



# The International Dialogue on Peacebuilding and Statebuilding

Contribution by the Government of Southern Sudan

March 2010



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# Preface

## The International Dialogue

This country-level consultation is part of the International Dialogue on Peacebuilding and Statebuilding. This intergovernmental dialogue initiative was established as an outcome of the High-Level Forum on Aid Effectiveness in Accra in September 2008. It is chaired by a partner and donor country jointly (currently the Democratic Republic of the Congo and the UK), and will hold its first formal global meeting on 9-10 April 2010 in Dili, Timor-Leste.

The purpose of the International Dialogue is to examine good practices and key bottlenecks in international support for peacebuilding and statebuilding and to generate consensus around fundamental priorities and objectives in these areas. The International Dialogue will involve multiple international and national stakeholders and provide a forum to discuss issues that are under-addressed, or cannot be resolved at the country-level.

The initiative thereby aims to contribute to build trust between participating countries and organisations. Furthermore, it will encourage the sharing of experiences on South-South cooperation in the area of peacebuilding and statebuilding and will enable participating countries to focus their attention on issues that are of common concern in view of the need to instil behavioural or normative change.

The following points should be noted:

- This paper summarises the findings and recommendations from discussions in Southern Sudan involving the Government of Southern Sudan (GoSS), and other Southern Sudan stakeholders and international partners in late 2009 and early 2010.
- The national consultation meeting held in February 2010 discussed the key questions raised by the initial consultations in late 2009. A list of questions to discuss at the International Dialogue meeting is contained in section 4.
- This document will be shared with the International Dialogue Steering Group and inform discussions at the first global meeting.
- The Southern Sudan National Dialogue came at a crucial time for GoSS as we face the final year of CPA implementation, 2010 elections and the January 2011 referendum. These events have inevitably shaped many of the dialogue's outcomes

# List of abbreviations

AEC	Assessment and Evaluation Commission
AU	African Union
BSWGS	Budget Sector Working Groups
CoM	Council of Ministers
CPA	Comprehensive Peace Agreement
DDR	Disarmament Demobilisation Reintegration
FMIS	Financial Management Information System
GoNU	Government of National Unity
GoSS	Government of Southern Sudan
IDPs	internally displaced persons
IMAC	Inter-Ministerial Appraisal Committee
JAM	Joint Assessment Mission
LRA	Lord's Resistance Army
MDGs	Millennium Development Goals
MLPS&HRD	Ministry for Labour, Public Service and Human Resource Development
M&E	Monitoring and Evaluation
NPC	National Petroleum Commission
NGO	Non Governmental Organisation
Poverty Reduction Strategy	Poverty Reduction Strategy
SPLA	Sudan People's Liberation Army
SRF	Sudan Recovery Fund
SSR	Security Sector Reform
UNMIS	United Nations Mission in Sudan

# 1 Executive summary

## 1.1 Summary of key findings

### Context

The Comprehensive Peace Agreement (CPA) still remains uppermost in almost everyone's minds with a great deal to do in the coming 12 months or so. For better or worse, the CPA is the route map that the Government of Southern Sudan (GoSS), the Government of National Unity (GoNU) and the International Community follow in implementing and maintaining peace in Sudan. However, progress on the CPA has been slow. GoSS and the GoNU will need to maintain a strong focus on the CPA for the next 12 months

GoSS faces enormous political challenges in 2010 as the twice postponed elections will take place, most likely in April. In early 2011 it is proposed to hold the referendum on the future status of the South. Both GoSS and its development partners are working to ensure that both these events will pass off peacefully and the will of the majority of the people will be respected.

### GoSS Peacebuilding priorities

The first consultation document summarised the GoSS main peacebuilding priorities as:

- Prevent – or contain – violent conflict, where necessary using coercive as well as political intervention, whilst working towards addressing the causes of underlying tensions;
- Protect the people of Southern Sudan and continue to invest in the key institutions that guarantee safety and freedom;
- Promote political processes and local dialogue which lead to greater stability, both with the North and within Southern Sudan, and;
- Prepare for longer-term development – having security and stability can profoundly affect the chances of successful social and economic development both before the elections and referendum and post 2011.

At the second and main national consultation meeting in Juba on 24-25 February 2010 the participants drafted a new framework that attempted to set out immediate (short term) and longer term priorities for peacebuilding and statebuilding in Southern Sudan. Most participants agreed that in the Southern Sudan context it was difficult to separate the 'peace' from statebuilding objectives. The framework is attached at Annex C

### GoSS statebuilding priorities

The immediate statebuilding priorities of GoSS are:

- Ensure progress on the CPA and reach a satisfactory political settlement with the North and ensure local political settlements within Southern Sudan are reached to contain, channel and resolve conflicts wherever possible;
- Build the capacity of the state to provide security, justice and rule through law;

- Develop core government functions and manage revenue in a way that meets people's expectations through improved service delivery and improved security; and
- Facilitate economic development and generate employment.

The four priorities above contribute to developing the legitimacy of the emerging state in the eyes of the population (based primarily on quality of political processes, accountability, performance and moral authority)

GoSS seeks to address all these key dimensions of statebuilding and peacebuilding but in the case of Southern Sudan statebuilding and peacebuilding are inextricably intertwined.

### **Key bottlenecks and challenges for governments and external actors to achieve or support peacebuilding and statebuilding processes**

There are a number of major challenges and bottlenecks to achieving progress on peacebuilding and statebuilding objectives in Southern Sudan. There is broad consensus on these issues between GoSS and the development partners. Many of the challenges raised below may be familiar to other countries who are rebuilding their countries after conflict.

The major bottlenecks and challenges are:

- Security and peace processes: CPA implementation, the spectre of internal conflict, support to political processes, elections and the referendum, the expectations of citizens;
- Effective international support to national peace building and state building priorities: support for leadership and strategic communications, better aligning donor support for peacebuilding and statebuilding, support for capacity building; and
- Good governance: corruption, developing public financial management, administration and a new tax system.

### **Summary of existing planning modalities' approaches to peacebuilding and statebuilding**

The current strategic planning framework for Southern Sudan is a product of 'disjointed incrementalism'. It comprises a number of documents and processes that have emerged over the last five years in response to needs at the time. Southern Sudan does not yet have a comprehensive national strategic planning framework approved by the council of ministers.

However, GoSS has been working towards developing such a framework. The Juba Compact (Pillar 3, Action 17) committed GoSS to producing a strategic plan in 2010. The objective is to prepare a single strategic plan covering all of Southern Sudan that will set out the GoSS medium term agenda for 'growth and development' that is rooted in the need to maintain peace and stability.

The plan will provide a coherent basis for the allocation of government and development partner resources. The plan will also set out a comprehensive framework of goals, objectives/activities, and performance targets and provide indicative allocations of resources to achieve them.

Currently GoSS strategic planning priorities are set out in the document '*Expenditure Priorities and Funding Needs 2008 – 2011*', prepared for the 2008 Sudan Consortium by the Ministry of Finance and Economic Planning. It is not a wide reaching plan covering all areas of development activity by the government, nor does it serve as an explicit guide for peacebuilding and statebuilding actions by state and non state actors. It was not written for this purpose. The document is an update to the original findings of the Joint Assessment Mission (JAM) which was drafted in 2005 and completed soon after the signing of the CPA.

There are, therefore, many documents setting out priorities but there is no single document linking these priorities together.

## Good practices and success stories in peacebuilding and statebuilding

Despite the difficulties of working in Southern Sudan there are apparent success stories. Whilst GoSS and sub-units of government currently have little capacity to directly engage in the full range of service delivery including health, education, water and sanitation, there has been good progress made in developing key institutional capabilities in order to gradually take on this responsibility.

The following good practices and successes were noted by the national consultees:

- Reconciliation conferences held and this has helped reduce inter-state conflicts;
- The close working of GoSS, international community and external actors on security issues has brought relative peace in Western Equatoria State. Overall there has also been strong progress in the transformation of the Sudan People's Liberation Army (SPLA);
- Rehabilitation of some feeder roads has provided access to markets;
- Health programs carried out;
- Vaccination of life stock;
- Provision of clean drinking water;
- Training of law enforcement agencies by United Nations Mission in Sudan (UNMIS);
- Capacity building – good examples being skills training in planning, budgeting and payroll systems;
- Provision of scholastic materials to schools;
- Ongoing work on public finances, the work of the Budget Sector Working Groups (BSWGS), the government budget preparation process, and the development of a taxation policy; and
- Establishment of the Sudan Recovery Fund (SRF).

GoSS has managed to organise the basic organs of government in a relatively short space of time, buildings have been refurbished, equipment procured and connectivity between the basic administrative structures established. This has been vital to establish confidence that things can be achieved when everyone works closely together

## 1.2 Key recommendations for the International Dialogue

### Country specific recommendations

GoSS has recognised the value of focussed consultations and the importance of *improving dialogue and communications* as a key component in both consolidating the fragile peace and statebuilding. Successful implementation of new approaches and ideas will require the awareness and support of public servants, civil society, the private sector, donors and other international organisations. *An open debate is the best way to capture opinion and generate new ideas around the issues of peacebuilding and statebuilding.*

The National Dialogue focussed attention on the need for government and the international community to *consult more widely on national priorities*, sending a clear message internally and internationally that Southern Sudanese are making their own realistic choices about the kind of country they are building. This will mean *using the planning process to focus government and citizens on a set of affordable national objectives*, in readiness for statehood. Once national priorities are agreed they need to be *communicated*.

*Preparing a vision or a 'national agenda' is a very good way of expressing clearly exactly what the country faces now and where it wants to be in say 10 or 20 years time.* The strategic goals of Southern Sudan might seem too obvious to state, but in fact there is no single, published document which provides

a comprehensive, integrated picture of where Southern Sudan sees itself in the long term and specifying the strategic goals required to fulfil the vision. The vision or national agenda should then drive the government's sector strategies, and the policies and programmes of individual ministries and agencies; and should provide a yardstick against which to measure the government's performance. The draft 'vision' statement recently prepared needs to be completed.

It is recommended that GoSS works together with development partners to *develop a single improved strategic planning mechanism so that priorities can be more readily identified and agreed*. But the institutional changes required to support it can take many years to develop and partners need to exercise strategic patience. A proper plan for supporting this effort is required from the outset. Ambitions should be realistic, strategic objectives need to be achievable and expectations set accordingly.

*Disarmament of armed groups and civilians* emerged as one of the principal recommendations of the Consultation. Renewed efforts are sought to tackle this very difficult task. In parallel with disarmament the *building of a professional army and police service* is extremely important.

*The importance of national reconciliation and full representation* of all Southern Sudanese peoples in politics and government was also almost universally endorsed. It is recommended that GoSS speeds up the process of national reconciliation

No state can function without resources, in this regard all consultees aspired for the government to put all possible efforts to *grow the non oil economy* so that all citizens will have access to a productive means of living.

All consultees stressed the need to *keep up pressure to implement the CPA* together with the government in Khartoum, as far as is possible.

It is also recommended to improve state/county government capacities. *Donors should work closely with relevant central government institutions to improve state level accountability and service delivery outcomes through greater government and community participation*. The aim would be to demonstrate how an increased role for government at the local level can improve service delivery and governance and boost its overall credibility and legitimacy. Principal areas for focus could include:

- Examine in more detail what state/county level administration currently does and what it could achieve with additional international support and increased funding – with a focus on service delivery planning and monitoring; and
- A detailed analysis of what funds are going where at the state/county level, outputs achieved and local / 'bottom-up' perspectives from states and counties on some of these services. Analysis of the data may highlight a number of recommendations to improve service delivery and impact of development funds.

## **Recommendations and key questions for the International Dialogue**

Many UN peacekeeping operations are mandated to design and implement urgent early peacebuilding tasks, including basic safety and security issues, rule of law, Disarmament Demobilisation Reintegration (DDR), security sector reform (SSR) and mine action programmes. These critical peacebuilding tasks need to be clearly linked, integrated and sequenced with the other core early actions required to deliver the peace and rebuild the state including negotiated local peace agreements, delivery of urgent basic services, establishment/restoration of core government functions, and economic growth. The strategy should clarify the respective roles and activities of all the key actors, necessary sequencing, and within a framework of national ownership.

**It is extremely important that an early-integrated peacebuilding strategy is prepared by all participants in the immediate aftermath of conflict. This will help national stakeholders lay the basis for a transition to sustainable peace. The requirement is for all actions to be integrated including UN initiatives, African Union (AU) and other peacekeeping organisations. Such a strategy may include reference to the Millennium Development Goals (MDGs) but not be solely predicated upon them.**

The lack of a clearly articulated and integrated national agenda or vision undermines governments' ability to communicate policies and programmes to citizens and international partners, and to demonstrate how individual policies and programmes add up to a coherent whole. Without such an agenda, it is also difficult to measure any government's performance, and to assess whether they are achieving their policy objectives.

**Preparing a vision or a 'national agenda' is a very good way of expressing clearly exactly what the country faces now and where it wants to be in say 10 or 20 years time. The vision or national agenda should then drive the government's sector strategies, and the policies and programmes of individual ministries and agencies; and should provide a yardstick against which to measure the government's performance.**

States have to be honest with themselves regarding their ability to manage and implement donor supported programmes and move peacebuilding, statebuilding and development along at a pace commensurate with citizens' expectations. Capacity building projects are highly susceptible to failure and generally only succeed where there is strong leadership and support from the host government.

**Capacity development initiatives have to be developed jointly with the government based upon agreed assessments of where the most enthusiasm and receptivity for change exists. It is neither realistic nor effective to develop lists of what the donors want imposed upon unwilling or non-receptive organisations.**

Building capacity of the state to deliver basic services is very difficult when international and national NGOs are competing to submit projects and gain funding. Many organisations claiming to be humanitarian are actually engaged in quasi-statebuilding activities on behalf of the government. However, the short term imperatives of delivering basic services as a 'peacebuilding and confidence building measure' may harm the longer term need to build state legitimacy and ownership.

**It is important to design projects in a way that ensures the government retains control over decision-making (meeting its promises made to citizens, setting priorities, where delivery is focussed and to what standard, and by whom), and that citizens consider them government services, even though they may be delivered by third parties, and funded in the short to medium term by foreign donors. Such projects, mostly funded by donors should wherever possible be designed as tripartite agreements involving. For example the UN/non governmental organisation (NGO), government and the donor.**

## 2 Country context

The Comprehensive Peace Agreement (CPA) signed in January 2005 brought an end to Sudan's civil war of 22 years. Since 1955, Sudan has experienced ongoing conflict. Although some insecurity remains, Southern Sudan is relatively peaceful today. In 2011 Southern Sudan will be faced with choosing a new destiny. The referendum on 9<sup>th</sup> January 2011 will decide the future status of Southern Sudan once and for all. In the meantime GoSS continues to establish the institutions required for government and builds upon the peace established by the CPA.

Building strong self government will take many years, whether the people of Southern Sudan choose independence or not. The CPA is based on a semi-autonomous GOSS, and many peacebuilding and statebuilding issues are important regardless of the outcome of the referendum in 2011.

Sudan gained independence in 1956, but has experienced complex political developments resulting in internal conflicts for many of the last 50 years. In 2005 Southern Sudan emerged from the latest of those conflicts, Africa's longest running civil war. 22 years of fighting had led to over 2 million of people killed and over 4 million displaced. The new GoSS, established as part of the CPA, was faced with a mammoth task of reconstructing a country whose already limited infrastructure had been decimated by war. A whole generation of children had missed out on an education. Basic services such as water, sanitation and health facilities were absent. Private sector business had vanished, along with agriculture. There were virtually no roads or other transport infrastructure, no sea access, limited capacity for air services. Insecurity was rife, conflict in other parts of Sudan, including major strife in Darfur, was ongoing. In this context the future stability of a new Southern Sudan remains far from assured.

In 2005 there were no Southern Sudanese institutions in place with the capacity to tackle these challenges. Government and administration had to be built from scratch. Many qualified people had moved abroad. Whilst there was a government established in name, there were no systems of public administration or bodies ready to manage the complex issues around national planning and public finance. There was no banking system. Whilst the average citizen of Southern Sudan had little or no experience of receiving services from the state, the new government, by its very presence, raised expectations immediately. Development partners, despite their enthusiasm to help the new government, and all their good will and intentions, had never embarked on a state building challenge such as Southern Sudan. Sudan is a vast country, almost one quarter the size of Europe and the largest country on the African continent.

Over the last five years Southern Sudan has represented an extensive testing of the Paris Declaration principles, including establishment of a joint donor office, pooled funding mechanisms, and joint planning. Despite these efforts international actors have struggled to make an impact in the face of the challenging peacebuilding and statebuilding agenda

At the same time as commencing work on constructing the essential institutions of the new Government and providing emergency basic services, the GoSS was faced with the need to maintain peace and security after the signing of the CPA as well as meeting all its CPA obligations. Such a difficult balancing act would stretch any government, let alone a newly born one.

Since 2005 the GoSS has made good progress in many areas. Significant progress has been made in professionalising the SPLA. 59,000 combatants from 12 armed groups have been successfully integrated into the professional armed forces and the GoSS organised forces. Peace and security has, by and large,

been established. Roads have been opened up, the first tarred intercity trunk road between Juba and Nimule is under preparation. Movement for Southern Sudanese people has been greatly improved; plans are being prepared now for development of secondary rural roads. The provision of basic services has also sharply increased. Most importantly, the principal public administration structures are in place including government ministries and the new civil service. Ten state governments and county administrations have also been established. The legislative assembly and ten state assemblies are functioning. Basic planning, budgeting and financial management systems are in place.

There is much to be proud of, but a great deal left to do. Parts of Southern Sudan are not yet fully secure. There are continued security problems in parts of Upper Nile, Jonglei, and along the border with Uganda where the Lord's Resistance Army (LRA) remain active. It is no surprise therefore that GoSS' first priority is to basic safety and security of citizens and that Southern Sudan remains stable. To achieve this, there is a need for efficient and effective army and police services. Without stability there can be no significant development.

GoSS faces enormous political challenges in 2010 as the twice postponed elections will take place, most likely in April. In early 2011 it is proposed to hold the referendum on the future status of the South. Both GoSS and its development partners are working to ensure that both these events will pass off peacefully and the will of the majority of the people will be respected.

It is in everyone's interests that these elections and the referendum take place and will be free, fair and legitimate in the eyes of the world as well as all the peoples of Sudan. GoSS is committed to ensure adequate preparation for both the elections and the referendum within a safe and secure Southern Sudan.

The first day of the 2010 general election campaigning commenced on the same day as the opening of the national consultation meeting on 24 February. This event marks the 'beginning of the end' of the chance to implement the CPA fully before the national referendum planned for January 2011.

It is in this context GoSS is committed to working together with the international community to generate consensus around the immediate and fundamental priorities and objectives for peacebuilding and statebuilding in Southern Sudan, as part of its strategic planning process, whatever the outcome of the referendum in 2011. GoSS recognises that this will involve multiple national and international stakeholders to help review and identify those issues that are under-addressed, or cannot be resolved at the country-level. It may also necessitate a review of some activities that are not currently priorities, a review of expenditure priorities and a review of the relations between GoSS and its development partners in terms of the architecture of aid delivery and funding mechanisms.

The immediate focus from now is on the final year of the CPA. The Assessment and Evaluation Commission (AEC) Report<sup>1</sup> provides a timely reminder to all parties what we have left to achieve in only 12 months.

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<sup>1</sup> AEC January 2010 Report.

# 3 Findings

## 3.1 Key peacebuilding and statebuilding priorities and objectives

### GoSS peacebuilding priorities

First we highlight the OECD definitions of peacebuilding and statebuilding that GoSS has also adopted in general terms.

**“Peacebuilding involves a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundation for sustainable peace and development”.**

Currently GoSS does not have an agreed peacebuilding framework. None was prepared following signing of the CPA and in hindsight perhaps that was an error. GoSS recognises that peacebuilding as a process places great responsibility on the government, but external involvement can be critical and very supportive. Peacebuilding is a long-term process that focuses on the transition from war or violent conflict to peace and there are many security challenges left in Southern Sudan<sup>2</sup>. The complicated, lengthy and serious nature of conflict in Sudan means that it is necessary to focus on what is achievable in the short time left before the referendum. It will never be possible to pre-empt or counter all problems simultaneously and immediately. The essential elements of peacebuilding in Southern Sudan are thus sequencing, and targeting limited responses focusing on the most urgent issues. Some apparently intractable issues may have to be postponed and compromises made.

The first consultation document summarised the GoSS main peacebuilding priorities as:

- Prevent – or contain – violent conflict, where necessary using coercive as well as political intervention, whilst working towards addressing the causes of underlying tensions;
- Protect the people of Southern Sudan and continue to invest in the key institutions that guarantee safety and freedom;
- Promote political processes and local dialogue which lead to greater stability, both with the north and within Southern Sudan; and
- Prepare for longer-term development: Having security and stability can profoundly affect the chances of successful social and economic development both before the elections and referendum and post 2011.

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<sup>2</sup> The Security Strategy for Southern Sudan, approved by the Council of Ministers (CoM) in 2008, recognises challenges to peacebuilding resulting from failure to make progress on the CPA as well as from a number of other quarters including: 1. Encroachment of our borders, 2. Religious, cultural and ideological differences that incite conflict, 3. Northern tribes being used as agents to provoke conflict, 4. Tribal conflicts over cattle rustling, child abductions and disputes over water and grazing, 5. Inadequate basic life necessities such as food and water spurring local conflict, 6. Proliferation of arms in the hands of criminals, 7. Inadequate law enforcement, judicial and penal capacity limit our ability to implement peace building activities, 8. Competition for scarce government jobs and resources.

At the second and main national consultation meeting in Juba on 24-25 February the participants drafted a new framework that attempted to set out immediate (short term) and longer term priorities for peacebuilding and statebuilding in Southern Sudan. Most participants agreed that in the Southern Sudan context it was difficult to separate the 'peace' from statebuilding objectives. The framework is attached at annex C.

### **GoSS statebuilding priorities**

**“Statebuilding is an endogenous process to enhance capacity, institutions and legitimacy of the state driven by state-society relations. Positive statebuilding processes involve reciprocal relations between a state that delivers services for its people and social and political groups who constructively engage with their state”.**

The Southern Sudan peoples have existed in some form of conflict for centuries, but this does not mean that a new state will not be able to establish and develop a new relationship between itself and the population. However, the challenges are enormous. Building a state has never been easy for any of the peoples of the world, partly because it is not at all clear what statebuilding is and how to achieve it. Statebuilding may be defined but there are no blueprints for success or standard formulas to follow.

The existence of GoSS has a single ultimate purpose: To secure the sovereignty and security of the people of Southern Sudan. All other objectives and principles support this purpose<sup>3</sup>. For the Government of Southern Sudan statebuilding is about establishing an effective, legitimate, and responsive state. This means the state has to be viewed as legitimate, both in its initial establishment and then in the way institutions deliver on citizens' expectations. The key is to understand and identify what most increases this legitimacy in the eyes of the people.

Whether it is the will of the people to vote for a new state or to remain as part of a unified Sudan government, GoSS believes the underlying principles of a new state are to build:

- An educated and informed nation;
- A prosperous, productive and innovative nation;
- A free, fair and just nation;
- A democratic and accountable nation;
- A safe and secure nation;
- A united and proud nation; and
- A compassionate and tolerant nation.<sup>4</sup>

Statebuilding involves multiple national stakeholders that continually negotiate and transform the political process. Statebuilding can have a very unpredictable trajectory; GoSS cannot predict everyone's behaviour or their relationship to the state.

The immediate statebuilding priorities of GoSS are:

- Ensure progress on the CPA and reach a satisfactory political settlement with the North and ensure local political settlements within Southern Sudan are reached to contain, channel and resolve conflicts wherever possible;
- Build the capacity of the state to provide security, justice and rule through law;

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<sup>3</sup> Security Strategy for Southern Sudan, approved by CoM 2008.

<sup>4</sup> South Sudan Vision 2040, p. 19.

- Develop core government functions and manage revenue in a way that meets people's expectations through improved service delivery and improved security; and
- Facilitate economic development and generate employment.

The four priorities above contribute to developing the legitimacy of the emerging state in the eyes of the population (based on quality of political processes, accountability, performance and moral authority)

GoSS seeks to address all these key dimensions of statebuilding and peacebuilding but in the case of Southern Sudan statebuilding and peacebuilding are inextricably intertwined.

The section below outlines the progress made to date against the above priorities.

## Political representation and processes

### CPA progress

The CPA is the route map that GoSS, the GNU and the international community follow. Progress on the CPA has been slow and there are many reasons for this. Partly this is because there is little trust between the northerners and southerners of Sudan after so many years of conflict but there have also been internal setbacks to progress. Development partners have been distracted by issues such as the global condemnation of the situation in Darfur. The CPA also emphasises the unity of Sudan whilst the very real prospect of separation has been consistently on the minds of both the northerners and southerners alike. The CPA timetable was also ambitious and placed great demands upon the signatories and the international community to deliver. The CPA is monitored by the Assessment and Evaluation Commission (AEC) and reports to the President directly. The AEC assessment of CPA implementation is that it is far behind schedule. Progress on the CPA is set out in the AEC January 2010 report and is summarised below. It is fair to say that the last year of the CPA implementation will be difficult as so many issues have yet to be resolved.

**Table 1 - Progress on the CPA**

Power sharing	Wealth sharing	The three areas	Security arrangements	International support for the CPA
Press and Media Law passed	Transparency in the oil sector remains a concern	Abyei Area Administration set up	Ceasefire continues to hold with the exception of the Malakal incident	Oslo 2008 \$4.8 billion pledged
Political Parties Council and NEC established	Ongoing disputes regarding the operations of the dual banking system	Permanent Court of Arbitration (PCA) decision made	JlUs remain under resourced and unintegrated	Support for elections brought forward
Some Progress on National Civil Service Commission and Commission for the Protection of non-Muslims in the National the Capital	GoSS still totally reliant upon GNU and international expertise for all critical management information in the oil sector	Ongoing problems with maintaining sustainable peace in the three areas	Increasing insecurity in the South – violent clashes between communities	CPA Supporters conference in Washington June 2009 produced Points of Agreement document
No substantive action on programme of national reconciliation				Recent intensification of attention from AU and others
Human Rights Commission not formed				

The AEC Report also recommends a number of aims and objectives of the CPA to address over the next 12 months as set out in the box below:

#### **AEC recommendations on the implementation of the CPA (January 2010)**

##### **Power sharing**

- Elections in April 2010 which represent a step change in democratic transformation.
- A self determination referendum in January 2011 which meets the high standards set in the CPA.
- Timely agreement on post-referendum arrangements.
- An agreed North/South border, delimited and demarcated as a matter of urgency.

##### **Wealth sharing**

- A more transparent petroleum sector.
- A better functioning dual banking system.
- Long term planning to ensure adequate human resource capacity in the hydrocarbons sector in the South.

##### **The three areas**

- Full implementation of the PCA decision with the support of local communities.
- An effective Abyei Area administration.
- A safe and secure environment, including during the seasonal migration.
- Timely preparations for the Abyei referendum in January 2011.

##### **Security arrangements**

- Completion of redeployment.
- Strengthening and progressing the DDR programme to bring it closer to achieving its CPA mandated objectives by 2011.
- A push for further integration of, and better tasking and support for, the JIUs.
- A major effort to reduce insecurity in the South.

##### **International support for the CPA**

- Accelerated support for quick impact development projects in the war-affected areas and along the border.
- Generous, frontloaded, donor support for the organisation of the self-determination referendum.
- Continued UN review of responses to emerging requirements.
- Greater use by the parties of the AEC and its staff.
- The holding of a further CPA supporter's conference or conferences at appropriate points to draw together the strands of international support and help the parties address challenges.

#### ***Local political processes***

It is GoSS's intention that Southern Sudan will be a democracy with strong decentralised institutions whose structures and functions are enshrined in the constitutions of the nation and the states<sup>5</sup>. The President is focused on promoting harmony between different communities and ethnic groups as well as composing an ethnically representative government.

GoSS understands that 'peace and stability' in Southern Sudan has explicitly political aims. *Stability can only be achieved through political settlement(s) between belligerents*. There are clear links to statebuilding, but it requires an understanding of how achieving a political settlement and providing state functions can reinforce each other.

All parties in Southern Sudan recognise that the painful process of reconciliation and healing, essential to future stability, is essential as the basis for long term democratic transformation. This process is in its infancy and will need to be given further impetus. GoSS is working towards articulating its position on how to achieve local political settlements.

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<sup>5</sup> Ibid, p. 21.

GoSS is committed to decentralisation and devolution of power and decision making as the basis of government in Southern Sudan. Progress on the necessary legislation is underway.

New laws such as the Political Parties Act and the National Elections Act have been enacted and preparations have begun for the 2010 general elections. These will be multi party elections.

### **Security and justice**

GoSS seeks greater understanding of local security and conflict issues through its networks of government institutions slowly being re-established at local level. Some conflict is long standing, but new conflicts will arise. GoSS is particularly concerned about the rise of violent youth conduct where the influence and control of tribal elders is diminishing. They lack education, jobs and may see their future prospects as dim. Most of the youth of Southern Sudan have grown up in a violent world where conflict is managed at gunpoint. Many of these young men are armed.

GoSS is also concerned with increased conflict that targets women. There seems to be increased abduction of women and girls for forced marriage but also women have been raped, killed in violent attacks. Increasing numbers of women are being killed sporadically by armed men, e.g. LRA and some incidences in Jonglei state. The prolonged conflict in the South has led to an unprecedented socialisation into, and acceptance of violence in both the public and private spheres, with a particularly adverse impact on women. This culture of violence undermines community security, and specifically fuels interfamilial violence (including domestic violence, abduction of women and child abuse), gang culture, pastoralists conflict, and sexual and gender based violence. The gender dimensions of violence, which were overt during the armed conflict, have not necessarily disappeared after the cessation of hostilities, but rather have been transposed, if not perpetuated, at the inter-personal or inter-group level (between different clans/tribes in rural areas and gangs in urban centres).

Maintaining security and stability is the first objective. However, this has to be done in a way that builds the confidence of the people in the armed forces and the police. Efforts will continue to seek the disarmament of remaining armed groups, help negotiate local peace agreements and incorporate militias into the SPLA. The security and peacebuilding focus is on the states of Warrap, Unity, Lakes, Jonglei, Upper Nile, Eastern Equatoria and Central Equatoria. In Southern Sudan peacebuilding and statebuilding initiatives will struggle to take hold if the current 'low intensity' conflict escalates and recovery and development becomes impossible. Current budget priorities reflect the importance placed upon meeting the CPA obligations and maintaining a sufficient level of security to ensure elections and the referendum can take place.

The SPLA will continue undergoing comprehensive reorganisation and restructuring to become a modern, regular and professional force that can protect civilians as well as protect Southern Sudan from external aggression. The SPLA now has an agreed 'transformation strategy' and technical support to help implement the strategy.

Another core state function is the ability to make and apply laws, and be seen to do so. For GoSS an important part of the political process is to rapidly improve the state's authority, competence and legitimacy by improving the rule of law. This can help generate credibility as well as allow political negotiations to proceed with fairness and accountability. It will also contribute to development and implementation of political agreements. GoSS is making good progress generally by strengthening the establishment of the Southern Sudan Legislative Assembly and by expanding its law making presence throughout all ten states.

GoSS works with chiefs, traditional leaders and local communities to clarify sources of disagreements and grievances, and is holding peace conferences at the grassroots level between the parties in conflict and is working to achieve total disarmament of the civilian population. The GoSS Security Strategy sets out a number of activities that seek to prevent and respond to crime, corruption, and human right abuses. One area for further consideration is recognition of the local courts (Chiefs Courts).

The Southern Sudan Peace Commission is beginning to work closely with the Ministry of Internal Affairs, the DDR Commission and the Local Government Board on many of the main conflict issues. They bring in other government departments as necessary to tackle specific issues such as conflicts over natural resources. Their capacity and that of the state bodies has to continue to be built up in the short and long

term. Particularly in their ability to work with stakeholders to prioritise, sequence and follow through peacebuilding activities. GoSS recognises that leadership of the highest quality is required and is taking appropriate action to ensure this.

With so many possible flashpoints and challenges to peacebuilding perhaps the biggest challenge is how to coordinate responses within and between the government and its partners. GoSS needs to work very hard at these particular tasks and there is room for improved communications between and within government departments. This point has been raised consistently in the national consultation. All work for peace will have to continue to be carried out in close cooperation with development partners as GoSS does not have the resources or capability to manage alone.

GoSS is keen to address the issue of gender equality and women's empowerment, in particular: inclusion of women in peace building initiatives; support implementation of the 25% affirmative action, particularly in 2010 elections; reaffirm commitments to the 12 critical areas of concern during the on-going Beijing +15 review process; and initiate partners dialogue for implementation of the UN Security Council Resolution 1325 on women peace and security which specifically "calls for ... measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary.

### **Core government functions**

GoSS will continue to build the institutions of the 'state', including establishing public administration procedures and processes. These include building the capacity of the centre of government to manage policy and planning as well as building effective systems to manage public finance, introduce increased accountability, transparency and fight corruption. In this regard GoSS is committed to fiscal discipline, and work towards building a sustainable tax base to ensure the economy is not solely dependent upon oil revenue in the future. GoSS is also seeking to develop a strategy and policies that will promote economic growth to provide opportunities for jobs and expand the non oil economy.

Progress on the development of a modern taxation system is moving quickly ahead. The 2009 Taxation Act is a major step forward. Regulations to be promulgated in 2010 will set out how the Act will be implemented. In addition, the following bills have been drafted:

- Public Service Bill (and Public Service Regulations);
- Public Procurement Bill;
- The Audit Chamber Bill;
- The Public Grievances Bill;
- Access to Information Bill;
- The Financial Allocation and Monitoring Bill; and
- Public Financial Management and Accountability Bill.

In order to support the strategic planning process in Southern Sudan, the Ministry of Finance and Economic Planning took the lead in setting up Budget Sector Working Groups in 2006. The 10 groups have prepared budget sector plans for the period 2010-12. The Budget Sector Working Groups are the main body for government wide coordination and planning (including aid-coordination). The groups currently meet annually in June and July, although the intention is for them to meet on a more regular basis. They are responsible for producing the annual Budget Sector Plans which help set government priorities and expenditure allocations for the next 3 years. The annual budget for 2009 and 2010 is prepared based upon the goals of the government as expressed in the Interim Constitution plus the six spending priorities elucidated in the '*Expenditure Priorities and Funding Needs 2008 – 2011*', prepared for the 2008 Sudan Consortium.

The Budget Sector Working Groups are extremely effective at bringing GoSS agencies together to jointly discuss and set out priorities for each of the 10 Sectors on a yearly basis. They have strengthened sector

capacity for prioritised plans within a hard resource constraint and have also created a forum where sector agencies can identify gaps and overlaps in their activities. GoSS agencies' annual budget submissions are closely based on the content of the Budget Sector Plans, ensuring a strong linkage between the planning process and the budgeting process. This is one of the greatest strengths of the Budget Sector Working Group process.

The incorporation of development partners ensures that all actors within a sector are aware of ongoing/planned activities. They also enable each sector to set out a comprehensive set of outputs, taking into account both GoSS and donor activities. Development partner reporting on aid flows is carried out through the Budget Sector Working Groups. This information is used to compile the single most comprehensive source of information on Development Partners' activities in Southern Sudan, the annual GoSS Donor Book.

Unfortunately, capacity constraints and the unpredictability of oil revenues have tended to focus the Budget Sector Working Groups on short term planning rather than on the medium term. However, now that the annual planning and budgeting process has been established, there is scope for the Budget Sector Working Groups to adopt a more strategic approach to planning. More effective coordination with development partners as well as a stronger strategic planning framework will help to shift the focus of the Budget Sector Working Groups from the short term to medium term. In addition, increasing meeting frequency will allow the Budget Sector Working Groups to provide a stronger sector coordination function.

It is now recognised that it would be more helpful if the Budget Sector Working Groups could orient their activities more explicitly to support peacebuilding and statebuilding priorities.

### ***Service delivery progress***

GoSS promotes investment in basic services. Yet despite great efforts many parts of Southern Sudan have yet to benefit from the 'peace dividend' of improvements in basic service provision. Poor delivery of services, coupled with high expectations that are not met, has induced a feeling of despair amongst many Southern Sudanese. The capacity of GoSS and the states may be low but the intention is to invest the necessary time and resources for the long term to build the capacity of the states to eventually deliver most public services. This also means revisiting the relationship with non state actors who, for now, deliver the majority of basic services.

Some concerns were expressed in the national consultation on the work of non-state actors in providing services – their prioritisation procedures and coordination. More than 300 national and international NGOs are engaged in some sort of service provision. Coordination problems between GoSS, the states and service providers are an issue.

Many problems continue to remain hardly addressed at all poor sanitation and hygiene, especially in and around the main towns. This causes high incidence of water borne diseases such as cholera. Recent surveys show big improvements in school enrolment but little noticeable change in maternal or infant mortality<sup>6</sup>. We also continue to suffer from serious food insecurity, mainly a legacy of the civil war.

Recognising the problems with service delivery, for the period 2010 onwards, the government has pledged to invest further significant effort into six key areas, specifically:

- Security: to develop an efficient and effective armed forces, to safeguard security and implement the CPA;
- Roads: to rehabilitate road infrastructure, to promote socioeconomic and private sector development;
- Primary health care: to provide primary health care to improve the health status of the people of Southern Sudan;
- Basic Education: to provide equitable access to basic education;

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<sup>6</sup> Sudan Household Health Survey Report 2007.

- Water: to increase access to safe water and sanitation; and
- Production: to improve rural livelihoods and incomes.

### **Economic governance**

Advances have been made in many areas of public financial management since the signing of the CPA. An effective integrated planning and budgeting process has been put in place which ensures that resources are allocated in line with planned activities. Activity based budget formulation was introduced in 2008, and in 2009 activity based budget execution was also introduced. GoSS now has a very transparent and well laid out annual budget document, with a growing user community among line ministries strongly engaging with the plan and budget compilation process.

A Financial Management Information System (FMIS) was introduced in 2008, and FMIS commitment control is scheduled to be implemented in January 2010. The Ministry of Finance reports regularly on revenue and expenditure performance to the Legislative Assembly, and expenditure performance by budget item and activity is reported in the following year's Budget Book. The FMIS is also being rolled out to the 10 states at present, which will go a long way to improving the use of funds in decentralized tiers of government. Ensuring that budget execution is in line with the appropriated budget remains a key challenge for GoSS and the states, but many of the tools required to do so are in place or under development.

Progress has been made on the government payroll, with state level payrolls recently introduced in the education and health sectors. The Capacity Building Trust Fund, chaired by Ministry of Finance and Economic Planning and in collaboration with Ministry for Labour, Public Service and Human Resource Development (MLPS&HRD), will be rolling-out a GoSS-wide payroll exercise in 2010.

There has been much improvement to financial stability since the signing of the CPA, and increasing oil revenues has meant economic growth exceeding 10 per cent. Rising income has meant rising public expenditure but the lack of real impact in peoples' lives has fuelled speculation of rising corruption and rent seeking behaviour. The national consultation revealed a strong desire for the government to concentrate on implementing laws and regulations already passed. The consultation also highlighted the need to promote non oil revenue and invest in economic infrastructure, especially roads to make Southern Sudan attractive to investment.

## **3.2 Strategic planning modalities for peacebuilding and statebuilding**

### **Summary of existing planning modalities' approaches to peacebuilding and statebuilding**

Southern Sudan does not yet have a comprehensive national strategic planning framework approved by the Council of Ministers. However, GoSS has been working towards developing such a framework. The Juba Compact (Pillar 3, Action 17) committed GoSS to producing a strategic plan in 2010. The objective is to prepare a single strategic plan covering all of Southern Sudan that will set out the GoSS medium term agenda for 'growth and development' that is rooted in the need to maintain peace and stability.

The plan may include the key elements of a Poverty Reduction Strategy as required, or the latter document may be separate, the final decision has not yet been taken by the CoM. The plan will include issues related to the strengthening and development of the state and consolidation of peace and security. The plan will also harmonise and promote cooperation between various sectoral objectives and align them with the national interest.

The plan will provide a coherent basis for the allocation of government and development partner resources. The plan will also set out a comprehensive framework of goals, objectives/activities, and performance targets and provide indicative allocations of resources to achieve them. It is most likely that five year rolling development plans will be prepared. The GoSS is currently looking at a number of possibilities for overseeing, monitoring and evaluation of the planning process.

Currently GoSS strategic planning priorities are set out in the document '*Expenditure Priorities and Funding Needs 2008 – 2011*', prepared for the 2008 Sudan Consortium by the Ministry of Finance and Economic Planning. It is not a wide reaching plan covering all areas of development activity by the government, nor does it serve as an explicit guide for peace building and state building actions by state

and non state actors. It was not written for this purpose. The document is an update to the original findings of the Joint Assessment Mission (JAM) which was drafted in 2005 and completed soon after the signing of the CPA.

There are, therefore, many documents setting out priorities but there is no single document linking these priorities together.

### ***The CPA***

The Comprehensive Peace Agreement (CPA) was signed on January 9<sup>th</sup> 2005 between the Government of Sudan and the Sudan People's Liberation Movement (SPLM). In support of this Agreement the UN Security Council established on March 24<sup>th</sup>, 2005, the UNMIS with an authorized strength of about 11.000 military, police and civilian personal. The CPA has a six year timeline for implementation leading up to the proposed referendum date in 2011. It is a complex chronology of activities laid out in a number of protocols and agreements covering:

- Ceasefire – Permanent Ceasefire and Security Arrangement Modalities during the Pre-Interim and Interim Periods;
- Power – Implementation Modalities of the Protocol on Power Sharing;
- Wealth – Implementation Modalities of the Framework Agreement on Wealth Sharing;
- Abyei – Implementation Modalities of the Protocol on the Resolution of the Abyei Conflict, and
- KOR/Nile – Implementation Modalities of the Protocol on the Resolution of the Conflict in Southern Kordofan and Blue Nile States.

The signing of the CPA successfully concluded the final phase of peace efforts to address the issues of inclusiveness, identity, and access to resources that were among the most significant structural causes of the conflict. The CPA builds on years of discussion and negotiation, including the Machakos Protocol, which established the right of the people of Southern Sudan to control and govern affairs in their region and participate equitably in the national government.<sup>7</sup>

### ***The JAM***

The JAM was largely written by UN and World Bank staff in 2004. It is true that it was fully supported by the SPLM and the then Government of Sudan, but in reality most of the research and drafting was done by the international organisations. It was based upon a comprehensive analysis, as far as was possible at the time, given the complex logistics of working in Sudan, the lack of access, and the continued insecurity. "The primary objective for the JAM was to provide an assessment of rehabilitation and transitional recovery needs focused on the first two years of the Interim Period, and an outline framework for reconstruction and recovery over the full 6-year Interim Period based on progressing toward the MDGs. Through a joint process with Sudanese counterparts, the JAM aimed to contribute to capacity building and to lay the foundations for longer-term pro-poor planning and budgeting"<sup>8</sup>. The JAM identified five areas requiring immediate attention in order to improve living standards and make progress towards the MDGs. In brief, these five areas were:

- Core public structures at all levels of governance;
- Investment in rehabilitation and construction of infrastructure especially roads;
- Development of basic social services;
- Developing the private sector and revitalising the agriculture sector; and

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<sup>7</sup> JAM Report Vol. 1: Framework for Sustained Peace, Development and Poverty Eradication.

<sup>8</sup> PCNA Review: Phase One, Sudan Joint Assessment Mission (JAM), Case Study, UNDG/WB 2006.

Reintegrating internally displaced persons (IDPs).

The importance of these five areas is that they were the foundations of GoSS / international partner efforts in the years between the JAM and the Ministry of Finance and Economic Planning 'Expenditure Priorities and Funding Needs 2008 – 2011' document.

The focus of the JAM in the South was on creating state institutions, basic social service delivery, and laying the foundations for socio-economic transformation through improving connectivity within the South and among neighbouring regions. However, the JAM was not explicitly written from a statebuilding and peacebuilding perspective. In truth the document was written more around the planning processes and structure of the international agencies who would initially be most engaged in supporting GoSS in the early days of its establishment. It is thus not entirely clear, five years later, how peacebuilding and conflict prevention underpinned the JAM assessment and proposals.

The JAM did contain *indicative* costs estimates for overall implementation of the 2 phases based on the activities to be carried out in the two phases. The first phase 2005-7 was estimated at US\$3.6Billion and assumed a massive programme of institutional development and capacity building, which unsurprisingly did not materialise. Most parties recognise that the JAM plans were hopelessly optimistic and not rooted in an understanding of what it takes to help establish a new government from nothing and the complex logistics of working in Southern Sudan. More importantly the JAM did not prioritise between sectors, for example, it is not clear how much more important security was as compared to the provision of basic services

Gender equality was an integral part of the JAM process with key priorities defined. Furthermore, women participated fully at the Oslo conference where they demanded proportional resource allocation to gender equality which has not been forthcoming.

### **The Juba Compact**

This Juba Compact was endorsed in Juba, Southern Sudan, by the GoSS and its development partners on June 30, 2009. It is intended to represent a new higher level of cooperation and commitment to certain objectives. In particular, the Compact represents agreed measures to address the current fiscal and economic situation and focuses on important adjustment measures and reforms.

It is intended that the Compact, albeit limited in scope, reaffirms and rededicates the GoSS and its partners to joint efforts to create a secure, peaceful, democratic and prosperous Southern Sudan. 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. .

GoSS and donor partners will work jointly, and fully commit themselves to achieve three key objectives:

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

The Compact 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. The GoSS also 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. The Compact is a very positive development in terms of developing mutual accountability. The Compact 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.

## **Vision 2040**

GoSS is now moving towards completing a 'vision' document that will set out how Southern Sudan will look like in 2040. A draft document has been prepared. The timescale demonstrates an acknowledgement that rebuilding Southern Sudan will take at least a generation, the generation that was lost to the civil war. The national consultation revealed support for a new strategic plan to take forward the vision.

The need for an agreed vision document is clear. In Southern Sudan there are numerous reforms underway in the economic, social, political, governance and security fields, but we do not yet see clearly what the new Southern Sudan will look like, should they all be implemented. The lack of such a clearly articulated and integrated national agenda undermines successive governments' ability to communicate their policies and programmes to citizens and international partners, and to demonstrate how individual policies and programmes add up to a coherent whole. Without such an agenda, it is also difficult to measure any government's performance, and to assess whether they are achieving their policy objectives.

## **Key lessons and recommendations**

The current strategic planning framework for Southern Sudan is a product of 'disjointed incrementalism'. It comprises a number of documents and processes that have emerged over the last five years in response to needs at the time. Most, if not all, of the specific peacebuilding and statebuilding priorities mentioned in section 3.1 and compiled in the national consultation meeting are contained within GoSS' strategic planning documents and commitments but there are some significant deficiencies in presentation which will need to be addressed by the proposed national strategic planning and prioritisation process. This planning process has commenced with the preparation of the 'Vision 2040' draft document.

GoSS is acutely aware that it needs assistance at the centre of government to be able to produce a new more comprehensive Southern Sudan plan, based upon an agreed vision and will also need support for its implementation. This is because the development of a strong planning, policy formulation, priority setting, coordination and management function in the heart of GoSS is only at an early stage. GoSS has the vision but not all the skills and resources to implement the vision. However, GoSS is determined to maintain control of the production of such a plan, and will seek the appropriate type of assistance to avoid the development of the plan being dominated by external support.

It is recommended that GoSS works together with development partners to develop a single improved strategic planning mechanism so that priorities can be more readily identified and agreed. But the institutional changes required to support it can take many years to develop and partners need to exercise strategic patience. A proper plan for supporting this effort is required from the outset. Ambitions should be realistic, strategic objectives need to be achievable and expectations set accordingly.

The CPA set a very ambitious agenda for peace but unfortunately the JAM did not prove to be adept at operationalising the CPA. The subsequent problems with funding regimes such as the Multi Donor Trust Fund compounded the problems. Whilst GoSS agreed with the choice of trust fund mechanism there is agreement amongst all consultees that the detailed design and implementation of the trust fund could have been greatly improved.

The GoSS budget prioritisation process has made steady progress but the 'Compact' recognised the serious challenges faced by GoSS and tries to address these by introducing more mutual accountability. GoSS has also committed itself to refocus on peace and political efforts, security issues and major infrastructure investments rather than just relying on the strong 'MDG focus' that underpinned the JAM.

GoSS recognises that the budget process alone is not able to identify and prioritise all peacebuilding and statebuilding priorities and ensure that all expenditure is efficient and targeted where it is needed. GoSS also recognises weaknesses in meeting agreed pro-poor spending targets that are crucial to consolidate peace beyond Juba and delivering a tangible peace dividend. This is linked to slowness in facilitating fiscal decentralisation and is the cause of a number of problems with the state governments.

International experience has demonstrated that moving towards integrated policy, planning and budgeting

takes time. A good budget starts with, and is founded on, a strong and effective priority setting process. Improvements to national planning in particular also have to be supported politically at the highest level, sequenced carefully and properly resourced. An incremental ‘small steps’ approach is generally the best way, seeking a ‘good enough’ improvement before moving onto the next reform. GoSS hopes that support can be targeted initially to draft a plan that is realistic, feasible, and rooted in our financial reality. The new plan, above all will have to identify specific agreed peacebuilding and statebuilding priorities in order to better develop agreed programmes. Where trade-offs need to be made between peacebuilding and statebuilding objectives consultation across Southern Sudan will help ensure a focus on the right things.

Above all, GoSS would like to remove the need for duplicate plans, parallel policy development and project implementation teams.

### **3.3 Key bottlenecks and challenges for governments and external actors**

#### **Introduction**

There are a number of major challenges and bottlenecks to achieving progress on peacebuilding and statebuilding objectives in Southern Sudan. There is broad consensus on these issues between GoSS and the Development Partners. Many of the challenges raised below may be familiar to other countries who are rebuilding their countries after conflict.

The major bottlenecks and challenges are:

- Security and peace processes: CPA implementation, the spectre of internal conflict, support to political processes, elections and the referendum, the expectations of citizens;
- Effective international support to national peace building and state building priorities: Support for leadership and strategic communications, better aligning donor support for peacebuilding and statebuilding, support for capacity building; and
- Good governance: corruption, developing public financial management, administration and a new tax system.

#### **Security and peace processes**

##### ***CPA implementation***

The implementation of the CPA is a top priority for the GoSS but significant challenges remain. The intransigence of some parties in Sudan will have to be tackled, but peacefully. GoSS’ negotiations on implementation of the CPA continue in good faith. Outstanding issues include:

- Agreeing the use of the census results;
- Immediate establishment of the Referendum Commission. All parties to reach agreement on the post referendum arrangements;
- The National Petroleum Commission (NPC) to complete its audit of the oil sector;
- Implementation of the Broader Abyei Agreement;
- Establishing exactly who is eligible to vote in the Abyei referendum;
- Demarcations of borders – including the agreed north-south 1956 border; and
- Completion of the popular consultations to be held in Blue Nile and South Kordofan.

##### ***The spectre of internal conflict***

Many participants in the national consultation felt that the risk of internal conflict in Southern Sudan could destabilise the south, paralysing progress in many areas as well possibly leading to wider conflict with the

north and in the region. GoSS recognises this threat. As the Security Strategy for Southern Sudan notes "...so long as we Southern Sudanese will fight amongst ourselves, our enemies will have light work in destroying us. In fact, we have often destroyed ourselves. By disunity we cause more damage than the oppressive regimes that have ruled over us for decades. Without internal peace there can be no peace at all".

In the national consultation, disarmament of armed groups and civilians was the top priority for the states. More training is required for the security forces for them to be in a better position to control tribal clashes which risks escalating out of control. In Southern Sudanese traditional societies, local chiefs have always played a significant role in keeping the communities in harmony which is why their voices are always heard. Their involvement in activities such as collection of fire arms from the hands of unauthorized civilians will be of great importance.

### ***Support to political processes***

There is a suggestion that the key political problems, the actual obstacles that stand in the way of peace and development in Southern Sudan, are not adequately addressed in a technical framework only. International experience has demonstrated that serious doubts persist about the ability of external actors to address the thorny political challenges of peacebuilding, and the efficacy of international efforts in the absence of domestic political processes to manage these challenges.

GoSS recognises that it can be easy to adopt an overly 'technical' approach to provision of basic security. Viable administrative structures of authority, enhancing service-delivery capacities and promoting economic revival will not be the only answer to local conflicts. Bearing this in mind a renewed peacebuilding phase is expected in the immediate post election period.

The national consultation asked the question 'Is there more to be done by the leadership in Southern Sudan to address the political nature of the challenges faced by peacebuilding efforts? The answer was a comprehensive yes.

### ***Elections and referendum***

The elections and referendum are a potential risk to peace and stability challenge. Events in Kenya in 2008, Afghanistan in 2009 and Zimbabwe in recent years have demonstrated that elections can have a highly destabilising effect even in apparently stable environments – especially when they are flawed. The objectives of GoSS in seeking peace and stability may be in tension with holding free elections. The elections and the referendum may also offer a platform for those who wish to see instability and internal conflict in Southern Sudan.

Everywhere in the world the holding of elections can potentially disrupt the business of government. In normal circumstances planning must take place to enable a smooth transition to a returning or new administration following the elections. The same has to take place at the time of the referendum. Planning must therefore take place to ensure continuity of government operations. The Civil Service needs to provide professional and non-partisan advice to a returning or new administration. The role of the civil service is even more important during a transition period to ensure government accountability is maintained. GoSS will need support to make sure transition planning is managed with support from the International Community.

### ***The expectations of citizens***

There are some in Southern Sudan who think that if there is a vote for independence there will be no more tribalism as there will be money and wealth for everybody. Expectations after the referendum could potentially be even higher than those experienced after the signing of the CPA. This could precipitate even more problems if the government is not ready with major projects reaching down to the people in the rural areas. Despite improvements in delivery of basic services, most citizens today fail to see a 'peace dividend' in terms of increasing community security, schools, clinics or roads. Instead they report corruption, tribalism, poor service delivery and inadequate sharing of information and consultation.

GoSS is also aware of growing dissatisfaction with unemployment and slow economic development. For the living standards of the people of Southern Sudan to improve, it is important that there is a shift in focus away from relief and rehabilitation towards economic growth, development and inward investment.

Similarly there is a risk of raising the spectre of renewed conflict where peace conferences are held and promises made that cannot be kept. 'In stable, contemporary states, people expect certain benefits from the state to be provided on an inclusive basis, including security, justice, enabling conditions for the pursuit of economic livelihoods, as well as public services such as education and health care<sup>9</sup>. Commitments made in the interim constitution such as free education and health services are not being met and a government that does not keep its promises will always compromise its relationship with citizens. In the national consultations the message was clear – we know that building a state is not easy, but do not make hasty promises that cannot be kept.

GoSS has also made commitments for responsibilities and resources to be given to the states, but then too few benefits are reaching down to the states and counties. Decentralisation is fundamentally driven by political processes that require time and effort to manage. In addition the pace of transfer of power and resources to the states and counties is dependent upon development of capacities at the lower level and is a high risk process that requires very significant time and effort. Many participants in the national consultation pointed out the dearth of middle management skills in the public service required for the decentralised system to work.

## **Effective international support to national peacebuilding and statebuilding priorities**

### ***Support for leadership and strategic communications***

It is clear to GoSS that it has to think further about how best to develop technical and administrative support for the senior leadership at the centre of government. The Office of the President, and the Ministries of Cabinet Affairs and Presidential Affairs are the key ministries. In common with many other countries the centre of government is strongly hierarchical in which the top carries an excessive load. There is a need to identify areas to improve the management of the high offices, identifying and eliminating unnecessary tasks, staffing or skills shortages, and identifying some management tools that can be implemented quickly to make some visible change to day to day decision making, office management, diary management etc. The centre also suffers from a lack of high quality subject expert advice, available on demand.

Most respondents feel that GoSS's problems are also exacerbated by poor communications infrastructure and a dearth of strategic communications from the centre of government. This was raised in the national consultation by state governments as well in the Vision 2040 document. In the absence of an effective GoSS message, rumours fill the void. The key messages of peacebuilding and statebuilding need to be prepared and disseminated and international support on strategic communications would be very useful.

### ***Better aligning donor support for peacebuilding and statebuilding***

The national consultation addressed a number of questions around donor support for peacebuilding and statebuilding. Do the development partners coordinate and act coherently? Is development assistance a help or a hindrance? Other major challenges in Sudan such as the Darfur crisis and the need to finance major UN peacekeeping missions have meant that Southern Sudan has had to compete for funds even within Sudan. Donor aid flows, as well as falling, have also been unpredictable. The lack of predictability between sectors is particularly perplexing for GoSS.

Coordination between GoSS and the states was also seen as a challenge, with donors agreeing on projects and allocations at GoSS level and not undertaking adequate consultation at state level. It was also suggested in the national consultation that donor agency representatives in country have not been given adequate authority/autonomy to take decisions and allocate resources – they are restricted by more senior yet less knowledgeable officials in Khartoum or in their respective headquarters.

Sequencing is crucial. Consultees noted that many sectors are not receiving support on time and the international community needs to improve its prioritisation. For example, support to the police in Upper Nile where training has not delivered quick results that feed through into increased security. Donors have also advanced support to disarmament of certain groups whilst leaving other tribal groups armed. A weak police service is unable to respond to protect the disarmed communities.

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<sup>9</sup> State Building in Situations of Fragility. Initial Findings, OECD August 2008

The role of the international community in peacekeeping was also raised. UNMIS is operating in big towns with lots of resources. However, it has struggled to protect civilians in rural areas, partly as a result of an unclear mandate (is it active or passive?) which has limited its ability to respond to conflict.

Areas where the international community has not engaged properly include secondary education (which it was argued can lead to unrest), only recently has support to peacebuilding and statebuilding reached Lakes State through recent Sudan Recovery Fund consultations.

There were strong feelings that increased support is required for police training. Counties/local government have been neglected, and there is also room for increased support to the states. There has also been limited support to agricultural productivity.

The latest problem with funding, caused by the GoNU not signing up to the Cotonou Agreement with the European Commission, is another example of how vulnerable GoSS is to international politics and external shocks. Many consultees to the dialogue have also suggested that the development partners need to rethink their current organization as well as think ahead as to what the situation might be after the referendum in 2011.

It is tempting for development partners to want to take the lead on defining mechanisms for support and coordination, especially at a time when past plans and commitments are being revised. However, the GoSS should take the lead on this and set out its own vision of what support it needs, predicated on the GoSS Aid Strategy and the Paris Declaration principles and perhaps backed up by a signed partnership principles document with key donors.

GoSS will work together with development partners on some options over the coming months. Donors therefore may want to reconsider first, among themselves, what are the ground-rules for their own harmonisation. These could include a commitment to mirror whatever structure GoSS chooses for future national planning and policy-making. It should also contain a commitment to align coordination with GoSS' preferred format for donor coordination.

If peacebuilding and statebuilding are to be successfully integrated in Southern Sudan, statebuilding approaches by international actors must find ways to be more sensitive to longer-term concerns of state legitimacy and capacity.

### ***Funding and implementation issues***

A key component of capability is finance. It is not possible to build peace and a strong state without the funds that build the state administration at all levels, provide infrastructure, fund basic services and resolve and mitigate conflict. Whilst there is no doubt that GoSS and the state governments need assistance in implementing projects in all sectors, there is some concern over the extent to which the pooled funding mechanisms and bilateral funds have been successful at building capacity. It may be unrealistic to expect improvements in capacity of Government staff where external technical advisers have been highly focused upon direct implementation.

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. Many organisations claiming to be humanitarian are actually engaged in quasi-statebuilding activities on behalf of the government. However, the short term imperatives of delivering basic services as a 'peacebuilding and confidence building measure' may harm the longer term need to build state legitimacy and ownership. The challenge is to ensure that GoSS retains control over decision-making (meeting its promises made to citizens, setting priorities, where delivery is focussed and to what standard, and by whom), and that citizens *consider them government services*, even though they may be delivered by third parties, and funded in the short to medium term by foreign donors.

The second key issue is the continued need to move towards 'strategic coherence' in and between the pooled funding mechanisms and the aid that is disbursed bilaterally. GoSS has taken the first step in proposing a rational funds framework, requesting that donors align themselves to, but it is now up to the Development Partners to follow suit.

The total money contributed to pooled funds since 2005, including the contribution by GoSS, is \$878

million. The actual money committed, with signed legal agreements in place is approximately \$650 Million. This money is used to support projects that are directly executed by international officials, or through contractors including NGOs. Bilateral funds in 2009 account for 66% of expenditure. GoSS has little control over this money in reality and less than a fifth of all development projects are approved by the Inter-Ministerial Appraisal Committee (IMAC).

There are currently five pooled funding mechanisms. Each funding source has its own particular governance arrangements. Some funds are only accessible by NGOs and civil society organisations. Funds are also earmarked for certain uses such as humanitarian use only. Most funds also have long lead-in times so careful preparation in advance is required to plan ahead. Understanding the different uses and modalities of the funds can be confusing for GoSS and state officials.

There has been much criticism of the set up and management of the multi-donor trust funds. Significant problems were experienced due to the administrative arrangements selected. There were systemic weaknesses in project coordination and project prioritization, and an inadequate capacity for procurement resulting in mis-procurements. In addition, costs in the JAM were significantly underestimated, project cost overruns were experienced, and there was weak project management in certain cases. Some of these problems were related to the performance of the World Bank, the UN and other international partners who struggled to place competent staff in Juba and the states with adequate administrative and logistical support.

GoSS is aware that many international staff based in Nairobi expressed reluctance to actually move to Southern Sudan. International organisations also underestimated the logistical problems where there is insecurity, no roads, no banks, no basic services and very limited human resources.

GoSS recognises that a lack of timely decision making on the side of senior leadership and staff who were simply not used to dealing with the business of government and implementing major development projects has also contributed to failures.

All of the other pooled funding mechanisms have experienced similar and additional problems to a more or less degree. Expectations have been raised that have not been matched by performance.

### ***Support for capacity building***

The national consultation asked 'do we have the capability to build and maintain peace and build GoSS and the other government institutions? By 'we', we mean both the people of Southern Sudan and the development partners who want to support Southern Sudan. 'Capability' is the enduring ability to generate an outcome or effect, shaped by the environment and the contributions of the different partners in Southern Sudan. Its main components are personnel, training, equipment, information, organisation, infrastructure, logistics and the body of knowledge we have access to. This is a broad definition of capability but relevant to Southern Sudan where broader aspects of capacity impact substantially on getting things done. For example there may be very capable and enthusiastic international personnel to support development and peace efforts but with poor communication networks, no vehicles, no aircraft, no infrastructure and unpredictable funding, development projects will always struggle. This has been the case in Southern Sudan leading inevitably to slow implementation.

Capacity enhancement is a recurring theme in Southern Sudan. GoSS understands this to be the process of enhancing, improving or unleashing collective capabilities (GoSS institutional capacity) and development of the individual capacities (government staff), as well as the enhancement of human capacities throughout Southern Sudan. The national consultation agreed that the right institutions are nearly all in place but their capacity is low, as is the capacity of many of the staff in the institutions. 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 ought to be able to define how better cooperation can be achieved between the development partners and GoSS on priorities for capacity building as well as seeking agreed assessments of where the most enthusiasm and receptivity for change exists. It is neither realistic nor effective to develop lists of what the donors want imposed upon unwilling or non-receptive organisations.

The development partners could address immediately the lack of GoSS managers and engineers in the hydrocarbon sector. GoSS remains totally reliant upon the GoNU and international expertise for almost all

critical policy and operations in the hydrocarbon sector. The strategic importance of oil to the southern economy cannot be overstated.

Clearly there is a long way to go before there is an efficient and effective public service, and adequate health and education services. But are there also key gaps in the capability of the international community? Recent evaluation reports have raised questions in many areas of donor support. Indeed, both the UN and World Bank have recognized failings in their own ranks over the last 5 years and pledged to reorient their own organisations, programmes and working modalities. GoSS appreciates the frankness of donor organisations in admitting to their own failings and looks to work closely with donors in improving aid effectiveness.

## **Good governance**

### ***Corruption***

Corruption is a serious obstacle to peacebuilding and statebuilding in Southern Sudan. It is not just about patronage and embezzlement of funds, as it impacts upon the effectiveness and efficiency of governments. Recognising this, the issue of corruption has been discussed at length recently and the President has made strong commitments to deal with this issue. GoSS has also made commitments in the Juba Compact to address it. All are aware of the challenge that widespread corruption can pose to statebuilding. If citizens believe their leaders and administrators are corrupt, the argument goes, then they are more likely to believe the state has little moral authority. However, anti corruption efforts in government never end. Many European governments face dealing with major corruption scandals on a regular basis.

### ***Developing public financial management and a new tax system***

Total reliance on oil revenues is considered a threat to longer term development and building of the state. Oil revenues have represented between 97% - 98% of total government revenue over 2008-2009. Non-oil revenues are estimated at 2% of the 2010 budget. This dependence on oil contributes to high volatility in government revenue, hindering effective planning and budgeting.

Under the Interim Constitution of Southern Sudan and the CPA, non oil revenues are divided between the Government of National Unity, the GoSS and state governments. However, there are ongoing disagreements with the north on implementation of oil and wealth sharing. This has resulted in an ambiguity between the responsibilities of different levels of government that has the potential to undermine both revenue collection and the relationship between state and citizen.

Developing non-oil sources of revenue has the potential to improve effectiveness of government expenditure, and to develop a stronger contract between the state and the people of Southern Sudan.

## **3.4 Good practices and success stories in peacebuilding and statebuilding**

### **Summary**

In this section we look at examples of good practices in the way that development partners, GoSS and other actors support peacebuilding and statebuilding. Some initial examples are listed here and partners are invited to help identify others.

Despite the difficulties of working in Southern Sudan there are apparent success stories. Whilst GoSS and sub-units of government currently have little capacity to directly engage in the full range of service delivery including health, education, water and sanitation, there has been good progress made in developing key institutional capabilities in order to gradually take on this responsibility.

The following good practices and successes were noted by the national consultees

- Reconciliation conferences held and this has helped reduce inter-state conflicts;
- The close working of GoSS, international community and external actors on security issues has brought relative peace in Western Equatoria State. Overall there has been strong progress in the transformation of the SPLA;

- Rehabilitation of some feeder roads has provided access to markets;
- Health programs carried out;
- Vaccination of life stock;
- Provision of clean drinking water;
- Training of Law Enforcement Agencies by UNMIS;
- Capacity building – good examples being skills training in planning, budgeting and payroll systems;
- Provision of scholastic materials to schools;
- Ongoing work on public finances, the work of the Budget Sector Working Groups and the government budget preparation process, and the development of a taxation policy; and
- Establishment of the Sudan Recovery Fund (SRF).

GoSS has managed to organise the basic organs of government in a relatively short space of time, buildings have been refurbished, equipment procured and connectivity between the basic administrative structures established. This has been vital to establish confidence that things can be achieved when everyone works closely together.

#### **Establishing administrative structures**

Within two years the principal governance structures were in place including government ministries and the new civil service. Ten state governments and county administrations were also established. The Legislative Assembly and ten State Assemblies are functioning. Basic planning, budgeting and financial management systems are in place. This was achieved through effective cooperation between GoSS, the World Bank and UN Agencies based upon strong project management, political commitment and prompt decision-making within Government

One of the key state functions that has to be developed is taxation policy. Despite the unpopularity of taxes, the replacement of unofficial, arbitrary taxation systems by state owned and managed processes is regarded as a key state core function. Development of the tax policy is the first priority.

#### **Development of taxation policy**

The 2009 Taxation Act recently enacted by the Southern Sudan Legislative Assembly (SSLA) for the first time provides a comprehensive legal framework for developing a system of tax administration in Southern Sudan. Building from this base, the GOSS can begin the long and difficult process of developing its non-oil sources of revenue. The passing of the 2009 Taxation Act provides a strong foundation for improving the collection of non-oil revenue. Drafting supporting regulations will be a key government activity during 2010, and will concentrate on issues such as taxpayer identification, taxpayer categorization, a tax appeal court, increasing remittance of collected revenues, reducing unauthorized collection and minimizing inefficient exemptions. Regulation will be supported by closer collaboration between the Government of Southern Sudan and the ten state governments to reduce unauthorized collection at inland checkpoints and to improve coordination between tax collectors from different levels of government. Reducing the negative effects of inefficient taxation administration is a key component of the GoSS Growth Strategy that is currently under development. In the long run, the Government of Southern Sudan will move away from a dependence on direct collection of taxation and towards increased self assessment, both to help build the state-taxpayer relationship and to reduce the cost of collection.

As noted previously, significant advances have been made in many areas of public financial management since the signing of the CPA. The advances in integrated planning and budgeting were set off early by the establishment of the Budget Sector Working Groups which provided a forum for GoSS and implementing partners to meet and discuss priorities.

### **Budget Sector Working Groups and the government budget preparation process**

Significant progress has been made on planning and budget process. In order to support the strategic planning process in Southern Sudan, the Ministry of Finance and Economic Planning took the lead in setting up Budget Sector Working Groups in 2006. The ten Groups have prepared budget sector plans for the period 2010-12. The Budget Sector Working Groups are the main body for government wide coordination and planning (including aid-coordination). Ministry of Finance and Economic Planning plans significant improvements to strategic planning including new guidance on preparation of sector wide plans as input to a new national strategic Planning process

With regard to security, it is widely agreed that great improvements have been made in professionalising the SPLA which is vital for establishing and maintaining peace and stability.

### **Transformation of the SPLA**

Much progress has been made on transforming the SPLA into an efficient, professional disciplined, armed force. Transformation of the SPLA now includes consideration of right sizing and reform, changing what was a guerrilla force into a modern army under democratic civilian control. In addition to undergoing reform, the SPLA and the GoSS organised forces have integrated 59,000 combatants from 12 armed groups Throughout these processes, peace and security has, by and large, been maintained.

Targeting funds to address key high priority peace and stability objectives has been assisted by the setting up of a dedicated fund. The Fund is now evolving to focus very specifically on improving security at the local level through community led projects. Whilst all recognise that it is probably too early to pass comment on the success of the Fund most consultees believed it is the correct approach.

### **Sudan Recovery Fund (SRF)**

The fund aims to accelerate recovery in Southern Sudan through high- impact, quickly disbursed programme focuses on four key areas: a) consolidating peace and security; b) delivering basic services; c) stabilizing livelihoods; and d) building capacity for decentralization and democratic governance. The fund began in 2008 and within a year, around 20 million USD had been allocated to initiatives which promote agriculture and income generation in rural areas. A total of 2.5 million USD was later made available in the form of small grants for local NGOs and community based organizations. In early 2009, donors requested a revised allocation strategy ("Phase III") and, after consultations with donors, the Ministry of Finance and Economic Planning, and other key stakeholders, the decision was taken to refocus the Fund so that it concentrates specifically on the important issue of improving security at the community level, in priority areas affected by conflict.

In addition, the national Consultation process has been greatly appreciated by those who participated in the process. GoSS has been requested to roll out further consultations at the state level.

# 4 Conclusions and recommendations

## 4.1 Country specific recommendations

### Country specific recommendations

GoSS has recognised the value of focussed consultations and the importance of *improving dialogue and communications* as a key component in both consolidating the fragile peace and statebuilding. Successful implementation of new approaches and ideas will require the awareness and support of public servants, civil society, the private sector, donors and other international organisations. *An open debate is the best way to capture opinion and generate new ideas around the issues of peacebuilding and statebuilding.*

The National Dialogue focussed attention on the need for government and the international community to *consult more widely on national priorities*, sending a clear message internally and internationally that Southern Sudanese are making their own realistic choices about the kind of country they are building. This will mean *using the planning process to focus government and citizens on a set of affordable national objectives*, in readiness for statehood. Once national priorities are agreed they need to be *communicated*.

*Preparing a vision or a 'national agenda' is a very good way of expressing clearly exactly what the country faces now and where it wants to be in say 10 or 20 years time.* The strategic goals of Southern Sudan might seem too obvious to state, but in fact there is no single, published document which provides a comprehensive, integrated picture of where Southern Sudan sees itself in the long term and specifying the strategic goals required to fulfil the vision. The vision or national agenda should then drive the government's sector strategies, and the policies and programmes of individual ministries and agencies; and should provide a yardstick against which to measure the government's performance.

It is recommended that GoSS works together with development partners to *develop a single improved strategic planning mechanism so that priorities can be more readily identified and agreed*. But the institutional changes required to support it can take many years to develop and partners need to exercise strategic patience. A proper plan for supporting this effort is required from the outset. Ambitions should be realistic, strategic objectives need to be achievable and expectations set accordingly.

*Disarmament of armed groups and civilians* emerged as one of the principal recommendations of the Consultation. Renewed efforts are sought to tackle this very difficult task. In parallel with disarmament the *building of a professional army and police service* is extremely important.

*The importance of national reconciliation and full representation* of all Southern Sudanese peoples in politics and government was also almost universally endorsed. It is recommended that GoSS speeds up the process of national reconciliation

No state can function without resources, in this regard all consultees aspired for the government to put all possible efforts to *grow the non oil economy* so that all citizens will have access to a productive means of living.

All consultees stressed the need to *keep up pressure to implement the CPA* together with the

government in Khartoum, as far as is possible.

It is recommended to improve state government capacities. *Donors should work closely with relevant central government institutions to improve state level accountability and service delivery outcomes through greater government and community participation.* The aim would be to demonstrate how an increased role for government at the district level can improve service delivery and governance and boost its overall credibility and legitimacy. Principal areas for focus could include:

- Examine in more detail what state administration currently does and what it could achieve with additional international support and increased funding – with a focus on service delivery planning and monitoring
- A detailed analysis of what funds are going where at the state level, outputs achieved and local / 'bottom-up' perspectives from states, counties on some of these services. Analysis of the data may highlight a number of recommendations to improve service delivery and impact of development funds

## **4.2 Recommendations and key questions for the International Dialogue**

Many UN peacekeeping operations are mandated to design and implement urgent early peacebuilding tasks, including basic safety and security issues, rule of law, Disarmament Demobilisation Reintegration (DDR), security sector reform (SSR) and mine action programmes. These critical peacebuilding tasks need to be clearly linked, integrated and sequenced with the other core early actions required to deliver the peace and rebuild the state including negotiated local peace agreements, delivery of urgent basic services, establishment/restoration of core government functions, and economic growth. The strategy should clarify the respective roles and activities of all the key actors, necessary sequencing, and within a framework of national ownership.

**It is extremely important that an early-integrated peacebuilding strategy is prepared by all participants in the immediate aftermath of conflict. This will help national stakeholders lay the basis for a transition to sustainable peace. The requirement is for all actions to be integrated including UN initiatives, AU and other peacekeeping organisations. Such a strategy may include reference to the Millennium Development Goals (MDGs) but not be solely predicated upon them.**

The lack of a clearly articulated and integrated national agenda or vision undermines governments' ability to communicate policies and programmes to citizens and international partners, and to demonstrate how individual policies and programmes add up to a coherent whole. Without such an agenda, it is also difficult to measure any government's performance, and to assess whether they are achieving their policy objectives.

**Preparing a vision or a 'national agenda' is a very good way of expressing clearly exactly what the country faces now and where it wants to be in say 10 or 20 years time. The vision or national agenda should then drive the government's sector strategies, and the policies and programmes of individual ministries and agencies; and should provide a yardstick against which to measure the government's performance.**

States have to be honest with themselves regarding their ability to manage and implement donor supported programmes and move peacebuilding, statebuilding and development along at a pace commensurate with citizens' expectations. Capacity building projects are highly susceptible to failure and generally only succeed where there is strong leadership and support from the host government.

**Capacity development initiatives have to be developed jointly with the government based upon agreed assessments of where the most enthusiasm and receptivity for change exists. It is neither realistic nor effective to develop lists of what the donors want imposed upon unwilling or non-receptive organisations.**

Building capacity of the state to deliver basic services is very difficult when international and national NGOs are competing to submit projects and gain funding. Many organisations claiming to be humanitarian are actually engaged in quasi-statebuilding activities on behalf of the government. However, the short term imperatives of delivering basic services as a 'peacebuilding and confidence building

measure' may harm the longer term need to build state legitimacy and ownership.

**It is important to design projects in a way that ensures the government retains control over decision-making (meeting its promises made to citizens, setting priorities, where delivery is focussed and to what standard, and by whom), and that citizens consider them government services, even though they may be delivered by third parties, and funded in the short to medium term by foreign donors. Such projects, mostly funded by donors should wherever possible be designed as tripartite agreements involving the UN, NGO, government and the donor.**

# Annex A – Methodology

## Objectives of the country consultation

The objectives of the national consultations are to:

- Identify peacebuilding and statebuilding priorities at country level, as well as their inter-linkages, as a basis for preparing a framework for international objectives;
- Identify critical bottlenecks to effective international assistance at country level for consideration by the International Dialogue;
- Gather country-specific good practice and success stories to facilitate a sharing of country-level peacebuilding and statebuilding experiences; and
- Share knowledge, insights, and experience with different country-specific planning modalities and processes for identifying peacebuilding and statebuilding priorities.

## Approach and process

The International Dialogue Southern Sudan country level consultation was launched on the 16 November. Around 60 participants gathered in Juba. The keynote address was made by His Excellency David Deng Athorbei, Minister of Finance and Economic Planning. The Director of Aid Coordination Mr Moses Mabior also presented the background, objectives and processes for the in-country consultations and the relationship to the International Dialogue.

Shortly after the launch, the international expert Mr Greg Wilson visited Southern Sudan from the 20 November to the 4 December 2009. In total more than 40 people were interviewed and participated in group discussions.

From 24-25 February the national consultation took place in Juba with nearly 100 participants, including State and County representatives from all over Southern Sudan.

## Acknowledgements

The Government of Southern Sudan (GoSS) would like to express its gratitude to the OECD and UNDP for technical and financial support in undertaking the national consultation Exercise. GoSS has been assisted in drafting this paper by an international consultant, Mr Gregory Wilson, who also assisted with key stakeholders consultations in close collaboration with GoSS designated focal points

# Annex B – List of people consulted

## Participants in GoSS and state consultation on the International Dialogue on peacebuilding and statebuilding (24-25 February 2010)

Name	Organisation	Name	Organisation
<b>Upper Nile State</b>		<b>West Bahr El Ghazal State</b>	
Mr David Biel Malout	MOFEP	Mr Richard Biajo	MOFEP
Mr Sawelor Wal Nguot	MoFEP	Mr Roman U Luoc	MOFEP
Mr Ezekiel Nyataiyg Acwil	Local Govt.	Mr Lino Agostino Adam	M.L. Public Service
Mr Tabitta Gwang Awok	Min. of Gender	Ms Karmela Agostino	Legislative Assembly
Mr Germano Ggwang Andrew	Civil Service Commission	Mr Malik Adam	Local Govt.
		Mr Khidir A Majed	MOFEP
		Mr Stephen Andrea	MOFEP
<b>Unity State</b>		<b>North Bahr El Ghazal State</b>	
Mr Okony Boj Yomon	M.LPS&HRD	Mr Michal Achirin	MOFEP
Mr James Chiang Pouch	Local Govt.	Mr Clement M Uprin	LGA
Ms Sana Abdella Hussan	Ministry of Gender	Mr Ronald Ruay Deng	MOFEP
Mr Peter Gatloth Tut	MOFEP	Ms Najad Yusuf Tamim	MOFEP
Mr John Juan Dong	CUUNDC	HE Jaqueline N Benjamin	MOFEP
<b>Warrap State</b>		<b>West Equatorial state</b>	
H H Bedqu Yay	MoFEP	Hon Grade Apollo	M of Gender&SW
Hon Thian Nhial	MOFEP	H Echarles Abdu N	MOFEP
Mr Eusebiw Deng	MOFEP	Hon Joseph Russi	SLA
Mr Bol Duop Bak	MPAS	Mr Daniel Amosa Tobia	MOFEP
Mr Duer Ben Duer	M of Public Service	Mr William Mauo	M of LPT+HRD
		Mr Hassan	MOFEP
		Mr Pasquall Kazine	MOFEP
<b>Jongolei State</b>		<b>East Equatoria State</b>	
Mr Duom Kual Ageer	MoF	Mr Ayreol Kayumba	MOFEP
Mr Ajici Manyok Ajwk	Legislative Assembly	Mr Abdalla Hassen Famai	Local Govt
Mr Benjamen K Akol	M.of L.Public Service	Mr Arkenglo Rino Loremo	MOFEP
Ms Elizabeth Joseph	JSWA	Mr Vigilio Oryen Labalu	M of Public Service

Name	Organisation	Name	Organisation
Mr Beshir Deng	Local Government	Mr Jeobrey Von Dhoo	MOFEP
Mr Abot Abraham	MOFEP		
<b>Lakes State</b>		<b>Central Equatoria State</b>	
Mr Gordon Matot Tut	Ministry of Finance	Mr Vitor Leju Kato	D/director of Accts
Ms Agum Joseph Kur	Women federation	Mr Rahaman Jua Boy	CES
Hon Mario Deng Bol	Ch/ P finance LSLA		
Mr Arkanjelo Adok	Ministry of Finance		
Mr Tito Lueth Aher	Ministry of Finance		
Mr Maker Majak	Ministry of Finance		
Mr Mathew Mabor	Ministry of Finance		

Name	GoSS	Organisation
H E Dr Riek Machar		VP of Southern Sudan
H E Dr B M Benjamin		Min. of Com & Trade
H E Luka Manoja		Minister of Cabinet Affairs
H E Agnes K Losuba		Minister of GSW&RA
Ms Alice Oiato		IRC
Mr Michael Elmquist		JDT
Mr Martin Manyang		MOEST
Mr Bona Thiang Thiep		MOFEP
Ms Lwiza M Keer		MOFEP
Ms Tamara Van Vher		UN
Mr Moses Mabior		DVACMOF&EP
Mr Santino Majak Deng		Ministry of Gender & S/Welfare
Mr Anseioie Saojki		UNDP
Regina Kwaje Gorle		Miraya FM
Mr Dkuna Joe Abert		SS Radio
Mr Wek Majok Kuek		MOFEP
Mr Martin M Matueny		MOFEP
Mr Michael Bida		MOFEP
Mr Martin Peter		Media
Mr Dirk Jan		JDT
Mr James Morris		SS TV
Mr Yasulito Munakami		Embassy of Japan
Dr Sirisio Oromo		University of Juba
Prof Simon Monoja		University of Juba
Mr John Bennett		ITAD

Name	GoSS	Organisation
Mr Hiasashi Izumi		UNDP
Mr Deer Takpiny		MRC
Mr David Saunders		UNDP
Mr Freddie Carver		JDT
Mr Liz Gaere		MOPA/UNDP
Mr Stein Elik Horjeu		Norwegian Consulate
Mr Bida Emmanuel Francis		MOFEP
Ms Madelena Mouga		UNDP
Ms Asha Arabi		UNDP
Mr Ibrahim Koroma		MOFEP/UNDP
Mr Charlis Chol Nyog		MOFEP
Mr Dan Effe		UNDP
Mr Marchello Lado		SRF
Mr Lee Crawford		MOFEP
Mr Peter Linford		MOFEP
Mr Nick Travis		MOFEP
Gregory Wilson		OECD consultant
Ms Carmela Agustino		
Mr Peter Hammink		USAID
Mr Anselme Sadiki		UNDP
Mr Joe Feeney		UNDP
Mr Ludoviko Lual Aken		SSLA
Mr Geoff Handley		MOFEP
Mr John K Eyobo		MOFEP
Ms Hellen Charinga		MOFEP
Mr Alinazac Alinazac		UNDP
Mr Richard Efil		MOFEP
Stephanie von Westrap		JDT

### Participants in first consultation (November - December 2009)

Name	Position	Organisation
Ibrahim Koruma	Aid Management Adviser	UNDP
Geoff Handley	Planning and Budget Adviser, MoFEP	UNDP
Buol Lual Mayeu	Deputy Director	Ministry of Finance and Economic Planning
Bida Emanuel Francis	Senior Inspector	Ministry of Finance and Economic Planning
Philip Okin	Chief Technical Adviser	Southern Sudan Peace Commission
Ben French	Economist	ODI Fellow in MoFEP

Name	Position	Organisation
Ms Mandisa Mashologu	Team Leader, Poverty Reduction and MDGs Unit	UNDP
Ketil Vaas	Policy officer, Education	Joint Donor Office
Emily Alexander	Policy officer, Governance and Rule of Law	Joint Donor Office
Anthony Badha	Policy officer, Water and Sanitation, Nutrition, Basic Services	Joint Donor Office
Anne Lindberg	Team Leader, Basic Services	Joint Donor Office
Richard Okot	Policy officer, Governance	Joint Donor Office
Julius Court	Deputy Head	Joint Donor Office
Michael Elmquist	Head of Office	Joint Donor Office
Stephanie von Westarp	Policy officer	Joint Donor Office
Kate Louwes	Team leader, Basic Services Fund	BMB Mott McDonald
Jesus Orus Baguena	First Counsellor, Head of the EC Juba Office	Delegation of the European Commission to the Sudan, Juba Office
Paul Koulen	Head, Sudan Recovery Fund, Technical Secretariat	UNDP
Peter Biar Ajak Deng	Consultant Economist	The World Bank
Laurence Clarke	Manager, Southern Sudan Programme	The World Bank
Clement Laku Clement	Manager of Rajaf ECB	Ministry of Gender, Social Welfare and Religious Affairs
Cosmas A Abolou	Director of Physical Rehabilitation Reference Centre	Ministry of Gender, Social Welfare and Religious Affairs
Nathan Wojia Pitia	Under Secretary	Ministry of Gender, Social Welfare and Religious Affairs
Dr Julia	Under Secretary	Ministry of Parliamentary Affairs
Isaiah Chol Aruai	Chairperson	Southern Sudan Centre for Census, Statistics and Evaluation
David Gressly	Head of Mission, Southern Sudan	UN Mission in Sudan
Dr Cirono Hiteng Ofuho	Under Secretary	Ministry of Presidential Affairs, Office of the President
Christopher Rampe	Senior Adviser	Adam Smith International, Security Sector Development and Defence Transformation Project
Roger Usher	Project Manager	Adam Smith International Security Sector Development and Defence Transformation Project
Ruth Buckley	Senior Program Officer	USAID Sudan
Kim Maynard	Program Officer	OTI, US Govt
Jeremy Gustafson	Team leader, Economic Growth	USAID Sudan
Pam Fessenden	Food Aid and Food Security	USAID, Sudan
Lise Grande	Deputy Resident and Humanitarian	United Nations

Name	Position	Organisation
	Coordinator	
Mr Aggrey Tissa	Under Secretary, Economic Planning	MoFEP
Liz Gaere	Senior Adviser, Min of Presidential Affairs	UNDP
Adam Bouloukos	Country Director	UNOPS
Joe Feeney	Head of Office Southern Sudan	UNDP
David Saunders	Head BCPR	UNDP
Moses Mabior Deu	Director of Aid Coordination	Ministry of Finance and Economic Planning

# Annex C – Southern Sudan peacebuilding and statebuilding framework (draft)

## **Southern Sudan: A new peacebuilding and statebuilding framework for action 2010 - 2014**

The national consultation meeting compiled the following framework setting out immediate (short term) and longer term priorities for peacebuilding and statebuilding in Southern Sudan. For each goal, the desired end-state is set out and then activities listed. Most participants agreed that in the Southern Sudan context it was difficult to separate the 'peace' from statebuilding objectives.

### **(1) Mutual support for, and understanding of, the vision for Southern Sudan**

- Ability of the people to choose the future for themselves and understand the choices and implications;
- Clarity as far as is possible on what the people aspire to and are trying to achieve, a single strategic aim, linked to unity of purpose and effort; and
- Maintaining a strong focus on what is absolutely necessary to meet the vision.

Short term	Long term
Agree the 'Vision 2040' for Southern Sudan	Develop strong bilateral and multilateral relations with the international community
Fully implement the CPA and all its provisions	Develop a deeper and shared vision for Southern Sudan, and a monitoring mechanism
Develop a new National Strategic Plan for Southern Sudan	Improved communications and information between and within all levels of government
Agree arrangements for the post referendum period and communicate with the people of Southern Sudan clearly	Articulate and implement 'Vision 2040' through the budget process
Engage with the International Community to recognise the possibility of a new state post referendum – and be prepared to recognise the state	Long term commitment and support from the international community to help developing Southern Sudan

### **(2) Basic safety and security**

- Ability of the people to conduct their lives without fear of violence and insecurity; and
- Capacity and willingness of the state to protect the population and deal with internal and external threats in a proportionate way.

Short term	Long term
Immediate and effective DDR in all states	Transform the SPLA into a modern efficient disciplined army under civilian control
Quick infrastructure investments – but build for the long term	Enforce Law and order equally throughout Southern Sudan
Immediate training for the security forces with a focus on elections and post election security	Educate citizens to respect law and order
	Keeping southerners united is the way forward towards facing all challenges.

### (3) Peaceful resolution of conflicts and equal access to justice

- Ability of the people to have equal access to a system of justice that resolves disputes fairly, protects their human rights, and holds all people accountable for their actions;
- Capacity and willingness of the state to contain and resolve conflict, and hold wrong-doers to account through impartial, equal application of the law.

Short term	Long term
Hold community peace conferences and follow up on the results	Promote systems for good governance
Finalise internal and frontier border demarcation	Increase awareness of all peoples of Southern Sudan in the rule of law
Engage local chiefs	Establish justice systems and competent courts
Develop community education programmes	Build the legal faculty in the University of Juba
Border demarcation not only between North and South, but also between states and counties.	Building strong civic education and making it to be part of the schools curriculum.

### (4) Inclusive political processes

- Ability of the people to share and compete for power through non-violent political processes; and
- Capacity and willingness of the state to respond to the changing demands of society, and ensure that leaders are selected through fair, inclusive and participatory processes.

Short term	Long term
Implement the CPA	Building strong civil society
Immediate election awareness and promotion of a free, fair, democratic election	Building a strong system of democratic governance
Ensuring a credible Election Commission	Strengthen media legislation and promote a strong media
Improved government communications	Develop and promote a system for free and fair operation of political parties
Fair sharing of the wealth in Southern Sudan	Putting in place a strong constitution that makes it difficult for any person to overthrow a democratically elected government.

## (5) Efficient and effective central (federal) and local government

- Ability of the people to benefit equally from core functions and quality services that are provided or regulated by the state;
- Capacity and willingness of the state to raise and spend revenues in an accountable way, and meet the expectations of their population through the delivery of services.

Short term	Long term
Key government policies communicated to all levels of government	Capacity building for all levels of government
Pass legislative framework for revenue and public financial management including tax, audit, public service	Implementation of remaining legal and regulatory framework
Create awareness of the Appropriations Act	Rollout public financial management systems to the states and counties
Ensure 2011 budget preparations considers all scenarios post CPA including military, civil servants	Build capacity of legislative assemblies to hold Executive to account
Begin transition planning for the government for the post election period	Participatory plan-making process in which all the states are involved.

## (6) Sustainable economy

- Ability of the people to pursue opportunities for livelihoods within a system of economic governance bound by law;
- Capacity and willingness of the state to provide a regulatory framework for inclusive economic growth and employment.

Short term	Long term
Develop short term employment opportunities	Improve transport infrastructure
Provide a better environment for private sector to operate	Increase support to industries that export
Focus on the agricultural sector	Better management of resource wealth
Government to support business through developing micro finance	Develop a market economy
Improving food security through investing in the agriculture sector	Reduce reliance upon oil, develop agriculture Making long term plan to create green revolution like the one in some Asian countries
	Improve banking system.

## (7) Social harmony and cohesion

- Ability of the different peoples of Southern Sudan to live and coexist peacefully, where different groups are able to address the legacy of past abuses;
- Capacity and willingness of the state to prevent discrimination and exclusion of particular groups in society, and foster social harmony.

Short term	Long term
Education should emphasise Southern Sudan's history of peaceful co-existence	Ensure government staff are posted around the country
Encourage inter cultural activities	Use inclusive sport to promote diversity
Develop boarding schools to mix cultural groups	Promote equal opportunities in society especially for women – and implement equal rights legislation
	Respect and celebrate diversity, equality of justice, freedom of religion
	Develop a fair land policy
	Agree a single national language and appropriate curriculum development
	Train community leaders to help with mediation
	Develop long term programmes which will involve media houses and school curriculums to help educating the general public to forget the past bad experience.

Note – all groups found it difficult to separate out short from long term activities. All recognised that promoting social cohesion was a long term process.

#### **(8) Regional stability and co-operation**

- Ability of the people to enjoy the benefits of living in a peaceful region or neighbourhood;
- Capacity and willingness of the state to maintain constructive relations with its neighbours and the wider region, and contribute to regional stability and cooperation.

Short term	Long term
Establish bilateral relationships with neighbouring countries	Develop free trade agreements
Resolve external border issues	Full participation in regional organisations
Reach agreement on management of Nile Water basin	Join the Commonwealth
Secure observer status seats on regional blocks	Long term plan to be made to help the border tribes to learn how to live together
Obtain new treaty on management of oil and associated infrastructure.	

# Annex D – Some of the questions discussed in the national consultation

## Implementing security and stability

- How can the International Community best provide support to host governments in implementing improved urgent early basic security and safety measure whilst maintaining stability? What are the main bottlenecks to deliver this support and how can they be overcome?

## Establishing a vision

- How important is it to have a clear vision for peacebuilding and statebuilding – an opportunity for people to clarify their choice for the future for themselves and understand the choices and implications?

## The expectations of citizens

- How can development partners and host governments step up delivery of a positive peace dividend to local communities and persuade them that the peace is worth preserving?
- How can citizens' expectations be managed in a more strategic way?
- Which strategies work best to bring about a step change in the level of support for the lower levels of government?

## Support for leadership and strategic communications

- How can the international community strengthen the support to central leadership in a way that does not compromise leadership by the host government?
- How can host government strategic communications be improved to support peacebuilding and statebuilding?

## Support to political processes

- How can the international community, through development policies, contribute to building the legitimacy of host governments?
- Is the balance right in the use of international development funds and the definition and design of appropriate projects to support political processes?
- How can development projects help improve the security situation by addressing forthrightly the political dimensions? And at least, how can they avoid exacerbating conflict and do no harm?
- Perhaps more importantly how can interventions help create an “enabling environment” for fostering state resiliency, and under which conditions?

## **Corruption**

- What are the top priorities to address corruption, both perceived and real, recognising that not everything can be done at once? What do citizens most expect to be dealt with regardless of short term needs to 'buy' support to maintain peace?

## **Better aligning donor support for peacebuilding and statebuilding**

- How might peacebuilding and statebuilding priorities be aligned in a way that achieves convergence in the needs of the international community and the host government?

## **Capability**

- What are the top priorities for capacity development to support agreed peacebuilding and statebuilding priorities?
- Is there a need to have more dedicated projects for capacity enhancement? If so, what sort of capacity enhancement is most important at the decentralised level?
- How can we ensure that security institutions have the capacity to address the different security and justice needs of women, men, boys and girls as well as gender-based violence?

## **Funding and implementation issues**

- What can be done to ensure that international project implementation personnel work closely with their government counterparts? What blockages exist and how can these be overcome? Is it just poor working conditions and low internet connectivity that prevent closer working?
- Building capacity of the host country to deliver basic services is very difficult when many international and national NGOs are competing to submit projects and gain funding. How can service provision by non state actors be better configured to support the government's objective to be seen as the provider?
- To what extent are the current pooled financing mechanism now fit for purpose?
- How can the 'standard' funding mechanisms be improved to be better aligned with statebuilding and peacebuilding objectives? Could this be achieved by an effort in the donor community to simplify and harmonise their support mechanisms?

## **Developing alternative revenues to that received from oil and other natural resources**

- How can host governments develop alternative growth strategies that quickly address the needs to generate gainful employment opportunities and long term growth?