to the disarmament process. All this shows a lack of synergy in aid processes around disarmament.[344]

Peacekeeping (UNMIS)

UNMIS was established in 2005 by UN Security Council resolution 1590. In 2010 it comprised 470 military observers, 191 staff officers and 9,194 troops. The UNMIS mandate was initially exclusively on the issue of North/South CPA provisions and on monitoring the redeployment of respective armies. Core UNMIS tasks are funded through UN assessed contributions. Its structure includes civilian tasks (for example, DDR, rule of law, etc.), and there are specialised staff assigned to these. But much of the implementation of these tasks was assigned to UN specialised agencies, and hence depended on their respective voluntary contributions. To some extent this has limited the ability of UNMIS to engage in some specific tasks it initially set itself. The results are twofold:

[338] Many examples are cited in the Joint NGO Briefing Paper (2010) Rescuing the Peace in Southern Sudan, January 2010
[339] Small Arms Survey (2009) op. cit. In our own fieldwork, however, this collaboration was not apparent on the ground
[340] Annex 1, para 19
[341] Integrated Regional Information Networks (IRIN) (2008) Sudan: civilian disarmament remains elusive as government rethinks, 3 December 2008
[342] GoSS (2008) op. cit., p11
[343] Annex 1, para 22
[344] Annex 1, para 24

1. Assistance towards police, prisons and judiciary (the majority of SSR) has been 'projectised', mainly under the UNDP;

2. UNMIS forces are pre-positioned along the lines suggested by the CPA – in garrison towns – with little engagement on localised other armed groups' issues.

There has been no full evaluation of UNMIS.[345] Observers have however raised questions over the coordination and effectiveness of having parallel systems. UNMIS has two main civil/political and humanitarian/development pillars that translate into more than a dozen specialist sections. These roughly overlap with the mandates and competences of the specialist UN agencies in a non-operational/operational division of labour respectively. "This duplication of roles and names is widely seen as significantly multiplying coordination problems and demands while clouding lines of responsibility and adding little to the efficiency of the operation."[346]

UNMIS recruitment and procurement procedures have also been widely criticised for delaying the implementation of security programmes, particularly within the 2005–2008 Interim Disarmament, Demobilisation and Reintegration Programme. The programme has suffered from the high compartmentalisation of UNMIS and the lack of cooperation and coordination between a number of its sections (DDR, Rule of Law, Protection, Triple 'R', Military and Civil and Political Affairs), all of which have a potential role to play in DDR programming.[347]

The issue of the initial geographical placement of UNMIS units in the South is important in understanding why certain priorities were pursued above others. The Special Representative of the UN Secretary General (SRSG) in 2005 prioritised military deployments in accordance to where the majority of SPLA and SAF exchange (and JIU formation) was to take place. Thus garrison towns were the only centres of UNMIS deployment, not the ten States of Southern Sudan. Only very much later (2009) was it possible to deploy senior UNMIS coordinators to each State; until then UNMIS representatives at State level were often at junior level (P3, or in many cases UN volunteers). Indeed, UNMIS staffing by mid-2010 was still not optimal, with senior (D1)[348] leadership only in Wau and Malakal.

At the same time, UNMIS in the South was until 2010 directed centrally from Khartoum. Creating a regional coordination centre in Juba was seen to be critical to ensuring a comprehensive approach and overview to monitoring, for example, elections in April 2010 as well as preparing for UNMIS's anticipated extensive deployment in the forthcoming January 2011 referendum.[349]

Geographical constraints were compounded by leadership shortfalls in UNMIS. For more than a year (2008–2009) there was no SRSG (the highest ranking UN official) in country. Likewise in the Civil Affairs Department, for example, there was no senior (D1) post until 2010. The result has been a lack of strategy within UNMIS and, accordingly, reduced morale.[350]

Risk aversion as well as lack of access to many parts of Southern Sudan's vast and difficult terrain has hampered the mission's monitoring function by both military and civilian staff. It has also affected its

[345] Since there has been no separate evaluation of UNMIS, the evaluation team has derived findings from the literature, corroborated with interviews with well-placed interlocutors
[346] Duffield, M et al. (2008) op. cit., p33
[347] Kefford, S, et al. (2008) Developing Integrated Approaches to Post-Conflict Security and Recovery: a case study of integrated DDR in Sudan, Saferworld: London, UK
[348] P3 and D1 are levels of UN staff
[349] Interviews with senior UNMIS staff, July 2010
[350] Ibid.

human rights monitoring record.[351] UN personnel are often unable fully to document deadly conflicts and their human rights implications. For example, in mid-2010 increasing violence in the Shilluk Kingdom went hand in hand with reported human rights violations by SPLA in the course of its civilian disarmament campaign[352], but UNMIS was unable to substantiate this on the ground. GoSS has meanwhile asked for a security assessment at the border areas in the lead up to the referendum and an inter-agency conflict management taskforce has been formed to improve monitoring of potential conflicts across Southern Sudan and could help GoSS plan more effective and appropriate responses.

Following the upsurge in local violence, relatively successful lobbying in New York in 2009 has slowly shifted priorities with perhaps a greater understanding of ground realities. It is, however, still very limited and dependent on individual submissions to the Security Council and the UN Department of Peacekeeping Operations in New York. UNMIS is a Chapter VI mission (monitoring/assessment) with a Chapter VII component (direct military response/ intervention) with respect to civilian protection, but with the latter rarely enacted. Nevertheless, UNMIS did, from November 2009, actively engage on 57 occasions in local conflicts, contrasting with only three in previous months.[353]

By January 2010, the UNMIS military component initiated pre-emptive patrolling in 13 areas in Southern Sudan where potential inter-communal violence was identified. In February 2010, UNMIS operations were extended across the Nile in Upper Nile State, including long range patrols into the Shilluk Kingdom and remote areas near the North/South border. UNMIS pre-emption measures also led to the prevention of an outbreak of violence, following a long range patrol to Gemmaiza, Central Equatoria State in March 2010.[354] Crucially, UNMIS by mid-2010 had increased the duration of its patrols to 10 days, which will enhance the mission presence in key hotspots.

Looking back, however, the performance of UNMIS has been disappointing and the evaluation notes high levels of frustration expressed by aid agencies and GoSS over the five-year period. It is mandated to protect civilians under imminent threat of physical violence, "in the areas of deployment of its forces and as it deems within its capabilities... and without prejudice to the responsibilities of the Government of Sudan."[355] The mission has yet to interpret this provision robustly.[356] For example, it failed to protect civilians during the May 2008 clashes at Abyei.[357] In fact, UNMIS accepted its shortcomings in that crisis and recommended additional military deployment to flashpoint areas.[358] The mandate of UNMIS currently runs to 30 April 2011(with the option for further extension) and discussions are already underway on how to adjust this in favour of wider security.[359]

A detailed evaluation of UNMIS is beyond our remit. We have simply selectively highlighted those aspects of its work that impact upon the CPPB themes of our review. We reiterate that donor channels in terms of lobbying, fund allocations, etc. towards UNMIS are different from those within the regular Sudan aid programme; to a large extent this is precisely the problem in terms of an integrated UN approach in Southern Sudan.

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[351] Restrictions in UNMIS access have come from both SAF and SPLA: SAF continues to prevent the movement of UNMIS military through the Higlig-Kharasana area near the border between Unity and Southern Kordofan States. SPLA has obstructed freedom of movement of UNMIS in areas north of Raja, Western Bahr al-Ghazal, Southeast of Torit, Central Equatoria State, and North of Aweil, Northern Bahr al-Ghazal. These restrictions on the freedom of movement of UNMIS by both parties have negatively affected the Mission's ability to implement its mandate, UN Security Council (2010) op. cit.

[352] Even the SPLA itself acknowledged excesses by some of its units

[353] Information provided by the deputy SRSG in Juba, March 2010

[354] UN Security Council (2010) op. cit.

[355] UN Security Council (2005) UN Security Council Resolution 1590 (2005), S/Res/1590 (2005), March 24, 2005, article 16(i)

[356] On paper, actions relating to Chapter VII (military engagement to protect civilians) as opposed to Chapter VI (monitoring Comprehensive Peace Agreement and protecting UN personnel) do exist in a limited fashion but have rarely been enacted

[357] Human Rights Watch (2008) Abandoning Abyei: Destruction and Displacement, Human Rights Watch: New York, May 2008

[358] UN Security Council (2008) Report of the Secretary-General on Sudan, S/2008/662, October 2008

[359] Ibid. A precedent has been set in Democratic Republic of Congo (DRC)

Demining

Mine action (MA) as an integrated concept comprises three intervention 'pillars': Demining; Mine Risk Education (MRE) and awareness raising for the remaining threats of mines and unexploded ordnance; and victim assistance.

Our literature review suggests that one of the most successful areas of intervention in Southern Sudan is in demining. A 2008 evaluation concluded that,

> "in spite of the vastness of the country, the decrepit infrastructure, and the modest level of knowledge concerning the scope and nature of the explosives contamination, UN MA Service (UN and its partners) have done an excellent job in establishing mine action operations and coordinating these through UNMAO (UN Mine Action Office)".[360]

Early demining allowed for the return of displaced people and the delivery of humanitarian assistance. It contributed to the restoration and expansion of secure areas and served as an important point of entry for constructive engagement by the international community.[361]

Demining operations were undertaken with a high priority after CPA signing in 2005, mainly to create necessary preconditions for the resettlement of returnees and IDPs. UNMAO prioritised the main roads and infrastructure, ensuring the resumption of some basic economic activity and enabling a resource transfer for humanitarian aid and reconstruction efforts.

Table 15: UNMAO Demining Statistics

Activity	Total
Dangerous Areas Identified	4,484
Dangerous Areas Closed	3,409
Anti-personnel Mines Destroyed	15,590
Anti-tank Mines Destroyed	2,960
Unexploded Ordnance Destroyed	816,258

Source: UNMAO statistics, February 2010

As a result of the extremely difficult conditions for mine clearance in Sudan and the high costs for goods and services, Sudan has become one of the most expensive places for demining in the world. Nevertheless, mine action in Sudan has been well resourced, particularly since the CPA. Total funding rose from over USD40 million in 2005 to about USD60 million per year since then. More than half the total funding has come via the Department of Peacekeeping Operations assessed budget, which is used for mine action in support of the UNMIS peacekeeping forces, but significant amounts also have been channelled by donor countries through the UN Voluntary Trust Fund for Mine Action, which covers other UNMIS priorities (e.g. to support humanitarian assistance).

Southern Sudan is perceived to be highly contaminated, though it is difficult to assess the overall remaining threat level. Current estimates of mine clearance undertaken range from 60% to 80%, not including unexploded ordnance and stock piles. UNMAO has identified approximately 1,300 danger areas registered for clearance; this should be reduced to 200 before the mandate runs out in 2011.

[360] Paterson, T et al.(2008) Evaluation of EC-Funded Mine Action Programmes in Africa. Geneva International Centre for Humanitarian Demining (GICHD). Commissioned by the EU
[361] Smith, H (2008) op. cit.

During the 2009-2010 demining season, 2,000 kilometres of roads had been cleared, opening routes between Kassangor and Boma in Jonglei State, Karpeto and Moli in Central and Eastern Equatoria, and Riang and Wagnong in Northern Bahr El Ghazal. In addition, about 9.5 million square metres of land had been certified by UNMAO and designated as a resettlement site for 5,000 displaced persons. Some 125,000 Southern Sudanese had received MRE and UNMAO had carried out nine victims' assistance projects.[362]

The demining sector with its professional commercial operators and INGOs is a competitive environment with high investment needs, and national actors can barely cope with the technical requirements needed. Although training and capacity building for Southern Sudanese staff has created some positive effects in strengthening human resources, international actors will still have to play an important role in mine clearance. On the other hand, local NGOs can play an important role in the fields of MRE and assistance to mine victims.

The overall performance in the sector has been hampered by the fact that different governmental authorities are as poorly coordinated as counterparts of the international community. UNMAO as the only institution with a functioning information and management system has received some criticism for having too-predominant a role. The evaluation of the UNDP Sudan Mine Action Capacity Building and Development Project warns that 'specific irritants' are emerging over UNMAO direct operational mandate and differences with national authorities on priority setting.[363] On the other hand, there has been no alternative structure in place that could guarantee the implementation of demining operations accordingly to international standards and procedures. Without the leading mandate of the UN, mine clearance would not have been implemented as quickly as it was. This was possible because of sufficient funding from donor countries and a clear focus on demining operations after the signature of the CPA.

Where criticism seems warranted, it is in the role of UNMAO in developing a transitional strategy to hand over mandate and responsibilities to the Southern Sudan Demining Commission (SSDC) and national authorities after 2011. Saferworld observes that in Sudan there appears to have been a lack of clear understanding between national and international actors on what is meant by 'national ownership' and agreed guidance for building capacity and ownership.[364]

Cooperation among international MA actors has been generally good, with international NGOs being particularly aware of the need for mutual cooperation. Likewise, overall management of the sector by UNMAO has been generally highly regarded. But efforts to coordinate with GoSS and the SSDC as well as the other commissions were less successful and have not generated the expected results.

Capacity building has been in the focus of most of the institutions active in the MA sector, but significant weaknesses persist. Government and local NGO structures are too weak to tackle contaminated areas by themselves and they also lack sufficient capacity to deal with medical assistance to mine victims. The lack of awareness and understanding of long-term care for victims is compounded by poor basic health services for the majority of the population in rural areas. Medical assistance for mine victims is concentrated in urban areas only.

In our field research we witnessed the positive impact that MA has on communities both in terms of opening up economic opportunities (especially farming and grazing) and in generating community cooperation. In Magwi County, for instance, communities have been resettled on formerly contaminated areas. In regions where demining activities have not yet taken place, MRE has

[362] UNMIS (2010b) op. cit.
[363] Paterson, T et al. (2008) op. cit.
[364] Smith, H (2008) op. cit.

supported the sensitisation of potentially-affected population. Nonetheless, the visibility of sensitisation campaigns (poster or information signs) was low in the areas visited by the team.

Initial demining operations took place in an unregulated environment. Wages and working conditions were fixed by commercial operators on a free basis without a legal framework in place or regulatory bodies monitoring the operations and conditions. This created conflicts with deployed local staff, and between them and international experts. These conflicts have partly hampered the performance of demining operations.[365]

Mine Risk Education activities have been largely effective, in particular at way stations to inform and sensitise returnees and in communities where a peer-to-peer approach has been applied. The application of this approach at schools and cooperation with the Ministry for Education are positive examples for reducing the residual threat.

There is no long-term strategic plan that clarifies what type of mine action capacities will be required in the future, and how to build those capacities.[366] The direct operational mandate of UNMAO could complicate the development of national capacities. The emerging tensions between UNMAO and national authorities over priority setting mentioned above could further complicate relations and the ability to formulate a common strategy for mine action. International NGOs have played a significant role in supporting the development of local capacities for mine action, mostly at the level of individual capacities (hundreds of Sudanese are trained and are working as de-miners, medics, team leaders, MRE instructors, etc.). INGO support to the development of capable local organisations has been somewhat less successful. Local NGOs are playing significant roles in MRE, victim assistance, and in conducting the Landmine Impact Survey, but progress has been slower for demining, where technical and financial demands are far greater. This is consistent with the experience in other mine-affected countries.[367]

Conclusions

Although donors have not fully reflected the GoSS emphasis on security, this is partly because GoSS has not articulated a clear sense of where priorities lie. Donors have tended to apply a very broad strategy to security reform, leaving specific issues such as civilian disarmament to be addressed in a roundabout way through small arms reduction activity and by supporting funding mechanisms such as the Sudan Recovery Fund. The result is a lack of coherence and linkage between various initiatives. Donors initially failed to link security sector reform with much needed support for DDR; one consequence has been, for example, poor sequencing between SPLA reform and the building of an effective police force. In most areas the latter are still unable to fully take over civil security.

Donors were aware that the spread of small arms was a problem but have focused (if at all) on public awareness rather than the actual process of disarmament. With the exception of some small-scale peacebuilding efforts, there is a lack of synergy between disarmament efforts and the necessity to immediately follow-up with development inputs. For example, in Jonglei State, GoSS identifies the repair of roads as a top priority if they were to effectively (and quickly) respond to security incursions. Yet the issue became embroiled in a debate with donors over how such roads should be built (as a labour-intensive exercise or mechanical construction).

It is something of a truism to say there has been under-funding across all security sectors. But some important caveats should be recognised. First, donors are duty bound to adhere to the CPA provisions that recognise that the national integrated forces, the JIUs, are intended to meet internal security needs

[365] Annex 7, para 47
[366] Paterson, T et al. (2008) op. cit.
[367] Ibid.

during the interim period prior to the 2011 referendum. The status of the SPLA can be likened to that of a regional/federal army, and through their obligations towards the CPA donors must be careful not to overstep the boundaries of impartiality implied. Assuming secession after 2011, it will be easier for donors to develop a bilateral programme of support.

The second constraint has been the limited number of donors with a mandate and programme that allows support to the sector. The collective resource strength of the three key donors – UK, US and Switzerland – is still fairly limited and the SPLA was particularly concerned over the lack of support in the first three years of the interim period.[368] Importantly, neither USAID nor DFID are able to use country programme budgets for security – it is funded through State Department and Foreign Office[369] funds respectively, with attendant resource constraints.

The most important lesson here is timing. SPLA reform – or at least the downsizing of the armed forces – could not be a serious proposition in the interim period for two reasons: first, there was so much distrust of the Northern government's adherence to the CPA provisions and second, in the absence of alternatives the SPLA represents an economic safety net for thousands of families.

There continues to be widespread disagreement over whether the shortcomings of donor approaches to security sector reform can be attributed to external factors (the intransigence of tribal configurations and/or the newness of GoSS), capacity constraints within the security forces, or the intrinsic weaknesses of conventional security promotion initiatives themselves.[370] The evaluation finds that there was an initial failure to appreciate the inextricable link between SSR and DDR, for example, but there was also poor sequencing between SPLA reform and that of the police forces which still are unable to fully take over civil security.[371] Finally, we have detailed the inability of UNMIS to address issues of civilian security until very recently.

Most importantly, human security should be the starting point of strategies relating to reform of the security apparatus. In Southern Sudan where the rule of the gun has held for so long, decision making at political level should be linked to sectoral and community based initiatives; at present this is not the case. Mediating disputes in an effective manner would require a closer working relationship between State security infrastructure (police, law, and justice institutions, and their links to customary security and legal systems) and the Southern Sudan Peace Commission, local authorities, civil society and relevant Assembly members (State and Juba levels).

6.5. Culture of Justice, Truth and Reconciliation

Our conflict analysis suggests an increasing political manipulation of conflict around tribal/identity issues as well as a real or perceived threat of resources being allocated according to political patronage. There is always a danger that these disputes escalate beyond the immediate causal factors; one way of avoiding this is to ensure community ownership of resources as a reward for abating violence. At the same time, local peacebuilding efforts, however rudimentary, should be backed by tangible resources to avoid the pitfalls of an empty 'talk shop' approach.

[368] Various interviewees regretted the absence of substantial international support to capacity development in the SPLA until 2009
[369] The UK's Conflict Pool funds are joint Ministry of Defence, Foreign and Commonwealth Office and DFID, but derived from Treasury (i.e. pre-allocated) funds
[370] Small Arms Survey (2009b) Southern Sudan and DDR: adopting an integrated approach to stabilization, Workshop Paper 25–26 June 2009, Juba, Southern Sudan, Small Arms Survey: Geneva
[371] For example, of the 300 vehicles currently available for the Police Service, 200 are not operational

Community Dialogue/Dispute Resolution

Support for local level reconciliation and peacebuilding activities has been widespread across Sudan over the last 20 years. In 2004, DFID commissioned the Rift Valley Institute to complete a Sudan-wide inventory and assessment of local peacebuilding initiatives.[372] The conclusions are as valid today as they were then:

- There is no clear, shared understanding between donors and supposed beneficiaries over what peacebuilding projects are intended to achieve.
- The effectiveness of local initiatives is limited and temporary. The majority of these reconciliation meetings or conferences were not linked to national level peace processes and implementation of agreements not monitored or supported.
- Local peace initiatives are worth supporting, but only if greater effort is made to support the leaders and communities implementing conference resolutions.
- There is a continuum between violent conflict at the local level and wider armed conflict and politics of the country. The sustainability of local peace processes depends on the success of national peace agreements, and *vice versa*.
- Local agreements are limited in the extent to which they can address structural factors underlying the war; only national agreements can address these.
- The interests of the institutions involved in supporting local peace processes need to be identified as well as those of the parties to the conflict; in particular, the role of state elites needs to be taken into consideration.
- Making peace can be a precursor for making war; only a thorough understanding of local conflict dynamics will reveal this.

Donor and NGO approaches to local level peacebuilding have evolved considerably since the signing of the CPA and have gradually taken on board these key findings. One external evaluation of Pact's early work recommended that Pact and other NGOs,

> "…gradually disengage[d] from providing support to community based organisations...and focus[ed] on supporting local government more instead, with more of an emphasis on service delivery, linked as much as possible with further dialogue and peacebuilding activities".[373]

Yet evaluators highlighted the potential danger of creating 'dialogue and reconciliation dependency' where local people would only engage if supported by resources from external agencies.[374] Although work with CBOs has been maintained and built upon, there is now a reduced focus on one-off meetings and conferences and more long-term engagement with a wider range of stakeholders, including government.

[372] Bradbury, M et al. (2006) Local Peace Processes in Sudan: a baseline study, Rift Valley Institute:Kenya. The study was updated in 2006 and Pact's response to some of the study's conclusions regarding its work appended
[373] Blench, R and P Kuch (2006) Evaluation of Pact Programme, Sudan, report commissioned by DFID
[374] Ibid.

Peacebuilding work appears to have been more successful when it responded to community needs in an integrated and holistic way.[375] The provision of tangible resources alongside creating fora for community dialogue and reconciliation seems to bring more lasting results.[376] Such an approach was used by Pact by integrating CPPB objectives into its large water provision programme, WRAPP, by targeting areas which contain high proportions of internally displaced people and returnees; "WRAPP's approach…has eased tension and generally positively impacted on people's lives".[377]

Elsewhere (a World Vision project), attempts were made to integrate peacebuilding, disaster preparedness and service delivery, but unnecessary tensions were introduced by the failure to incorporate a 'do no harm' approach. One example was the rebuilding of a damaged water dike in one village that negatively affected villages downstream. Another was the placing of a health clinic intended for mutual use in only one of two villages in conflict with each other.[378]

Another interesting example of unforeseen negative outcomes was Pact's Cross-border (Sudan/Ethiopia) Trade and Stability Project. The assessment found that,

> "after having attended the basic business skills training courses, some participants proudly reported that they were now not lending commodities to their relatives across the border anymore".[379]

Had the project implemented a 'do no harm' analysis it might have avoided this unintended and undesirable outcome. The introduction of trade as opposed to traditional lending behaviours exacerbated tensions:

> "In an environment that has no trade culture, it is difficult to use trade as an entry point to achieve peace and stability...Business is not an incentive strong enough to prevent people from fighting with each other over cattle or access to grazing land or water".[380]

In Jonglei we found that although local peace projects appear to have had some impact, the more important variable is the lack of a clear security policy, especially relating to civilian disarmament, from the [Jonglei] State government.[381] The delays and problems associated with the implementation of important CPA priorities such as security sector reform, DDR and rule of law programmes – and the failure of the GoSS and donors to address them strategically – have made it very difficult to make progress with local level peacebuilding.

Measuring the impact of CPPB work focused at the local level is problematic because not only is there a difficulty in attributing impact to a particular intervention, but also monitoring and evaluation systems are weak.[382] However, there is evidence to suggest that the lessons learned from the Rift Valley Institute baseline study and from more recent evaluations of peacebuilding initiatives are being incorporated into the design of new programmes and projects. For example, DFID provided funding to Pact in 2009 for a three-year people-to-people peacebuilding project aimed at improving local, regional and national capacities to mitigate conflict and promote peace and security in Southern

[375] Pact (2009) op. cit.; Brethfeld, J (2009) op. cit.; Welle, K et al. (2008)
[376] Pact's Early Warning Post Project (Pact (2009) ibid.), which claimed to have used this approach effectively in its final report, had some design faults such as failing to clearly assess who would staff the early warning posts, how communities would select them and how this early warning could be linked with effective response. Nevertheless, other actors are apparently interested in replicating this approach. (Irina Mosel, email comm. 14/1/2009)
[377] Pact (2009) ibid.
[378] World Vision (2009) Review of Irish Aid Support to World Vision Disaster Preparedness and Local Capacities for Peace Programme, Southern Sudan. Irish Aid/World Vision Ireland
[379] Brethfeld, J (2009) op. cit.
[380] Ibid.
[381] Annex 1, paras 17-23; Brethfeld, J (2009) ibid.
[382] Blench, R and P Kuch (2006) op. cit.

Sudan. This project has an explicit focus on improving coordination and vertical and horizontal linkages with a large range of GoSS and international actors,[383] and with complementary programmes funded by Norway (support to the South Sudan Peace Commission to implement its strategic plan) and Canada (peacebuilding in Jonglei and Eastern Equatoria).

The Pact fund supports a wide range of interlinked interventions[384] implemented through a number of different partners. Pact is also trying to ensure that work undertaken through this project in the areas bordering the North interfaces with work under the Three Areas Project Fund supported by the British Foreign and Commonwealth Office.[385] The complementarity of these donor programmes, and Pact's efforts to identify and exploit linkages and synergies, appear to provide evidence of the growing recognition that a 'projectised' approach to peacebuilding is unlikely to result in sustainable peace.

Transitional Justice and Customary Law

In post-conflict situations durable peace and stability require a coming to terms with massive human rights abuses of the past, whether in the form of criminal proceedings, vetting of public officials, truth and reconciliation commissions, reparations programmes, or – ideally – a combination of these instruments. These are the instruments of transitional justice.[386] Security Council resolution 1590 endorsed the principle, mandating UNMIS

> "to assist the Parties to the Comprehensive Peace Agreement in promoting the protection of human rights of all people of Sudan through a comprehensive and coordinated strategy with the aim of combating impunity and contributing to long-term peace and stability".[387]

In practice, however, UNMIS activities on transitional justice were limited to Darfur (until the establishment of UNAMID). The question of accountability for atrocities committed during the civil war in Southern Sudan was not on the table, neither in practice, nor in UNMIS's rhetoric and work plans.[388]

The vast majority of the population access justice through customary law. The right of Southern Sudanese communities to govern themselves according to their customary law is proclaimed as one of the principal achievements of the CPA. The Machakos Protocol provides that legislation applicable to Southern Sudan shall have its source in values, customs and traditions, particularly in personal status and family law matters.[389] The principle is expressly reiterated in the Interim Constitution of Southern Sudan.

The formal justice system has until today been present only in major settlements: in theory down to the level of the county administration seats, in practice there is no judge or prosecutor in about half of the counties. Chiefs' courts deal with nearly every type of dispute: land disputes, family and personal status matters, criminal offences from the minor to homicide.

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[383] These include central GoSS, state governments, county and local authorities (chiefs, traditional leaders and local courts), GoSS key institutions such as the Southern Sudan Peace Commission (SSPC), Southern Sudan Demobilisation Disarmament Reintegration Commission (SSDDRC), Community Security and Small Arms Control Bureau (CSSAC) and the Southern Sudan Legislative Assembly – Peace and Reconciliation Committee (SSLA/PRC); INGOs such as DED, Catholic Relief Service and Saferworld; and UN bodies like UNDP and UNMIS

[384] Rapid response, peacebuilding, conflict mitigation and conflict transformation, civic-voter education, Conflict Early Warning Systems, demobilisation, disarmament and reintegration (DDR) and community security and small arms control (CSSAC)

[385] Tadiwe, M (2009) Three Areas Peace Fund - Sudan Financial Year 2008/09, a report to the British Foreign and Commonwealth Office (FCO), Pact Inc.

[386] See Garms, U (undated) Promoting Human Rights in the Administration of Justice in Southern Sudan. Mandate and Accountability Dilemmas in the Fieldwork of a Department of Peacekeeping Operations Human Rights Officer

[387] UN Security Council (2005) op. cit., OP 4(a)(viii)

[388] Garms, U (undated) op. cit.

[389] The Machakos Protocol, signed at Machakos, Kenya, on 20 July 2002, Article 3.2.3

Paradoxically, UNMIS was called upon to assist GoSS in "consolidat[ing] the national legal framework" that included customary law. Yet "[t]he majority of Southern Sudanese customary law systems show plainly a conflict between international human rights laws and rights granted to women and children in customary law."[390] Conversely, The Interim Constitution of Southern Sudan obliges "[a]ll levels of government in Southern Sudan" to "enact laws to combat harmful customs and traditions which undermine the dignity and status of women".[391] Customary law should evolve to a system in which men and women enjoy equal rights.

The contradiction is just one of many. In terms of capacity within the international community, the 'reality check' was that until early 2009 UNMIS deployed, on average, less than 20 professional staff in the UNMIS Human Rights and the Judicial Advisory Units in Southern Sudan; another ten worked on the same matters for UNDP Rule of Law Unit, UNICEF, UNHCR, and other agencies.[392] In the area of customary law, their task was, or rather would have been, to engage with the traditional justice systems of the more than 40 peoples of Southern Sudan, each with their distinct set of traditional non-codified laws.

Under the Local Government Act (2009), GoSS seeks to extend the formal justice system to county level where it meets with the traditional justice system. Formal and customary judges (usually chiefs[393]) may sit together on a case or decide which system is more appropriate. There is much debate about the merits of the two systems. Hitherto, donors have provided the overwhelming majority of their support to the formal justice sector but many Sudanese argue that the formal system will never be able to extend into remoter areas and it will be too expensive even to attempt it. They also argue that customary methods are better at dispute resolution because they lead to compromise and compensation rather than punishment. Notwithstanding reservations over the reinforcement of prejudices against women in some areas of customary law, donors are responding to this view. Under the Strategic Partnership programme, UNDP is now planning to train customary judges across Southern Sudan.

GoSS, with support from some donors, is attempting to modernise the traditional justice system and make it more compatible with formal justice. The various customary systems are being codified. But the factor that may have the greatest impact on the balance between formal and traditional forms of justice is the introduction of elections for chiefs and sub-chiefs which was promised subsequent to the April 2010 elections. It remains to be seen whether the credibility of traditional justice will be enhanced or undermined.

The challenge for donors focused on CPPB is to target support for the justice sector in a strategic way. In Jonglei and Upper Nile, police and justice services could help to reduce the likelihood of minor disputes escalating into wider conflicts. But aid strategies are generally drawn up on such a huge scale and on such long-term time frames that sudden inputs of the kind required by a CPPB focus are not possible.

Conclusions

Despite good intentions, community reconciliation and peacebuilding efforts have tended to be isolated events, rarely linked to national initiatives and beset with problems of poor monitoring and follow-up. To some extent, international engagement has been guilty of poor preparation particularly with respect to fully understanding who the key players are and what their motivations are in

[390] Jok, A A, R A Leitch, and C Vandewint (2004) A Study of Customary Law in Contemporary Southern Sudan, Report for World Vision International and The South Sudan Secretariat of Legal and Constitutional Affairs, March 2004
[391] Interim Constitution of Southern Sudan, Article 20(4)
[392] Garms, U (undated) op. cit.
[393] The word 'chiefs' is used in this report in a general sense to denote traditional leaders. In reality they have different designations and powers and may be imposed rather than 'traditional'. The issue is elaborated in DESTIN (2010) op. cit.

participating. However, Pact and other key players have learned from these experiences and moved increasingly towards longer-term engagement, including the involvement of local government.

Although the 2009 Local Government Act seeks to extend the formal justice system to county level, the unclear boundaries and tensions between this and customary law will remain for as long as there is insufficient training and integration of chiefs and sub-chiefs in the programme. Our discussion on gender (section 6.6) also highlights inherent contradictions between the rights of all citizens and customary practices.

The level at which international donors can or should be involved is unclear. UNMIS deployment of judicial advisors has only brushed the surface, and UNDP's training of customary judges has yet to begin. Providing increasing resources through local government is one avenue; another may be in bringing expertise and experience from elsewhere in the world.

6.6. Gender Equity

The three themes of gender, gun-based violence and development are intricately linked to each other and to the larger theme of human security. Approaches to development and disarmament need to take into consideration the gender roles of the community actors with whom they are engaged. A starting point is the understanding of existing values within these communities. Attitudes and values have changed dramatically as a result of the long civil war. The ownership of guns – previously a means of community security – is now 'individualised'. One consequence is increased gender-based violence; another is the increased level of criminality attached to the tradition of obtaining cattle for bride wealth. At the same time, displacement has changed the status of women. On the one hand, there have been an increasing number of women headed households; but on the other hand there has been a "fragmentation of households, displacement, demoralization and trauma, inter-generational mistrust, and discrimination against the displaced and the younger generations", sometimes leading to "destructive coping strategies such as sex-work".[394]

In analysing the status of women in Southern Sudan it is important to return to the constitutional principles underpinning the CPA. In many respects the CPA was gender blind. Gender inequality was never considered to be a factor in security or in the sharing of power and wealth because, other than in occasional 'side meetings', gender identity was not considered a category of concern or analysis. The CPA did not address structural injustice in an inclusive manner. For example, there has remained a fundamental contradiction between equal rights granted to women and men through the bill of rights established under the Interim Constitution of Southern Sudan, and the equally established principle that customary law be regarded as legitimate law. While customary law is a fundamental component of cultural identity, it nevertheless reinforces and institutionalises elements that perpetuate gender inequality and human rights violation.[395]

As in most conflict environments, the lack of gender analysis in conflict based theories of change effectively delinks post-conflict aid strategies from addressing gender equality. Few conflict monitoring and assessment frameworks consider gender relations and gender inequality as triggers or dynamics of conflict, an omission compounded by a general lack of disaggregated data. Women are depicted as victims of violence rather than as integral to building social capital and participation in a post-conflict setting.

[394] El-Bushra, J (2003) Fused in Combat: gender relations and armed conflict, Development in Practice, Vol 13:2-3 pp252-265
[395] Aldehaib, A (2010) The CPA: what does the CPA offer Sudanese women?, The Parliamentarian, July-September 2010

Fundamental cultural barriers will doubtless take many years to overcome. Some progress on gender equality at institutional levels has, meanwhile, been made. At the Sudanese Women's Gender Symposium during the Oslo Donor's Conference on Sudan in April 2005 a number of 'minimum urgent priorities' were set for the interim period. Annex 6 outlines the details of these, but here we highlight just a few of the achievements to date:

- A constitutional provision has been made for women to constitute at least 25% of the total membership of the Southern Sudan Legislative Assembly, and 25% of the Council of Ministers should be women. This is not yet attained. Currently 19% women are in the Legislative Assembly level, and 9% are ministers.

- Awareness of sexual and gender-based violence has increased, with the engagement of the Ministry of Health (assisted by UN Population Fund), and in some States there has been a piloting of trained police personnel. However, women are not widely included in peacebuilding committees and processes, and rarely is any data collected on sexual and gender-based violence.

- The Ministry of Gender Social Welfare and Religious Affairs has a mandate to address women's issues, and is represented in all ten States. The relatively new World Bank/MDTF Gender Support and Development Project is investing USD10 million to cover infrastructure/building for the Ministry of Gender Social Welfare and Religious Affairs and capacity building.[396]

- Cabinet approved the Gender Equality Policy for Southern Sudan in 2009, and the Local Government Act gives the States responsibility for gender mainstreaming in local government. However, Southern Sudan has very high illiteracy rates (88% of women and 65% of men) and currently it is a big challenge to get sufficient numbers of women to fill the 25% quota in the local government. There is still limited experience and capacity among the legislators, especially women to perform their functions. Women's participation in decision making positions is still low and cultural barriers hamper them from full participation.[397]

Notable donor supported programmes for women include USAID-supported infrastructure programmes, GTZ-IS and Bangladesh Rural Advancement Committee micro-enterprise assistance, and the Norwegian support for women in pre and post-CPA negotiations.[398] There has been some reported success of the Good Governance and Equity in Political Participation in Post-Conflict Sudan Project (GGEPP) supported by UNDP and partners that focuses on building women's leadership capacity in governance.[399] The evaluation found that most programmes were implemented without specific CPPB objectives, though these may have been implicit.

The World Bank Grant for Adolescent Girls Initiative (13–21 years), implemented through the Bangladesh Rural Advancement Committee, commenced in 2010. It is an investment of USD500,000 for capacity building in livelihood skills to accelerate women's participation in the labour market.

The UNDP-managed GGEPP deserves specific mention since it was judged to have been successful in achieving most of its key objectives: strengthening the capacities of potential Sudanese women leaders and institutions; and highlighting the importance of the political participation of women, for example enhancing awareness and skills of women leaders to advocate for implementation of the 25%

[396] Annex 6, para 20
[397] Annex 6, section 6.2
[398] Annex 6, para 14
[399] Annex 6, paras 60-65

quota in the CPA. The project was less successful in improving the conditions for gender-sensitive policy reform for political participation.[400]

However, it is not entirely clear the extent to which increased participation of women in political processes can be attributed to the project, or to changes in the general context, for example an opening up of democratic space with the signing of the CPA. The project's leadership training is singled out for particular praise, and the evaluation notes that some of the female participants are among the leading advocates on gender policy reform.

With respect to the larger pooled funds a recent study concluded that "none of these funds were established with the help of gender experts, none have a gender policy or gender markers to ascertain whether they address women's rights and equality".[401]

In field investigations we found that women were not fully integrated in peace committees or formal networks, mainly due to cultural gender discrimination. For example, though they were involved in peacebuilding workshops, they were rarely provided with opportunities to host their own workshops.[402]

A gender-based conflict analysis would discover familiar patterns of exclusion of female participation in post-conflict situations such as lack of confidence, cultural barriers, reluctant to voice an opinion, and the logistics of balancing participation with domestic responsibilities. The degree of these depends on ethnic variables, the socio-political and economic status of women, and social relations within a given community. For example, in Eastern Equatoria, the evaluation found that (like most areas of Southern Sudan) issues were around challenges to women's land rights, the status of widows and women headed households, issues of refugee and returnee rights and sexual and gender-based violence. In Western Equatoria, issues included the opportunities for women's participation in decision making, group formation and access to microcredit, as well as participation of women in peacebuilding activities.

Finally, the evaluation concurs with a recent study on gender equality in Southern Sudan that despite well-rehearsed concepts and principles being written into programme documents, donor programmes have contained little guidance on how to apply these principles in a complex environment such as Southern Sudan.[403]

6.7. Capacity Building

Capacity building is very much a cross-cutting theme running through all sectors we cover in this report. The link between capacity building and CPPB is at a very generic level, relating to state building, decentralised decision making and the building of an effective and legitimate government.[404] At the same time, one cannot ignore the fact that the civil service is by far the largest source of employment in the South and – as we have seen, for example, with the SPLA – provides an essential source of income when few alternatives exist.

A key component of capacity building is finance. Building peace and a strong state requires funds to build the state administration at all levels, provide infrastructure, fund basic services and resolve and

[400] Moyo, J et al. (2007) op. cit.
[401] Fitzgerald, M A (2009) Financing Gender Equality in Post Conflict Reconstruction in Southern Sudan
[402] Annex 6, para 17
[403] Fitzgerald, M A (2009) op. cit.
[404] Annex 4, para 34

mitigate conflict. We find that capacity building efforts are mostly delinked from capital investments and systems and procedures but have a strong emphasis on training.[405]

Whilst there is no doubt that GoSS and the State governments need assistance in implementing projects in all sectors, the aid architecture in Southern Sudan has not always been conducive to building state ownership and legitimacy. Building capacity of the GoSS and states to deliver basic services, a key priority of the pooled funds, is very difficult when over 300 international and national NGOs are competing to submit projects and gain funding. The challenge has been in ensuring that GoSS retains control over decision making and that citizens see services as provided through the government, even though they may be delivered by third parties, and funded in the short to medium-term by foreign donors.[406]

The continuity, pace and probably the prioritisation of capacity building efforts were adversely affected by the funding shortfall on JAM commitments that appeared in 2007/2008 prior to the second Sudan Consortium. Yet neither the JAM nor the MDTF-S had developed a realistic and practical programme for tackling capacity building in such a complex and unusual environment, and there was no joint donor strategy.

In general, capacity building support programmes are regionally too limited and not sufficient to cover the whole of Southern Sudan. The UNDP programmes, for example, focus on all ten States but it was acknowledged that they were too thinly spread, mostly supporting the States with only one technical staff. In addition, the programmes often lack funds for the entire projected period and the time frame thus becomes foreshortened with a compromise on quality.

Our field study focussed on the Capacity Building Trust Fund (CBTF), created in 2004 to support the SPLM transition to government through capacity building measures, support to SPLM operating expenses and private sector development projects. In practice the bulk of its finance has aided government capacity building through the Government Accountancy Training Centre and support to the public sector reform process.

The weakness of the human resources base as well as its management in Southern Sudan has been compounded by the lack of a strategic approach towards building the mandate and functions of the central government and the States. The range of donor activities over the five-year period reflects this: some emphasise the social sectors in order to build capacity that would deliver services and therefore have an impact on the peace dividend; others emphasise that public financial management of GoSS is a priority so that it could purchase and deliver goods and services that would also build the machinery of government. With little coordination the result has been piecemeal efforts by many different donors and a sometimes confusing variety of technical assistance projects across GoSS.[407]

Both GoSS and donor interviewees asserted that capacity building programme components were designed in such a way that the donors would satisfy their own needs irrespective of the need or desire by GoSS to have such programme. Moreover, at times donor programmes or activities were restricted only to training since their mandates would not allow for other types of activities. The evaluation observes that physical infrastructure and systems and procedures were absent or minimal. The wider context and needs were rarely taken into account. In addition, training government officials who were subject to retrenchment in the short-term could be interpreted as a 'lost investment'. At the same time, training employees who were in the wrong post for their skills and qualifications may lead to an oversupply of unsuitable personnel.

[405] Annex 4, para 37
[406] The International Dialogue on Peacebuilding and State Building (2010) The International Dialogue on Peacebuilding and State Building: Contribution by the Government of Southern Sudan, March 2010
[407] Annex 4, para 26

Various interpretations of human resource needs and related systems have emerged, and setting priorities and sequences for capacity building activities in relation to government functions have been notoriously difficult. With limited resources and increasing demands on the few able civil servants, the trade-off between key functions such as public financial management and service delivery at central government and State level has not been fully appreciated.

Challenges in capacity building differ geographically. The Equatorias, for example, have returnees from Uganda and Kenya[408] who often were educated in the region and held public or private posts in their host countries. Donors did not take such differences into account while this would affect defining the need for capacity building interventions. Some programmes do not support all the States or have selected States or counties based on donor criteria. This confusion results in equity problems and certain areas may be over or underserved. Again, the time frame for support is short.[409]

Donors' assumption that GoSS would be able to assume responsibility for effective local government in a relatively short period of time turned out to be a serious overestimate.[410] Many interviewees consider it was a mistake that the development of the private sector has been neglected and is only beginning to emerge. It will take many more years before NGOs and other service providers can slowly pull out of Sudan. Most training efforts and building of institutions are not sustainable unless the GoSS can indeed take over in the medium-term. At present they are too dependent on short-term external assistance.

Capacity enhancement is a recurring theme in South Sudan. GoSS together with its development partners have now established a Capacity Enhancement Working Group where fresh ideas on the approach to enhancing capacity can be discussed. Such a dialogue should help define how better cooperation can be achieved between the development partners and GoSS on priorities for capacity building, rather than developing lists of what the donors want and impose them upon unwilling or non-receptive organisations.[411]

[408] It is important to note that returnees from Uganda have often acquired Ugandan citizenship and have held posts in government. Uganda allows dual citizenship so many returnees from Uganda have both Sudanese and Ugandan nationality
[409] Annex 4, para 43
[410] Interviews with current and former Joint Donor Office staff, representatives from the financial management agent, the management of the Capacity Building Trust Fund, and the management of the Government Accountancy Training Centre
[411] The International Dialogue on Peacebuilding and State Building (2010) op. cit.

Chapter 7 Conclusions Against OECD/DAC Evaluation Criteria

In this chapter we return to standard OECD/DAC evaluation criteria to draw some general conclusions from the foregoing analysis. The ToR established a condensed list of strategic 'umbrella' questions on CPPB for each of the OECD/DAC criteria. The difficulty in assessing collective donor progress against these criteria is that there are no benchmarks, no collective objectives and no agreed targets. What we have is a myriad of individual project measurements and a set of generic principles on fragile states and harmonisation, but very little in between that would constitute a collective consensus over what donors should or should not have done.

Our only guidance in this respect comes from the key conflict factors established in our own conflict analysis (Chapter 4). We have commented on the nature of the influence that has been brought to bear on them – and to the extent that it has *not* been applied, we provide recommendations. In this section we will merge conflict sensitivity (which concerns programmes that were not designed to address conflict factors but that have had an influence) and purposefully designed CPPB programmes.

Our field and literature research show that some individual actors have demonstrated 'good practice' while others have not, and we have used this illustratively in our findings. In the following analysis we return to the set of conflict factors in order to reach some broad conclusions over the collective performance of the international community.

7.1. Relevance

> *Was the support provided in line with the policy and procedures of the donors and agencies, with those of the GoSS, and the needs, priorities and rights of the affected populations as well as the dynamics of the post-CPA period?*

The evaluation concludes that donors were generally over-optimistic in their prognosis of peace following the CPA, regarding the North/South conflict as the only significant threat. The shape of the aid architecture – for the most part based on Paris Declaration principles and assumptions about peace dividends – in part reflected an assumption of 'normal' recovery. Among the crucial gaps are decentralised forms of government and civil society at all levels. Neither has received much attention from a CPPB perspective and they tend to be used simply as the necessary instruments of service delivery and other donor programmes.

Ignorance over the particularities of what drives conflict at local sub-national level meant that programmatically there were few warning signals of erupting violence. Changing dynamics in the different States of Southern Sudan since the signing of the CPA have, to a large extent, not been accompanied by a reorientation in funding. This is partly due to a lack of flexibility within the various projects, but also a result of the lack of systematic conflict analysis by most donors and international

organisations (with the exception of USAID, GTZ, Pact and Vétérinaires Sans Frontières) and the relative lack of monitoring by most donors.[412]

Transitioning from war to peace is not a technical exercise but a highly political process; a sophisticated and nuanced analysis of power relations, causes of vulnerability, drivers of conflict and resilience indicators was largely missing. In dynamic post-conflict settings, an analysis of the political economy of the transition must also be continuously reviewed and revised to be useful.[413] Early investments in conflict analysis by the Norwegian and British governments were commendable, but it is not clear to what extent donor policies and programmes have been informed by these analyses, especially given the constraint posed by the short timeframe of the CPA interim period (six years). A recent evaluation states,

> "the real challenge is to feed commissioned research into the decision making process. But institutional constraints mean that there isn't time or space to critically reflect on the research generated. There is no time or forum to discuss the research findings and put them into a strategic context. There is no time for genuine strategic thinking".[414]

It has proved difficult to assess the role of conflict analysis in donor policy. USAID, DFID, EC and GTZ conduct and publish such analyses. Many others no doubt seek to take account of conflict when developing their overall strategy but there is a danger that by not focusing explicitly on conflict, important short-term and long-term perspectives get missed out – as is evident from our findings. Conflict analysis allows donors to examine stakeholders as actors in a 'political marketplace' in which threats of conflict are bargaining tools. While donors may wish to regard aid as a neutral and non-political activity, its rewards and incentives are also factors in the political economy and need to be viewed as such.

Concentration on North/South Issues

The international engagement in Sudan has focused on the macro-political cleavages between the NCP and the SPLM, mainly concerning the implementation of the CPA (and between the Khartoum regime and an increasing number of rebel movements in Darfur). This implies, *inter alia,* giving priority to the elections which were seen as an important step towards the referendum, and giving priority to political reform and sustainable peace earlier. In this perspective, local conflict has been regarded as an 'inconvenience' which needs working around it rather than embracing a proactive and more holistic engagement and commitment to enhancing security for vulnerable local populations.

The immediate post-CPA thinking on aid – notably that presented in the 2005 Joint Assessment Mission – provided GoSS with a theoretical framework for development and set of benchmarks for the forthcoming six-year interim period. They were relevant to a stable post-war situation in which revenues and institutional capacities would incrementally improve over time. Yet an overall strategic plan for recovery and development has been very late in coming. This is particularly apparent in Southern Sudan where the government has been working to a budget sector planning approach, strongly supported by the international community, resulting in some ten budget sector plans for 2008–2010. As government institutions struggle to fulfil a wide range of obligations, decision making is more aligned to operational planning concerns than overarching strategic ones.

[412] This refers to monitoring directly by donors. The BSF, for example, does frequent and regular field monitoring of NGO-implemented programmes, on behalf of the contracting donor and those who have contributed to the Fund

[413] Pantuliano, S (2009) International Engagement in Fragile States: Learning from Southern Sudan, case study in European Development Report

[414] Brusset, E et al. (2008) Evaluation of the Norwegian Research and Development Activities in Conflict Prevention and Peacebuilding NORAD/Channel Research

The JAM could not have anticipated the dramatic drop in oil revenues three years later. They also did not leave GoSS and donors with adequate guidance on prioritisation and sequencing, and it took GoSS until 2008 to shape its own policies in this respect. The gap resulted in a certain amount of 'cherry picking' of high visibility projects. Donors also tended to defer to conventional 'default' programmes on fragile states without sufficient contextual analysis and without the nuance to distinguish between geographical variants in the South.

In part, the problem lay in the conceptual vacuum around 'statehood', as well as unclear identification of critical conditions that lead to peace, or to conflict, or the lack of sustained attention to them. Neither GoSS nor donors produced a convincing and consensual model of what Southern Sudan as a 'State' would look like in, say, ten years. From the donors, the reticence to produce such a model may have been because of their commitment to the CPA and 'unity'. However it also reflected the tendency to approach the challenge purely as a technical exercise in capacity building and service delivery. The only exception was the earlier effort (by National Congress Act, for example) to transform SPLA into a political party (SPLM).

Relevance of ODA to the South

Partly as a result of global economic downturn, the relevance of ODA in the South has assumed increasing importance over the five-year period, much more so than was anticipated in 2005. If financial trends are the litmus test of donor engagement in Southern Sudan, it is interesting to see a substantial increase in 2010. Total pledged funds from donors to Southern Sudan were USD739 million, a huge boost to the USD400 million anticipated by GoSS following the 2008 Oslo Donors Conference. In 2010 donor funding will represent some 40% of the GoSS budget.[415] The increase may signal a 'push' towards the critical new phase in Southern Sudan's history. In most of our discussions with donors and their partners in the field there was a discernible sense of urgency in trying to avoid the unravelling of all that had been achieved over the last five years.

Donor funds towards security projects have doubled since 2009, from USD63 million to USD127 million.[416] Though GoSS itself spends almost four times that amount, increasing donor commitments reflects a concern over the deterioration in security in the region over the last two years; it also indicates GoSS and SPLA willingness to approach donors for assistance in what beforehand had been relatively 'closed' sectors such as SPLA reform and disarmament. However the bulk of donor funding has continued to go to socioeconomic programmes; a focus on repatriation, integration, land and livelihoods have all been important to CPPB, but security itself has been relatively neglected.

Pooled Funds

By classifying Southern Sudan as 'post-conflict recovery', even though institutions had to be built from scratch and both insecurity and humanitarian needs persisted, donors were irrevocably drawn to the establishment of an aid architecture system highly dependent on World Bank and UNDP-administered pooled funds. Pooled funds were relevant to the extent that they were requested by GoSS as a means of harmonising development assistance and reducing the management burden placed upon the government. However, only 22% of all donor commitments in 2009 originated from a pooled funding mechanism, the rest were managed on a bilateral basis. Moreover, the proliferation of these pooled funds – in part to compensate for the poor performance of the MDTF-S – has simply transferred transaction costs from one set of actors to another, rather than reduce the entire load.[417]

[415] Figures drawn from GoSS (2010) op. cit.
[416] Ibid.
[417] Bennett, J et al. (2009b) op. cit., noted: "In Southern Sudan the relationship between relief and recovery is one in which 'transition' is not a temporary passing phase but rather a protracted interplay between meeting humanitarian needs, providing basic services, and building capacities to sustain those services"

CPPB was rarely at the forefront of strategy and design of programmes implemented through pooled mechanisms, the exception being the recent iteration of the Sudan Recovery Fund. Aid and security was kept as a two-track system and most international aid went towards socioeconomic development with no CPPB focus. This was the case for both GoSS donor dialogue, and also within the structures set up by, for example, the UN specialised agencies and UNMIS. Key issues such as reintegration of demobilised soldiers and returnees were relatively under-funded. Since CPPB relies very much on a viable social pact between citizens and the State, greater focus on aiding the police and justice sectors would have been appropriate.

Returnee Programme

Programmes to support the return and reintegration of IDPs and refugees to the South were highly relevant, but reintegration has not been given the resources and emphasis required. The pressures of maintaining large, organised return operations (refugees in the case of UNHCR, and IDPs in the case of the International Organisation for Migration (IOM) and UNMIS's Section for Return, Reintegration and Recovery (UNMIS/RRR) overshadowed the needs of the more numerous spontaneous returnees. There was an implicit assumption that relatives and local communities would be able to carry the burden of reintegration, an assumption that has proved ill-founded. The prioritisation of return over reintegration programming also reflected donor priorities – the numbers of people returned representing a CPA implementation 'result'.

Demining programmes in Southern Sudan were extremely relevant to needs from 2005 onwards, not least because one gauge of peace was the opening up of trade routes as well as the safety of communities returning from Khartoum and abroad.

Civilian Disarmament and Protection

A purely military approach to civilian disarmament exacerbated problems in some cases and increasing political pressures led to a period from 2009 in which the normal small local conflicts escalated into serious conflict. To an extent this is inevitable as factions jockey for power in advance of the referendum and its expected outcome but donors did little to respond, remaining fixated on a mistaken theory that delivering services as a 'peace dividend' was a sufficient response. Indeed, even where basic services (especially livelihoods programmes) arguably have consolidated efforts to disarm communities, or may have backed up peace dialogue, examples were few and far between. Although donors have supported peacebuilding efforts these have not been adequately linked to development support.

UNMIS has been limited by the unwillingness to interpret its mandate robustly. Many of its responses have lacked vigour and direction, particularly with respect to protection of people subjected to armed raids and human rights abuses. With the prospect of escalating violence in the South, only very recently have more robust interpretations of the UNMIS mandate been considered.

Capacity Building and Patronage

Early attempts to increase government capacity relied too heavily on Western generic models and expertise, without sufficient reference to experience drawn from weak or developing States. For example, the issue of patronage was discounted in what was assumed to be a progression towards Western norms. There are increasing fears, perceived and real, of political manipulation in allocation of resources. Throughout the evaluation we have been aware that the politicisation of ethnicity within the South could become a destabilising factor, not least because it can structure – or at least significantly affect – access to resources. The DESTIN/Pact Sudan/DFID report notes,

> "Fear of Dinka domination and territorial expansion is pervasive in some areas and closely associated with perceptions that Southern Sudan is essentially controlled by one tribe…"[418]

The important point here is that in countries where patronage and 'retail politics' predominate, loyalties may be bought and sold in volatile client systems, which makes local interventions often unsustainable unless linked to macro-political processes.

Work on transparency and accountability in governance has begun, but especially at State and county levels has yet to translate into change. Supporting civil society to develop an independent function that may limit negative aspects of a patronage system is one way forward. Little guidance in this respect came from GoSS. While major programmes may still be necessary to build sectors of the State, there is also a need for more light-footed responsive work based on local intelligence.

Fragile States Principles

The Fragile States Principles, drafted in 2005, were revised and re-issued in 2007. A report on their use in Sudan up to 2007 focused on the North/South conflict.[419] No evidence was found that the principles were explicitly used by donors but the report argues that they could have provided useful pointers for donor behaviour especially if they were taken together rather than considered separately. Thus, donors placed great emphasis on the principle of coordination to the point that inputs were delayed and the entire response was slowed down. This meant that the (more important) principle relating to state building could not be followed.

Similarly, our evaluation records no examples of the Fragile States Principles being used actively as a practical guide for donors. However, it is possible that the principles did influence donor thinking in a more general way. The Paris Declaration is referred to quite commonly. But in order to focus aid more strongly on CPPB, the Fragile States Principles might have been more effective.

Finally, we have serious misgivings around the issue of a 'peace dividend'. There is no problem with the idea that development (especially service delivery) may be regarded as a reward that follows from the CPA but this seems to have been converted into a view that development maintains stability. There is little evidence to support this view. This does not mean that there is no linkage, but it is very tenuous. For example, communities consulted by the evaluation team in Lakes State strongly emphasised the need for donors to focus on helping to reform and strengthen law enforcement organs in order to reduce and control insecurity which prevents access to basic services even when these exist.[420]

7.2. Effectiveness

> *To what extent did the support provided achieve its purpose? If it did not (or only partially) achieve its purpose, why was this?*

Socioeconomic (including humanitarian) spending by donors has been at about 80% of total expenditure over the last five years; but the distinction between humanitarian and recovery programmes is often spurious – while the conflict impact of these interventions remains in the background of policy analysis. The conflict sensitive nature of these programmes – including capacity

[418] Schomerus, M and T Allen (2010) op. cit.
[419] Haslie, A and A Borchgrevik (2007) op. cit.
[420] Annex 2, para 92

building, civil society and community dialogue that contribute to CPPB – is not recorded in the statistics.

Maintaining an appropriate, context-informed balance between service delivery ('peace dividends') and building government capacity and 'ownership' has been difficult. This is partly because there is a lack of clarity around what constitutes 'ownership'. Donors have tended to see 'ownership' as equivalent to 'state building' and in general have prioritised these objectives over the delivery of services, despite early post-CPA rhetoric emphasising the delivery of tangible 'peace dividends' to communities as the priority. While state building and 'ownership' are clearly important, especially in the medium and longer-term, improved security and access to basic services are the immediate and undisputed priorities of the Southern Sudanese people.[421]

We have seen that establishing GoSS 'ownership' is more important to donors than to Southern Sudanese, who are desperate for security and services, irrespective of who provides them. A 2007 study points out that,

> "it was not the 'philosophy' of the project that was important, but the delivery: the presence of vehicles, the actions of the project, whether project staff were active or just sitting around and whether the stuff was being brought to the place".[422]

Unsurprisingly, projects evaluated as effective (UNHCR return and reintegration, the Capacity Building Trust Fund, demining) have been less successful in building national capacity and addressing subterranean factors such as marginalisation of certain groups and the hardening of ethnic identities. Likewise, technical projects implemented by experienced internationals appear to have been more effective than those which are driven by state building and other political objectives, or which have to contend with divided or inefficient national structures.

Conversely, funding mechanisms such as the MDTF-S, which score highly on donor coordination, harmonisation, and to some extent government ownership, have often failed to deliver on the ground, lacking a sharp focus on the more urgent factors of conflict. Large UN-managed projects in particular have focused on building central government capacity. Yet evaluations consistently mention the lack of focus on developing government capacity from the State level down. The scale of support for capacity building and capacity provision provided by the donor community fell far short of what would be required to establish a functioning government at regional, State and local levels. The effort has been fragmented and lacking in overall strategy.[423] This is starting to change now with the introduction of a large three-year USAID programme which will build GoSS capacity to deliver basic services at all levels and a UNDP programme focused on building State level capacity.[424]

Field presence has been a continuous obstacle to performance at the local level. In areas where relative peace prevails, the obstacle to expanding the scale and quality of service provision is not insecurity, but the lack of sustained funding to NGOs and GoSS capacity to staff and equip offices, schools and health facilities and provide recurrent costs at both State and county levels.

Bilateral Assistance

Our field research confirms that strictly bilateral approaches have provided the most effective support to service delivery. For example USAID is one of the few donors to have clearly articulated its

[421] This view was confirmed during interviews in NBEG and Lakes States
[422] Harragin, S (2007) Waiting for Pay-Day: anthropological research on local-level governance structures in Southern Sudan, Save the Children:UK
[423] Annex 4; Foster, M et al. (2010) op. cit.
[424] Harvey, P (2008) EC and US Approaches to Linking Relief, Rehabilitation and Development: a Case Study on South Sudan, Draft, Global Public Policy Institute

approach to working in Sudan in terms of fragility.[425] This enables much closer and more frequent monitoring and a much better understanding of State as well as Juba contexts. The agency has managed to retain a number of key staff (either directly or working with implementing partners) with extensive experience and knowledge of Southern Sudan. Interestingly, USAID has even been approached by other donors about managing their funds. For example, DFID – a Joint Donor Partner – is considering channelling substantial funds through USAID to support the ongoing Building Responsibility for the Delivery of Government Services Programme being implemented in the Three Areas as well as girls' education scholarships and teacher training.[426]

Effectiveness is due to the much more 'hands-on' approaches made possible by a combination of effective conflict analysis, local knowledge and, as stated above, numbers and continuity of staff. We found this to be the case with the Pact Water for Recovery and Peace Project (WRAPP) and the Sudan Basic Education Programme credited with laying, "…the foundation for a viable education system in Sudan and [supporting] the development of Sudanese capacity to lead and manage the education sector".[427]

Governance and Security Sector Reform

In the governance sector, we have noted the over-ambitious nature of many project objectives given the low institutional starting point in 2005. This is the case not only for project targets (e.g. local government institutions) but also for implementers. For example, UNDP recruitment of local staff and the logistics necessary to launch a new programme all depended on a conducive operating environment and basic levels of infrastructure rarely available. The trade-off between capacity building and service delivery would inevitably compromise effectiveness.

In security sector reform, effective support has been extended to the SPLA command and control systems and in sectors of accountability – personnel, finance, logistics, procurement, military/strategic planning and decision making. There were issues over delayed contracts for contractors, but SPLA transformation is now 'on track' in terms of the set objectives of US, UK and Swiss Governments.[428] However critical conflict factors in this area have deteriorated while interventions were ramping up. Although security is a paramount concern, GoSS has not clearly articulated ways of connecting security with other activities, nor designated a clear role for donors in this. This may arise because GoSS primarily conceived security in terms of the North/South relationship in which 'efficient and effective armed forces' was the stated focus within the security priority, and this has been adopted with little critical distance by donors.[429] In particular, GoSS did not designate a clear role for donors in civilian disarmament campaigns that began from 2006 onwards.

Flexibility over sourcing of funds to respond quickly to needs on the ground is of paramount importance. For example, the effectiveness of the police can be considerably enhanced by the provision of communications equipment such as radios and vehicles, as demonstrated by GTZ and the government's community security and arms control project supported Saferworld and UNDP.[430] In the governance sector, a number of donors are focused on the rule of law as a long-term aspect of state building.[431] Their activities include training of judges, construction of court-houses, etc., but it is difficult to target these comprehensive programmes towards the places and areas affected by violence – and when they were planned this was not such a high priority. Some adjustments have, however,

[425] USAID (2005) Strategy Statement 2006-2008, USAID/Sudan 2006–08 Strategy Statement, December 2005
[426] Interview with USAID Officer, Juba, 26 February 2010 and USAID Mission Director, Khartoum, 18 July 2010
[427] Abajio, O and D Sifuna (2008) The Sudan Basic Education Programme (SBEP): The Final Evaluation Report. OWN & Associates Ltd for USAID:Sudan, p 23
[428] Annex 5
[429] GoSS (2008) op. cit.
[430] Through the Community Security and Arms Control Project
[431] Including DFID, UNDP, Germany, Canada

been possible; for example special programmes such as Joint Justice Programme in Jonglei State run by UNDP is intended to support institutional capacities in areas affected by conflict and linkage between justice and security mechanisms. In governance there have been some notable institutional successes in ensuring equal access and participation of women, but these have been tempered by educational and capacity constraints that have historically worked against women.

Local Peacebuilding

The effectiveness of local level reconciliation and peacebuilding activities has been limited, mainly because the majority of reconciliation meetings or conferences are not linked to national level peace processes and the implementation of agreements is not monitored or followed up. Formal peace committees and networks have poor representation from women due to cultural barriers. Donors have not always recognised this. There has been a recent shift away from exclusively CBO-based dialogue towards supporting local government with a longer-term engagement.

7.3. Efficiency

Were the financial resources and other inputs efficiently used to achieve results?

Infrastructure

The continuing presence of pockets of insecurity, the extremely low capacity of the new government at all levels, and the lack of roads and communication infrastructure have hampered efforts to rapidly scale up basic service delivery in Southern Sudan. During the middle of the April–November rainy season, some areas of Southern Sudan are either completely cut off for weeks at a time or accessible only via expensive air transport. This constraint has resulted in significant down-time, high overhead costs and compromises in quality, particularly for the construction components of service delivery programmes.

Aid Architecture

In some cases, the aid architecture itself has compounded problems of efficiency. Most of the evaluations we reviewed suggest that the larger pooled funds should have supported donor objectives in relation to fragile states, the UN reform agenda, and GoSS state building. However, shortcomings on delivery have led many donors to bypass them, channelling an increasing amount of resources bilaterally or through new pooled fund mechanisms. This is not the first time that the MDTF instrument has failed to achieve its objectives in a post-conflict context,[432] which begs the question as to why crucial lessons are not being learned.[433] Donors such as EC and USAID have played an important role in maintaining bilateral forms of funding which, together with consistent in-country presence of experienced personnel, have helped to provide the flexibility and responsiveness needed in recovery contexts.[434]

Despite the evidence provided in the evaluation literature, donors have continued investing in pooled funds and in contracting UNDP to manage them. DFID's rationale for pushing for the establishment of yet another UNDP-managed pooled fund (the Sudan Recovery Fund (SRF)) instead of focusing on amalgamating and/or improving the efficiency and effectiveness of existing funds, was questioned by evaluators:

[432] Scanteam (2007) Review of Post-Crisis Country Multi Donor Trust Funds, Final Report and Annexes, Commissioned by World Bank, Norwegian Ministry of Foreign Affairs, and NORAD in cooperation with CIDA, Netherlands Ministry of Foreign Affairs and DFID
[433] Pantuliano, S (2009) op. cit.
[434] Harvey, P (2008) op. cit., p22

> "...we believe DFID has gone too far in disbursing such a large share of DFID aid through pooled and multilateral funding mechanisms and encouraging other donors to do likewise, without sufficient questioning of whether the instrument, as designed, actually advances aid effectiveness objectives".[435]

The Basic Services Fund (BSF) has significantly improved access to basic services in Southern Sudan, out-performing the MDTF-S in terms of the speed and efficiency of contracting procedures, coverage and delivery. The BSF responded to initial criticisms regarding the quality of monitoring and evaluation and is also addressing the perceived low degree of government ownership of the fund at both Juba and State levels. Its monitoring and evaluation work is reported to be significantly ahead of the other pooled funds. Experienced (and outsourced) management appears to be a critical factor in the improvements.[436]

Data Collection

Significant progress has however been made by the GoSS in the collection and analysis of sectoral data although quality of data and analysis overall. Our fieldwork confirmed the quality of data particularly in the education sector.[437] The BSF monitoring and evaluation system deserves particular mention for its good practice in learning and dissemination.[438] However, significant challenges remain, particularly in the sharing of data between ministries and regular updating of information.[439] Juba-level GoSS officials have also commended the EC and FAO supported food security data collection by State governments.[440]

Government information systems, however, are not concerned with CPPB although the mapping of education and health facilities and collection of food security information could be better used in CPPB analysis. While baseline data collected by NGOs do usually mention conflict as a cause of the current lack of basic services, most of the data collected are not relevant to CPPB.

Governance

In the governance sectors we found delays in project implementation emerging as a strong theme in evaluations, often related to inefficiencies in UN procurement and contracting procedures. NGOs were mainly (but not always) credited with being faster and more efficient. We also note that capacity building has been too slow and ill-targeted due to the piecemeal and uncoordinated approach adopted.

Demining and DDR

In demining, for the most part, operations have been undertaken efficiently and effectively, contributing to the stabilisation of respective areas, preparing the ground for follow-up humanitarian and development activities. Our field investigations showed, however, that there are too many state actors (commissions and ministries) dealing with the sector, with unclear and overlapping mandates.

In the UN's DDR programme, the level of communication, coordination, and cooperation among national and international DDR stakeholders at the State, Juba, and national levels has improved but remains inadequate. There is a risk of further destabilisation if the reintegration of ex-combatants is not linked more closely to wider efforts in community security, employment, peacebuilding, small arms control, policing, and security sector reform (SSR).

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[435] Foster, M et al. (2010) op. cit.
[436] Morton, J et al. (2009) op. cit.
[437] Annex 2, para 120
[438] Annex 2, para 122
[439] Basic Services Fund – Available Data and Gaps, Powerpoint Presentation
[440] Annex 2, para 125

Donors have yet to develop a strategic and coordinated approach that links SSR, DDR, the judiciary, and police reform. This would need to include increasing budget allocations to the Southern Sudan Police Service in line with a long-term transformation plan. UNDP's Rule of Law programme has been efficient in training and bringing legal information and awareness to several State capitals. There has, however, been too much emphasis on formal institutions and not enough attention given to linking this with customary law, despite the fact that the latter is itself in need of reform in some areas.

7.4. Impact

What have been the wider effects of donor support in supporting a climate of peace in Southern Sudan and to the implementation of the CPA in Southern Sudan?

There is a need for better baseline assessments and documentation to assess impact as well as the need to ensure the output of consultations are better connected with the planning and prioritisation processes of donors, other UN agencies and INGOs.[441] However this evaluation draws conclusions by comparing the evolution of the factors of conflict over the five-year period where correlations are stronger.

Disregarding geographical variations and the ebb and flow of particular disputes, it is clear that the overall tensions have not decreased in Southern Sudan. International interventions cannot be responsible for conflict deeply embedded in the fabric and history of a country that has known very little peace for two generations. However aid is part of the political economy, a tangible and sufficiently large resource to be of interest to all stakeholders, and hence is not neutral to this situation. Similarly because in some places it has clearly made a difference, it is possible to track some degree of contribution to the overall situation.

CPPB impact, then, is about specifics – incremental or episodic relations between outcomes of aid and conflict factors that can be built upon or replicated. It concerns strengthening the society's and government's capacities to keep under peaceful control the disputes and tensions brought about by political transition.

These disputes have indeed been adversely affected by the delays and problems associated with the implementation of important CPA priorities such as security sector reform, DDR and rule of law programmes – and the failure of the GoSS and donors to address them strategically. But equally they are exacerbated by there being no clear security policy, or where there is ambiguity between customary law and newly emerging formal legal systems – an issue that belongs to the public authorities of Sudan.

Building State Legitimacy

Building the capability and legitimacy of state authorities – whether through training and technical assistance or through the provision of basic services – should have had longer-term positive impacts on stabilisation. But the evaluation holds (on the basis of the strategic conflict analysis carried out) to the central premise that there are some sectors – security, policing, rule of law – where international intervention is of greater priority than basic services, simply because of the importance of these functions of the State, as well for the reason (often stated by GoSS and community respondents) that

[441] Eavis, P et al. (2009) op. cit.

the effectiveness and sustainability of services are compromised by insecurity and in several States the limited resources of GoSS are diverted to 'fire fighting' persistent security infringements. The focus of much capacity building on certain levels of the state to the detriment of others has reduced the impact of the interventions on factors such as marginalisation, distrust on natural resources management, and disarmament in the population.

Local Peace Conferences

In looking at local peacebuilding activities, our field investigations in Magwi County (Eastern Equatoria) came with two illustrative examples of attempted international mediation in local disputes – one failed, the other succeeded. The first was a series of peace conferences organised by the Episcopal Church of the Sudan to help resolve the conflict between local farmers and Dinka cattle keepers. By raising issues but not resolving them, such conferences can do more harm than good – in this case the wrong people attended the meetings, and root causes were not addressed. For example, formal peace committees and networks have poor representation from women due to cultural barriers, and the key conflict factor of marginalisation (of which this is but one facet) is not addressed.

Donors have not always recognised the importance of inclusive targeting of initiatives, through, for example, funding separate meetings for women. By contrast, workshops organised by American Refugee Committee started from the particular issues of sexual and gender-based violence, and appeared to be making headway. This success was attributed to the fact that the Agricultural Research Corporation has a continuous programme and has been working with the community over several years.[442]

Basic Services

In examining the provision of basic services, we found very little evidence that it has significantly contributed to CPPB. In Lakes, Warrap, Jonglei, and Upper Nile – the most conflict-affected States – effective disarmament, a focus on the building of a trained and credible police force, the building of roads, and programmes targeting youth are the key priorities which will create an enabling environment for the delivery of basic services. Which of these interventions should be prioritised and how these programmes should be implemented requires an analysis of the particular drivers of conflict in each State and in some cases, in specific counties within them. This has rarely been done.

The issue of unemployed youth came up many times in discussions in all seven States visited by the evaluation team, and is one of the factors of conflict, though not a key one. There are only very few secondary and vocational schools in Southern Sudan. According to Ministry of Education Science and Technology data there are only 764 secondary school classrooms as compared to 10,663 primary ones. Even for those who manage to complete secondary school job opportunities are extremely limited.

Paradoxically international interventions have been strong in opening up certain areas, such as roads and areas polluted by unexploded ordnance. Demining operations are universally regarded as having had a major positive impact for returning and resident communities. They have contributed to the stabilisation of respective areas, preparing the ground for follow-up humanitarian and development activities. Likewise, there is evidence that new road building programmes have increased economic activity and encouraged social integration. The increased 'visibility' of infrastructure – for example roads and markets – as well as increasing urbanisation, has also provided women with opportunities for improved livelihoods. Women are more likely to start economic activities around the infrastructure investments, and also get support from NGOs and private sector services. We conclude that some aspects of marginalisation have been reduced – although the presence of infrastructure may

[442] Annex 3, paras 108-113

also increase some other factors, such as destabilisation of communities because of new conflicting claims to resources (from returnees but also because of future investment activity).

Some MDTF contractors reportedly failed to perform in the education and water sectors because of insecurity and inaccessibility of some sites; we note, though, that the MDTF-S has achieved much better results in the water sector than in the other basic service sectors, particularly in helping build the capacity of the GoSS ministry. The success is largely attributed to the long-term presence of a senior World Bank technical expert to oversee implementation funded by the German Government.

Governance and Rule of Law

In the governance sector, donors have tended to focus on rule of law as a component of long-term state building – and in this respect much progress has been made in formalising state mechanisms, drafting legislation, etc. But it has not specifically targeted areas affected by violence. The roll-out of the formal justice system has been slow, especially at county levels and below. Chief's courts still dominate the system. There are some contradictions between customary law and international human rights law, especially over the rights of women.

Police have not been deployed strategically based on risk assessments. An exception has been UNDP's Joint Justice Programme in Jonglei that links justice and security mechanisms. Civilian disarmament has had limited impact in terms of improving security; communities tend to re-arm once they see that neither GoSS nor UNMIS are able to protect them. Promises of follow-up peacebuilding efforts and/or alternative livelihoods have often not materialised.

SPLA transformation programme is accelerating with trust towards international involvement having risen over the last two years. It has necessarily emphasised central and institutional functions, including relationships between GoSS, its ministries and SPLA. Again, though, the weakness is at sub-State levels where the SPLA has in some cases been used as a vigilante force by local politicians.

7.5. Sustainability

To what extent are the accomplished results sustainable?

'Sustainability' is a problematic concept in Southern Sudan and highly dependent on a large range of complex and interrelated political factors most of which are outside the control and even influence of external actors. Some of the most important amongst these are the eventual outcome of CPA implementation; how quickly the capacity, legitimacy and accountability of GoSS can be built at all levels; and whether sufficient revenue from oil will continue to be available. 'Over-ambitious' is a term found in almost every evaluation of programmes, including our own. Failure to outline a *realistic* exit strategy for activities is the corollary of this. Both of these issues are directly related to the built-in constraint posed by the short-time frame of the CPA interim period itself, relative to what is expected to be accomplished. The piecemeal and un-strategic approach to GoSS capacity building – coupled with the sheer magnitude of the need – has been another important obstacle to sustainability.

Many of the activities under review are poorly linked into State and local government structures. This is an essential requirement both for the sustainability of the inputs and also for the sustainability of peace – ultimately through an inclusive political settlement. Unless donors recognise and understand the balances of political power that flow from their actions they may inadvertently cause harm in relation to conflict. Too much focus on Juba, and specific elements within Juba, may cause a real sense of marginalisation in other areas. Donors could play a role in preventing the Khartoum-South relationship, which led to war, being duplicated in Juba-State-County relationships, but have not done so.

The reintegration programme as part of the wider efforts towards DDR has been subject to short-term 'humanitarian' funding with sustainability issues increasingly coming to the fore. To date there has been insufficient involvement of communities and local authorities in DDR planning and implementation. The result has been misinformation and unrealistic expectations. The problem with adopting an individual-based reintegration programme rather than a community based one is that the burden of economic and social reintegration falls mainly on the shoulders of 'absorbing' communities; yet these communities are often even worse off economically than the ex-combatants. Good practice in CPPB is demonstrated in areas where host communities and IDPs have been assisted alongside refugee settlements, but 'stovepipe' funding sometimes makes this difficult.

Donors have engaged very little with the private sector – especially in farming and trading – despite its potential in promoting stability by providing alternative employment to those retrenched from the public sector. Although there are signs of community consultation in programme implementation, in most cases the main decisions about aid have been taken elsewhere.

With regard to sustainability, capacity development appears to have been inadequate and overly focused on often poorly delivered training. The process of capacity building is too slow due to a piecemeal approach and not well targeted. For example, in rule of law, despite some evidence provided of beneficial training to the judiciary of Southern Sudan, there has been no comprehensive strategic framework existing for training and capacity development of the judiciary. Capacity development of the police has been particularly deficient, with a general lack of proper training and infrastructure. There have been some successful projects, e.g. GTZ's project of support to police radio communications in partnership with UNMIS police. But many police officers are heavily militarised and lack training and expertise in civilian law enforcement.

The lack of sustainability in relation to basic services is identified as a serious issue by all stakeholders. The Basic Services Fund (BSF) is a case in point – not one BSF project to date has received recurrent or capital cost commitment from GoSS.[443] Similarly, the evaluation of the Water for Recovery and Peace Project (WRAPP) stresses that with regard to water, while the rural water policy allows for community management and maintenance of water points, no solution has yet been found to the financing, procurement and management of spare parts, a major obstacle to sustainability.[444]

Maintenance of roads is an issue, and roads have not been systematically targeted into unstable areas; as a result security forces have not been able to restore stability. Another outcome of poor access is the limited humanitarian response to the results of insurgent raids, and pastoralist-farmer conflicts.

Dramatic reductions in anticipated oil revenues (effectively the sole source of GoSS revenue) and political pressure to expand (and delay in the rationalisation of) the health and education payrolls have affected the functioning and future sustainability of basic services. With donor urging and support, the education payroll is now established and some progress has been made in completing the health payroll, but it has taken much longer than expected and this has impacted negatively on teacher and health worker retention and morale.[445] Irregular and unpredictable financial transfers to the States (which has improved in 2009) and down to counties, as well as low budgeting and financial capacity and accountability across all levels of GoSS, have also undermined the sustainability of basic service provision.

The failure to integrate all sources of funding and support across GoSS strategies and plans is identified as a serious shortcoming in several of the evaluations. There is still,

[443] Foster, M et al. (2010) op. cit.
[444] Welle, K et al. (2008) op. cit.
[445] Morton, J et al. (2009) op. cit.

> "…an urgent need for a more strategic, long-term approach to supporting and developing basic services, so that they can be handed over successfully, and sustainably, to GoSS and the State governments. BSF offers a good base, probably the best available, for such an approach".[446]

This is starting to change, however, with the GoSS MoFEP taking a lead on developing three-year strategies through the Budget Sector Working Groups (BSWGs) and through the signing of the Juba Compact and associated strategic planning to realign the five key pooled funding mechanisms (MDTF-S, CBTF, BSF, CHF and SRF) to work together to accelerate delivery and impact. Work has been done to identify the comparative advantages of each fund.

Though not unique to Southern Sudan, the problem of short timeframes for recovery/development programmes is particularly acute and at odds with realities on the ground. NGOs, for example, are under pressure to report back on programme outcomes and budgets spent, yet the lead time for starting an intervention, plus the limited window of opportunity outside the rainy season, leads to bottlenecks. Unsurprisingly, an assessment of impact is either superficial or non-existent.

Finally, we emphasise the importance, as a long-term measure, of developing and engaging civil society in building an inclusive state, not simply acting as extension contractors to donors' projects. Supporting civil society to develop an independent function may limit negative aspects of a patronage system. For example, GoSS has yet to develop the political authority to ensure civilian oversight of law enforcement operations conducted by military. Even when civilian authorities call upon SPLA for law enforcement there is no monitoring of these operations.[447]

7.6. Coherence

> *Were humanitarian, development, security and diplomatic efforts of individual actors in line with each other? Were policies of different actors coherent, complementary or contradictory?*

Before 2005, donors maintained good technical (JAM) and political coherence (CPA), effectively managing and subordinating tensions and divergent agendas to the collective goal: supporting the negotiation of a just and lasting peace. During the year after the agreement was signed, however, the growing distraction of Darfur and the reassertion of individual donor agendas and approaches caused coherence to deteriorate. The Sudan Consortium (three annual meetings) failed to function as a strategic coordination forum, turning into a pledging conference instead. Although the establishment of the Joint Donor Office in Juba was a direct attempt to encourage coherence and alignment, decision-makers (including the diplomatic corps) remained in their separate country offices in Khartoum. The Joint Donor Office evaluation, and other related pieces of work commissioned by the Joint Donor Partnership, have all noted that in the absence of a shared political analysis and strategy, coherence is difficult to achieve.

The MDTF–South, which is supposed to provide the main framework for donor alignment, failed to do so for a number of reasons. Key among these was the lack of effective leadership from the World Bank and the Joint Donor Team.[448] Another factor was the decision of USAID, one of the biggest and

[446] Ibid.
[447] Human Rights Watch has documented several incidences where international law has been violated by the SPLA, including extra-judicial executions, destruction of property and torture. See Human Rights Watch (2009) op. cit.
[448] These views were expressed in number of different interviews as well as in the JDT evaluation and the DFID Country Programme Evaluation

most influential donors, to continue to programme resources bilaterally with GoSS outside of these arrangements.[449] The lack of GoSS capacity and inflexible, bureaucratic and cumbersome procurement procedures of the MDTF caused problems and delays, particularly for the education and health programmes. As a result, the Oversight Committee, co-chaired by the Joint Donor Office, became increasingly preoccupied with just trying to make the fund work, rather than addressing strategic issues affecting MDTF and GoSS performance.[450]

The coordination mechanism with the most potential appears to be the BSWGs, which were established in 2006 with support from United Nations Development Programme's (UNDP) Support to Economic Planning Project, and serve as the main GoSS coordination and planning mechanism. Government, donors and implementing partners all participate. Most actors consulted believe these groups have made some impact on helping to avoid duplication and overlap.[451] However, as these groups officially meet just once a year, and the focus is on annual budget planning, the impact on coherence and coordination is less than it could be.

Although late in the day, donors are now attempting to improve coherence and accountability. The Juba Compact, signed by GoSS and donors in June 2009, is the latest attempt at improving donor coherence and alignment with GoSS. Prompted by the oil price-related fiscal crisis, the grain procurement scandal, and increasing evidence of the spread of corruption within GoSS, the Compact was proposed as a way of enforcing mutual accountability between GoSS, State governments and donors around the provision and use of resources. Although the World Bank was originally designated as the lead regarding monitoring and follow-up, it was later decided to create a monitoring team of five ministers and five donors. It is not yet clear what monitoring has been done or by whom.

In parallel, the Oversight Committee created and tasked two working groups to assess how the MDTF-S and the four other pooled funds (CBTF, SRF, CHF and BSF) could be "…used to provide a comprehensive package of support to GoSS, based on their comparative advantages and the objectives of the GoSS aid strategy."[452] Based on the resultant analysis, the Ministry of Finance and Economic Planning (MoFEP) requested, and the Council of Ministers approved, the reallocation of USD75 million from the MDTF-S to the BSF for health and education, given the BSF's track record in the successful delivery of basic services.[453] Lack of clarity on the implications for existing MDTF programmes (there is an overall shortage of funds for the health sector) and the shape of the post-2011 aid architecture could however, undermine the potential benefits of this move. Meanwhile, on the ground, we found that many Sudanese felt that the international aid complex comprising pooled funds, 'middle men', and the large number of UN agencies and INGOs is too complicated. CBOs and local authorities find it bewildering to negotiate with the UN and INGO bureaucracy.

While in the short-term USAID will continue to programme resources bilaterally, future contributions to pooled funds post-2011 have not been ruled out entirely.[454] In the Southern Sudan, the USAID view has been that pooled funds are too complicated and expect too much capability from the GoSS at this time. GoSS staff are still generally too poorly educated. USAID is committed to complementarity, but believes it is best achieved through its participation in sector-wide working groups. Thus, the Juba Compact and sector-wide assistance programs are intended to help the government come up with its

[449] USAID coordinates closely with the MDTF–South and also attends Oversight Committee meetings
[450] Interviews with previous JDT staff
[451] Four of the 10 BSWGs are headed by USAID
[452] Aligning the GoSS Pooled Funds and Orienting MDTF Phase II, (undated) prepared by MoFEP (Chair), JDT, UN, World Bank, US Consulate and USAID
[453] The process was actually more complicated because some funds could not be reallocated due to donor legal requirements. In some cases, commitments to the MDTF–South were simply cancelled
[454] This would depend in part on whether fund design incorporates lessons learned from the MDTF–South, BSF and CBTF – i.e. that funds with private sector management agents, clear governance arrangements, fast and flexible procurement procedures, and experienced implementing partners/contractors are more likely to result in efficient and effective delivery. Interview with senior USAID official, 2010

priorities and strategies. USAID has sought to provide support for ten core government institutions. Where governing functions have been found not to operate, such as at lower levels, training is provided to try to encourage access by the communities to the government agencies that are supposed to serve them. At the same time, we are informed that the Obama Administration is reviewing the question of pooled funds.

There was a relative neglect of donor support to the security sector from 2005–2007, and not until fairly recently has there been a serious attempt to link programme support in this sector to that of the police and judiciary. For instance, there have been serious gaps in strategic investment by donors in infrastructure, training, and organisational development of the Southern Sudan Police Service.[455] This strategic and sequential omission has delayed a process that should have born results some years ago. As we have seen, SPLA demobilisation often led to the poorest quality soldiers joining the police and wildlife, with levels of incompetence simply being transferred, and few adequate livelihoods alternatives being available.

The issues raised above concerning the relevance of international activities in relation to CPPB are closely related to coherence. It also relates very much to linkages between the diplomatic and aid efforts of donor countries.[456] The real problem, though, is that CPPB has not been taken seriously enough as a starting point in designing strategies and programmes.

7.7. Coordination and Linkages

> *Were the coordination mechanisms chosen by donors effective? To what extent was there adherence to the Paris Declaration Principles? What was the relative emphasis on and balance between the different types of support provided (humanitarian, rehabilitation and reconstruction), and was the sequencing of intervention appropriate?*

We have argued that many donors have too closely adhered to the commitment towards harmonisation in the Paris Principles. To some extent this adherence came at the cost of ownership and alignment (policy alignment as well as procedural alignment). However, we have argued, the latter was difficult in view of the limited capacity in Southern Sudan and the lack of a legal framework (for instance for public finance management). At the same time insufficient attention was paid to the implications of the OECD/DAC Fragile States Principles. The conceptual discourse itself leads to obfuscation. 'Recovery' for a 'post-war', 'post-conflict' environment leads to assumptions over stability. Alignment with GoSS priorities on security and to designing responses around specific contextual analysis (governance, instability) then becomes a stovepipe agenda only for specialised agencies.

This lack of linkage between peacebuilding and other developmental activity is, of course, not intended. The stated goal of most development programmes is to contribute to consolidating peace. The problem is in the underlying logic (the linear assumption between service delivery and peace), the execution (often not informed by conflict analysis) and the measurement of results (lacking indicators related to peacebuilding). Sequencing between programmes has not been helped by the plethora of aid channels. Thus, for example, many aid activities were already in place before critical issues such as reintegration of returnees or demobilised soldiers came to the fore. But even when justice and security was the expressed goal, these sector responses were not always linked into, or sufficiently flexible to

[455] Lukuji, A et al. (2009) op. cit.
[456] See, for example, Sørbø G M (2010) Local Violence and International Intervention in Sudan, Review of African Political Economy, June 2010

respond to, areas where violence was a significant threat. There are exceptions but in general aid has been compartmentalised and unresponsive to CPPB.

Arguably there has been too much coordination in the form of pooled funds which we have shown to be largely unable to respond to specific local issues. Much of the best work relating to CPPB seems to be conducted by donors that invest heavily in local analysis but remain detached from cumbersome funding mechanisms.

There has been a lack of joint diplomatic and developmental approach between donors, as well as a disjuncture between the two. This division between politics and aid derives from the traditional separation of the two areas within ministry structures but also from the difficulty of merging and harmonising donor countries' political relationships with Sudan. In Southern Sudan it means that there has been a failure to engage with fundamental political issues, particularly at local levels, and to design aid programmes that help mitigate rather than exacerbate conflict. This applies particularly to conflicts related to land and natural resources. There is a notable absence of an overall framework to deal with such problems.

With the exception of Juba, aid is highly dissipated and although some States may receive proportionally greater amounts, it is still very scattered and sector-specific. The totality or scale of international aid thus has little direct relationship with conflict risk. Donors have tended to apply a very broad strategy to security reform, leaving specific issues such as civilian disarmament to be addressed in a roundabout way through small arms reduction activity and by supporting funding mechanisms such as the Sudan Recovery Fund. The result is a lack of coordination and linkage between various initiatives. On small arms, donors have focused (if at all) on public awareness rather than the actual process of disarmament. With the exception of some small-scale peacebuilding efforts, there is a lack of synergy between disarmament efforts and the necessity to immediately follow-up with development inputs. Donors initially failed to link security sector reform with much needed support for DDR; one consequence has been, for example, poor sequencing between SPLA reform and the building of an effective police force. In most areas the latter are still unable to fully take over civil security.

Chapter 8 Key Conclusions and Recommendations

This chapter sets out the key conclusions and recommendations of the evaluation. However, prior to presenting recommendations, we return to the core findings in relation to state building in Southern Sudan and the challenges that lie ahead. In particular, we consider the model of statehood being pursued; the importance of contextualised programming that takes account of conflict drivers; and, the different post-referendum scenarios. This is the broader context in which the recommendations must be pursued.

8.1. Building a Model of Statehood

Neither donors nor GoSS have produced an overriding and clear model of statehood for Southern Sudan, nor an alignment to factors of past and future conflict. The commitment to Sudan's unity and the CPA may have been the reason, but the result has been a patchwork of technical inputs (capacity building, service delivery) without a commensurate 'vision' that anticipates independence. Not knowing the outcome of the referendum – or not being able to plan openly for the most likely outcome – has clearly been problematic. This affected CPPB directly. For example, both the NCP and SPLM were reluctant to engage wholeheartedly in DDR from the outset.

Where governance issues are being addressed, there is still some confusion over the model of statehood in Southern Sudan. Broadly speaking, there could be two models: the 'supply' state where all service provision is derived from government sources; and the 'facilitating' state where the government coordinates and regulates the private sector (including NGOs, contractors, etc.) as the provider of services. The prevailing assumption is that an ideal 'supply' model will gradually supersede the current outsourcing of services (seen as an anomaly or dysfunctional to ownership). But the cost implications of maintaining a state edifice of this nature are huge.

It is not uncommon for resource allocations to be underpinned by patronage. This is often inefficient and corrupt, but it can also function as a repository of trust and security, especially in places where formal state institutions are not yet providing stability and services. The uncertain promise of future formal institutions is not a viable substitute for traditional forms of patronage. Ignoring this has led to neglect of certain key local dynamics, such as the urbanisation of returnees (which seek access to proximate resources more visible and proximate in the 'centre' of many programmes and GoSS policy).

This has implications for how conflict is resolved and how the 'purchase' of loyalty has shaped the political landscape. The problem in building institutions before stability has been achieved is that it might also reinforce and reward a particular faction in power. Underlying tensions over Dinka dominance and control of the apparatus of the government may have been temporarily subdued by the early push towards decentralisation, but without a clearly articulated plan for plurality and accountability, backed by adequate security or basic services at sub-State levels, this could again become a source of major tension.

8.2. Toward Contextualised Programming

As regards CPPB, the single most significant critique of international efforts in Southern Sudan has to revolve around the over-use of policy good practice priorities, which replace field orientation. While none of the prevailing priorities, such as harmonisation, coordination and alignment, are contradictory to CPPB, the key consideration should always remain: **are the interventions dealing adequately with key conflict drivers?** All modalities and sectoral priorities should then flow from the answer. Broad principles that are riddled with hidden assumptions, such as 'there is a causal link between the delivery of basic services and peace' are wasteful, and should be treated with caution.

This question of dealing with conflict factors naturally begs the follow-on question of whether enough is known about these dynamics of conflict, whether they are truly assimilated in programming, and whether the operations are responsive to them. This questioning has not taken place, due to the prevalence of technical assessments, but also the prevailing power of administrative issues (unduly lengthening expenditure and also not contributing to reasonable incentives for the deployment of personnel on the ground). This leads to what can best be described as a clutter of principles, procedures and particularities.

For example to argue in favour of more emphasis on local level efforts and for rebuilding state-society relations through bottom-up processes does not mean dealing with each micro-conflict in Sudan at its particular level only. Local peace initiatives are happening in different parts of Sudan and they deserve more support than they currently receive; but many such initiatives are also being undermined by external forces, including those of the national and GoSS governments. A multi-dimensional and outward looking strategy is required, premised on clear identification of conflict factors and their evolution.

It follows that an approach to peacebuilding should address multiple arenas and sources of conflict in a more integrated way, including a concern with poverty, land issues and livelihood support. This has been slow to emerge in the post-war reconstruction of Sudan for different reasons. There has been a delinking of joint diplomatic and developmental approach, mirrored by the traditional separation of the two areas within donors' ministry structures. In Southern Sudan, it has resulted in a failure to design aid programmes that help mitigate conflict. This applies particularly to conflicts related to land and natural resources. There is a notable absence of an overall framework to deal with such problems.

The issue is not whether state building in Southern Sudan is appropriate (it clearly is), nor whether it ultimately will lead to greater stability (it might). Rather, it is a question of identifying where, when and how conflict factors are likely to undermine this enterprise and all other forms of aid – and hence whether the international community has, in taking a technical approach to state building, failed to respond to more urgent signals that question the legitimacy of the State. If legitimacy rests on the ability of the State to respond to security alerts, it is not simply a matter of reactive military strength. A more inclusive manner of conflict resolution and prevention would include civil society, customary law and 'bridge building' between community and the nascent State, as well as a gradual building of trust in conventional policing, etc.

This can only be achieved through a sophisticated and nuanced analysis of power relations, causes of vulnerability, drivers of conflict and resilience indicators. In the rapidly evolving environment of Southern Sudan, the analysis of the political economy of the transition must be continuously reviewed to be truly context specific.[457] Despite investment by donors such as the American, Norwegian and British governments in sound contextual research and analysis before and after the signing of the CPA, it has not been clear to what extent donor policies and programmes have been informed by, or

[457] Pantuliano, S (2009) op. cit.

have adapted to these analyses, especially given the constraint posed by the short timeframe of the CPA interim period (six years).[458]

8.3. Post-referendum Scenarios

What should the role of the international community be during the final phase of the CPA and beyond? Since mid-2009 a series of reports have been published by reputable think-tanks and other NGOs that map out future scenarios for Sudan as it prepares for the referendums.[459] The EU Institute for Security Studies published a report in November 2009 which argued that the EU "needs to pragmatically endorse the assumption of Southern secession and adopt a 'peaceful coexistence strategy' using all existing European instruments in a more coordinated manner."[460] The International Crisis Group argued that, given that secession had become virtually inevitable, an additional 'CPA Protocol' was needed in order to manage the process of peaceful separation and the stability of the two independent States.[461]

While not entirely abandoning prospects of a worse-case scenario – a return to all-out war – donors have noted that views within the NCP are much more diverse, with some in its ranks willing to accept Southern independence if that will allow the NCP to consolidate its hold over the North.[462] Discussions have started within all embassies and institutions on realignment and engagement with the North and the South in the post-2011 era. The donor community is fully aware that there has been little assistance from them towards preparing the South for secession. The consensus is that at all levels in the South there is an underestimation of the problems associated with secession and the creation of a new country. Some suggest that there should be a new transition period to ease the transformation of the South from being a semi-autonomous State into full independence.[463] It is, however, unlikely that GoSS would accept such an arrangement that could itself lead to further South-South conflict.

In general, donors in Khartoum conceded that, despite the large sums of money being poured into the country, the international community ultimately has very little leverage with the parties. NCP officials interviewed for this evaluation stated that bilateral talks have been underway for some time, but purposely without any involvement of the international community (except in cases where technical assistance might be needed). If secession is the likely outcome of the referendum, the Sudanese propensity towards last minute deals and brinkmanship politics is likely to prevail, but some form of compromise is likely to be reached on contentious issues such as border demarcation and the sharing of oil revenue. GoSS also downplays the significance of the Three Areas. One senior GoSS representative noted that: "[the Three Areas] are considered more of a nuisance factor than a real threat to peace".[464] In fact, nearly all those interviewed in Khartoum, including members of GoSS, consider factional rivalry within the SPLM (and to a lesser degree within the NCP) a bigger threat to lasting peace.

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[458] Brusset, E et al. (2008) op. cit.
[459] The list is fairly extensive and growing, but we note here: Thomas, E (2010) Decisions and Deadlines: a critical year for Sudan, Chatham House report, January 2010, Chatham House:London; Heinrich Böll Foundation (2010) op. cit.; Almquist, K (2010) Renewed Conflict in Sudan, Council on Foreign Relations, Contingency Planning Memorandum No. 7, March 2010; Fick, M (2010) Preparing for Two Sudans, The Enough Project, March 2010; McEvoy, C and E LeBrun (2010) op. cit.
[460] Institute for Security Studies (ISS) (2009) Post-2011 scenarios for Sudan: What role for the EU? (ed) Helly, D, Report No 6
[461] International Crisis Group (ICG) (2009b) Sudan: Preventing Implosion, Policy Brief, Africa Briefing No 68, 17 December 2009, International Crisis Group: Nairobi/Brussels
[462] Temin, J (2010) Making Sense of Sudan, Self-determination: what we don't see in Sudan, Social Science Research Council blog, 10 May 2010
[463] Lunn, J (2010) Sudan: Peace or War; Unity or Secession, UK House of Commons Research Paper 10/40, 2 June 2010
[464] Senior GoSS official interview

8.4. Recommendations

The Terms of Reference for this evaluation state that:

> "although the evaluation will focus on results accomplished, it is also expected to have a 'forward looking character' in order to provide lessons to be taken into account in the post-2011 peacebuilding agenda in Southern Sudan, as well as provide broad lessons which may be of use in situations similar to those in Southern Sudan (i.e. states characterised by fragility and post-conflict conditions)."

The evaluation neither intended to review individual programmes or projects, nor provide a comprehensive overview of any one donor's activities. The specific CPPB lens of the study narrows the focus of investigation. The emerging recommendations, drawn from the findings presented against the four CPPB categories, the results of the field studies (Annexes 1– 9)[465] and the wider analysis of the collective (as opposed to individual) impact of donor interventions, are 'actionable' in that they are directed at a particular stakeholder. For the most part, they are composite recommendations, some of which may have relevance for the wider international community that deals with fragile states.

Conflict Analysis

1. Ensure that revised and new programmes are always preceded by a conflict analysis that links wider dynamics to those specific to the area of operation. This should include a mapping of ethnic and political fault lines, a set of scenarios of likely events in the near future, and their implications for the programme. The design of logframes for multi-location programmes should be broken down to the specifics of State or sub-State indicators based on such a conflict analysis.

2. Framing interventions in terms of conflict prevention and peacebuilding is to be encouraged in environments such as Southern Sudan. The Utstein Palette and categories are a useful tool for donors planning to intervene to understand the spread and reach of CPPB across all types of interventions. However they should not be used as the 'conflict lens' for planning and evaluation, they serve to enhance the perception of the range of instruments available. The 'lens' can only come from a nuanced understanding of the causes of conflict, and the relation that links aid outcomes and these causes. As factors and causes of conflict can be affected by interventions in different categories of the Utstein Palette, it is advisable to plan, monitor and evaluate interventions according to the critical factors identified, not to the CPPB categories, nor to sectoral definitions.

3. Conflict analysis should not lead to separate universally applicable principles of programming, but rather be referred to continually over the programming cycle. For example in analysing the political economy of an area of activity (geographic and/or sectoral), agencies should give due consideration to the manner in which a local dispute can be manipulated for wider political gains by elites. Balance and representation are generally desirable, but need to be checked against the wider dynamics of the country. Overall, considerations of efficiency and accountability should give equal weight to institutional compliance to guidelines and procedures, as to responsiveness to conflict factors. An intervention that is fully compliant with internal guidelines but does not respond to local conditions should be rated as performing poorly, and needing change.

[465] In the case of Three Areas and Oil, a more comprehensive list of recommendations is in Annexes 8 and 9

Action: donors and wider aid community

Three Areas and Oil

4. Reach agreement on all outstanding issues regarding full implementation of the CPA wealth sharing provisions. This includes significantly upgrading GoSS's capacity regarding oil sector management and capacity at both Juba and State levels. Transparency over oil contracts and revenues should include commissioning an audit of the oil sector.

Action: GoNU, GoSS and donors

5. Provide increased technical and advisory assistance to revitalise the Assessment and Evaluation Commission (AEC) Wealth Sharing Committee in order for it to perform its mandate better and serve as a constant check on implementation of CPA provisions.

6. Likewise, help revitalise the AEC Three Areas Committee in order for it to perform its mandate better and serve as a constant check on implementation of CPA provisions. Also re-enable the Three Areas' Donor Working Group.

Action: donors

Funding Mechanisms

7. Invest in monitoring the changing dynamics in the different States of Southern Sudan at regular intervals and ensure that chosen funding mechanisms are sufficiently flexible to respond to these changes. Although multi-year commitments should be encouraged, the disbursement of these funds – whether bilateral, multilateral or through pooled funds – should be dependent on at least bi-annual (twice yearly) updates of events on the ground.

8. Always monitor pooled funds for CPPB as well as more conventional output/impact indicators. Sustained impact on youth employment/livelihoods should be a 'cross-cutting' theme introduced as a key indicator in all programmes funded through pooled mechanisms.

Action: donors

Socioeconomic Development

9. Allocate major resources towards creating and maintaining livelihoods programmes for young men who are currently too easily drawn into criminal activity. As well as vocational training and improvements in access to higher education (also for women), this might include, for instance, imposing a local employment quota on all construction programmes undertaken, either by government or international agencies.

Action: GoSS and donors

10. In the most conflict-affected States, work closely with local (State and county) authorities in assessing and addressing security priorities before access to basic services can be realised. This might involve, for instance, follow-up programmes to disarmament, a focus on the building of a trained and credible police force, the building of roads, and programmes targeting youth. Which of these interventions should be prioritised – and how these programmes should be implemented in each State – should be based on a thorough dialogue not only with local government but also with civil society, including local chiefs.

Action: GoSS and donors

11. In the demining sector, reduce parallel or overlapping mandates within the institutions concerned. The Southern Sudan Demining Commission should be given a clear and strategic

mandate for mine action (MA) as part of a transitional hand over phase from the United Nations Mine Action Office (UNMAO). Integrating demining into the development portfolio should be discouraged, since this is likely to reduce the required flexibility to respond to short-term needs. Continue funding demining and stock pile destruction through specific budget lines.

Action: GoSS and donors

Governance and Rule of Law

12. Focus capacity building and support to decentralised levels of government and increase the level of performance monitoring. At the same time, further encourage a medium-term capacity 'provision' and technical assistance programme that uses civil service skills from neighbouring countries, and ensure adequate funding for at least 5 to 10 years.

Action: donors

13. Ensure that the urgent training of the judiciary at State and sub-State levels is always in tandem with dialogue with chiefs and those responsible for customary law. There should be a consistently applied procedure to ensure that the parameters of responsibility for each party are mutually understood and in accordance with the country Constitution. In particular, this applies to gender equity.

14. Enable traditional authority (chiefs) to address root causes of conflict (including disputes over land or bride wealth) at their customary courts by providing capacity building programmes for these courts.

Action: GoSS and donors

Justice and Security

15. Develop a common donor strategy that links DDR and SSR in a more robust fashion, including the issue of how to promote greater national ownership.

Action: donors

16. In order to promote accountability and transparency in decision making and operational law enforcement, support the development of effective oversight mechanisms to monitor the security agencies. Such mechanisms should include civil society groups.

Action: GoSS and donors

Civilian Protection

17. Where civilian disarmament is carried out, there should be three preconditions: (1) a full consultation with communities concerned; (2) mechanisms in place for civilian oversight and monitoring of the armed services; and (3) plans in place for incentives and rewards – for example, community services and livelihoods programmes. Donors should be involved in all three of these.

Action: GoSS and donors

18. Strongly encourage the UN Security Council to strengthen the civilian protection mandate of UNMIS and its operational strength to fulfil the mandate. This would be through, for instance, creating a rapid response capability for conflict-prone areas and establishing a comprehensive civilian protection and conflict monitoring system. This should include the deployment of more human rights officers across Southern Sudan, especially in disputed border areas and

areas prone to frequent communal conflict, and the provision of regular public reporting on human rights violations.

Action: donors

Civil Society

19. In recognising the importance of decentralisation and development of civil society for long-term CPPB, develop and apply norms to ensure that INGO activity provides better support both to government and Sudanese NGOs.

Action: GoSS and donors

Gender

20. Provide long-term support for gender mainstreaming in governance. This should include gender responsive policies and legislation aimed at reducing/ending gender-based discrimination, and a systematic strategy and guidelines for integration and participation of women in governance. For example, GoSS should be encouraged to establish committees and structures that involve women in the promotion of gender equity in land matters and their greater representation on land committees. Support should be given to national processes that collect gender-disaggregated data that can be used to assess progress.

Action: GoSS and donors

Local Peacebuilding

21. Ensure that local peacebuilding initiatives are linked to development inputs to consolidate solutions reached. This implies the use of 'do no harm' tests, especially in conflict areas. Efforts should be made to encourage greater female involvement in peace committees.

Action: donors

Appendix 1 Framework and Stage 2 Terms of Reference

Framework Terms of Reference

for the

Multi-donor Evaluation of Support to Conflict Prevention and Peacebuilding Activities in Southern Sudan

Final version

10 July 2009

1. Background

At the meeting of the OECD/DAC Network on Development Evaluation (February 2008), the Policy and Operations Evaluation Department (IOB) of the Netherlands Ministry of Foreign Affairs offered to lead a multi-donor evaluation of support to conflict prevention and peacebuilding activities in Southern Sudan. The Evaluation is one of a series of similar evaluations covering other countries (Sri Lanka, Haiti and the Democratic Republic of the Congo) and will be undertaken in 2009-2010.

As a first step IOB hosted a consultative meeting on 6 May 2009 at which evaluation departments of interested donors and international organisations and representatives from the Government of Southern Sudan discussed an approach paper stipulating the need for the Evaluation and providing its outline in general terms.[1] The meeting was attended by Belgium, Canada, Denmark, Germany, the Netherlands, Norway, the Government of Southern Sudan, Sweden - Sida, United Kingdom, UNHCR, UNICEF, UNOCHA, UNV, WFP, and the World Bank. Other agencies indicated an interest in the Evaluation but were not able to attend.

The participants ascertained that there is a demand for a comprehensive evaluation, which will provide insights in the challenges the Government of Southern Sudan and the donors and agencies engaged in Southern Sudan have been and are currently facing to implement the Comprehensive Peace Agreement signed in January 2005. Also, the Evaluation can provide lessons which may be useful for policies and programming in post-conflict situations and situations of fragility elsewhere. The focus and general approach of the Evaluation, its timing, and its governance structure were discussed. The current Terms of Reference for the Evaluation have been drawn up taking into account results of the discussion.

2. Southern Sudan – a complex context in brief

Comprehensive Peace Agreement

9 January 2005 was a milestone date in Sudanese history. On this day the Comprehensive Peace Agreement (CPA) was signed in Nairobi, Kenya, which officially ended the war between the Government of Sudan (GoS) and the Sudan People's Liberation Movement/Army (SPLM/A) that had waged for over twenty years. The establishment of the CPA offered hope and a unique window of

[1] *Approach paper for a multi-donor evaluation of conflict prevention and peacebuilding activities in Southern Sudan, 2005-2008*, Mariska van Beijnum and Jort Hemmer, Conflict Research Unit, Clingendael Institute, The Hague, 27 March 2009 (Prepared for and in collaboration with the Policy and Operations Evaluation Department (IOB) of the Netherlands Ministry of Foreign Affairs).

opportunity for a country that has proven to be among the most volatile on the African continent. Among other things, the agreement provided for a Government of National Unity (GoNU) representing both the North and the South; an autonomous government for Southern Sudan; and a referendum in 2011, allowing the South to decide whether it will stay part of a unified Sudan or become an independent state.

The signing of the CPA constituted a major achievement. Nevertheless, Africa's longest running civil war had left Sudan devastated. The 1983-2005 conflict had taken the lives of an estimated two million people and displaced almost four million more, while over half a million others fled to neighbouring countries. Unprecedented damage was done to the country's physical and social infrastructure. Southern Sudan, covering an area of roughly 640,000 square kilometres, populated by an estimated eight to twelve million people, and characterised by a poor physical and economic infrastructure, particularly suffered the burden of warfare. Following its installation in Juba in July 2005, the newly created Government of Southern Sudan (GoSS) was faced with the challenge of having to kick-start large-scale reconstruction in a region that had already enjoyed little modern development prior to the outbreak of war.

Joint Assessment Mission

In an attempt to identify the priority needs in post-war Sudan, the World Bank and the UN established a Joint Assessment Mission (JAM) in 2004. With the full endorsement and participation of the GoS and the SPLM, a country-wide, year-long needs assessment was conducted and finalised in March 2005. For Southern Sudan, the JAM identified five areas needing special and immediate attention in order to improve the living standards of the population and make progress towards meeting the Millennium Development Goals (MDGs).

First of all, core public structures had to be created on every level of society in order to establish effective and legitimate governance. Secondly, there was a need to invest in the rehabilitation and construction of Southern Sudan's infrastructure to enhance the region's accessibility and overcome the isolation of its rural areas in particular. Thirdly, poor access to and delivery of basic social services such as water, sanitation, health care and education were a priority concern. Fourthly, transforming the agriculture sector and developing the private sector were considered crucial for Southern Sudan's economic recovery. Finally, the reintegration of returning internally displaced persons (IDPs) and refugees in Southern Sudanese society posed an enormous challenge.

Not only did the JAM identify and prioritise key objectives for sustained peace, development and poverty eradication in Sudan; it also assessed and aggregated the estimated costs of their implementation. Taking into account the fact that the Sudanese absorptive capacity at the time of

writing was extremely low, the JAM identified priorities for the short and the long run. In the short term, the JAM emphasised interventions that would provide 'quick wins' and contribute to a tangible peace dividend. Longer-term development programmes would be strengthened by a massive emphasis on capacity-building activities and institutional development during the first two years. Consequently, the JAM provided detailed cost estimates for the short run (phase I, i.e. 2005-2007) and indicative cost estimates for the longer run (phase II, i.e. 2008-2011). For phase I, the estimated costs were US$ 3.6 billion, whereas for phase II, the estimated costs were US$ 4.8 billion. The shortfall for which external support was sought for phase I was estimated at US$ 1.4 billion.

Donor support to Southern Sudan

At the international conference held in Oslo in 2005 following the signing of the Comprehensive Peace Agreement, donors pledged US$ 4.5 billion to help rebuild Southern Sudan. Four years later, it is proving difficult to obtain adequate data on donor funding for Southern Sudan. The major drawbacks are the dispersed and fragmented nature of the information and the lack of a sound overview, specifically of funds provided for recovery and development.[2]

However, notwithstanding the difficulty to obtain a complete and accurate overview of donor support to Southern Sudan, it is safe to say that substantial amounts of money have been allocated to the region.[3] Throughout the civil war, the levels of international support to Southern Sudan had been substantial. As of 2005, with the CPA in place and the JAM documenting the needs for short- and longer-term development, the challenge put before the international donor community was to shift its assistance increasingly towards addressing development needs, notwithstanding the ever present humanitarian needs. A mix of flexible approaches and aid instruments was envisaged, striking a balance between humanitarian, recovery and development activities in order to support longer-term development goals while at the same time providing 'quick wins' and contributing to a tangible peace dividend.

Donors' funding strategies, policies and structures in Southern Sudan, however, seem to have been motivated not only by the challenges posed by the political and operational environment in the South, but also by their commitments to international agreements to harmonise, coordinate and align interventions in fragile situations.[4] As the expected inflows of aid after the CPA posed a major

[2] The OECD/DAC Aid Statistics for instance provide a general picture of the net ODA receipts for Sudan as a whole. In the period 2005-2007, these amounted to almost US$ 6 billion. Unfortunately, the OECD/DAC statistics do not differentiate between receipts that were allocated to Southern Sudan and those that went to other parts of the country.

[3] For example, the OECD/DAC Aid Statistics provides a general picture of the net ODA receipts for Sudan as a whole amounting to US$ 5,985,000,000 in the period 2005-2007. The Financial Tracking System operated by UN OCHA, shows a total of US$ 915 million on humanitarian and early recovery funding in Southern Sudan, excluding bilateral funding and direct funding by international NGOs.

[4] E.g. the Paris Declaration on Aid Effectiveness, the OECD/DAC Principles for Good International Engagement in Fragile

management challenge to the GoSS as well as to multilateral and bilateral development partners, aid coordination and harmonisation became the key principles for the international engagement in Southern Sudan. In light of this, the Joint Donor Office (JDO) was established in Juba, through which the Netherlands, Norway, Sweden and the UK, subsequently joined by Canada and Denmark, coordinate and pool their development assistance to Southern Sudan. Furthermore, a multitude of pooled funding mechanisms was established, the Multi-Donor Trust Fund-Southern Sudan (MDTF-S) administered by the World Bank, the Common Humanitarian Fund (CHF) managed by the United Nations Development Programme (UNDP) being the largest and most significant of them.[5]

Southern Sudan – current state of affairs

Despite a massive investment of the international community to address the priority needs the JAM had identified, improvement has been slow since 2005. With respect to successes and challenges regarding peacebuilding, information is fragmented and incomplete. However, it is generally perceived that the international community's efforts have so far not (yet) succeeded to provide immediate peace dividends on the ground in Southern Sudan: basic service delivery is still largely dependent on the humanitarian aid channels and the international NGOs, and slow implementation is considered a major weakness in the international engagement after the CPA. But Southern Sudan faces other serious challenges as well. CPA implementation is far behind schedule and tensions with the North remain over issues such as the demarcation of the border and the contested 'Three Areas' (i.e. Abyei, Kordofan and Blue Nile) that were heavily disputed during the war, transparency regarding revenues in the oil sector and the pace of redeployment of troops. The period since 2005 has experienced a fragile peace and the region is furthermore plagued by insecurity which is, among other things, reportedly caused by localised banditry and conflicts over land and livestock, abuse by state agents, and the widespread and unregulated presence of small arms and light weapons. In the meantime, amidst dropping oil prices which have led to a severe financial crisis resulting in a shortage of resources to cover recurrent costs and investments in peace and development, Southern Sudan is preparing to take part in Sudan's multi-party elections in February 2010 which will have a dynamic of their own, while the 2011 referendum on self-determination is approaching.

3. Rationale for the Evaluation

International assistance to Southern Sudan has been the subject of a large number of (project) evaluations and reviews as well as other types of evaluative studies. Donors and agencies

States, the Good Humanitarian Donorship Initiative, and the UN reform process.

[5] Other major pooled funds that have been established to channel donor support to Southern Sudan are the Strategic Partnership Agreement (SPA) between the UK, the Netherlands and Denmark on the one hand, and UNDP on the other; the Basic Services Fund (BSF); the Capacity Building Trust Fund (CBTF); the EU Recovery and Rehabilitation Programme (RRP); and the Sudan Recovery Fund for Southern Sudan (SRF-SS).

commissioned such studies of specific programmes, projects and policies, as well as key aid instruments in use in Southern Sudan, including the MDTF-S and the CHF. These studies and reviews were triggered by the growing perception that the existing mix of interventions and funding mechanisms was not delivering results on the ground quickly enough to meet the huge needs and expectations of the Southern Sudanese people. Failure to address this 'recovery gap' through the delivery of basic services and other expected 'peace dividends' was considered to pose a serious risk to CPA implementation and thus to peace and stability throughout Sudan.

An inventory of available evaluations, evaluative studies and reviews made for the preparation of the approach paper for the Evaluation, however, shows that none of these studies and reviews presents a comprehensive and clear overview of the results of donor support to Southern Sudan since the signing of the CPA in 2005. Rather, they provide a partial and incomplete picture of the assistance provided, and generally lack information on the actual results of this assistance at field level (i.e. how did or does the assistance address the needs of the Southern Sudanese population). The findings of these studies are relevant for the project, programme or mechanism covered. But most of them do not take into account the influence of other interventions and lack assessments of the ways in which the different interventions are related and may have strengthened or possibly weakened each other.

In other words, there is an absence of comprehensive insight in the effects of international assistance on the security and development situation in Southern Sudan, which is necessary to assess overall progress made in the area of conflict prevention and peacebuilding. It is this 'evaluation or knowledge gap' that underlines the need for a comprehensive multi-donor evaluation of support to conflict prevention and peacebuilding in Southern Sudan.

4. Objective of the Evaluation

As mentioned above, it is generally assumed that the international community's efforts to support peacebuilding and to provide immediate peace dividends to the Southern Sudanese people have so far not been very successful. The Evaluation will test this assumption by assessing the extent of progress made and pointing out the factors driving success or failure. In this way the Evaluation will provide an important input into ongoing discussions and future policies and plans how to possibly improve the relevance, effectiveness, and – above all – the impact of the international engagement in peacebuilding processes in Southern Sudan in the run-up to 2011 and the post-2011 period.

The Evaluation will be comprehensive taking into account conflict prevention and peacebuilding activities directly and indirectly supported as part of humanitarian, reconstruction, development and

diplomatic efforts in the period 2005-2009, and the ways in which these different actions have influenced each other. As such, the Evaluation is not only to produce information on the effects of the interventions thus far, but as a secondary objective, it will also shed light on the effectiveness of the comprehensive approach most development partners wish to pursue.

The main objective of the Evaluation is to provide insight in the effects of donor-supported conflict prevention and peacebuilding interventions in Southern Sudan and to provide lessons to be applied in ongoing and future donor involvement in the region (i.e. lessons learning).

It also serves an accountability purpose: since the signing of the CPA, large amounts of donor funding have been disbursed in Southern Sudan and the results of the Evaluation will provide insights into how these funds have been spent and to what effect.

Finally, the Evaluation is part of an ongoing process to pilot the working draft of the *Guidance on evaluating conflict prevention and peacebuilding activities*, developed by the OECD/DAC Network on Conflict, Peace and Development Cooperation and the OECD/DAC Network on Development Evaluation. This Evaluation and parallel evaluations in other conflict and post-conflict areas will provide feedback on the usefulness of this Guidance.

Although the Evaluation will focus on results accomplished, it is also expected to have a 'forward-looking character' in order to provide lessons to be taken into account in the post-2011 peacebuilding agenda in Southern Sudan, as well as provide broad lessons which may be of use in situations similar to those in Southern Sudan (i.e. states characterised by fragility and post-conflict conditions).[6]

Use of the Evaluation

It is intended that the evaluation results will be useful for a wide variety of stakeholders. The following primary users are identified:

- the Government of Southern Sudan and its different administrative institutions;
- the Southern Sudan Legislative Assembly;
- the Government of National Unity and the Parliament;
- on the part of the donors and international organisations: policy makers, aid administrators and operational managers at headquarters and in the field;
- parliaments of donor countries and governing bodies of international organisations;

[6] An evaluation of the JAM appears to be planned in 2011. The results of the current evaluation may be useful for that particular evaluation.

- other (non-government) organisations involved in the implementation of assistance in Southern Sudan;
- the OECD/DAC;
- the wider development community.

It is anticipated that the evaluation results will be widely disseminated through printed copies of the final report and through the posting of the final report on the websites of the respective donors and agencies commissioning the Evaluation as well as the website of the OECD/DAC. In addition, it is planned to organise a seminar in Juba (and possibly in Khartoum) once the Evaluation has been finalised to discuss its results and recommendations with a wide range of stakeholders. Individual donors and agencies engaged in the Evaluation will arrange their own dissemination activities which may include a management response on the evaluation results and recommendations. These donors and agencies may also organise and separately fund presentations, seminars, or workshops with participation of a representative of the Evaluation Team.

5. Defining conflict prevention and peacebuilding activities – scoping of the evaluation

At the consultative meeting mentioned in section 1, it was agreed that the Evaluation should not only cover conflict prevention and peacebuilding activities in the narrow sense (i.e. mediation and reconciliation), but should encompass the wide range of donor and agency support to Southern Sudan including its coherence, and thematic and sectoral focus. This implies coverage of support to productive sectors, social and physical infrastructure, social service delivery, capacity building and governance, etc.

This approach is in line with the 'practical' definition of conflict prevention and peacebuilding activities provided by the OECD /DAC *Guidance on evaluating conflict prevention and peacebuilding activities* (OECD 2008). The Guidance points out that there is considerable (theoretical) debate about what defines conflict prevention and peacebuilding. This, in turn, leads to difficulties to ascertain which activities, whether or not supported by donors and aid organisations, can be considered to directly or indirectly contribute to the prevention of conflict and the building of peace. It therefore provides a practical definition of four key categories of conflict prevention and peacebuilding strategy and action, which will also be adhered to in the Evaluation:

1. '[I]nterventions that support the promotion of a culture of justice, truth and reconciliation, which can be critical in post-conflict regions in order to heal the wounds of conflict and reconnect society;

2. [C]apacity building and promotion of good governance [which] are critical to human security, especially where states are unable or unwilling to deploy peaceful means to resolve conflict or sustainably and independently facilitate provision of key basic services;
3. [C]onflict prevention and peacebuilding policies and actions often work to create incentives for systems that promote the peaceful resolution of conflict. Supporting reform of security and justice institutions – including the judiciary, penal, policing, parliaments, defence and military actors – is critical and should be seen as a long-term project to achieve democratic governance over security institutions while developing a wider justice and security system that upholds the rule of law and respect for the dignity of poor people;
4. [S]ocioeconomic development and the policies to support it also matter, before, after and even during hostilities. Addressing structural violence and inequality is essential to reducing tensions and enhancing a society's capacity to prevent violence – and is thus often a focus of conflict prevention work.' [7]

Socioeconomic development has a direct and indirect bearing on conflict prevention and peacebuilding and those involved in providing support to economic and social development through policies and actions need to take into account and be sensitive to the conflict situation or post-conflict conditions.

General scope of the Evaluation

The Evaluation will focus on donor support provided to conflict prevention and peacebuilding processes in Southern Sudan covering the period 2005-2009 (i.e. post-CPA). It will cover the four key categories of conflict prevention and peacebuilding strategy and action defined by the OECD/DAC Guidance (2008). It will in principle focus on the support provided and activities undertaken by the donors and agencies that are commissioning the Evaluation.[8]

As is proposed by the OECD/DAC Guidance and because the definitive scope of the Evaluation cannot be determined in a detailed manner at this juncture, the Evaluation will follow a two staged approach. The detailed scope will be defined by taking into account the results of conflict (contextual) and policy analyses, as well as the insights regarding the support provided by donors and agencies (for details see section 6 below).

The advantage of this approach is that it provides the opportunity to determine the most relevant focus for the Evaluation based on insights into the current situation in Southern Sudan, an assessment of

[7] Organisation of Economic Cooperation and Development, 2008, p. 17.

[8] Belgium, Canada, Denmark, Germany, the Netherlands, Norway, the Government of Southern Sudan, Sweden – Sida, United Kingdom, UNDP, UNHCR, UNICEF, UNOCHA, UNV, WFP, and the World Bank. During the course of the Evaluation it may be useful to also include the support and activities of additional donors and agencies.

possible future developments, an overview of donor strategies and interventions as well as information on results achieved thus far obtained through secondary material (evaluations, reviews and other types of studies).

6. Approach and methodology – a two-stage approach

Challenges to conducting the Evaluation – the need for an incremental approach

The Evaluation will face numerous challenges, as both the interventions in question and the Evaluation take place within the context of a conflict (and its aftermath). This versatile (post-conflict) context has major implications for policy making and strategy, which have to be flexible to adapt to quickly changing circumstances. It also influences the relevance of different intervention modalities to be applied in time and space. Achievements will also vary due to changing circumstances. This context has an influence on the approach of the Evaluation as well. The Evaluators will have to deal with issues like a lack of baseline data, difficult access to respondents due to security constraints, a high turnover of staff in aid organisations creating a lack of institutional memory, and difficulties in assessing less visible political interventions. Furthermore, the implementation of the Evaluation may be challenged by changes in the security situation in Southern Sudan, or other events of a political nature, e.g. the elections currently planned in the first quarter of 2010. Changing security conditions may limit the possibility of conducting field work.

The OECD/DAC *Guidance on Evaluating Conflict Prevention and Peacebuilding Activities* proposes an incremental evaluation approach in order to deal with the above mentioned challenges. The Guidance states that an evaluation should include a form of conflict analysis to identify the key factors relating to conflict and the linkages between them, pointing to sources and dynamics of conflict (and conflict mitigation) as well as peace (and peacebuilding). A thorough and up-to-date understanding of the conflict is the first prerequisite for a conflict-sensitive evaluation process, as it provides the Evaluators with an opportunity to assess the actual results and possibly the impact of interventions in relation to a conflict analysis.[9]

[9] Ideally, such a conflict analysis should include a baseline analysis performed during the planning stage of the intervention(s), as well as updates and conflict monitoring (over time). For comparison, a 'current' or updated analysis at the time of the evaluation is needed. The Evaluators will have to review and take into account existing conflict analyses made by donors, agencies and others and updates of the (post)conflict situation in establishing the conflict analysis for the purpose of this Evaluation. Most likely only partial and very specific analyses will be available and have to be reviewed and synthesised by the Evaluation Team. It is important that similarities and differences in individual conflict analyses are highlighted in the Evaluation, since they will influence donor and agency policies and the theory behind these.

Taking this into account, and adhering to the OECD/DAC Guidance, the Evaluation will apply a theory-based approach[10] with due attention for the 'conflict-sensitivity' of (donor and agency) policies and their support activities. The Evaluation will be implemented in two interrelated stages.

Stage 1 – Analytical analyses and scoping a 'sample-based' evaluation

The first stage of the Evaluation consists of conducting analytical work of which the results will be used to determine the relevance of and to delineate the subsequent evaluation work. Stage 2 consists of a 'sample-based' evaluation covering interventions to be studied in detail at field level.

Stage 1 consists of the following four activities:

1. The conduct of a conflict analysis

The conflict analysis is to provide insight in the specific context in which the interventions have taken and are taking place. The method of analysis to be selected needs to be well-adapted to the post-conflict context and its related challenges, the scope of the Evaluation and the resources available. Key elements of the analysis should include aspects such as the profile of the conflict, its causes and potential for peace; actors; and dynamics and possible future trends. For reasons of comparison, the conflict analysis would also need to take into account the situation at the time the CPA was signed. The conflict analysis should build as much as possible on existing studies and reviews[11], combined with interviews with key stakeholders in (Southern) Sudan and at donor and agency headquarters.[12]

2. The conduct of a policy and strategy analysis

Second, an analysis of the policies and strategies of donors and international organisations providing support to Southern Sudan should be conducted to provide insight in the objectives and intervention strategies underlying donor and agency support to Southern Sudan.[13] These policies and strategies will be reviewed in terms of their relevance to the post-CPA context and its dynamics. This analysis will cover the policies and strategies of the donors and agencies commissioning the Evaluation, but may also include other actors. The results of the analysis will be taken into account when assessing the relevance of interventions as well as their coherence and the ways they are coordinated.

[10] The Evaluation should look into the implicit or explicit theory or model underlying the respective donor and agency policies and interventions aiming to produce the intended outputs, outcomes and impacts in terms of conflict prevention and peacebuilding.

[11] Currently, the development NGO PACT Sudan is commissioning a conflict assessment in the framework of its South Sudan Peace Fund (SSFP) funded by the Department of International Development of the United Kingdom (DfID). This analysis will be completed in October 2009 and will serve as a useful input for the Evaluation.

[12] The conflict analysis includes features of a political economy analysis, which focuses on the wider context of the aid interventions, the various actors involved and the interests they may pursue (see also policy and strategy analysis).

[13] One may distinguish various types of interventions which play a role in conflict prevention and peacebuilding in Southern Sudan; for instance humanitarian and development interventions which have different motivations and are considered relevant at different moments in time and space. Stage 1 of this Evaluation will include mapping these different types of interventions.

The policy analysis should be built on a review of relevant files, combined with interviews with key stakeholders both at headquarters and field level. For practical reasons, these interviews should be combined as much as possible with the interviews to be undertaken for the conflict analysis.

3. The conduct of an analysis of portfolios in support of conflict prevention and peacebuilding

Third, a comprehensive overview of donor and agency (direct and indirect) support to conflict prevention and peacebuilding in Southern Sudan needs to be created to serve to assess coherence of policies with the actual support provided. This overview will be established on the basis of the OECD/DAC CRS-codes commonly used to identify substantive categories of ODA.[14] The overview allows the Evaluation to identify major investments supported by donors and agencies as well as other activities which may be important in non-monetary terms.[15] Together with the other analyses to be conducted in Stage 1, this will enable the identification of the most relevant direct and indirect conflict prevention and peacebuilding interventions to be taken into account by a sample-based evaluation in Stage 2. To establish this overview, the Evaluation Team will have to use data on disbursements available from the Ministry of Finance and Economic Planning (MoFEP) of the Government of Southern Sudan, which operates an aid information system which captures donor investments in Southern Sudan. Another important source is information on activities funded through the above mentioned pooled funding arrangements. In addition, the donors and agencies involved in the Evaluation will be requested to provide information to the Evaluation Team on annual disbursements, including type of support (humanitarian aid, reconstruction aid, development aid), sectors supported and substantive information on activities supported. All types of donor funding (bilateral funding, multilateral funding and funding through NGOs) covering the period January 2005-July 2009 will have to be included.[16]

4. The conduct of an analysis of evaluations and research material

Finally, an analysis of evaluation reports, review reports and project/programme completion reports and other types of source material including academic and applied research needs to be conducted.

<u>Source material for the above analyses</u>

[14] It should be noted that the inventory or overview needs to include all types of support to Southern Sudan and will not be restricted to support for conflict prevention and peacebuilding activities in the narrow sense as described under DAC Code 152 'Conflict Prevention and Resolution, Peace and Security'.

[15] The Evaluation will not only have to cover activities that are major in terms of their monetary value ('follow the money'), but should also include specific sectors and/or issues important to conflict prevention and peacebuilding which may have been given lesser attention as donors find them difficult to engage with and/or lack appropriate funding instruments to address them.

[16] Obtaining such information could be a challenge since not all donors may be able to provide disbursement figures and programme information which differentiate between Southern Sudan and other parts of the country.

The core set of documents to be reviewed during Stage 1 consists primarily of policy statements, disbursement overviews and project/programme portfolios as well as evaluation and project/programme completion reports of the commissioning donors and agencies. These documents will be provided to the Evaluation Team by these agencies through or in coordination with the Chair of the Evaluation Management Group.[17]

To supplement that collection, the Evaluation Team will identify and collect additional documents. The Evaluation Team will maintain an integrated list of all documents collected. To facilitate summaries, comparisons and analysis, the Evaluation Team will categorise documents by commissioning agency, type of document, focus, methodology used, date, authors, principal content/findings, as well as other categories the Evaluation Team may deem important. To facilitate access to and use, the list should be organised in a database format that can be made available to other users upon the completion of the Evaluation.

Additional documents are likely to become available and to be used during the course of the Evaluation. The Final Report of the Evaluation should contain an overview of all sources used.

In summary, Stage 1 should build as much as possible on existing data sets, evaluative studies and reviews. It serves to provide an initial portrait of the various policies and their relation to the (post) conflict situation, a (substantive and financial) profile of the support provided (what are the major elements and are they connected?), and an initial analysis of results of the support provided. This portrait will subsequently be used to inform and shape the specific Terms of Reference for Stage 2, which will be built around a 'sample-based' evaluation at field level.

Stage 2 – 'Sample-based' evaluation

The second stage of the Evaluation will involve an in-depth evaluation of conflict prevention and peacebuilding interventions supported in Southern Sudan with emphasis on field level assessment. The scope of the primary empirical data collection for the Evaluation through the conduct of field studies will be determined taking into account the results of Stage 1. The Evaluation Team will design the Terms of Reference for Stage 2. These ToR need to include a set of specific evaluation questions (see also section 7) and a research strategy and methodology (a purposeful sample of specific sectors, projects and programmes to be studied in detail, locations to be visited, data collection approaches and methods, et cetera). The Terms of Reference will be an integral part of the Stage 1 report (see also section 8 Products of the Evaluation).

[17] For the governance of the Evaluation see section 9 Organisation of the Evaluation.

7. Evaluation criteria and questions

The final evaluation criteria and detailed questions will be determined upon completion of the analyses in Stage 1 of the Evaluation. However, it is foreseen that the Evaluation will apply the common OECD/DAC criteria for evaluating development assistance. It will examine the relevance of the support provided, its effectiveness in terms of outputs, outcomes and impact (including the sustainability of the results) and its efficiency. In addition, the following particular aspects related to evaluating conflict prevention and peacebuilding activities will be taken into account: coherence, coordination, linkages, and coverage (see the OECD/DAC Guidance). Also it will be tried to ascertain the extent to which the support provided in this particular context has been able to take into account (follow) the Principles of the Paris Declaration on Development Effectiveness and the Principles of Good International Engagement in Fragile States.

This Framework Terms of Reference contains under each evaluation criteria a number of major questions. The questions below are preliminary and not exhaustive and will need to be further elaborated by the Evaluation Team during the course of the Evaluation. The Team may also formulate alternative questions on the basis of the outcome of their work during the first stage of the Evaluation.

Relevance

Was the support provided in line with the policy and procedures of the donors and agencies, with those of the GoSS, and the needs, priorities and rights of the affected populations as well as the dynamics of the post CPA-period?

The Evaluation will take into account the following issues:

- At the level of policy development:
    - Interaction and consistency with the causes of conflict, key dynamics and driving factors, or key driving constituencies of the conflict (also taking into account the dynamics during the 'post conflict situation', i.e. following the signing of the CPA);
    - Interaction and consistency with post-conflict reconstruction and peacebuilding policy at the international level (e.g. OECD/DAC Principles of Good International Engagement in Fragile States), including responsiveness to new developments in such international policies;
    - Interaction and consistency with the policies and plans of the GoSS;
    - Interaction and consistency with the (changing) needs, priorities and rights of affected populations.
- At the level of policy implementation:

- Consistency of supported interventions with donor policies and examination of approaches and interventions in terms of conflict sensitivity and 'do no harm';
- Provision and distribution of assistance based on (up-to-date) conflict analysis and assessment of needs, priorities and rights of affected populations;
- Type of activities supported and modalities of implementation (channels, implementing partners, agreements);
- Level of access secured to needy groups;
- Flexibility of supported interventions / used instruments to adapt to changing circumstances affecting the needs and priorities of the population and the government.

- In order to address the extent to which the developed policies and their implementation have taken into account the specific context in Southern Sudan with its longer-term and interconnected problems (connectedness) the following issues will be addressed:
  - Policies of donors and agencies and their collaboration to address the issue of linking relief, rehabilitation and development – addressing the gap between relief and development. The Evaluation will provide an opportunity to test the assumption that Southern Sudan is moving from relief to development and to better understand donor policies and how they have changed;
  - More particular in relation to the issue above: an analysis of decision-making processes to link humanitarian assistance, support for rehabilitation and development aid where appropriate (timeframes of assistance and the use of exit strategies);
  - The application of conflict analysis/analyses informing the choice and the design of interventions;
  - Institutional capacity building as part of the assistance provided, in order to create longer-term processes, structures and institutions for conflict prevention and peacebuilding in Southern Sudan.

Effectiveness

To what extent did the support provided achieve its purpose? And if it did not or not fully achieve its purpose, why not?

Issues to be addressed:

- Realisation of the (changing) immediate needs of the affected populations on the one hand, and the Government of Southern Sudan in terms of institutional capacity building on the other (coverage and timeliness of support provided);

- Provision and distribution of assistance taking into account gender and generation, including specific needs of women, children and the elderly;
- Influence of and response to security issues and humanitarian access;
- Attention to be paid to good and less effective practices.

Impact

What have been the wider effects of donor support to the implementation of the CPA in Southern Sudan?

Wider effects, also called impact, can be immediate and longer term, intended and unintended, as well as positive and negative. The Evaluation will try to establish the immediate and medium-term wider effects of the support provided.

The following issues will be addressed:

- Effects of the assistance in terms of reducing the vulnerability of the affected populations and fostering preparedness and people's coping mechanisms;
- Effects of the assistance in terms of livelihood development;
- Effects of the assistance on government capacities and the development of the private sector;
- Effects of the assistance in terms of reducing the chances of a relapse into conflict (i.e. addressing the root causes of conflict) and fostering preparedness of the Government of Southern Sudan and other stakeholders (e.g. civil society) to address the causes of conflict;
- Effects of the assistance on the wider peacebuilding environment in Sudan.

Sustainability

To what extent are the accomplished results sustainable?

Issues to be addressed:

- The effects of the present financial and fiscal conditions created *inter alia* by the (current) low(er) incomes from oil revenues on the capability of the Southern Sudanese government to maintain and/or increase current levels of service to the population;
- The extent to which these financial and fiscal conditions have an effect on the current development planning of the GoSS;
- The sufficiency of current and expected future funding levels of external support to ensure longer-term sustainability of the expanded systems of social services, governance and economic activity.

Efficiency

Were the financial resources and other inputs efficiently used to achieve results?

Issues to be addressed:

- Aid management (funding mechanisms applied, programme and project cycle, staffing, tasks and responsibilities of ministry departments and embassies, inter-ministerial co-operation including – where appropriate – civil-military co-operation);
- Criteria used in the selection of implementing partners (comparative advantage or other);
- Organisation and costs of aid delivery at field level (diversion, security, creating access);
- Use of monitoring of progress and achievements for programming, learning and accountability.

Coherence, coordination, linkages, and coverage

The Evaluation will pay special attention to four particular aspects related to the relevance, effectiveness and efficiency of the support provided, namely its coherence, coordination, linkages, and coverage.

Coherence

In this Evaluation coherence will be treated as comprehensively as possible, i.e. covering humanitarian, development, security and diplomatic efforts of the different actors. Assessment of coherence should focus on the extent to which different policies of actors were coherent. In other words, were humanitarian, development, security and diplomatic efforts of individual actors in line with each other? Also, were policies of different actors coherent, complementary or contradictory?

Issues to be addressed:

- The extent of coherence between donor and agency policies and programming at field level and those of other actors;
- Coherence of the different elements of support with the objectives and the process of implementation of the Comprehensive Peace Agreement (CPA);
- Coherence with policies and interventions other than those aimed at supporting the implementation of the CPA (e.g. ongoing humanitarian support);
- Possible effects of changing and diverging interests.

Coordination

The following issues will be addressed:

- The effectiveness of coordination at policy and strategic levels and during implementation;
- Involvement of donors in coordination mechanisms and processes;

- Encouragement of operational partners to engage with coordination mechanisms and processes;
- Trade-off between the need for coordination and local ownership (Principles of Good International Engagement in Fragile States), and the need for quick impact and peace dividend;
- And more generally, the extent to which the support provided in this particular context has taken into account the principles of the Paris Declaration, i.e. ownership of the recipient government, alignment with policy and procedures, donor (and agency) harmonisation, managing for results, and mutual accountability.

Linkages

The following issues will be addressed:

- The relative emphasis on and balance between the different types of support provided i.e. humanitarian, rehabilitation and reconstruction including security sector reform, protection and establishing the rule of law, and general socio-economic development;
- The sequence of support in relation to the changing circumstances (appropriateness of interventions in time and space);
- Links between specific peacebuilding interventions and longer-term development processes.

Coverage

The following issues will be addressed:

- The inclusion or exclusion of certain geographical regions and its impact on the ability to reach all those in need;
- Coverage in relation to the dynamics of conflict prevention and peacebuilding.

8. Products of the Evaluation

The Evaluation Team will prepare and submit several products on the dates specified in the projected time schedule presented in section 10 and will periodically report on progress and findings to the Evaluation Management Group and the Evaluation Steering Committee.

The Evaluation Team will produce the following outputs (deliverables):

1. Inception report consisting of an updated evaluation work plan (draft and final report);
2. Report of Stage 1 (conflict and policy analyses, overview and analysis of donor support, and analysis of evaluations, reviews and other documentary evidence) including a detailed design (ToR) of Stage 2 of the Evaluation (draft and final report);
3. Presentations, seminars, and workshops, as appropriate;
4. Standardized database of documents reviewed;

5. Report of Stage 2 including an assessment of interventions at field level (draft and final report);
6. Final report synthesising outcomes of Stage 1 and 2 (draft and final report);
7. After completion of the Evaluation and on request, presentations, seminars, or workshops for particular donors and agencies (to be funded separately);
8. Presentation of the evaluation results at a seminar in Juba (and possibly Khartoum).

9. Organisation of the Evaluation

The Evaluation's governance structure should allow appropriate involvement, cooperation and ownership of the main stakeholders whilst safeguarding the independence, credibility and quality of the Evaluation, and ensure an effective and efficient evaluation process. Common to the practice of joint evaluations, three levels of governance will be applied:

Evaluation Steering Committee

To assure broad participation in the conception and oversight of the Evaluation, an Evaluation Steering Committee has been constituted, representing stakeholders with a strong interest in the Evaluation and actively participating in it.[18] The Steering Committee is co-chaired by the Director of the Policy and Operations Evaluation Department, Netherlands Ministry of Foreign Affairs and the Director Aid Co-ordination, Ministry of Finance and Economic Planning, Government of Southern Sudan. The Steering Committee will not engage in micro management, but will convene at critical junctures of the Evaluation for review, discussion and oversight. Its main tasks are to endorse the Framework Terms of Reference and the Terms of Reference for Stage 2 of the Evaluation, and review draft reports of the Evaluation regarding quality, credibility and clarity.

The co-chairs of the Steering Committee will take steps to inform the Government of National Unity (GoNU) about the Evaluation and explore possibilities for cooperation.

Evaluation Management Group

An Evaluation Management Group is responsible for the ongoing management of the Evaluation. The Management Group will directly oversee the work of the Evaluation Team contracted to execute the study, inform the Steering Committee about progress and prepare meetings of this Committee. An important role entails close, efficient and regular liaison with the Evaluation Team. The Evaluation

[18] The current Steering Committee consists of Belgium, Canada, Denmark, Germany, the Netherlands, Norway, the Government of Southern Sudan, Sweden - Sida, United Kingdom, UNDP, UNHCR, UNICEF, UNOCHA, UNV, WFP, and the World Bank. Other donors and agencies may wish to join.

Management Group consists of the Policy and Operations Evaluation Department, Netherlands Ministry of Foreign Affairs (Chair), the Evaluation Department of Danida (Ministry of Foreign Affairs of Denmark) and the Office of Evaluation (OEDE) of the World Food Programme. The Management Group is supported by experts from the Conflict Research Unit of the Netherlands Institute of International Relations 'Clingendael', which were involved in writing the approach paper for the Evaluation. The experts may be called upon to facilitate meetings, to play a catalytic role in bringing new and emerging issues to the attention of the Management Group and to provide advice on substantive issues and controversial debates. Furthermore, they will also be engaged in reviewing drafts of evaluation products and may provide direct feedback to the Evaluation Team. They will not be involved in the conduct of the actual Evaluation.

Reference Group in Southern Sudan

In order to maximise participation at the local level, provide advice, and give credibility, legitimacy and support to the Evaluation, the Ministry of Finance and Economic Planning of the GoSS has established a Reference Group. The Ministry of Finance and Economic Planning will also chair this Group. The Reference Group has a broad representation and involve institutions of the GoSS, development partners active in Southern Sudan including international and national NGOs or their umbrella organisation(s), and possible other interested parties such as researchers.

The role of the Reference Group is to review key documents of the Evaluation (the draft Framework Terms of Reference, the draft report of Stage 1 and the draft Final Report). It also serves as a 'sounding board' and 'facilitator' for the Evaluation Team during its work in Southern Sudan. The principal functions of the Reference Group are: i) to facilitate access to documents and personnel for the purpose of the evaluators; ii) receive, discuss and provide feedback on intermediate evaluation products; and iii) assist in the organisation of appropriate workshops or seminars during the course of Stage 2 of the Evaluation. The Reference Group will meet with the evaluators at critical points during Stage 1, as well during the fieldwork phase in Stage 2 (fieldwork inception and feedback of preliminary results).

Upon completion of the Evaluation a seminar will be held in Juba involving the Reference Group and other stakeholders to discuss the final report of the Evaluation.

10. Time schedule

It is anticipated that the Evaluation will start in November 2009 and be completed by August 2010, as indicated below.

Activity	Completion date
Contract award to Evaluation Team	26 October 2009
Start of Stage 1	First week of November 2009
Submission of draft inception report to the Evaluation Management Group	Fourth week of November 2009
Submission of draft report of Stage 1 to the Evaluation Steering Committee	First week of January 2010
Steering Committee meeting to discuss draft report of Stage 1	Third week of January 2010 (date and place to be decided)
Start of Stage 2	Second week of February 2010
Fieldwork	February-April 2010
Submission of draft fieldwork report to the Evaluation Steering Committee for review and comments (written procedure)	Last week of April 2010
Preparation of final report	May 2010
Submission of draft final report to the Evaluation Steering Committee	First week of June 2010
Steering Committee meeting to discuss draft final report	Last week of June 2010 (date and place to be decided)
Preparation final report and its clearance by the Steering Committee (written procedure)	July 2010
Publication of final report	August 2010
Dissemination seminar in Juba (and possibly Khartoum)	Last week of September 2010 (date to be decided)

11. Evaluation Team

The Evaluation Team will be based in an established institution or consulting enterprise with a demonstrated track record in evaluation or evaluative research in complex conflict and peacebuilding contexts. It will consist of a group of evaluation professionals with experience of international development cooperation in complex conflict and peacebuilding contexts, led by a recognised and experienced expert. The organisation of the Evaluation is the responsibility of the Team and should be specified and explained clearly in the proposal.

The Evaluation Team will have to be composed in a way that it is able to undertake the tasks outlined in Stage 1 and the subsequent tasks to be undertaken in Stage 2.

Team composition

The Evaluation Team should consist of four to five international consultants as core team members and a number of associated team members for specific tasks. International consultants are defined as persons with an international background, e.g. with a substantial part of their professional experience from assignments in developing countries.

The team must contain:

- Evaluation expertise to conduct a multi-donor evaluation under difficult circumstances including familiarity with all standard evaluation approaches, qualitative as well as quantitative methods of data collection, knowledge of OECD/DAC and other internationally agreed guidance and standards for evaluation;
- Evaluation experience in complex conflict and peacebuilding contexts including capability to conduct field work;
- Knowledge of evaluation design and methodology;
- Peacebuilding expertise, i.e. theoretical knowledge and operational expertise of different peace processes on all tracks (diplomatic initiatives, civil society initiatives, grassroots groups, etc.), and knowledge of peacebuilding through development strategies (policies and programmes);
- Human rights expertise including knowledge of internationally agreed standards and mechanisms, etc;
- Security expertise i.e. knowledge of and experience with issues such as policing, the rule of law, security sector reform and disarmament, demobilisation and reintegration (preferably in the Southern Sudanese context);
- Development expertise including (i) expertise on development policies and their effects on peacebuilding and state building, as well as conflict-sensitive operational strategies; and (ii)

knowledge of and experience with aid and development effectiveness including the Paris Declaration and the current aid architecture;

- Governance and fragile states expertise in particular institution building and strengthening of governance in complex and/or fragile situations;
- Adequate knowledge of the situation in Sudan, and in Southern Sudan in particular;
- Should have both sexes represented in the team and;
- Also include one or more evaluators from Sudan and/or the African region.

Team qualifications

General qualifications of all core team members:

- Advanced academic degree (minimum MA);
- At least 10 years of experience with international development assistance;
- Experience with evaluation and/or (evaluative) research in complex conflict and peacebuilding contexts including capability to conduct field work (three references);
- Advanced knowledge of evaluation methodology;
- Good writing and communication skills;
- Fluency in English.

Specific qualifications covered by one or more core team members:

- Peacebuilding expertise, i.e. theoretical knowledge and operational expertise of different peace processes on all tracks (diplomatic initiatives, civil society initiatives, grassroots groups, etc.), and knowledge of peacebuilding through development strategies (policies and programmes);
- Security expertise i.e. knowledge of and experience with issues such as policing, the rule of law, security sector reform and disarmament, demobilisation and reintegration;
- Development expertise including (i) expertise on development policies and their effects on peacebuilding and state building, as well as conflict-sensitive operational strategies; and (ii) knowledge of and experience with aid and development effectiveness including the Paris Declaration and the current aid architecture;
- Governance and fragile states expertise in particular institution building and strengthening of governance in complex and/or fragile situations;
- Adequate knowledge of the situation in Sudan, and in Southern Sudan in particular (at least two core team members);
- Workshop facilitation.

Specific qualifications of the Team Leader:

- At least 15 years of experience with international development assistance;
- Evaluation experience in complex conflict and post-conflict contexts including situations requiring a wide variety of conflict prevention and peacebuilding activities;
- At least three references as Team Leader for multidisciplinary evaluation teams;
- At least three references of experience in evaluation of development assistance at policy and programme level;
- Experience with conducting complex (joint) evaluations;
- Excellent writing and communication skills;
- Fluency in English.

Specific qualifications to be covered by one or more associated team members:

- Knowledge of gender issues;
- Human rights expertise including knowledge of internationally agreed standards and mechanisms, etc;
- Knowledge of countries in fragile situations;
- Knowledge of evaluation design and methodology;
- Experience with literature search and analysis;
- Good writing skills;
- Fluency in English;
- Adequate knowledge of the situation in Sudan, and in Southern Sudan in particular.[19]

It should be clearly stated which of the proposed team members cover which of the above qualifications.

12. Expected level of input of the Evaluation Team

The total expected (minimum) input amounts to some 923 person days. It is expected that the level of input for Stage 1 will be around 330 person days (core team including associated team members/research assistants). The expected level of input for Stage 2 is about 480 person days (core team and associated team members). The expected input for the synthesis phase amounts to some 105 person days (core team and associated team members). The input of the core team to disseminate the evaluation results is estimated at 8 person days. As different skills may be needed at different points in time, a high degree of flexibility is required. It is expected that the Team Leader or Deputy Team Leader will be available throughout the duration of the Evaluation i.e. November 2009-August 2010.

[19] In view of the multitude of (local) languages in Southern Sudan, it is expected that the Evaluation Team will employ interpreters during its field work activities.

The total cost (fees and reimbursables) should not exceed Euro 765,000 (this amount includes a contingency of 5%).

References

1. Mariska van Beijnum and Jort Hemmer (March 2009). *Approach paper for a multi-donor evaluation of conflict prevention and peacebuilding activities in Southern Sudan, 2005-2008,* Conflict Research Unit, Clingendael Institute, The Hague.

NB. The Approach Paper is attached to the letter of invitation to Tenderers for information.

2. Organisation for Economic Cooperation and Development (2008). *Guidance on evaluating conflict prevention and peacebuilding activities – Working draft for application period*. Development Assistance Committee, Paris.

NB. The *Guidance on evaluating conflict prevention and peacebuilding activities* can be obtained at <www.oecd.org/dac/evaluationnetwork> accessing the publications, documents and guidance section.

Revised Stage 2 Terms of Reference

Multi-Donor Evaluation of Support to Conflict Prevention and Peacebuilding Activities in Southern Sudan, 2005 – 2009

16th February 2010

Introduction

The objectives for the evaluation as a whole are as follows:[20]

- Through the use of standard OECD/DAC evaluation criteria, assess as systematically and objectively as possible the extent of progress made by the international community in supporting conflict prevention/peacebuilding and in providing peace dividends to the Southern Sudanese people. This will include pointing out the factors driving success or failure; and highlighting lessons accordingly.
- Provide input into ongoing discussions and future policies/plans on how to improve the relevance, efficiency, effectiveness, and – above all – impact of the international engagement in peacebuilding processes in Southern Sudan in the run-up to 2011 and the post-2011 period.
- Pilot the working draft of the *Guidance on evaluating conflict prevention and peacebuilding activities (*OECD/DAC Network on Conflict, Peace and Development Cooperation and the OECD/DAC Network on Development Evaluation).

The evaluation is independent and efforts have been made to ensure: (a) there is no conflict of interest between the chosen team and the tasks, (b) a rigorous procedure of triangulation and sourcing of evidence is in place, and (c) the evaluation structure (Steering Committee, Reference Group, Peer Group review) provides checks and balances to this effect.

From Stage 1 to Stage 2

The TORs for the Evaluation,[21] in line with the OECD/DAC *Guidance*,[22] suggest an incremental approach to the evaluation. There is a logical sequence in the thinking and presentation that entails:

1. A **Conflict Analysis** that identifies the key factors relating to conflict and the linkages between them, pointing to sources and dynamics of conflict (and conflict mitigation) as well as peace (and peacebuilding). Such an analysis provides a starting point for assessing the extent to which conflict understanding and sensitivity has been (and will be) applied by donors at strategic and programmatic levels in Southern Sudan.
2. A **Donor Policy Analysis** that examines the objectives and intervention strategies underlying their support to Southern Sudan, and the extent to which they have applied a 'conflict

[20] Pages 22-23 of *Framework Terms of Reference for the Multi-donor Evaluation of Support to Conflict Prevention and Peacebuilding in Southern Sudan*, Final Version, 10th July 2009, Policy and Operations Evaluation Department, Ministry of Foreign Affairs, The Netherlands (MoFA 2009).
[21] Pages 27-30 of the TOR (MoFA 2009).
[22] OECD /DAC *Guidance on evaluating conflict prevention and peacebuilding activities* (OECD 2008)

sensitive' approach to these strategies and programmes. What was the framework for donors' initial and subsequent approaches, and how has this evolved over time? To what extent has there been coherence and consistency of approach between donors and has this strengthened collective outcomes?

3. An **Aid Portfolio Analysis** that provides the facts, figures and trends of donor support over the five year period (presented on an annual basis), enabling the evaluation to comment on the coherence of policies as well as the actual support provided. This overview will be established on the basis of the OECD/DAC CRS-codes commonly used to identify substantive categories of ODA; efforts will then be made to re-allocate these along the lines of the four CPPB categories.[23]
4. Finally, an **Analysis of Evaluation Reports**, review reports and project/programme completion reports and other types of source material including academic and applied research. This provides an overview of the type and scope of evaluations to date, the key findings that emerge from these studies, and a comment on where gaps exist.

The combination of the above elements provides firstly a baseline for the evaluation, and secondly an opportunity for the team to extract several findings and assumptions to test in Stage 2. This will not be a comprehensive list, since inevitably others will emerge in the course of the field work, but rather a starting point and focus for the evaluation as it examines more closely various programmes to answer the key questions of the evaluation:[24]

- **Relevance**: Was the support provided in line with the policy and procedures of the donors and agencies, with those of the GoSS, and the needs, priorities and rights of the affected populations as well as the dynamics of the post CPA-period?
- **Effectiveness:** To what extent did the support provided achieve its purpose? If it did not (or only partially) achieve its purpose, why was this?
- **Impact**: What have been the wider effects of donor support in supporting a climate of peace in Southern Sudan and to the implementation of the CPA in Southern Sudan?
- **Sustainability:** To what extent are the accomplished results sustainable?
- **Efficiency:** Were the financial resources and other inputs efficiently used to achieve results?
- **Coherence:** Were humanitarian, development, security and diplomatic efforts of individual actors in line with each other? Were policies of different actors coherent, complementary or contradictory?
- **Coordination and linkages**: Were the coordination mechanisms chosen by donors effective? To what extent was there adherence to the Paris Declaration Principles? What was the relative emphasis on and balance between the different types of support provided (humanitarian, rehabilitation and reconstruction), and was the sequencing of intervention appropriate?

Annex 1 presents the **Evaluation Matrix,** which sets out the TOR questions plus supplementary and more detailed questions developed by the evaluation team. Based on this, we have developed a 'reporting template' (Annex 2) which provides the specific questions and focus for the fieldwork teams. Most importantly, this reporting template gives the fieldwork teams a common structure for the Stage 2 reporting, as well as a basis from which they can develop checklists of questions to apply to each programme being assessed. These checklists will be developed by the fieldwork teams for interviews and focus group discussions, as they will be tailored to the context and programme being assessed.

[23] Under Stage 1, the evaluation team has produced a 'database' of all intervention in Southern Sudan. This currently records 2,189 interventions, over the period 2005-2009.
[24] Pages 32-37 of the TOR (MoFA 2009).

The TOR (page 31) states that Stage 2 is an, "*in-depth evaluation of conflict prevention and peacebuilding interventions supported in Southern Sudan with emphasis on field level assessment*". Thus, Stage 2 takes the entire team to Southern Sudan to field test the arising assumptions from Stage 1, derive greater in-depth knowledge of specific activities funded by aid donors, and evaluate these through a Conflict Prevention/Peacebuilding 'lens'. The sample of activities will not be representative in a strictly quantitative sense, but will be a **purposive and indicative** selection of activities from which broader lessons will be drawn. Following this, a Final Report will compile and summarise findings from the field work, Stage 1 literature and further in-depth discussion with stakeholders at all levels.

General Themes – overriding narrative

Given that several thousand interventions are potentially covered by this evaluation over the five-year period (2005-2009), the rationale for selection is deliberately based on fulfilling the overall TOR questions, while also 'ground-truthing' and testing assumptions that emerge from the Stage 1 findings. This approach does not attempt to cover all types of programmes or geographic areas per se, but rather the projects and locations that can best provide evidence to answer a set of evaluation assumptions **drawn from the Stage 1 analysis**. Each team will follow up on the Stage 1 preliminary set of findings and assumptions specific to their expertise (outlined in the sections below). In addition to these, we have drawn some *a priori* assumptions from Stage 1. These form a 'narrative' that runs across all sectors to be covered in Stage 2, and which will be tested in the field and revisited when the Final Report is drafted.

1) Underlying much of the discourse among donors is an assumption that peacebuilding equates with central state building [*Stage 1 report, p2]*. The state building agenda may have been at the expense of an appropriate concentration of resources (financial and other) on issues of poverty and marginalization in the population at large. It could also be that donors have wilfully avoided or de-emphasized questions of legitimacy of the state itself in Southern Sudan. If so, what implications does this have for peace in a highly volatile political climate? Central to the issue of state building in Sudan is that of the rule of law (the fact that nobody can be placed above the law) has gathered a large amount of resources. Justice and security services are required in outlying areas as well as in the cities. We will examine how the rule of law (or its absence) has affected the wider population. Similarly we will review how decentralisation has taken place, and whether this has contributed to a presence and effectiveness of the state at the local level. This will in particular be tested by Team 1 (see below).

2) The emerging findings from Stage 1 [*Stage 1 report, p25]* show that there has been a lack of joint diplomatic and developmental approach between donors, as well as a disjuncture between the two. This division between politics and aid derives from the traditional separation of the two areas within ministry structures but also from the difficulty of merging and harmonising donor countries' political relationships with Sudan. In Southern Sudan it means that there has been a failure to engage with fundamental political issues, particularly at local levels, and to design aid programmes that help mitigate rather than exacerbate conflict. This applies particularly to conflicts related to land and natural resources. Experience in other putatively "post-conflict" contexts suggests that lack of political cohesion among leaders and their political factions can lead to renewed conflict, although power-sharing is hardly sufficient for a sustainable peace. There is a notable absence of an overall framework to deal with such problems. Significant areas of sampling to identify evidence concerning this hypothesis will be collected in areas relating to donor coordination, to SPLA reform, and to the natural resource governance sector. This will be covered by teams 3, 5 and 6.

3) A comprehensive strategic plan for recovery and development has been very late in coming despite the fact that a number of assessments were made in advance of and after the signing of the CPA (e.g. the Joint Assessment Mission), and despite the UN drawing up annual work plans since 2005. This is particularly apparent in Southern Sudan where the government has been working to a budget sector planning approach (through the Budget Sector Working Groups, BSWG) strongly supported by the international community [*Stage 1 report, p31*]. The result has been some ten budget sector plans for 2008 to 2010. As government institutions struggle to fulfil a wide range of obligations, decision-making is more aligned to operational planning concerns than overarching strategic ones, perhaps informed by a general sense that everything is needed which means that nothing is particularly prioritised. Of particular relevance is the scale and cost of infrastructure programmes needed for all areas. Infrastructure issues will be covered by team 3.

4) Civil strife is part of a pattern of violence where the Sudanese state (both North and South) - as a vehicle for special interest groups - has played a major role [*Stage 1 report, p15*, for instance]. The legitimacy of the state in Southern Sudan is not just the establishment of state institutions, but also the building of trust and respect for those institutions. There is a danger that without appropriate checks and balances towards the apparatus of state (judiciary, police, etc), predatory modes of behavior becomes part of the problem rather than the solution. These areas of focus will also be complemented by a review of the notion of capacity building and political space. This hypothesis will particularly be tested by teams 1, 3 and 4.

5) The country suffers from the combined effects of two sets of crises that are closely interrelated: (a) a crisis of governance, and (b) a livelihoods crisis [*Stage 1 report, p8*]. The complexity of Southern Sudan should have led planning processes and assistance organisations to incorporate conflict sensitive approaches regardless of whether they are directly addressing conflict issues in their work. This seems not generally to have been the case so far [*Stage 1 report, p16]*. Team 2 will concentrate on the activities of socio-economic programmes in outlying areas.

6) Despite the existence of a mandate which authorises UN peacekeeping troops in Southern Sudan 'to protect civilians under imminent threat of physical violence', a narrow interpretation and a paucity of troops have combined to confine the blue helmets to monitoring the implementation of the military aspect of the CPA only. One consequence is that local communities remain largely unprotected.

Rationale for choice of programmes examined in Stage 2

The aid portfolio analysis undertaken in Stage 1 included hundreds of composite programmes, pooled fund programmes and individual projects undertaken over a five year period. It would be impossible for the evaluation team to adequately examine a statistically representative sample from these; therefore, we have chosen to select a purposive sample informed by:

(a) Preliminary discussions with major stakeholders over what, in their opinions, constituted the key drivers of conflict and factors in conflict management in Southern Sudan and their net effect for a 'peace dividend'. These were outlined in the evaluation Inception Report (page 17-18) and included infrastructure (particularly roads), demining, security sector reform and judiciary, SPLA transformation/reform, social sector (particularly health and education), and reintegration/return of IDPs and refugees (including land issues).

(b) Central issues emerging from the Stage 1 literature. In addition to the above, these included the added value (or not) of programmes under pooled funds, security and governance at local levels, challenges of decentralised government and capacity, ownership and responsibility in service delivery, local peacebuilding and Rule of Law.
(c) The extensive professional experience and knowledge of the team itself in Southern Sudan over the period before and since the CPA signing, as well as of lessons learned from a number of other post-conflict and fragile state settings. The team are able to draw on years of research and field experience of the country, and in themselves represent a unique resource and pool of knowledge.

In so far as the heart of the analysis is the interplay between the four CPPB categories – socio-economic development, good governance, reform of justice and security institutions, and culture of justice, truth and reconciliation – a selection of programmes will be taken from each one of these. However, the choice will not be determined by the proportionality of donor support to each. Some 80% of funding has gone to the first (socio-economic), yet it could be that relatively much smaller community security programmes, for instance, have proportionally greater impact on peacebuilding.

Notwithstanding logistics and time constraints, the purposive sample of programmes chosen is not ad hoc. Conflict mapping in Southern Sudan suggests certain 'flashpoints' over time – often area and/or tribally specific. Donors themselves have been aware of this. Hence, there has been a concentration of resources in conflict-prone areas such as Jonglei[25] and Upper Nile. Likewise, patterns of migration and return have determined where and when a greater percentage of social service resources are allocated.

Two final variants are taken into account – horizontal programming (the extent to which a 'set' of interrelated programmes was chosen in one area) and vertical programming (the extent to which a programme addressed relationships and challenges from community to local and State levels, and therefore how sustainable it became). The former presents an interesting counterfactual: what differences can be seen between areas where efforts have been made towards programme saturation and those where programmes have been far more ad hoc? There will be obvious methodological constraints here relating to scale of implementation, different funding sources and the timing of interventions which means that impact measurement is not yet possible.

Methods

There are essentially two frames of reference for Stage 2: the Evaluation Matrix (Annex 1) and the CPPB Guidelines.[26] The Evaluation Matrix provides the overall framework for the evaluation by making a clear link to the TOR (MoFA 2009). Based on this, the evaluation team has developed a reporting template (Annex 2) that gives a consistent structure for the Stage 2 fieldwork reports. Based on their own professional judgement, the field teams will develop specific checklists of questions for undertaking key informant interviews and focus group discussions. Additional questions specific to the sectors/programmes under review will be added by the consultants in the course of their field work.

As set out in the previous section, the assumptions drawn from the Stage 1 Report will be ground tested; they are not exhaustive, but they provide a 'cornerstone' for an evaluation that otherwise risks being either too general or too fragmented as it examines a huge number of inputs and programmes

[25] In one attack in a village in Jonglei state in August 2009, some 161 people were killed, most of them women and children.
[26] OECD/DAC ibid

over a five-year span. While the selection of interventions to visit is based primarily on testing these assumptions/ hypotheses, other variables were also taken into account, namely:

1. The interplay and overlap of CPPB categories: Socio-Economic Development, Good Governance, Reform of Justice and Security Institutions, and Culture of Justice, Truth and Reconciliation.
2. Geographical variance in Southern Sudan – the importance of context, place, and time.
3. The 'clustering' of activities and the extent to which they were interrelated, adequately sequenced and had outcomes greater than the sum of their parts.

There will be other variables – access and logistics, whether the programmes are still 'active', etc – but it is important for the teams to **look at the various sectors as a whole**, then to use specific field examples to attain context-specific knowledge and test broader assumptions. Key questions will include: What difference has the absence or presence of such services made in terms of conflict prevention and peace building? To what extent has vertical and horizontal sectoral coordination been possible, and what are the linkages with other relevant programmes such as those aimed at developing capacity at the State level and below?

Stage 2 will not be a comprehensive evaluation of each activity under review; indeed, in some cases this will already have been commissioned elsewhere. Rather, it is an opportunity to review the activity using the specific tools and questions outlined above, cross-referencing these with findings drawn from the project/ programme literature. However, we note in the Stage 1 Report that there have been very few cross-sectoral evaluations and that even the agency-specific monitoring and evaluation reports often do not address their own objectives in relation to peacebuilding and conflict prevention.

Mixed methods will be used at field level:

- ***Review of project documentation***, including any additional evaluations which have become available since the Stage 1 report was submitted**.**
- ***Interviews*** with relevant government officials, donors, NGOs, funding mechanism managers at Juba, state, county and *payam* levels. As far as possible these will be arranged in advance.
- ***Focus group discussions*** in the project areas with communities (men and women separately, when possible – disaggregating further as appropriate – e.g. returnees/host communities; tribe x/tribe y, etc).
- ***Direct observation*** combined with interviews at project sites.
- ***Triangulation*** of information obtained from all sources.

Data collection/analysis

The teams will benefit from having experienced local consultants who will where necessary be able to follow up on some issues not covered during the field work. At the same time, we have research assistants in Juba throughout Stage 2 able to track down additional project literature and interview project staff. There will be constant discussion and information exchange between the teams both during and after the field work, and each team member will present their preliminary findings to key stakeholders before departing Juba/Khartoum.

In general, the teams will spend some initial time in Juba, conducting interviews, gathering monitoring and other information, as well as confirming logistical arrangements. The teams will then spend 7-10 days outside Juba working with project staff, visiting locations and conducting focus group discussions and interviews. After the field visits, the teams will spend additional time in Juba,

to follow-up on 'information gaps', conducting interviews, sharing findings with the other teams, and debriefing as appropriate.

It is important to emphasize that the teams are not conducting evaluations of individual projects per se, but rather gathering evidence in relation to broader assumptions derived from Stage 1 and analysis of CPPB interventions that is in line with the overall TOR. To this end, the site visits have been 'clustered' around specific sectors. The teams can split up to cover additional project sites, and they will make use of existing knowledge and monitoring information before visiting the sites. The focus is thus more on 'ground truthing' existing knowledge (from the Stage 1 literature review, annual and evaluation reports, etc) and testing the emerging assumptions – rather than conducting a series of individual project evaluations.

In the following sections we outline the areas and activities to be further developed by the four core teams. The arrangements are still unfolding, so certain details will change, mainly as a result of logistical constraints.

Team composition, themes and geographical locations

There are 6 teams, with the 4 core teams having three consultants each. Each team has a set of specific sector responsibilities and locations. This means that they will cover the sector **as a whole** in Southern Sudan, and with ground-tested examples in particular locations.

Team 1. **Rule of Law, Decentralised government, Local peacebuilding**
Site visits: Upper Nile, Jonglei

Team 2. **Recovery & reintegration, Socio-economic development, basic services, livelihoods, pooled funds, NGO projects.**
Site visits: Lakes, Warrap, Northern Bahr el Ghazal

Team 3. **Infrastructure, Local Governance, Land, Farmer-pastoralist conflicts.**
Site visits: Eastern and Western Equatoria

Team 4. **Urban-Rural issues, Demining, Capacity Building overall strategy.**
Site visits: Central Equatoria

Team 5. **SPLA reform programme, Donor Coordination, (and Reference Group).**
Site visits: Juba

Team 6. **Oil Issues, GoNU-GOSS analysis, 3-Areas analysis, Donors not covered in Juba.**
Site visits: Khartoum

Figure 1 summarises timings, agencies, etc. The broader analysis will include interviews and document collection at Juba/ Khartoum/capitals level – each core team will spend about a third of their time in Juba itself.

Teams 1-4 are the 'core' teams who will travel to a total of eight States. We have attempted here to cover the most important CPPB categories (and sub-categories), accepting that the crosscutting issues (gender, environment, capacity building) will be included in each assessment. In addition, there is a **gender specialist** who, as well as joining one team, will review all inputs and conduct a series of separate investigations in Juba.

Risks

The activities and locations chosen below are subject to change on almost a daily basis as the team acquires greater knowledge, but most importantly due to logistics and security constraints.[27] It is extremely difficult to make final arrangements without having a team member on the ground, so some plans will be subject to last minute change. In particular, confirmation of flights to State capitals is uncertain, but we have a full-time logistics officer in place to assist the teams.

Visiting activities on the ground depends on the goodwill and assistance of the implementing agency. There has been a great deal of forward planning in this respect, including the understanding that, as an independent evaluation, the team will choose its own list of informants without undue interference.

[27] The teams will be subject to the security advice and instructions of UNMIS.

However, the selection and location of 'beneficiary' focus groups will depend on project staff to arrange this in advance. If there is a level of bias, it is likely to be urban/ rural and (probably) gender-related, as well as tilted toward the best examples of programmes. Every effort will be made to overcome these, such as (for example) arranging separate meetings for women and speaking with local observers who are not only beneficiaries of programmes.

Projects underway will be easier to review than those which have closed. Methodologically, one way around this – and in addressing the programme 'cluster' issues as opposed to specific projects – is to arrange several 'general population' focus groups and ask generic questions based on changes in access to services, security, justice and broader governance over the five year period. Standard PRA techniques might be employed (before-after wealth ranking, perceptual comparisons), but the precise nature and dynamics of these meetings cannot be known in advance. It will therefore be necessary for the teams to be highly flexible in the methods used, accepting that these will not be consistent across each sector/area.

Finally, there is the known constraint that access to individuals, particularly government officials, will be confounded by every day demands on their time and the added intensity of activities around the forthcoming April elections.

Figure 1: Summary of field teams

	States	Programmes/issues	Agency/fund focus	Team Members	Dates
Team 1	Upper Nile Jonglei	Rule of Law Decentralised government Local peacebuilding	DFID UNDP PACT	Tony Vaux, Irina Mosel, Leben Moro	10/2-23/2
Team 2	Lakes Warrap Northern Bahr el Ghazal	Socio-economic development Including: RRP, BSF, SRF, MDTF as well as bilaterally funded NGO projects.	EU BSF MDTF SRF USAID	Sara Pantuliano Wendy Fenton + graduate students	23/2-9/10
Team 3	Eastern Equatoria Western Equatoria	Infrastructure Local Governance Land -Farmer-pastoralist	WFP /USAID/UNOPS EC rural water CRS/PACT/UNDP & Bridge Program USAID/EC/UNDP/Habitat/FAO UNHCR; UNMIS/RRR; CRS, Pact, Concordis; EC; USAID	Michael Lund, Irina Mosel, Leben Moro, Hope Kabuchu	1/3-20/3 23/2-13/3
Team 4	Central Equatoria	Demining Capacity Building overall strategy	CIDA/ UNMAS UNDP, USAID (Bridge Prog.)	Stefan Jansen, Jups Kluijskens, Melha Biel	15/2 – 3/3
Team 5	Juba	SPLA reform programme Donor Coordination Reference Group	Norway, US State Department, UK Government (GCPP) JDT, UN-HC/RC MOFEP	Jon Bennett	20/2 – 5/3
Team 6	Khartoum	Oil Issues GoNU-GOSS analysis 3-Areas analysis Donors not covered in Juba		Christa Meindersma Evelien Weller	25/3-5/4

Admin	Juba	Admin. backup and logistics support	Teams can draw on both individuals for specific substantive work as required	David Fleming Annina Mattsson	15/2 - 10/3
Logistics	Juba	Transport, accommodation, etc	For the whole team	Anne Nyiramucyo	3/2 onwards

TEAM 1

Team 1 will focus on three issues, in Upper Nile and Jonglei, with particular programmes as follows:

- **Rule of Law.** UNDP Institutional Support to the Judiciary, Support to Police and Prison Service, Promoting Access to Justice and fostering a culture of human rights, DFID UK Justice Sector Programme, PACT Promotion of Community Security
  Power Sharing (decentralised government). UNDP Local Government Recovery Program. Support to the States[28]
- **Peace-building.** PACT Early Warning Posts, Enhancing Peace and Community Stability, People to People Peace-building, Roads for youth and peace, Water for recovery and peace programme
- **Crosscutting.** UNDP Good Governance and Equity in Political Participation

Competition over natural resources combined with widespread ownership of small arms is fuelling violence between Southern Sudan's many tribes. Traditional flashpoints have also become more dangerous as jobless youths are disaffected by the lack of development in the South. Because the livelihood base of civilians has been frequently targeted, local communities are vulnerable to manipulation and easily co-opted by armed groups. As a result civilians are armed to protect themselves and both the spread of small arms and communal conflicts has increased. For example, despite the gains recently made by CSAC, the UN has failed to develop a strategy for engagement in the Jonglei crisis, including how to support arms control and disarmament exercises and mobilize the necessary expertise and capacity.

Given the huge number of small arms in circulation, the GOSS has understandably concentrated on civilian disarmament. But 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.

The Southern Sudan Police Service (SSPS) was created in 2005, and its capacity remains extremely limited. Its rank and file comprises former SPLA soldiers; they are overwhelmingly illiterate and lack appropriate training. With the SSPS being poorly equipped, in some areas civilians are often better

[28] The Stage 1 report stated: 'UNDP initially started with a substantive focus on decentralized service delivery and support to the capacity development of local governments. However, upon request of GoSS, a shift of funding was made away from local government to central level capacity development. In early 2009, an internal UNDP assessment of the situation in Southern Sudan was undertaken by the staff of the office. Two main conclusions came out of this: (i) the shift of focus to central level capacity development in 2005 had been too extensive and that enhanced focus was needed on developing the capacity of local governments to perform their duties. According to UNDP this step should have been taken already two years ago, but will now be implemented in 2009 and 2010.'

armed than the police. The SPLA is thus often relied upon to intervene in cases of localised insecurity, yet their discipline (as well as that of the police) is a cause for concern.

The absence of, or mistrust towards, rule-of-law institutions (courts, prisons) means that communities are more likely to resort to violence to resolve disputes. There is a tension between the state role in formal Rule of Law and traditional forms of justice. Indeed, the state is often not viewed as a legitimate actor in this sphere.

Local peace building initiatives are often more successful when linked to the provision of basic services and tangible 'peace dividend' resources. The most effective programmes are those that have promoted linkages with the wider governance and security environment, including building capacities in local government. Related to this is the possibility that there has been too much focus on the central institutions of GoSS and not enough on building up democracy in States (and perhaps Counties). Many programmes have been unrealistic, with faulty assumptions and over-ambitious objectives, suggesting that donor policies and programmes have not made adequate use of the contextual research and analysis in which they have invested. This, and the failure to take a synchronized and strategic approach to capacity building across levels of government, has undermined effectiveness and sustainability.

TEAM 2

Team 2 will focus on the contribution of socioeconomic-related projects and programmes on conflict prevention and peace building in Southern Sudan with a particular focus on basic services (health, education, water and sanitation) and livelihoods support implemented within the context of broader reintegration and recovery programmes and strategies. Three States will be covered (the projects are still to be confirmed):

<u>Northern Bahr el Ghazal</u>

Tearfund	CIDA-funded: Omdurman, Aweil East. 3-year Integrated nutrition, food security, health, water and sanitation programme.
Canadian Food Grains	Bank/World Relief Canada – 3 year nutrition and food security programme (Health component handed over to IRC in January 2009, who is funded by USAID through MSI)
IRC	USAID funded health
Save the Children	SRF- funded - Aweil Town East, Agricultural training support, income generating scheme and peace building initiatives
Mercy Corps	EC-funded: Integrated Food Security (Aweil)
Concern	BSF-funded health – Nyamlel

<u>Lakes</u>

VSF-B	EC-funded: Livestock and integrated rural Development (Rumbek)
Oxfam	Livelihoods programme (Cuibet)
GTZ	Livestock Production Marketing (Rumbek)
DOR	BSF-funded education

Warrap	
WVI	USAID-funded: Socioeconomic Development – Kuajok, Luanyaker, Tonj; SRF funded agricultural training & support
ADRA	Danida-funded: Health and Water (Twic).
VSF-G	EC/UNDP – RRP (Kuajok – ended).
AMA	BSF-funded education and health IRD SRF-funded agricultural cooperatives, small business development, Gogrial West

Sectoral and geographic focus

Within each of the three contiguous states, the team will look at relevant work funded through bilateral and pooled funding mechanisms and by different types of implementers – national and international NGOs, UN agencies and private contractors.

In line with the findings from the Stage 1 report, we will look at and compare the rationales, relevance, effectiveness and efficiency of bilateral approaches (USAID and to some extent the EC) to funding basic services and livelihoods support, with multilateral support provided through pooled funding mechanisms (for example, the MDTF, BSF, SRF, and CHF). Evaluations to date suggest that with the exception of the BSF, other pooled funds have had slow and cumbersome bureaucratic procedures that appear to have undermined the efficiency, effectiveness and impact of programmes. Questions to be explored are whether alternative aid instruments might have been more appropriate and what impact the choice of management agent (UN, private contractor, bilateral donor) and selection procedures (appointed or competitive bidding) has had on performance and delivery. The degree to which effective and strategic coordination has taken place between fund decision-makers as well as field-level project implementers will also be examined at Juba, State and county levels

The discourse of 'post-conflict recovery' on which the aid architecture was based will be critically appraised. In a context where continuing insecurity, humanitarian need and political fragility are the defining features, the 'relief to recovery' rhetoric may be of questionable relevance. There is also a lack of clarity around what constitutes 'ownership' and how important it is – and to whom - in the Southern Sudan context. The team will explore further the concept of government 'ownership' of the projects and programmes implemented – what it means and how important it is to different stakeholders (donors, central and state governments, communities etc), given the donor emphasis on state-building. Other crosscutting issues arising from the Stage 1 report - such as whether approaches to decentralization, GoSS capacity building (for example, USAID BRIDGE, UNDP Support to States) and sustainability in relation to basic services have been strategic and effective will also be reviewed. We will also explore the degree to which the development of road infrastructure has been prioritized and its role in facilitating service delivery.

Rationale for State selection

Northern Bahr el Ghazal is historically one of the most neglected areas of Southern Sudan. According to the GoSS Statistical Yearbook published in 2009, Northern Bahr el Ghazal received 500,000 returnees from 2004-2009 – more than twice as many as received by any other State. These large numbers of returning IDPs have created pressure on the already poor communities and scarce basic services in the State. All three States have some of the worst child immunization and stunting rates, and lowest primary completion and secondary school attendance rates in Southern Sudan.[29]

[29] GOSS Statistical Yearbook 2009, pp. 30, 34, 62.

From the mid-80's until 2002 the northern border areas of both Northern Bahr el Ghazal and Warrap States were subject to attacks and raids, executed by GoS-sponsored Popular Defense Force militia, (*'murahaleen)'.* The consequences were physically and psychologically devastating. In addition to the killings, cattle looting, and widespread displacement, women and children were often raped and/or abducted.[30] Some of these abductees have been reunited with families and communities after years in captivity, but many remain missing.[31] Many of the Dinka clans affected still harbor intense animosity towards the Baggara tribes who perpetrated these raids.[32]

Lakes State, while not directly affected by such raids, has suffered from outbreaks of conflict over land and cattle between Dinka pastoralists and more settled farmers from minority tribes. Some senior GoSS officials at both national and state level, whose cattle and kinsmen have been affected, are accused of encouraging retaliatory raids. Likewise, inter-tribal conflict has also erupted in Tonj County in Warrap State, one of the areas Team 2 plans to visit. Lakes State is also important in that from around 2000 until 2005, Rumbek, was the de facto capital of Southern Sudan. Although the infrastructure established during that period has helped it to retain its status as a meeting and training point as well as a significant political 'centre', the decision to move the capital to Juba may have resulted in the redirection of resources – potential 'peace dividends' – away from Lakes. This hypothesis will be explored further.

TEAM 3

Team 3 will focus on three issues in Eastern and Western Equatoria, with particular programmes as follows:

- **Physical infrastructure.**
  - **(1)** WFP: The Southern Sudan emergency road repair and mine clearance project (target was 3,000 km of roads between 2004 and 2009). USAID: Re-engineering and resurfacing the major transport route from Juba to Nimule (a border crossing to Uganda).
  - **(2)** Water for Recovery and Peace Programme (WRAPP – USAID/OFDA through Pact);
  - **(3)** USAID: Sudan Accelerated Infrastructure Program, a partnership between the Government of Southern Sudan, UNOPS and USAID, which supports recovery in Southern Sudan.

- **Land issues.** USAID land tenure laws programme, EC Technical, Legal and Constitutional Advice to Land Commission, ,Property Rights Resource Governance Program (SPRRGP)

- **Local Government.** UNDP/CRS/PACT: The three agencies are working together to support a 3-year (first-phase) local government capacity building programme

[30] Report of the International Eminent Person Group on Slavery and Abduction, 22 May 2002. http://www.state.gov/documents/organization/11951.pdf

[31] Sudan Abductee Database Project, Rift Valley Institute, 2005. http://www.riftvalley.net/index.php?view=abductee

[32] These clans also resent the failure of the 'awlaad Garang' who they feel failed to prioritize the deployment of sufficient SPLA troops to protect them from these attacks, although this has been mitigated somewhat by the appointment of Salva Kiir to the presidency as he comes from Warab State.

covering a full range of policy and legal development, recovery planning systems, infrastructure, intergovernmental relations, finance, training and civic engagement (LGCRP).

- **Gender Issues** in relation to land, water, and local government (e.g. GGEPP)

The Equatorial states have been a major locus for intra-South conflict such as between and among pastoralists and farmers over land and water, such as manifested by cattle rustling, and among tribal groups. Over 70% of the South Sudanese population is dependent on livestock for their livelihoods and competition over grazing land and watering points for cattle is a major source of tension. These states continue to experience insecurity arising from these conflicts as well as ethnic militias, enlisted forces, and bandits. In addition, Western Equatoria was affected by cross-border influx and raids by LRA fighters from the DRC and Uganda. Team 3 will not assess impacts of donor programmes on such overt violence. Rather, it will examine whether the above programmes mitigated these conflicts through increasing the wider availability of vital natural resources and community facilities and thus reducing grievances that fuel the conflicts, and/or through creating local structures that incorporate into peaceful channels tensions and disputes over resources and struggles for control over them.

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. Roads and other infrastructure were to provide one of the visible 'peace dividends' by meeting local needs for transport and better delivery of services, stimulating trade and commerce, and fostering greater South-South and wider economic integration. The various programmes were also to provide employment opportunities to displaced, returning young men and other disadvantaged people. 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 evaluation will assess the relative merits of short-term upgrading of roads (WFP) as opposed to more permanent road construction that would take longer to complete (MDTF). WFP's special operation in southern Sudan for emergency road repair and mine clearance has so far rebuilt approximately 2,500 km of roads. The main strategic road links connect (a) Kenya from Lokichoggio to Kapoeta, Juba and east of the Nile to Bor heading towards Malakal and (b) Uganda from Yei northwest towards Rumbek and Wau and north to Wunrok. They also have supported the deployment of the UN Mission in Sudan (UNMIS) and the return of southern Sudanese IDPs and refugees over newly demined routes.

The team will assess whether the sequencing and geographical location of road construction was appropriate. It will also investigate whether the new roads have substantially increased the volume and kinds of trade, commerce and outside investment yielding employment opportunities, as has been reported at least for Juba. The claim is that better roads stimulate economic growth; for example, with roads linked to the River Nile, the cost of food production and delivery will be reduced, and farmers' access to markets will grow. In addition, the delivery costs of food aid will decrease and eventually the need for large quantities of aid to support people in Southern Sudan should diminish. There is already evidence to show, for instance, that the opening of routes from Uganda into Sudan through the town of Yei has resulted in the price of basic items such as maize, sugar, soap and fuel decreasing by about 20 percent. Because new roads and other physical infrastructure are so visible as improvements, the team also needs to ask whether they have affected public attitudes and they attribute any change to the peace process. Another relevant impact question is whether roads have increased or decreased security.

Land is fundamental to the way in which the Sudanese conflicts and humanitarian crises have evolved for it has been the focus of localised conflict over land and water between competing ethnic groups. The evaluation will first examine what patterns of use and ownership have emerged, and what kinds of land issues have arisen, over the last five years. It will then look at the policies realized through the efforts of the Land Commission and impacts of the recently passed Land Act. The basic question from a conflict perspective is the extent that new policies and programmes have made local tensions over the allocation of land and land tenure more subject to regulation through agreed-on laws and procedures, and thus peacefully; whether land has become used as patronage by competing factions and politicians; and whether they have stemmed attempts at land-grabbing by well-placed individuals.

In Southern Sudan, WASH services can also become politicised if they are perceived to favour particular sections of the population based on political, social, religious or ethnic grounds. WASH delivery has in some areas become part of cross-sector state-building activity, when water provision through water points are used as an incentive for less tangible state-building activities such as capacity-building of local administrations. PACT developed a cross-sector project that used a combined strategy of providing roads, wells and support to the police force, targeting youth in order to manage localised conflicts. At the same time, there often can be trade-offs for donors between the political imperative to rapidly increase coverage and the need to initiate policy and institutional reforms.

Given the apparent emphasis on strengthening central government, issues of local government will be reviewed from the angle of whether the provision of new services and infrastructure has at least begun to make local governments to be perceived to be legitimate governing entities. From a conflict perspective in southern Sudan, the value of more effective, legitimate local governments would be to instil interest-based loyalties that are localized but multi-ethnic. This allows them to become a focal point for the orderly reconciliation of competing interests and to thwart the higher-level political or ethnic appeals that encourage violence. Relevant indicators here are the extent to which local government officials been actively engaged in planning and service delivery of programmes, and whether government structures are becoming more instrumental in whatever improvements have been made.

The cross-cutting gender issues being pursued by the Gender Specialist on Team 3 can be illustrated with regard to water supply. Evidence suggests that including both women and men in the planning and management of schemes increases sustainability. In Southern Sudan men are often absent from their communities for extended periods of time; therefore, female involvement in scheme planning and management is particularly important. The team will examine whether such involvement is occurring in all the above programmes and others

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TEAM 4

Team 4 will focus two issues: approaches to overall capacity development in the South, and demining. The geographic area is Central Equatorial State, including the capital Juba as well as rural regions.

- **Demining. (**CIDA), UNMAS: Mine Victim Assistance and Demining Programme; UNDP Sudan Mine Action Capacity Building and Development Project.

- **Overall capacity building strategy.** USAID: Bridge Programme

Southern Sudan has a wide cross-section of experienced demining operators, both non-governmental and commercial, but the sector's indigenous management structure is still in its infancy. With the UN Mine Action Service (UNMAS) focusing its efforts on supporting an increased the pace of demining, one of the main tasks of the UNDP has been to assist the Southern Sudan Demining Commission (SSDC) to become the *de facto* as well as the *de jure* coordinating body for the south. In June 2006, the Southern Sudan Demining Commission (SSDC) was established by a Southern Sudan presidential decree. UNDP's work in this area is supported by the governments of the United States, the Netherlands, Italy, Sweden and Canada. UNDP activities are undertaken in close coordination with national authorities, United Nations Mine Action Service (UNMAS), UN Children's Fund (UNICEF), UN High Commission for Refugees (UNHCR) and the World Food Programme (WFP).

The well-resourced demining programme is one of the few where clear evidence of positive impact on conflict and peacebuilding is reported. Assessment will be made of how and why donors prioritised geographic areas, how collaboration with national authorities took place and to what extend diverging mandates have had an effect on the implementation and effects of demining projects. Some problems have recently emerged; for instance, between the UN Mine Action Office's direct operational mandate and national authorities on priority setting.

The low capacity of state institutions was indentified in the Conflict Analysis (Stage 1) as one of the factors instability in Southern Sudan. Evaluations consistently mention the lack of focus on developing government capacity from the State level down. For example, irregular and unpredictable financial transfers to the States (which has improved in 2009) and down to counties, as well as low budgeting and financial capacity and accountability across all levels of GoSS, have undermined the sustainability of basic service provision. The consensus is that the scale of support for capacity building and capacity provision provided by the donor community fell short of what would be required to establish functioning Government at regional, state and local level. What assistance there was has been fragmented and lacking in overall strategy. This is starting to change now with the introduction of a large three-year USAID programme which will build GoSS capacity to deliver basic services at all levels and a UNDP programme focused on building State-level capacity.

The evaluation will look at what the missed opportunities in capacity development were within a new government that (unusually) was very open to such assistance. Would capacity development per se have offset some of the widely reported structural impediments to recovery in Southern Sudan? Conversely, and for example, would greater investment in the private sector have created its own momentum in attracting more able Sudanese back to the country?

TEAM 5

The Team Leader (in Juba) will be responsible for coordinating team meetings on the ground, reporting to the Ministry of Finance (MOFEP) and the Reference Group, and reporting/introducing the evaluation to various Juba-level sector and general inter-agency meetings. In addition, a particular area of focus will be SPLA reform.

- **US State Dept and UK Government (through Adam Smith Institute, and funded through the Global Conflict Prevention Pool)** Support to Security Sector Reform (SSR) and SPLA transformation - training in basic command and staff skills, internal security, counter-insurgency, close protection, medical and communications skills, etc. SSR work includes support to legislative work and capacity within Ministry of SPLA Affairs.

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[33]. This has involved the uneasy integration of formerly hostile southern militias into the ranks of the SPLA. The implementation of security sector reform has been challenging largely because the SPLA and SAF were not genuinely committed to downsizing their militaries.

The CPA defers decisions on major issues until the end of the six-year interim period and the Southern Sudan referendum in 2011. This includes the decision on the ultimate shape of the armed forces, giving the impression that the agreement is more of a ceasefire allowing both parties to consolidate their positions and seek security and political gains during the interim period. The political environment in general was not conducive as both SPLA and SAF were not genuinely committed to downsizing their military[34].

Our review of evaluation literature Stage 1 shows that no serious attempt was made to agree on a common policy framework for engagement in Southern Sudan and genuinely link interventions such as the SPLA transformation, the DDR programme and interventions in other rule of law areas, particularly the police. Instead, activities were pursued bilaterally. Security sector reforms were, for example, dropped from JDT's priorities.

The roadmap for the transformation of the SPLA into a professional army was provided by the SPLA White Paper on Defence adopted in June 2008. This paved the way for the SPLA Act adopted by the Southern Sudan Legislative Assembly in February 2009. Yet the professionalization of the SPLA has been slow and has encountered some setbacks. For instance, the UN has confirmed that the SPLA continues to employ child soldiers in contravention of international conventions[35]. There are numerous reports of SPLA personnel using excessive force and committing human rights violations when dealing with the civilian population, particularly during disarmament operations[36] .

The United States has provided direct bilateral funding (around $60 million per year) to support restructuring of the SPLA. In addition, the United States has provided around $250 million annually to support the UN Mission in Sudan (UNMIS), including its efforts to create a police force in the South. Thus far, SSR in southern Sudan has yielded mixed results.

The UK is providing support through a number of different programmes: (1) Support to GOSS in developing an effective security decision making architecture with capacity to provide effective

[33] The UN Secretary-General, acknowledging that CPA implementation depends on successful integration of former SPLA combatants into professional military, police and other uniformed services, called for UN to coordinate security and justice sector projects more comprehensively. United Nations Security Council, *Report of the Secretary-General on the Sudan*, S/2008/267, para. 58, April 22, 2008, http://www.un.org/Docs/journal/asp/ws.asp?m=S/2008/267

[34] Saferworld (2008) *Developing Integrated Approaches to Post-Conflict Security and Recovery: A Case Study of Integrated DDR in Sudan.*

[35] *Report of the Secretary-General to the Security Council on Children and Armed Conflict.* A/63/785-S/2009/158. March 26. New York: United Nations.

[36] Gagnon, Georgette (2009). *Southern Sudan: Protect Civilians, Improve Rule of Law*. New York: Human Rights Watch. February 12. Available at: http://www.hrw.org/en/news/2009/02/12/southern-sudan-protect-civiliansimprove-rule-of-law.

analysis and coordinate implementation of policy[37]; (2) Support to the Defence White Paper process (completed)[38]; (3) Support to the SPLA Transformation process; (4) Support to the Ministry of SPLA Affairs; (5) Parliamentary oversight of defence and security. Most of the funding is through the (DFID/FCO/MoD co-administered) Conflict Prevention Pool.

TEAM 6

Team 6 will focus on the 'view from the North' encompassing some of the broader aid and political issues not covered elsewhere, and the way these have impacted on the potential for peace in Southern Sudan. The team will travel to Khartoum.

Team 6 will specifically focus on several key issues that came out of the Phase I analysis with overriding importance to peace in Sudan:

- Oil Issues: an examination of the manner in which oil has dominated North-South relations since the signing of the CPA, what the key areas of contention are, and progress towards their resolution.
- The 3-Areas (Abyei, Southern Kordofan/Nuba Mountains and Blue Nile) . How unresolved issues in the 3-areas have curtailed progress in the CPA and to what extent these will remain conflict 'flashpoints'
- In addition, Team 6 will supplement the analysis of donor policy with inclusion of those donors without representation in Juba, including Arab countries, India and China.

The Stage 1 report underscored the fact that CPA implementation in the whole of Sudan is of principal importance to peace and stability in the South. The Stage 1 analysis specifically refers to an extensive conflict analysis conducted in 2008 for DFID, focused on the Three Areas (Abyei, Southern Kordofan and Blue Nile).[39] The lack of progress towards border demarcation and the continuing uncertainty with regard to the status of the Three Areas is cause for increased tension, if not conflict. Key problems included uncertainty about the future, lack of a peace dividend, increasing problems related to return of displaced people and lack of employment for militarized young men. Conflict could be triggered before the referendum on the status of Southern Sudan. A referendum on the status of Abyei is due in 2010, and the process of 'Popular Consultations' on the status of Southern Kordofan and Blue Nile States is also due to take place in 2010.

Issues around oil and wealth sharing have dominated the CPA. With 75% of Sudan's current production coming for the South, these remain highly contentious issues and central to any negotiated outcome post-2011. Oil revenues significantly influence the political landscape in Southern Sudan. 95% of revenues of the GoSS come from oil, providing GoSS with a budget greater than that of Kenya. The oil factor may have undermined any efforts to widen the political settlement. Instead, various actors are jockeying for position and access to resources derived from oil revenues. Even if aid focuses on widening the political settlement beyond the political elite its influence compared to oil wealth is limited.

[37] This includes helping to develop and implement the second phase of Police and Justice programme for period 2009-12.
[38] This included strengthening HR, logistics, procurement, training systems and information management.
[39] Vaux, T, S Pantuliano and S Srinivasan (2008) *Stability and Development in the Three Areas*, DFID

Team 6 will frame its analysis around the work of the Assessment and Evaluation Commission (AEC), the commission that monitors and supports the implementation of CPA. The members of the AEC are representatives from the Government of National Unity (three from the National Congress Party and three from the Sudan People's Liberation Movement); representatives from the Intergovernmental Authority on Development (IGAD) (Kenya and Ethiopia); and representatives from Italy, the Netherlands, Norway, the United Kingdom and the United States, that witnessed the peace negotiations leading to the creation of the CPA. The African Union, the Arab League, the European Union and the United Nations have observer status. THE AEC has 4 major working groups, each focusing on a protocol in the CPA: Power Sharing, Wealth Sharing, Security Arrangements and the Three Areas (Abyei, Southern Kordofan and Blue Nile).

The interviews conducted by Team 6 will be geared towards a better understanding of:

- The above-mentioned issues/areas of contention (specifically focusing on oil issues, and the Three Areas);
- The strategy and policies of AEC with regard to the issues;
- Progress towards their resolution since the signing of the CPA, and specifically the role played by AEC in this regard;
- The alignment with government policies;
- The current situation/remaining issues of contention.

Deliverables

The Stage 2 report will comprise a 20-page overview of key findings and conclusions from the six field studies. The six studies will be attached as separate annexes, containing detailed description and evaluation evidence. The timeline for delivery is:

5 April	All teams will have returned from the field.
Mid-April	Team meeting to review draft report findings
1 May	Submission of draft Stage 2 report to Steering Committee plus a draft annotated Contents for the Final Report
Mid-May	Following SC comments, team meeting to prepare draft for final Synthesis Report
2nd week June	Submission of draft Final Report to Steering Committee
End-June	Steering Committee meeting
July	Revision of Final Report (following comments) and submission of final draft

Annex 1: Southern Sudan CPPB Evaluation Matrix

The Evaluation Matrix sets out the overall evaluation questions as set out in the TOR (MoFA 2009), as well as more specific questions developed by the evaluation team. It provides an overarching framework for the evaluation, so that the team can keep in mind the TOR questions and the link to the more specific questions that are being addressed at any one moment in time (such as during the fieldwork). The reporting template for the Stage 2 fieldwork (Annex 2) has been developed from this Evaluation Matrix, so as to ensure a consistent approach to the evaluation. The Evaluation Matrix is designed not to become a 'straight jacket' for the team (who may need to explore lines of enquiry as they emerge) but rather a tool to ensure the evaluation fulfils the requirements of the TOR.

TOR Questions & Issues (MoFA 2009)	Detailed Questions	Methods (and sources of evidence)
Relevance: The extent to which the aid activity is suited to the priorities and policies of the target group, recipient and donor.		
Was the support provided in line with the policy and procedures of the donors and agencies, with those of the GoSS, and the needs, priorities and rights of the affected populations as well as the dynamics of the post CPA-period? (See also policy development & implementation issues, TOR pages 32-33)	Strategic focus: • What were the key underlying assumptions of 2005 (CPA/ JAM), and did these change over time? • How far were strategies based on a realistic analysis of political economy/ conflict analysis? • How far were strategies aligned with development needs and policy priorities of GOSS? • How far were strategies aligned to the population needs (as determined through needs assessments, etc)? • To what extent were strategies in line with a coordinated inter-donor approach (i.e. Paris Principles, Fragile States principles, etc)? • Were strategies in line with a focus on state-building and delivering security and justice for the poor?	Conflict Analysis (Stage 1) Policy Analysis (Stage 1) Stage 2 fieldwork (especially Team 1)
	Risk management: • How systematically were external risks assessed (i.e. political governance, conflict, economic and fiduciary)?	Stage 2 fieldwork (all teams)
	Results focus: • How far were the interventions sufficiently results-focused and subject to	Evaluation Review (Stage 1)

	monitoring? • How far were the results of reviews/evaluations used to reconsider design/ direction of work, resources (financial and human) and staff allocation priorities?	Stage 2 Fieldwork
	Crosscutting issues: Was there a strategy for mainstreaming crosscutting issues such as conflict, gender, social exclusion, human rights, HIV/AIDS and environmental protection?	Stage 2 Fieldwork (+ gender specialist)
Effectiveness: A measure of the extent to which an aid activity attains its objectives.		
To what extent did the support provided achieve its purpose? And if it did not or not fully achieve its purpose, why not? • Realisation of the (changing) immediate needs of the affected populations on the one hand, and the Government of Southern Sudan in terms of institutional capacity building on the other (coverage and timeliness of support provided); • Provision and distribution of assistance taking into account gender and generation, including specific needs of women, children and the elderly; • Influence of and response to security issues and humanitarian access; • Attention to be paid to good and less effective practices.	Delivering on strategy: • To what extent were the original objectives achieved in practice? What explains any areas of divergence? • How effectively did the agency manage the strategic risks that emerged?	Evaluation Review (Stage 1) Policy Analysis (Stage 1)
	Results: • How far were the objectives and performance indicators for the programme(s) achieved? • How did individual programmes function during the different phases of conflict (immediate post-conflict/humanitarian, post-conflict transition, new insurgency etc.)? • What explains key successes and failures with regard to programme objectives? What was the role of govt and non govt. actors?	Evaluation Review (Stage 1) Stage 2 Fieldwork (all teams) Synthesis process (additional monitoring data collected from Juba, donors, etc)
	Crosscutting achievements: • How well were issues of conflict, gender, social exclusion, human rights, HIV/AIDS and environmental protection actually integrated across the programme? • Were results disaggregated by gender, social group etc. and what does the data show?	Stage 2 Fieldwork (all teams, plus gender specialist)
Impact: The positive and negative changes produced by a development intervention, directly or indirectly, intended or unintended.		
What have been the wider effects of donor support to the implementation of the CPA in Southern Sudan? • Effects of the assistance in terms of reducing the vulnerability of the affected populations and fostering	Outcomes and impact: • What evidence is there to support the view that the programme(s) helped contribute to the peace building process and improve the security situation in the country?	Evaluation Review (Stage 1) Stage 2 Fieldwork (all teams, for

preparedness and people's coping mechanisms; • Effects of the assistance in terms of livelihood development; • Effects of the assistance on government capacities and the development of the private sector; • Effects of the assistance in terms of reducing the chances of a relapse into conflict (i.e. addressing the root causes of conflict) and fostering preparedness of the Government of Southern Sudan and other stakeholders (e.g. civil society) to address the causes of conflict; • Effects of the assistance on the wider peacebuilding environment in Sudan.	• Has the programme(s) added value through gains in aid effectiveness? For example, contributing analysis/ tools/ support on harmonisation?	example Team 2 looks at the links between socio-economic development and peacebuilding)
	<u>Lessons:</u> • What lessons (from positive and negative findings) can be drawn from this programme(s)? • What lessons can be drawn more widely for the development community in other post-conflict and fragile situations?	Stage 2 Fieldwork (all teams) Final Synthesis – drawing out lessons in relation to CPPB Guidance, sequencing of peacebuilding activities, etc.
Sustainability: Whether the benefits of an activity are likely to continue after donor funding has been withdrawn. Projects need to be environmentally as well as financially sustainable.		
To what extent are the accomplished results sustainable? • The effects of the present financial and fiscal conditions created inter alia by the (current) low(er) incomes from oil revenues on the capability of the Southern Sudanese government to maintain and/or increase current levels of service to the population; • The extent to which these financial and fiscal conditions have an effect on the current development planning of the GoSS; • The sufficiency of current and expected future funding levels of external support to ensure longer-term sustainability of the expanded systems of social services, governance and economic activity.	<u>Sustainability (see also 'impact' above):</u> • To what extent has the policy and governance environment (e.g. accountability, action on corruption) been strengthened? • Are the development changes or reforms supported by the programme(s) likely to be sustained / difficult to reverse? • Have parallel systems been set up to deliver projects, and if so is there a plan to integrate them into government systems? • To what extent has local capacity been built?	Evaluation Review (Stage 1) Stage 2 Fieldwork (especially Teams 1 and 4, which cover issues of conflict/ governance and capacity building)
Efficiency: The outputs - qualitative and quantitative - in relation to the inputs. It is an economic term which signifies that the aid uses the least costly resources possible in order to achieve the desired results.		
Were the financial resources and other inputs efficiently used to achieve results? • Aid management (funding mechanisms applied, programme and project cycle, staffing, tasks and	• How efficient were the pooled fund mechanisms, and might alternatives (e.g. bilateral assistance) have provided more efficiency? • To what extent (and why) has it been necessary to use external actors as implementers of programmes, and what implication does this for 'ownership' as	Evaluation Review (Stage 1)

responsibilities of ministry departments and embassies, inter-ministerial co-operation including – where appropriate – civil-military co-operation); • Criteria used in the selection of implementing partners (comparative advantage or other); • Organisation and costs of aid delivery at field level (diversion, security, creating access); • Use of monitoring of progress and achievements for programming, learning and accountability.	well as sustainability? • Although the evaluation cannot audit "cost-effectiveness", are we able to comment on the transactional and administrative costs of outsourcing sector programme implementation to external actors? • How efficient have the M&E systems been?	
Coherence, coordination, linkages, and coverage		
<u>Coherence:</u> • To what extent were the different policies of actors were coherent? Were humanitarian, development, security and diplomatic efforts of individual actors in line with each other? Were policies of different actors coherent, complementary or contradictory?	<u>Aid instruments:</u> • What mix of aid instruments was intended and how did this change: Was there a sufficient balance between use of long term and shorter term instruments? And between pooled funding, multi-lateral and bi-lateral funding? • To what extent did choices about aid instruments reflect the political economy and governance / conflict context of the country? • Was there an appropriate balance between support through government and non-governmental channels? <u>Partnerships:</u> • How did the programme(s) approach working with: a) Government (central, provincial, local), b) civil society, c) multi-lateral organisations (WB, UN, EU), d) other bilateral donors? Were there explicit strategies? Was the balance among chosen partners appropriate? • To what extent did the programme(s) help strengthen harmonisation across the donor community? (Was there joint analysis, pooled funding, joint reporting etc?)	Policy Analysis (Stage 1) Portfolio Analysis (Stage 1) Stage 2 Fieldwork (all teams). For example Team 2 will look at pooled funds in relation to socio-economic development) Additional interviews with donors, conducted as part of the Final Synthesis
<u>Coordination:</u> • What was the effectiveness of coordination at policy and strategic levels and during implementation? • What was the involvement of donors in coordination mechanisms and processes? • To what extent was there encouragement of operational partners to engage with coordination mechanisms and processes?		
<u>Linkages:</u> • What was the relative emphasis on, and balance between, the different types of support provided (humanitarian, rehabilitation & reconstruction, etc)? • What the sequence of support appropriate in relation to the changing circumstances (in time and space)? • Were there effective links between specific peacebuilding interventions and longer-term development processes?		

Coverage: • Did the inclusion or exclusion of certain geographical regions have an impact on the ability to reach all those in need? • What was the coverage in relation to the dynamics of conflict prevention and peacebuilding?	Strategy & resource allocation: • Were strategies appropriate to the level of resources anticipated? • Was geographic coverage too narrow / wide for resources available? • Were other donor resources and plans in the country taken into account to avoid over / under -aiding and aid volatility?	Portfolio Analysis (Stage 1)

Annex 2: Fieldwork Reporting Template

The template below provides an initial set of headings and sub-headings against which the field teams will report. The purpose of the template is to provide a consistent structure for the Stage 2 reporting, as well as making the link to the TOR questions (as set out in the Evaluation Matrix). The questions are provided as guidance, and will be used by the field teams to develop specific checklists of questions that can be asked in interviews or during focus group discussions – as this will vary from programme to programme and by different contexts.

REPORT STRUCTURE *(based on the Evaluation Criteria and TOR)*	**KEY QUESTIONS**	**EVIDENCE** *(triangulated from documentary sources, interviews and focus group discussions)*
(A) ***INTRODUCTION AND METHODS.*** This section sets out any important background information, the rationale and hypotheses being tested, plus an update of the methods actually used – including how they were adapted in the field, plus any limitations of the approach and evidence set out in the field report.		
(B) ***CONTEXT.*** Political and post-conflict situation. Key events over period including factors beyond control of development partners. MDG progress (where available) and variation by gender, rural/ urban, ethnic group etc. Progress with peace-building and capable, accountable and responsive state-building. Importance of aid and number of donors active in area. Key political events over the 5-year period.		
(C) ***RELEVANCE, COORDINATION AND COHERENCE.*** Was the support provided in line with the policy and procedures of the donors and agencies, with those of the GoSS, and the needs, priorities and rights of the affected populations as well as the dynamics of the post CPA-period?		
Overall strategy and areas/sectors selected for intervention	1. Throughout the evaluation period and as the context evolved, did the activity(ies) have a clear and focused strategy that explained the rationale for intervention(s) supported? What were the key underlying assumptions of the programme from 2005, and did these change over time (e.g. options considered, analysis done, choices made and why etc.)? 2. How far were strategies based on a realistic analysis of political economy/conflict analysis? If an analysis was undertaken, what tools/frameworks did it use? Was it appropriate/ sufficient? Did	

REPORT STRUCTURE *(based on the Evaluation Criteria and TOR)*	**KEY QUESTIONS**	**EVIDENCE** *(triangulated from documentary sources, interviews and focus group discussions)*
	it consider the links between development and conflict? 3. Over the period, how far were strategies aligned with development needs and policy priorities of GOSS? 4. How far were strategies aligned to the population needs (as determined through needs assessments, etc)? 5. To what extent were strategies in line with a coordinated inter-donor approach (i.e. Paris Principles, Fragile States principles, etc)? 6. Were strategies in line with a focus on state-building and delivering security and justice for the poor – strengthening core functions of the state (e.g. security and justice, revenue mobilisation) and improving accountability and legitimacy? 7. Were changes to strategies appropriate given the context or were there too many/ too few adaptations?	
Risk Management	8. How systematically were external risks assessed (i.e. political governance, conflict, economic and fiduciary)? Were measures taken to address these e.g. through tools such as Do No Harm, Peace and Conflict Impact Assessment etc.?	
Aid instruments	9. What mix of aid instruments was intended and how did this change over the evaluation period? Was there a sufficient balance between use of long term and shorter term instruments? And between pooled funding, multi-lateral and bi-lateral funding? 10. To what extent did choices about aid instruments reflect the political economy and governance / conflict context of the country (e.g. analysis of incentives and disincentives provided by aid and instruments used vis-à-vis conflict reduction and state building)? Was there an appropriate balance between support through government and non-governmental channels?	
Partnerships	11. How did the programme(s) approach working with: a) Government (central, provincial, local), b) civil society, c) multi-lateral organisations (WB, UN, EU), d) other bilateral donors? Were there explicit strategies? Was the balance among chosen partners appropriate? 12. To what extent did the programme(s) help strengthen harmonisation across the donor community? (Was there joint analysis, pooled funding, joint reporting etc?)	
Cross-cutting themes	13. Was there a strategy for mainstreaming cross-cutting issues such as conflict, gender, social exclusion, human rights, HIV/AIDS and environmental protection?	

REPORT STRUCTURE *(based on the Evaluation Criteria and TOR)*	**KEY QUESTIONS**	**EVIDENCE** *(triangulated from documentary sources, interviews and focus group discussions)*
Level and allocation of resources	14. Were strategies appropriate to the level of resources anticipated? 15. Was geographic coverage too narrow / wide for resources available? 16. Were other donor resources and plans in the country taken into account to avoid over / under - aiding and aid volatility?	
Results focus	17. How far were the interventions sufficiently results-focused and subject to monitoring? (e.g. were there results frameworks? Was there a sufficient balance between quantitative and qualitative indicators to fully understand impact?) 18. How far were the results of reviews/evaluations used to reconsider design/ direction of work,, resources (financial and human) and staff allocation priorities?	
(D) EFFECTIVENESS AND EFFICIENCY. To what extent did the support provided achieve its purpose? If it did not (or only partially) achieve its purpose, why was this?		
Delivering on strategy	19. To what extent were the original objectives achieved in practice? What explains any areas of divergence? 20. How effectively did the agency manage the strategic risks that emerged?	
Results	21. How far were the objectives and performance indicators for the programme(s) achieved? 22. How did individual programmes function during the different phases of conflict (immediate post-conflict/humanitarian, post-conflict transition, new insurgency etc.)? What explains key successes and failures with regard to programme objectives? What was the role of govt. and non govt. actors?	
Cross-cutting themes	23. How well were issues of conflict, gender, social exclusion, human rights, HIV/AIDS and environmental protection actually integrated across the programme? 24. Were results disaggregated by gender, social group etc. and what does the data show?	
(E) IMPACT. What have been the wider effects of donor support in supporting a climate of peace in Southern Sudan and to the implementation of the CPA in Southern Sudan?		

REPORT STRUCTURE *(based on the Evaluation Criteria and TOR)*	**KEY QUESTIONS**	**EVIDENCE** *(triangulated from documentary sources, interviews and focus group discussions)*
Outcomes and sustainability	25. What evidence is there to support the view that the programme(s) helped contribute to the peace building process and improve the security situation in the country? 26. To what extent has the policy and governance environment (e.g. accountability, action on corruption) been strengthened? [For example, is there evidence to show that TA support is sustainable and renders results?] 27. Are the development changes or reforms supported by the programme(s) likely to be sustained / difficult to reverse? Have parallel systems been set up to deliver projects, and if so is there a plan to integrate them into government systems? To what extent has local capacity been built? 28. Has the programme(s) added value through gains in aid effectiveness? For example, contributing analysis/ tools/ support on harmonisation?	
Lessons	29. What lessons (from positive and negative findings) can be drawn from this programme(s)? 30. What lessons can be drawn more widely for the development community in other post-conflict and fragile situations?	
(F) FINDINGS AND CONCLUSIONS. This section provides a summary of the key findings (based on the above sections), plus the initial conclusions. Where appropriate, it will set highlight issues to be followed up in the synthesis and Final Report.		
(G) ***PRELIMINARY RECOMMENDATIONS.*** While recommendations are not expected at this stage, the field teams will highlight possible recommendations that have emerged during the course of the fieldwork. This will provide a basis for the follow-up work during the final stages of the evaluation.		
ANNEXES: 1) **BIBLIOGRAPHY** – new source documents to be added to EndNotes. **2) SCHEDULE OF INTERVIEWS** – including the locations visited. 3) **LIST OF PROJECTS ASSESSED** – including supplementary information where appropriate. 4) **ACRONYMS AND ABBREVIATIONS**		

Appendix 2 List of Interviewees

Donors

Joint Donor Team	Sjarah Soede, Team Leader, Governance and Rule of Law Anne Lindeberg, Team Leader, Basic Services Ketil Vaas, Policy Officer, Education, Basic Services Team Stefanie Von Westarp, Policy Officer, Aid Effectiveness Emily Alexander, Policy Officer, Governance and Rule of Law Team Michael Elmquist, Head of Office Richard Taylor (Formerly Policy Officer)
DFID	Sandra Peppera, Head of DFID Sudan Graham Thompson, Senior Governance Advisor Sudan Freddy Carver, Representative in Juba Laura James, Senior Economic Advisor
European Commission	Jesus Orus Baguena, Head of Juba Office Claus Heiberg, Head of Political Affairs Dietmar Krissler, Desk Officer Sudan, DG Development Roland Zinzius, Deputy Head of Unit, Pan-African Issues & Institutions, Governance, Migration Natalia Lazarewicz, Aid Cooperation Officer, ACP Geographical coordination and supervision Unit Susanne Wille, AIDCO Cormac Quinn, AIDCO
EC Humanitarian Aid and Civil Protection	Morten R. Petersen, Technical Assistant
Germany	Lars Wilke, Deputy Head of East Africa Department, BMZ Karin Roggenbuck, Policy Officer Evaluation Department, BMZ
DED - German Development Service	Peter Conrad, Director Southern Sudan Programme Beate Mueller-Grunewald, Coordinator Southern Sudan Programme Sabin Calin Muresan, Civil Peace Service Programme Coordinator Taban Augustine, RDC Coordinator Charles Nyeka, DED Peace Building Office
GTZ, Juba	Bernhard Harlander, Programme Director Dr. Norbert Hagen, Programme Director Guyo O. Haro, Project Manager, Aweil Irrigation and Rehabilitation Project, EU-SPCRP, GTZ Ms. Virginia Chitanda, Senior Technical Advisor, GTZ-Governance Programme

GTZ-International Services	Dr. Manfred van Eckert, Country Director Susanne Wolfgarten, Project Manager Central, Eastern and Southern Africa Peter Biar Ajak Deng, Consultant Economist, Poverty Reduction & Economic Management
DEFAT (Defence Attaché) Netherlands	Bart van Gelderen, Defence, Military, Naval & Air Attaché
Netherlands	Norbert Braakhuis, Ambassador and Coordinator of Three Areas Working Group Marriët Schuurman, Deputy Ambassador/Head Development Cooperation Ingeborg Denissen, Three Areas Coordinator Lisette den Breems, Senior Policy Officer Sudan, Peace Building and Stabilization Unit Corinna van der Laan, Previous Head of Development Cooperation in the Dutch Embassy Khartoum Ted Kliest, Senior Evaluator, Policy and Operations Evaluation Department Jolijn Engelbertink, Junior Researcher, Policy and Operations Evaluation Department Hagar Ligtvoet, Senior Policy Officer
Denmark	Lars Elle, External Advisor, formerly Evaluation Department Thomas Thomsen, Chief Advisor Humanitarian Action, Development Policy and Civil Society Karin Nielsen, Head of Section, Humanitarian Action Finn Nielsen, Senior Technical Advisor Birger Fredriksson, Minister Counsellor, Department for Africa
Sida	Stefan Dahlgren, Counsellor, Head of Development Cooperation Katarina Kotoglou, Department for Evaluation
Norway	Stein Erik Horjen, Deputy Consul, Juba Jan Ledang (previous Consul, Juba) Fridtjov Thorkildsen (previous Ambassador), Head of Anti-Corruption Project, MFA Arve Ofstad, Minister Counsellor, Head of Development Cooperation
Norwegian People's Aid	Tiberious L. Bara, Project Officer, South Sudan Edla Muga, Gender Advisor/Project Coordinator
Swiss Cooperation Federal Department of Foreign Affairs, Juba	Mr. Blaise Burnier, Project Manager, Office for the Sudan and the Horn of Africa, Directorate of Political Affairs
JICA - Japan International Cooperation Agency	Kensuke Oshima, Project Formulation Advisor Haruka Yamazaki, Aid Coordination Officer, Embassy of Japan Yasuhito Marukami, PhD, First Secretary, Embassy of Japan
China	Liu Zengxian, Counsellor Zhao Liang, Political Director
India	Dr. Ajay Kumar, First Secretary, Embassy of

	India
Malaysia	Mohd Shuhada Othman, Head of Mission
USAID	John Marks, Director USAID Sudan
	Sam Huston, Water and Sanitation Advisor, MSI
	Peter A. Malnak, USAID Principal Officer
	Ruth Buckley, Senior Program Officer
	Mr. Terrence Kramer, Engineering/Infrastructure Consultant
	Mr. George O. Wagwa – Infrastructure Programs Engineer
	Ken Spear, Acting Country Representative Marvin
	Mohammed Elamin, Three Areas Advisor
USA	Preston Savarese, Political – Economic Officer, Embassy of the USA (three areas)
	Robert Whitehead, Chargé d'Affaires and Coordinator of Wealth Sharing Working Group, Embassy of the USA
World Bank	Laurence Clarke, (Representative), South Sudan Programme + entire Juba team
	Helen Mbao, Senior Operations Officer
	Mohamed Ali Kamil, Senior Health Specialist
	Peter Biar Ajak Deng, Consultant Economist, Poverty Reduction & Economic Management
	Museme Munira Issa, Gender Specialist, Juba Office
	Christopher Kenyi, Education Team, MDTF
	Noriko Oe, HIV/AIDS, MDTF
	Guenther Gutknecht, Snr. Water & Sanitation Specialist, MDTF
UK Embassy	Colin Wells, First Secretary Political,

United Nations (UN)

	Amira Haq, Resident and Humanitarian Coordinator(previous)/DSRSG
UNDP	George Conway, Deputy Head of Office (Programme) Juba
	David Saunders, Team Leader, Crisis Prevention & Recovery Unit (CPRU)
	Eugene Nkubito, Programme Specialist, CPRU
	Yusufa J. Gomez, Programme Specialist, CPRU
	Francis J. Luwangwa, Project Manager, Support to States Programme
	Anselme Sadiki, Programme Specialist, Governance, Juba
	Mandisa Mashologu, Team Leader, Poverty Reduction & MDGs Unit
	Paul Koulen, SRF Technical Secretariat
	Liz Gaere, UNDP, Policy Advisor, Office of the President

	Edmund B, Ayonga, Finance advisor to MOFEP
	Akintobi S. Olusanmi, UNV/Urban Planner, seconded by UNDP to Ministry of Physical Infrastructure
	Arike James, Programme Analyst, GOV/ROL Unit UNDP Southern Sudan Programme
	Joe Fieney, Head of Office Juba
	Dan Eiffe, Programme Advisor
	Grace Okonji, Senior Gender Advisor, Juba
	Annette Naluwaga, Planning Specialist, Support to State Government, Yambio County
	Asha Suliman Yassien, Gender Officer, Southern Sudan
	Qadeem Tariq, Senior Technical Advisor, UNDP MA Capacity Development
	Massimo Diana, Head of Crisis, Prevention and Recovery Unit
UNDP/DDR Team	Brigitte Mensa, Management Information System
	Daniel Gol, Case worker
	Gabriel Chol, Case worker
	Meyor Joseph, Case worker
	Dhor Angoi, Case worker
	Julius Otim, Gender and HIV AIDS Specialist
	Mary Ombaka, Consultant
UNMIS - Office of the UN Resident and Humanitarian Coordinator	Lise Grande, Deputy Resident and Humanitarian Coordinator
UNMIS	David Saunders, CPR Cordinator, Juba
	David Gressly, Regional Coordinator for Southern Sudan, Juba
	Waldemar Vrey,Head of Justice and Security Cell, Juba
	Jolanda van Dijk, Head of RCSO, Greater Upper Nile
	Alfred Zulu, Officer in Charge (Acting), Malakal
	Malick Ceesay, State Coordinator, Jonglei
	Dianne De Guzman, Acting Head, UNMIS Civil Affairs, Southern Sudan
	Mark Omina, Officer in Charge, UNMIS/RRR and UNRCSO
	Richard MacKinnon, UNMIS State Coordinator
	Jean-Bosco Mukulira, Administrative Officer, Yambio and Maridi
	Bernard S. Brima, RRR Officer, Lakes State
	Melanie Hauenstein, Special Assistant to DSRSG
	Jasbir Singh Lidder, Deputy Special Representative of the Secretary-General (Political)
	Sokol Kondi, Senior Civil Affairs Officer (Civil Affairs Division)
	Abyei Shamim Razavi, Political Affairs Officer (Political Affairs Division/ Popular consultations)

	David Raikow, Political Affairs Officer
	Clark Soriano Head of Resident Coordinator's Support Office, Humanitarian, Early Recovery and Reintegration
	Shamin Razavi, Political Affairs Officer (Political Affairs Division/Popular Consultations)
UNICEF	Stacey Dixson, Education Advisor to the GoSS-MOEST
	Silvia Pasti, Chief Child Protection/Acting OIC UNICEF Southern Sudan
	Douglas Armour, Chief Communications and Advocacy
	Simon Mphisa, Chief Education
	Joy Kenyi,Project Officer HIV
	Tameez Ahmad, OIC Chief WASH
	Shar Kemoh, WASH Specialist
	Bertha Jackson, Health and Nutrition
	Terumi Yamanzaki, JPO – PM&E
	Peter Crowley, Director
	Fred Ogwal-Oyee, Chief Social Policy
UNHCR	Geoff Wordley, Operations Director
	Takeshi Moriyama, Senior Programme Officer
	Mr. Tambara M. Amara - Head of Field Office
OCHA	Leonard Tedd, Head of EP& R, Emergency Preparedness & Response Unit
	Natalie Lewin
	Giovanni Bosco
WFP South Sudan	Iain McDonald, Head
	Michelle Iseminger, Head of Programme
WFP	Marc Sauvier, Pilot Programmes
	Thomas Thompson, Logistics Officer, Project Manager Sudan Emergency Road/Dyke Repair Special Operation
	Cameron Birge, Logistics Officer Sudan Emergency Road/Dyke Repair Special Operation
FAO	Camillo Gabriel, Programme Field Assistant, FAO Fisheries, Aweil
	Kerubino Wol, Founder of Kueng Community Development Agency (KCDA), FAO Implementing partner
	Alfred Gworit George, SPCRP Coordinator
	Michael Oyat, Deputy Emergency & Rehabilitation Coordinator
	Dr. Massimo K. Moilinga - Specialist, Yambio
	Michael Oyat, Deputy Emergency and Rehabilitation Coordinator, Juba
UNOPS	Jeff Makmunda
	Engineers, Yambio:
	Mr. Lomoro Joseph
	Sunil Kumal Ticakyadav
	Ezekial Musili
UNIFEM, Southern Sudan	Joy Zakaria Wani, Programme Specialist
	Lucie Andrew Luguga, Programme Manger
UNMAO	Christina Greene, Programme Officer

	Davide Naggi, Victim Assistance Specialist
	Samual Benedict Zungumbia, IMSMA Assistant

Government of National Unity (GoNU)

Ministry of Foreign Affairs	Mutrif Siddiq, Undersecretary
	Khalid Musa Dafalla, Minister Plenipotentiary
Ministry of International Cooperation	Elfatih Ali Siddig, Undersecretary
Unity Fund	Yahya Hussein, Director

Government of South Sudan (GoSS)

CSACB, Juba	Dr Riak Gok Major, Director
CSACB, Bor	Mr Aguti, State Coordinator
Southern Sudan Peace Commission, Juba	Mr Lious Lobong, Chairperson
	Peter Gwang Akich, Deputy Chair
Southern Sudan Relief & Rehabilitation Commission	Simon Kun Puoch, Chairperson
Southern Sudan DDR Commission	Willam Deng Deng, Chairperson
	Rosa Bol Weet, Gender Advisor
Ministry of Finance and Economic Planning	Mr Moses Mabior, Director of Aid Coordination (and staff)
	Aggrey Tisa Sabunney, Under-Secretary General
	Mr Moses Mabior, Director of Aid Coordination (and staff)
	Geoff Handley
Ministry of Internal Affairs and Inspector General of Police	Dr Fred Yiga, Senior Adviser (UNDP)
	Majir Mawal, acting GOSS Peace Commissioner
Ministry of Animal Resources and Fisheries	Warajak Gatuluak Faguir, Under Secretary General
	Anne Felix, Director General
	Festo Kumba, Minister
	John Ogoto Kanisio Okeleng Lefuf, Director General Planning, Investment and Marketing, SIFSIA Project
Ministry of Agriculture and Forestry	John Chuol, Director General
	Michael Roberto, Director General
	Jaden Tongun Emilio, Undersecretary for Agriculture
	Professor S. J. Dima, Project Coordinator & Advisor Agriculture Development
Ministry of Education, Science and Technology	Mou Mou Athian Kuol, Undersecretary, General Education
	Dr. Utem K. Watba, Director, Development Partner Coordination
	Nelson Udor, Deputy Director, AES
	Margaret Ayite, Technical Advisor to AES, seconded from Save the Children
Ministry of Water Resources and Irrigation	Isaac Liabwel C. Yol, Undersecretary
	Peter Mahal Dhieu Akat Chooli, Director General, Rural Water Supply and Sanitation

	Manhiem Bol Malek, Director, Directorate of Rural Water Supply and Sanitation
Ministry of Infrastructure	Richard Issa - Director General, Infrastructure
Ministry of Roads & Transport	Mr. Raymond Morbe- Undersecretary
Ministry of Legal Affairs	Filberto Mayuot Mareng, Prosecutor General
Ministry of Labour, Public Service & Human Resource Development	Mr. James Tipo Akol Ajawan, Director General Capacity Building Unit
Ministry of Commerce, Trade and Supply	John Pan Paguir, Undersecretary for Trade
Ministry of Health	Dr. Olivia, Director General, Health Systems & Planning
Ministry of Parliamentary Affairs	Dr Lulia Aker Duany, Undersecretary
Ministry of Regional Cooperation	Dr Cirino Ofuho, Undersecretary
Ministry of Presidential Affairs	Dr Luka Biong Deng, Minister
	Deng Deng Hoc Yai, Director-General of Special Programmes
Ministry Of Cabinet Affairs	Kosti Manibe, Minister
	Abdon Agaw Jok Nhial, Secretary General
Ministry of Gender, Social Welfare and Religious Affairs, and Team at Ministry	Regina Akullo, Director General
	Jacklin Novello
	Zelipha Dawa Justine
	Jane Tamalu Erasho
Ministry of Social Development	Rev. Nyemuse Enosa, Director Gender
Southern Sudan Demining Authority, Juba Office	Margaret M. Mathiang, Deputy Chairperson
Ministry of Labour, Public Service & Human Resource Development	Mr. James Tipo Akol Ajawan, DG Capacity Building Unit
Ministry of Commerce, Trade and Supply	John Pan Paguir, Undersecretary for Trade
Ministry of SPLA Affairs	Maj. Gen. Malek Reuben, Director for Logistics
Ministry of Internal Affairs, Bureau for Community Security and Small Arms Control	Maj. Gen. Daniel Deng Lual, Chairperson
	Chuol Nhial, Director
	Joseph Morrow, Director Admin & Finance
	John Kute, Office Manager
Land Commission	Wilson Kiri, Deputy Chairman
	Benjamin Akol, Member of the Board
	Deng Dau, Member of the Board
	Ambrose Sebit, Director of Administration
	Raymond Androga, Land Board Member
Local Government Board	David Koak, Acting Chairman
	Malony Akau Nai, Acting Undersecretary
	Chamngu Adogjok, Director General, Programmes
	Martin Maciek Malual, Director General, Planning
	Venanyio Loro, Member
	Eli Achol Deng, Member
	Nikodemo Arou Man, Member
	Dorko Alfred Abdallah, Local Government Member
Peace Commission	Majier Manuelle, Executive Director
	Lino Udur, State Director for Peace in NBEG
SPLA - Sudan People's Liberation Army	Brig. Gen. Zakaria Hakim Deng, Commander of Field Engineering Unit

Representations in Juba of neighbouring Countries

Consulate of the Republic of Uganda	Mr. Mugadde Habib, Deputy Consul
Consulate of the Republic of Kenya	Amb. Dr. Joseph K. Kiplagat, Consul General
Consulate of the Republic of South Africa	Sunjay Panday, Support Manager Capacity Building Unit Mr Gugulethu Gingoi, Consulate General South Africa

State Governments - Upper Nile

Minister of Finance, Trade and Economic Planning	HE Stephen Dhieu Dau
Lawyers' Forum, Malakal, Jonglei	Justice Stephen Simoon Benginwa, Court of Appeal
Minister for Education	HE John Atieng (Acting Governor)
Minister for Physical Infrastructure	HE Deng Alier
	HE Minister for Justice and Police
	Professor Arop, Director General
Ministry of Finance	Duom Kuol Ageer, Director General,
Ministry of Local Government	Mr Macheik, Director
	Director of Prisons
	James Biel, Deputy Commissioner of Police
	Mr Stephen Malwal, Commissioner of Headquarters
	Barnaba Okony Gilo, Director, SSRC
	Mr Ding Akol, County Commissioner, Twic East
	Mr Mayen Ngor, Commissioner, Duk County
	Mr Maker Lual, Commissioner, Bor County.
	Traditional Chiefs – Abwong (Dinka) and Ulang (Jikany Nuer)

State Governments - NBEG State

Ministry of Education, Science and Technology	Stephen Chol, Minister of Education
	Johnson Bol Dut, Director General
	Victorino Ken, Director for Planning and Budgeting
	Ceasar Atem Biago
	Dr. Edreda Tuwangye, Senior Education Advisor (seconded from International Rescue Committee (IRC))
Ministry of Finance, Trade and Industry	Ronald Ruay Deng, Director for Planning and Budgeting, NBEG State/Aweil
Aweil	Riak Wol, Commissioner (depts. of health, agriculture, education and water also attended but did not get all of the names), Aweil West County
	Mario Madut, Executive Director, Aweil West

	County Robert Roba, Winrock Aweil Town Kassio Kom, DG Physical Infrastructure, Aweil Town Abraham Aleu, Commissioner, Aweil South County Durgesh Kurman, AMURT, Malual Kon, Aweil East Thomas Badia, IRC, Malual Kon, Aweil East Peter Lual, SSRRC, Tieraliet
Ministry of Health	Dr. Edward Ajango, Director General
Ministry of Physical Infrastructure	Abraham Aleu Ngong, Acting Director for Rural Water Supply, Deng Deng, Ministry for Agriculture, NBEG State Josephine Lado, Deputy Governor and Minister for Local Governance, NBEG State Barnaba, Director General for Local Governance

State Government – Lakes State

BRAC Lakes State	Rafique Islam, Education Programme Manjurul Karim, Micro Finance Programme Utem Utbar, Director General
Ministry of Agriculture, Animal Resources and Forestry	Isaac Manyon, Director General Manasseh Miayen Malok, MOAARF Coordinator LSR
State Ministry of Education (SMoE)	Jacob Yalel Majok, Director for Quality Promotion Agolder Alfred Mathok, Deputy Director for Admin and Finance Marial Manasse Makoi, Director for Examination James Magok Ater, Acting Director general Gol Ayei Jal, Technical Advisor, AED James Machar Makuor, Inspector for Recruitment and Logistic
State Government	Macut Acut, Director General, Ministry of Health Dr. Telar Ring Deng, Caretaker Governor Gordon Matot Tut, Minister of Finance and Economic Planning Gordon Maker Abol, Minister of Education Lt. Col. David Nok Marial Buot, Deputy Governor and State Minister of Local Government and Law Enforcement Agencies Joseph Maker Madit, Director General, Ministry of Physical Infrastructure Benjamin Makoi, Director General, Animal Resources
Ministry of Social Welfare and Youth	Barnaba Makuac, Director General, Rural Water

State Government - Eastern Equatoria

Magwi County	Rev. Benjamin- Deputy Secretary General Mr. Julius Odiya - Chief, Ayii Boma Mr. Olaa Jackson - Secretary, Ayii Boma Mr. Paul Oling - Policeman, Ayii Boma HE Emelio Igga Alinas - Commissioner Mr. Mika Olaya Olweny- President, 'C' Court Mr. Michael - DED employee Mr. William Ogiki Obad - Director, Ministry of Infrastructure Mr. Raymondo Andruga - member, Land Board, Nimule town Mr. Duku Alfred Abdalla - employee, Local Government, Nimule Mr. Ajugo George - Chief, Nimule Payam Micah Oloya Olweny, Paramount Chief Magwi County Principal and Vice-Principal, Vocational Training Centre Grace Lillian Micah Oloya Olweny, Paramount Chief Magwi County Vocational Training Centre, Principal and Vice-Principal Dominic Edana, Commissioner Office Manager Becky Aya Obong, Gender and Child Welfare

State Government - Western Equatoria

Ministry of Information	Col. Joseph Ngere Paciko - Minister and Deputy Governor
SSRRC	Mr. Lexon Wali Eluzai – Director
Yambio County	Mr. David Billy – Commissioner
Maridi County	Mr. James Bakindo, Paramount Chief (2nd class magistrate) Mr. Amos William Ginana – Secretary Mr. Wadalla Peter - Director, Maridi Service Agency
	Anthony Moudie, Director General for Social Director, Western Equatoria Rev. Valentino Gamanzu Anyoni, Director of Administration and Finance, State Secretariat, Western Equatoria/Yambio

Non-Governmental Organisations (NGOs)

Child Hope Restoration Mission (CHORM), Malakal	Mr James Tor
Fashoda Youth Forum, Malakal	James O Lwong, Executive Director

Jonglei Women's Association	
Jonglei Youth Organisation	
Nile Hope Development Forum, Juba	Paul Biel Otoang, Executive Director
YARDS, Malakal	Julius Pokol
Tearfund	Ambaye Zekewos, Area Coordinator, Tieraliet, Aweil South
	Girma Foggi, Area Coordinator, Omdurman, Aweil East
	Eddie Santiago, Deputy Director, Juba
Save the Children	Deborah Odwel – Assistant Project Manager, Education Project
	Haile and Dr. Mainah, RRP Project Manager
	John Kassa, Programme Manager
Concern	Joseph Kayi Alex, Concern, Livelihoods, Aweil West
	Henry Vuni, Livelihoods Coordinator, Aweil West
	Grace Ouso, Community Development Worker, Rol Chol, Wedweil Payam, Aweil West
	Pusparaj Mohanty, Area Coordinator, Nyamlel, Aweil West, Concern Worldwide

International Non-Governmental Organisations (INGOs)

CARE	Francis Matheka, Programme Manager, Upper Nile
Concordis International	Lucian Harriman, Country Director
IRD	Caleb Tyong'ik, Project Engineer
MercyCorps	Ken MacLean, Country Director, Sudan (MC Scotland)
	Grace Karanja, Civil Society Programme Manager, Mercy Corps, Malual Kon, NBEG
PactSudan	Judy MacCallum, Country Director
	Dina Parmer, Policy Adviser
	Mr. Emmanuel Gumbiri - Programme Manager
	Livia Ndurua, Field Coordinator for Greater Equatoria State
	Rachel D. Dubois, Grant Manager
Saferworld	Paul Murphy, Head of Programmes
	Julie Brethfield (by phone in London)
	Ilse du Piêd, Programme Manager
NGO Forum	Kelsey Hoppe, Secretariat Coordinator
	Dr. Sarah Petrie, Sector Co-Lead
Pax Christi	Ambrose Ongwen, Representative, Bor
Oxfam	Ashford Gichohi, Programme Coordinator
	Dr. Abigail Wathome, Livelihoods Coordinator
	Maya Mailer, Policy Officer
	Melinda Young, Director
Save the Children	Daddy Obware, Education programme Manager
	Isaac Longit, Field Programme Manager
	Programme Director

VSF-Belgium	Timothy Kilimo, Project Manager
CEFA	Federica
Rural Water and Sanitation Support Agency, (RUWASSA), Lakes State	Josef Kenyi Director
CISP	Lucia Sorrentino
Mennonite Central Committee/ACROSS	Luke Jantzi, Peace Economy Program Advisor
Jesuit Refugee Service (JRS)	Mr. Anyanjo Charles Jacob - Peace Coordinator, Nimule
ECS	Bishop Justin Badi Arama - Bishop, Maridi
CRS	Mr. Dalmar Ainaste- Area Coordinator, Nimule
	Mr. James Night – Director
World Vision	Ms. Judy Otieno
	Ms. Sapenzi Ojiambo
	Engineer Owana
NRC	Ms. Monica Sanchez Bermudez
EPACS	Amode Victoria
	Mr. Mark Stephen - Coordinator of Water Project
Wildlife Conservation Society	Paul Elkan, Director, Juba
Skills for Sudan	Ms Eunice Kamau
Malaria Consortium	Stephen Moore, Country Director
Concordis International	Lucian Harriman, Country Director
Stromme Foundation	Anyama Moses Remson, Country Coordinator
South Sudan Women's Association	Sarah James, Chairperson
Upper Nile Women Welfare Association	Kennedy Kioko Mutisyo, WATSAN Manager
	Jason M. Nyaga, Programme Coordinator
Women's Resource Centre	Pricilla Amugima, Vice Chairperson, Western Equatoria – with members
	Joyce Ngbapai, Secretary
Women General Union	Dahia Bullen Said, Administrator and Finance, Western Equatoria – with members
	Vosca Martin Enoka, Chairperson, Western Equatoria
	Victoria H. Peters, Secretary General, Western Equatoria
SIMAS - Sudan Integrated MA Service	Madut Akol, Program Coordinator
OLAVS - Operation LandMA Victim Support	Moses Paganau, Director
	Jackson Atria, Consultant
	Ronald Okounzi, Consultant
ICRC Office Juba	Sonia Khoudja, Communication Delegate
	Florence Sechaud, Head of Mission, Juba
ICRC Physical Rehabilitation Centre Juba	Anne Bois d'Enghien, Physiotherapist
IRC - International Rescue Committee	Nora Love
DDG - Danish Demining Group	Chris Bath, Head of Mission
MAG - MA Group	Ruairi McDermott, Country Program Manager Sudan
FSD - Swiss Foundation for MA	Zlatko Gegic, Programme Manager
AAHI - Action Africa Help International / Episcopal Church of Sudan, Magwi County	Okongo Marc Otariano, Program Coordinator
	Okwera Joseph Okot, PHC-Coordinator
Norwegian People's Aid	George Githuka, Deputy Food Security Manager
	Ranveig Tveitnes, Head of Administration

FAR	Sudan Mark Simmons, Country Director
Medair	Sonia
Strohmer Foundation	Moses
Southern Sudanese NGO Forum	Paul Biel

Other (Individuals, Academies, Contractors)

The Citizen (newspaper)	Nhial Bol, Editor-in-Chief
News Agency of Southern Sudan	Moyiga Nduru
Basic Services Fund (Mott MacDonald)	Kate Louwes, Programme Manager Nicholas Ramsden, Assistant Project Monitor Una McAskill, BSF, NGO Health Forum
RWSSP (Mott MacDonald)	Kipkemboi Cherono, Procurement Specialist, Rural Water Supply and Sanitation
Nile Petroleum Corporation	Mangok Khalil Mangok, Managing Director
AECOM	Marv Koop, Director, , Southern Sudan Programme
Kirinyaga Company	Mr. Glend Gilori - Engineer, Yambio
KPMG, Nairobi	Alan Duncan, Financial Agent CBTF
Office of the President	Luka Biong Deng, Minister of Presidential Affairs
Helm Consultants	Ian Thomas, programme manager GACT
University of Juba	Professor Simon Manoja Prof.Simon Lubang, Centre for Peace & Development Studies
Booz	Charlie Goldsmith, consultant
Diocese of Rumbek	Father Michael Sr. Maureen Limer Bishop Cesare Mazzolari Mawlana John Clement, President of the Court of Appeal Michael Makuac Ater, Reporter of radio Rumbek FM 98 Rumbek Hospital
Valentino Achak Foundation	William Klong
CORDAID	Ron Langford and Paul Roberts
South Sudan HIV/AIDS Commission	Dr. Belario Ahoy, Commissioner (interviewed in Aweil South)
Dr Hasan Abdin	Ambassador, London Sudan Embassy
Minister Plenipotentiary	Mohammed A. Eltom, London Sudan Embassy
Dyncorps (USA)	Alan Rosenbaum
Burton Rands (UK)	Richard Rands
Adam Smith International (UK)	Roger Usher, Myles Bush
Nile Hope Development Forum, Juba	Paul Biel Otoang, Executive Director
Norwegian Forest and Landscape Institute	Karsten Dax, Technical Adviser
Armour Group, demining site visit Gudele River	Damian Walker, Project Manager G4S Ordnance Management John Foran, Operations Manager

Assessment and Evaluation Commission	Rodrigues Rungo, Team Leader Gabriel Ngor Maker, Team Leader Derek Plumbly, Chairman Peter Ellens, Political Expert
Individual specialists	William Kon Bior, Lawyer and land specialist Diress Mengistu, land specialist Michael Ochieng Odhiambo, land specialist

Focus Groups

- Aya Agnes Daniel, Women's Association Research Development, Focus group with Members of the Association
- Betty Acan, Vice Chairperson
- Betty Gino Baya, Secretary
- Matthew and other Bari men, Ayii Boma
- Mr's Simon Surur
- Yasir David
- Hezekial Philip and other traders in Yambio market
- Plenary and sub-groups of 'State-building and Peacebuilding Dialogue', Juba Feb 2010;
- UNDP Governance and Rule of Law staff;
- International and national NGOs (NGO Forum): Oxfam, Tearfund, Medair, Malaria Consortium, Stromme Foundation, Nile Hope Development Foundation;
- Peace-building NGOs (PACT): SSLS, SONAD, LCED.
- UNDP Governance and Rule of Law staff;
- JDT Governance and Rule of Law Team;
- International and national NGOs (NGO Forum): Oxfam, Tearfund, Medair, Malaria Consortium, Stromme Foundation, Nile Hope Development Foundation;
- CARE Upper Nile Staff
- MercyCorps Upper Nile Staff
- Peacebuilding NGOs (PACT): SSLS, SONAD, LCED;
- Lawyers (Malakal)
- Youth groups (Bor)
- Women's groups (Abwong, Bor)
- Community group and Chiefs (Abwong, Twic East)

Visit to PHCU in Marial Bai, Aweil West – CONCERN Worldwide NBEG, Primary Health

NBEG

- Focus Group Discussion – Daniel Kiir, Resident Coordinator/UNMIS, NBEG; Camille Gabriel Tamasinde, FAO; Joseph Faustino/FAO Project Officer, Nelson Tuki/UNDP, Isaac Mabior/BRIDGE; Mac Anyang, WFP

- Focus Group Discussion – Rol Chol Community, Wedweil, Aweil West – men and women together (facilitated by Grace Ouso, Community Development Worker, Concern
- Focus Group Discussion with women in Marial Bai
- Focus Group Discussion with youth in Marial Bai
- Focus Group Discussion with men in Marial Bai
- Visit to BSF-supported PHCC in Marial Bai (Concern)
- Visit to BSF-supported PHCU in Nyamlel (Concern)
- Visit to WRC- Aweil East (Tearfund)
- Focus group discussion with women's group Baac village, Baac Payam, Aweil East (Tearfund)
- Focus group discussion with women, Tieraliet. Aweil South County (Tearfund)
- Visits to water points, nutrition centre, Tieraliet, Aweil South (Tearfund)
- Manyouai Farmers Association, Panthou, Aweil South County (FAO)
- Blacksmith Association, War Ahier, Aweil Centre (FAO)

Lakes State

- Focus Group Discussion with Women's Group, Abaru Payam
- Visit to County Rural Development Office, Cuibet (SPCRP)
- Makoi Dielish Makoi, Senior Inspector, Forestry Department, Cuibet County
- County Office and Commissioner, Cuibet
- Visit to Diakonie Clinic, Cuibet
- Visit to Prison Office, Cuibet
- Visit to Technical School, Barghel
- Focus Group Discussion with women in Cuibet
- Focus Group Discussion with youth in Cuibet
- Focus Group Discussion with men in Cuibet
- Focus Group Discussion with women in Akot
- Focus Group Discussion with youth in Akot
- Visit to SRF livelihoods project, Oxfam
- Focus Group Discussion with Women's Group, Rumbek North Payam
- Visit to Youth Peace Centre, Akot - Save the Children (SRF)
- Visit to SEBC centre, Akot
- Dioceses of Rumbek primary and secondary schools, Cuibet and Rumbek North

Other Joint Meetings Attended

Meeting with PACT Partners: Held at PACT South Sudan Office, Juba

NGO Round Table Meeting

UNDP Debriefing Meeting: for Decentralised government, civilian disarmaments and local peace building Team Presentation.

International and national NGOs (NGO Forum) (Oxfam, Tearfund, Medair, Malaria Consortium, Stromme Foundation, Nile Hope Development Foundation)

International and national NGOs (NGO Forum) (Oxfam, Tearfund, Medair, Malaria Consortium, Stromme Foundation, Nile Hope Development Foundation)

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Aiding the Peace A Multi-donor Evaluation of Support to Conflict Prevention and Peacebuilding Activities in Southern Sudan 2005–2010

The evaluation assesses donor support to conflict prevention and peacebuilding activities in Southern Sudan during the period 2005 – 2010. It examines the international community's efforts to support conflict mitigation and peacebuilding as well as provide immediate peace dividends to the Southern Sudanese people in the period following the signing of the Comprehensive Peace Agreement in January 2005. The evaluation aims to provide input to ongoing discussions, future policies and strategies on how to improve the relevance, effectiveness and impact of international engagement in peacebuilding processes in Southern Sudan.

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