

# SOUTH SUDAN

## A POST-INDEPENDENCE AGENDA FOR ACTION

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**Save the Children**



# SUMMARY

On 9 July 2011, amid scenes of joyous celebration, the Republic of South Sudan became Africa's 54<sup>th</sup> state. The world's newest country is also one of its youngest: over half the population of 8.26 million is under the age of 18, and 72% of its people are less than 30 years old. After a brutal war that often affected children worst, the single best investment in South Sudan's future is to address the development needs of the country's children.

South Sudan has made major progress during the six-year transition period since the Comprehensive Peace Agreement in 2005 heralded the end of a devastating decades-long war between North and South. The new country now has a legislative assembly and a nascent police force. Four times more children are now enrolled in primary school compared with 2005. On 11 January 2011, in a largely peaceful referendum, the people of South Sudan voted overwhelmingly – by 98.3% – in favour of independence.

Now South Sudan is working, in the words of its president, Salva Kiir, “to give to our children what the war took away from us: peace, rule of law, food, security, healthcare, good education, running clean water, electric power and the opportunity to pursue happiness and prosperity.”<sup>1</sup>

But the moment of opportunity that independence represents is also a moment of enormous threat: South Sudan is starting life facing challenges that are both massive and urgent. In order to meet these challenges, it is imperative that the country's oil – which accounts for 98% of domestic revenues – is used well, and that the international community applies the positive and negative lessons of post-conflict reconstruction – both from the six years of the Comprehensive Peace Agreement within South Sudan, and from efforts in other post-conflict low-income countries.

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## The legacy of war

South Sudan has been scarred by conflict for more than 40 years. In the last 20 years, the conflict claimed at least 2 million lives,<sup>2</sup> caused the displacement of more than 4 million people,<sup>3</sup> and destroyed what little infrastructure existed in an area that has suffered a history of underdevelopment.

Generations of South Sudanese, including the children of today, have been brought up in conflict, with little experience of peace. In the mass displacements that occurred as people fled fighting, many children became separated from their families.<sup>4</sup> Approximately 50,000 children were orphaned during the last 20 years of the war alone, while another 170,000 lost contact with their biological parents.<sup>5</sup> Weapons of war wrought particular damage on children, leaving large numbers disabled<sup>6</sup> or psychologically damaged, either from witnessing violence or from the wider effects that war had on

their homes and families. As many as 17,000 children were associated with armed groups, with many of them directly involved in fighting at the height of the conflict.<sup>7</sup>

The war seriously disrupted the provision of basic services on which children depend – from healthcare, clean water and a steady food supply, to education. Today, just 40% of men and 16% of women are literate, while functional literacy is likely to be much lower.<sup>8</sup> The fact that the country's workforce, its civil service, and its new generation of leaders will be drawn from a population with low levels of literacy has dramatic implications for forming a new country.

## The post-independence challenge

The challenge for South Sudan is one of **construction rather than reconstruction**. In human development terms, South Sudan is one of the poorest countries on earth. Chronic violence and insecurity still affect large swathes of the country, eroding the fragile development base and creating urgent humanitarian needs. The provision of essential services such as education, health and water remains very limited. This is compounded by a lack of infrastructure, which restricts access to both services and markets that could aid economic development. The majority of the population struggles to survive on less than 2.5 Sudanese pounds a day – equivalent to \$0.83.<sup>9</sup> People returning to South Sudan in their hundreds of thousands, predominantly from the North, are contributing to a growing demand on already overstretched essential services.

**“Even though people claim we are at peace, we are not”**  
**Secondary school student, Juba**

South Sudan's population has extremely high expectations for independence. There is a genuine risk that tensions will rise if expectations are not met – or if people perceive that peace dividends are being shared unequally. This risk is made more dangerous by the widespread possession of small arms. Failure to meet the development and security needs of South Sudan's children will carry a high human cost. It is also likely to have serious implications for the future stability of both South Sudan and the wider sub-region.

**“People think that a miracle will happen on independence”**  
**Government official, Juba**

## Setting the agenda

Save the Children is one of the largest international NGOs in South Sudan, with experience of working in the area since 1991, including in some of the most severely affected conflict zones. We currently have programmes in nine of South Sudan's ten states, including all border states. These programmes cover nutrition, community- and facility-based healthcare, water and sanitation, livelihoods and food security, education, child protection, children's rights and emergency response.

This report is based on data and experience from Save the Children's direct programming, as well as on discussions with schoolchildren in Juba and on interviews with community members in villages where Save the Children has programmes. In addition, key informant interviews were carried out in Juba and London with senior ministers, the UN, development experts, donors and SC technical staff. A literature review was also undertaken as part of the research for this report.

Save the Children is calling for the following actions to be taken:

## **1. Peace and security**

- The government of the Republic of South Sudan<sup>10</sup> should ensure all areas of conflict in South Sudan are accessible to aid agencies, and allow agencies to negotiate with all armed groups to ensure their access, so that South Sudan's children are not again left in danger and without life-saving services.
- The international community should support peace-building efforts within South Sudan, both through providing the new UN Mission in South Sudan with the mandate and logistical capacity to deploy where necessary, and through support to national civil society organisations, including the churches.

## **2. Governance**

- The government of the Republic of South Sudan should ratify the UN Convention on the Rights of the Child, invest in institutions to monitor and report children's rights violations, and implement in full the 2008 Child Act, as a part of a commitment to the realisation of children's rights in South Sudan.
- The international community should invest in governance structures and promote institutional development in South Sudan that will facilitate the rule of law, including the development of juvenile justice mechanisms.

## **3. Human development**

- The government of the Republic of South Sudan should ring-fence a fixed share of oil revenues for a national 'child development fund', focused on free, universal access to essential services. Such a fund would demonstrate a commitment to sharing the benefits of independence equitably, and would help lay the foundations for future economic and social development.
- The government of the Republic of South Sudan should identify and commit to a limited number of 'quick wins' over the first two years of independence, in health, education, nutrition, protection and other key areas, which demonstrate tangible progress to the citizens of South Sudan.
- The international community should scale up support for the achievement of universal primary education, and increase investment in secondary education, in order to build the human capital base of the country.
- The international community should ensure that there is no gap in funding for essential services between when the current pooled funds run out in late 2011/early 2012 and when the new post-independence funding mechanisms start up.

# 1. PEACE AND SECURITY

Chronic violence and insecurity still affect large swathes of South Sudan, eroding the fragile development base and creating urgent humanitarian needs. Between January and May 2011, close to 200 conflict incidents were recorded within South Sudan. Thousands were killed in this fighting and 116,000 people were displaced.<sup>11</sup> The conflict in Abyei in May and June 2011 caused the displacement of as many people again.

While South Sudan is relatively rich in resources – from oil to fertile land and minerals – competition over and access to these resources is a key source of intra-South conflict.<sup>12</sup> In January 2011, 90% of *payams* (administrative districts) surveyed across six states reported conflicts over water, as “there are too many people and not enough water.”<sup>13</sup> Land is increasingly another source of dispute.<sup>14</sup>

Competition over resources often manifests itself along tribal lines. The country has more than 52 tribes, with complex relationships and often a history of mutual distrust and suspicion. Perceived inequality in access to political, social and economic opportunities feeds these rivalries,<sup>15</sup> with tribalism often being used as a ‘political tool’.<sup>16</sup>

**“My biggest fear is when the outbreak of war comes back again – this time from the Southern Sudanese ourselves, since at the moment our hearts are still not one. We still go through tribalism, land grabbing and cattle raiding.”**  
Secondary school student, Juba

There is a particular risk of young men taking up arms along tribal lines or joining militias.<sup>17</sup> They have grown up during years of violent conflict and now face an uncertain future. Viable livelihoods are scarce in South Sudan. More than 80% of the population live in rural areas, but agriculture is only practised at a subsistence level, and agriculture receives less than 2% of the national budget. People in South Sudan are concerned that those jobs that do exist are awarded on the basis of tribal connections rather than merit.

Compounding this issue are the thousands of small arms and light weapons easily available across South Sudan.<sup>18</sup> These have made raids, banditry and militia attacks easier to carry out and more violent.<sup>19</sup>

**“In Juba, you fear at night to study. Thieves who have guns might think you have seen them if you are not asleep.”**  
Secondary school student, Juba

## The effects of conflict on children

The risks for children caught in South Sudan’s conflicts are varied and complex. While the SPLA (Sudan People’s Liberation Army) has released the majority of the children who remained in its

forces after the end of the war,<sup>20</sup> armed non-state actors are still reportedly recruiting children to their ranks.<sup>21</sup> Whether children are forced to fight or to support armed actors in non-combat roles, the physical dangers of war are high. The psychological effects – while less visible – can be equally devastating.

Conflict-induced displacement puts children at risk as well. As people uproot their lives to flee violence, children can become separated from their families, making them more vulnerable. They often have to walk for days, and lack of food and drink can make them vulnerable to illness and even death. Leaving home also means leaving school, depriving children not only of opportunities for development, but also the normality and stability that children need.

Even if conflict does not result in displacement, it can disrupt the provision of essential services, from education and healthcare to a steady food supply. Aid agencies in South Sudan often have to suspend their provision of basic services when conflict flares up, as has already happened on a number of occasions this year.<sup>22</sup>

In South Sudan, inter-tribal conflict can result in the abduction of children.<sup>23</sup> In 2010, 138 children were abducted in 2010 during inter-tribal conflicts in Jonglei State and the Equatorias.<sup>24</sup> In addition to the significant psychological and social harm caused to children, these abductions also destroy communities, implant fear and deprive children of the right to a normal family life, as well as fuelling inter-tribal grievances.<sup>25</sup>

## Efforts to provide security and build peace

In the last few years, the government has managed to reduce the size of the SPLA and to incorporate other armed groups into the national army. This represents a real achievement, under challenging circumstances. Yet the state's capacity to provide security for its citizens and prevent outbreaks of fighting remains limited.<sup>26</sup> International provisions for the protection of civilians, through the mandate (now expired) of the United Nations Mission in Sudan (UNMIS) likewise proved relatively ineffectual.<sup>27</sup> This was due to limited commitments from the international community, a weak and unclear mandate, excessive bureaucracy and, in the assessment of the former head of mission, the "organisational hypocrisy" of the international actors in Sudan.<sup>28</sup> The new peacekeeping force for South Sudan, UNMISS, was approved by the Security Council on 8 July. UNMISS now has the opportunity to learn from the failings of its predecessor mission and demonstrate international commitments to building peace in South Sudan.

Internationally supported attempts to address the root causes of violence and insecurity through local-level peace-building have a mixed record, with reported instances of peace-building conferences serving as a prelude to further fighting.<sup>29</sup> At the national level, the churches and other faith-based organisations play an important role in supporting processes of reconciliation, as well as in trying to foster a sense of national identity.<sup>30</sup> They represent the main indigenous civil society institution present at the community level, have strong local networks and are well respected as a result of the support they provided to civilians caught in conflict during the war years.<sup>31</sup> However, some civil society members we spoke to in Juba said that the church was often brought in to mediate too late, once disputes had escalated.

## 2. GOVERNANCE

Alongside the challenge of providing security to its citizens, the government of the Republic of South Sudan is now attempting to establish effective governance structures across a large, very poor and very diverse territory with scant infrastructure. To do so, it needs to ensure that it provides a common governance framework within which all citizens can participate. The era of the Comprehensive Peace Agreement was distinguished by a high degree of political accommodation and unity in the south across different parties and interest groups. However, the existence of patronage along tribal lines threatens to undermine this already fragile accord.<sup>32</sup> Complicating the situation, South Sudan's nascent institutions of law and order must contend with a significant capacity gap within their ranks – for example, 80% of the police force is illiterate.<sup>33</sup>

To address some of these concerns, the President has promoted a policy of 'zero tolerance' of corruption<sup>34</sup> and has established an Anti-Corruption Commission. However, South Sudan does not yet have a public financial management act, a procurement act or an audit act. Without this regulation in place, the exact mechanisms by which South Sudan's citizens will be able to hold the government accountable to these commitments are not yet clear.<sup>35</sup> Establishing clear lines of communication between the government and its citizens – in both directions – is crucial. If communities have not been consulted with, and do not understand the reasons for a given decision on how resources are allocated, they are likely to draw their own, potentially unfavourable, conclusions about the process by which the decision was made.

**“What is missing is an element of communication with our people”  
Government official, Juba**

The churches, other faith-based groups, and civil society at large should play a key role in holding the government to account, and fostering participation in this process at the community level. The media – especially radio – also has an important role to play in promoting a culture of transparency and accountability, and its growth has so far been impressive.<sup>36</sup> However, the two main regulatory frameworks intended to set out the terms by which these civil society organisations (with the exception of faith-based groups) and the media operate, the NGO Bill and the Media Bill, are currently stalled in parliament.

### Governance and children's rights

South Sudan passed its Child Act in 2008, only three years after the signing of the Comprehensive Peace Agreement, and it provides an impressively strong legal basis for holding the government accountable for realising children's rights, and ensuring that civil society has a voice in decision-making for children. However, implementation and enforcement of the Child Act remain patchy at best.

The weak implementation of the Act has numerous practical consequences for children, which are worrying in a country where discrimination on the basis of gender, ethnicity and disability are rife, where child labour is common, and where children are often not afforded the protections they need. For example, while the Child Act includes provisions relating to a juvenile justice system, no such

system exists. As a result, children in detention must share cells with adults, making them vulnerable to abuse and neglect.<sup>37</sup> Children who come into conflict with the law are often arrested on very weak grounds. South Sudan's many street children are particularly vulnerable when it comes to encounters with the law, due to the lack of a safety net for their care.<sup>38</sup> In addition, the blurring between formal and customary law that is common in South Sudan<sup>39</sup> presents specific risks for children.<sup>40</sup> Save the Children juvenile justice assessments in Lakes and Jonglei states in 2010 identified cases where girls have been referred to the formal system for refusing to marry, and subsequently imprisoned.<sup>41</sup>

The following requests were presented to the parliament of the government of South Sudan by children in Juba, in order of priority:

- 1) provide free education to all children
- 2) provide free healthcare to all children
- 3) stop violence and abuse of children
- 4) stop child punishment in schools and at home
- 5) provide food and clean drinking water for children in schools
- 6) create and promote clean environments where children can safely play and stay

(Save the Children one-day workshop on in Juba with 30 schoolchildren and children from the street, from orphanages, and from vocational centres)

### 3. HUMAN DEVELOPMENT

**“Tell the world leaders there is a southern Sudanese country suffering, particularly in a place called Wokobu. There are no drugs and the kids are suffering.”**  
**Lomua Lorika, traditional healer in Wokobu, Kapoeta**

Despite the gains that have been made since the signing of the Comprehensive Peace Agreement, South Sudan is still one of the hardest places in the world to be a child. As the table shows, the situation for children is comparable to – or even worse than – the situation in Afghanistan, while both countries have human development indicators far lower than the average for a low-income country.

Key development indicators	South Sudan	Afghanistan	Low-income country average
% of children acutely malnourished	22%	5-10%  (MoPH, 2005)	11%
Primary school completion rate	10%  (UNESCO, 2011)	39%	61%
Literacy rate (men and women)	Men – 40%  Women – 16%	Men – 43%  Women – 12.6%  (AUSAID)	77%
Access to improved water sources	55%	48%,  (UNICEF, 2008)	66%
DPT3 immunisation*	20.2%	77%	77%
Maternal mortality ratio (per 100,000 live births)	2,054	1,400  (UNICEF/WHO, 2008)	640
U5 mortality rate (per 1,000 live births)	135	206	126

\* percentage of children aged 12–23 months who received the vaccine before their first birthday

NB: Due to the difficulty of obtaining reliable annual health figures across countries there is some variation in dates in these figures. All low-income country averages from World Bank, latest available year. All Afghanistan data World Bank unless otherwise stated. All South Sudan data from the government of South Sudan/Sudan data unless otherwise stated

Only 13% of the population of South Sudan has access to **healthcare**.<sup>42</sup> One out of every nine children dies before his or her fifth birthday,<sup>43</sup> while only 20% of children between 12 and 23 months have been fully immunised.<sup>44</sup> Malaria is one of the main childhood killers, but only 25% of children under 5 sleep under a bednet.<sup>45</sup>

**“We need a clinic here; we’re tired of walking so far for treatment. How much longer do we have to walk so far? If you take your sick child to the clinic, the child may even die on the road it takes so long.”**

**Nameliakos, who brought her one-year old daughter Louri for vaccinations provided by Save the Children in Wokobu, Kapoeta. She usually has to walk two or three days to the nearest clinic.**

The maternal mortality ratio, with 2,054 women dying for every 100,000 live births, is among the highest in the world.<sup>46</sup> There are just 100 certified midwives nationwide (an increase from 19 in 2006),<sup>47</sup> and only 15% of births are attended by skilled health workers.<sup>48</sup> Even those primary health care facilities that do have skilled health workers are under-utilised, as they often do not have enough of the medicines and supplies necessary to provide life-saving services.

**Clean water and adequate sanitation are essential for life.** Water reduces the risk of waterborne disease and therefore of malnutrition and sickness. Access to water also lowers the opportunity cost of education, particularly for girls who would otherwise have to spend time collecting water. Yet 45% of the population of South Sudan does not have access to drinking water,<sup>49</sup> and only 13% of water sources are protected from microbiological contamination, with a great disparity between rural and urban areas.<sup>50</sup> Clean water is closely linked to adequate sanitation; 85% of the population of South Sudan lack access to sanitation.<sup>51</sup>

**Education is what children prioritise first, what their families call for, and what they see as key to building a peaceful future for themselves after the long war.** As many as 1.3 million children in South Sudan do not go to school.<sup>52</sup> Only one out of every ten children who does enrol is likely to complete primary education – and the net enrolment rate for secondary schools is 4%.<sup>53</sup> There are many obstacles to families sending their children to study, from discretionary fees,<sup>54</sup> to keeping girls at home to do household chores. Only 37% of students in primary school are girls. A young girl in South Sudan is three times more likely to die in pregnancy or childbirth than she is to complete eight years of basic education.<sup>55</sup>

**“I want my baby to go to school in the future. I don’t want him to suffer like me. When I was young there was no school so I’m not educated. That’s why I’m suffering now.”**

**Charity, mother, Mvolo, Western Equatoria**

## Returning to an uncertain future

Southerners who fled north during the war years and whose right to citizenship in the North remains in question, are now returning to their new country en masse. The scale of the return is immense, and likely to increase, with the UN predicting that 400,000 more people will return in the coming months: a transitional period of nine months has been agreed between North and South to allow people 'to regularise their status in the State in which they are residing'. (African Union High Level Implementation Panel for Sudan, *Preparing for Two Sudans – A Future of Peace and Cooperation*, 8 July 2011.)

Many people, particularly within the government, say that the returnees are coming back 'to nothing'. Nyalut, 35 years old, moved back to Leer in November 2010 after ten years in Khartoum. Like many returnees, she has found conditions upon return difficult, with the main problem being hunger.

"Eating food is very difficult here – sometimes we eat once in a day, sometimes nothing at all. The children are facing a lot of challenges with these sudden changes."

170 of the South's 505 payams are currently receiving returnees, and there are some limited reintegration plans in place to ease their return. However, while host communities have largely welcomed returnees, they are also struggling to find food. Nyalut and her children are currently being hosted with three other returnee families in a compound that now contains 58 people.

There are also some who fall outside the basic safety net provided by citizenship of South Sudan. The potential for statelessness is very high, especially for children who have become separated from their families, and despite efforts on the part of the government to address the problem.

Government ambitions for meeting the needs of returnees are highly optimistic. The plan is to provide each community with more than 500 returnees with a health clinic, school, water point and police station. However, in most places this will require building all those services from scratch (as also applies in those areas where returnees are not settling). Reintegration plans appear to prioritise establishing service provision in areas to where people are returning, without taking into account areas that may not reach the returnee threshold and yet do not have access to services.

At the same time, many returnees who left the South to escape the war have received education in the North and the benefits provided by relative peace. While they are predominantly Arabic speakers, they bring with them technical skills that could be a real asset to the embryonic state. The government of the Republic of South Sudan is currently developing a strategy for ensuring best use is made of their skills.

Yet even with so few children in school, **the education system is struggling to meet the desire of children to study.** There are many more children in classes than there are teachers to teach them. There are 117 students to every qualified teacher in primary schools,<sup>56</sup> although the exact student to teacher ratio varies considerably across the country.<sup>57</sup> And, echoing and reinforcing the gender gap, only 12% of teachers are female.<sup>58</sup> At the same time, the majority of teachers are barely literate – it is very common for teachers themselves to have received no more than four years of primary education. One-third of the teachers trained by Save the Children in Northern Bahr el Ghazal in the first quarter of 2011 failed the tests at the end of the training because they were unable to read, write or speak the intended language of instruction.

**It is difficult for children to learn if they are hungry.** Yet 30% of children under 5 are underweight,<sup>59</sup> the average Global Acute Malnutrition rates in 2010 were 14.6%,<sup>60</sup> and in one of the areas where Save the Children works, surveys in 2010 showed rates of 45%,<sup>61</sup> demonstrating an acute situation of under-nutrition, higher than many emergency thresholds. Unless malnutrition is addressed in the window between conception and two years of age, children's cognitive development can be irrevocably impaired and they will never reach their full physical potential.

**“Food is also still a problem for us at the moment, so if the government can give us some food then our children will be able to eat well and maybe they could go to school.”**

**Michael, returnee, Leer, Unity State**

South Sudan suffers from a chronic dependency on food aid that is the consequence of the years of war and underdevelopment. The World Food Programme provided 2.4 million people with food in 2010 at the height of the hunger gap, and a UN survey from the start of this year shows that even when harvests are good, 20% of the population requires emergency food aid.<sup>62</sup> 78% of households depend on crop farming or animal husbandry as their primary source of livelihood,<sup>63</sup> yet ongoing displacement results in ruined harvests, or prevents people from planting.

## Who delivers?

Prioritisation is difficult in a context like South Sudan, where human development needs are vast, and encompass all areas of basic services. The large number of **returnees (see box)** creates additional pressures: there is a need to provide adequate services to increasing numbers of vulnerable people in a way that does not also compromise the provision of important services to the settled population.

At present, faith-based groups and NGOs together provide an estimated 90% of all health services, and a significant proportion of most other basic services. Yet poor infrastructure and low human capacity mean that a high percentage of the population receives little in the way of services at all. Parts of the country remain unreachable, due to the logistical challenges involved when there are no roads and very few functioning airstrips.<sup>64</sup> Landmines are still widespread in some areas, affecting access,<sup>65</sup> while insecurity continues to disrupt the provision of aid in some areas.

The government of the Republic of South Sudan is not yet in a position to take over the provision of all essential services, let alone to roll out delivery to unreached areas. There are not enough trained health workers, administrators, social workers, teachers, or civil servants for this to be feasible.

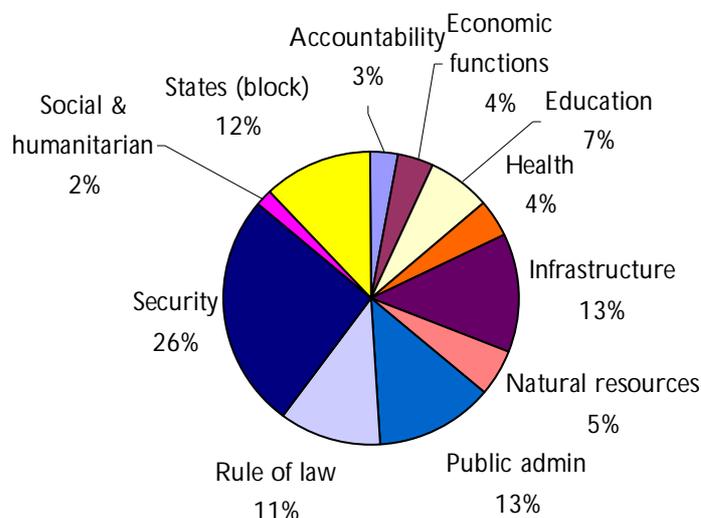
While many southerners who formerly worked in government institutions in the North will be absorbed into the workforce in the South, these returnees are predominantly Arabic-speaking. They will need language training if they are to transfer their skills to South Sudan, where the official language is English. Furthermore, a strategy for deploying teachers and health workers in rural areas and maintaining a system for their management has yet to be developed. While a payroll for teachers has now been established and an equivalent for health workers is under way, implementation remains in the early stages.

In order to build a compact with its citizens, the government of South Sudan needs to be seen to deliver essential human development benefits to its population, through legitimate state institutions.<sup>66</sup> This includes taking on increasing leadership in and implementation of service delivery. An essential element in this will involve developing partnerships with NGOs – for example, at the county level. This has occurred to a certain extent in health, but could be further developed in all service-delivery sectors.

Striking a balance between gradually strengthening state institutions to begin to deliver services, and avoiding overload, is vital. The South Sudan Development Plan sets out the government's development targets to 2013. It is hugely ambitious. Recent research on fragile states shows that the "too much, too soon" syndrome of trying to do everything at once can exacerbate fragility.<sup>67</sup> Establishing a clear strategy for addressing needs – and one which is equitable, context-specific and informed by conflict analysis<sup>68</sup> – is crucial if progress is to be made. By focusing on a few initial 'quick wins' in human development in the first two years, the government could both start to meet high expectations from the people of South Sudan, and create some political space in which it can plan for the longer term.

The government has an immediate role to play **in resourcing this service delivery**. South Sudan is in a minority of post-conflict contexts in that it has access to a substantial revenue, through its oilfields, totalling 4.37 billion Sudanese Pounds in 2010 (\$ 1.46 billion, or 97.6% of total revenues).<sup>69</sup> Allocation of these resources is currently inefficient. For example, the subvention to each state is very small, compared to the amount of money that is spent by the central government. At present, a significant amount of this money is directed towards defence of the state – with a corresponding lack of investment in essential services. For 2011, 4% of budget is allocated to health and 5.6% to education, compared to 44% for security and the rule of law combined.<sup>70</sup> While the government does co-fund some development projects out of oil revenues, there is scope for it to make greater commitments.<sup>71</sup> The Comprehensive Peace Agreement mandated a "Future Generation Fund" once oil production exceeded one million barrels, but this level of production has not been reached and as a result, the idea did not come to fruition.<sup>72</sup>

### Government of South Sudan 2010 estimated sectoral expenditures (%)



Source: Ministry of Finance and Economic Planning

## Aid architecture

South Sudan's resource needs are massive and cannot be met by oil revenues alone. It has cost approximately \$1 million to construct each kilometre of road between Juba and Nimule, a route that is relatively flat and easy to build on.<sup>73</sup> The World Bank estimates that developing a comprehensive road system will cost over \$7 billion, and that electrification of the country will be as much as \$13 billion. (The current total national generating capacity is 3.5 MW.<sup>74</sup>)

International donors have committed \$719 million in aid for 2011, predominantly to the social and humanitarian and infrastructure sectors, as well as to health, education, and natural resources and rural development.<sup>75</sup> An international engagement conference in September 2011, and a donor pledging conference in early 2012, both in Washington DC, look likely to ensure further funding commitments. However, the successes and failures of the Comprehensive Peace Agreement implementation period show that what is important is **the quality and sustainability of aid**, rather than simply its immediate volume.

The performance of pooled funds within South Sudan has been mixed. The Multi-Donor Trust Fund was at the core of the Comprehensive Peace Agreement, but got off to a particularly rocky start as onerous requirements from the World Bank, which managed the trust fund, acted as a brake on disbursements. Only in 2010, after heavy criticism and an internal review, did disbursement rates start to match levels of commitment, with spending in 2010 almost as high as total spending for the four previous years combined.<sup>76</sup>

In general, funding to NGOs has been slow and fragmented, with donors often not coordinating among themselves. Complicated mechanisms for disbursement and contracting arrangements have hindered timely interventions. A lot of NGO funding has been **short term**, even when the intervention has a long-term development purpose, and has often failed to take account of the effect of the rainy season on implementation. Funding for NGOs has also tended to be **inflexible**, in a country where the context changes rapidly and often requires corresponding changes in programming. Funding levels have also often been inadequate, with NGOs sometimes required to seek multiple overlapping grants to fund a single project, typically with separate reporting and administrative burdens. **Unpredictability** of aid beyond the annual planning cycle has often made it difficult for NGOs to plan activities, such as training, that cut across years.<sup>77</sup> These shortcomings have led to 'darlings' and 'orphans' in terms of sectors and activities, with uneven aid allocation threatening to reinforce grievances about disparities between different areas of the country.

Donors have also failed to sufficiently take into account the capacity constraints that NGOs face, and the high costs of implementing projects in South Sudan.<sup>78</sup> This is particularly the case for pooled funds and consortia bids which, while they are intended to reduce transaction costs for donors, often end up simply displacing these costs onto other actors.<sup>79</sup>

The onerous administrative burden placed on grant recipients makes it doubly difficult for indigenous organisations to access funding.<sup>80</sup> To address this, donors have expressed an interest in international NGOs partnering with and sub-granting to local NGOs, which often happens. However, the current limited capacity of many indigenous NGOs is often not recognised, and requires greater flexibility on the part of official donors. The ability of indigenous organisations, including the churches, to access aid money will be critical to achieving sustainable change in South Sudan.

Donors also lack a clear strategy to balance shorter-term humanitarian and longer-term development funding needs. This absence of a common strategy means that a high proportion of funding has been spent on food aid (45% in 2009<sup>81</sup>) without correspondingly intensive efforts to address food insecurity; for example, in some areas food aid has been delivered free of charge in localities where other donors are implementing livelihoods programming with an element of cost-sharing. Given the lead role played by the UN in humanitarian response in South Sudan, the UN agencies face a particular challenge in managing a transition to a larger development programme in South Sudan, while at the same time ensuring that they are able to meet the significant ongoing humanitarian needs.

The government of South Sudan has expressed legitimate concerns about the current aid architecture, noting "the continuing short-term nature of many donor commitments to Southern Sudan".<sup>82</sup> The government is also concerned that NGOs do not sufficiently coordinate their activities,<sup>83</sup> and this has been one of the main criticisms of the DFID-led Basic Services Fund, which has pooled money for NGO projects in the social sectors and sub-contracted management to a private company. Yet this situation is gradually improving: INGOs and national NGOs both increasingly coordinate with the government in key thematic areas, although government representation and levels of coordination vary between sectors. One option to improve coordination, currently being discussed by donors, is to agree a donor-per-state system.

As South Sudan becomes an independent state, the status of post-independence funding mechanisms has become a particular concern. USAID has launched its South Sudan Transition Strategy; equivalent plans from DIFD and the EU remain under development. While DFID is in the process of developing a 'health pooled fund', this is not expected to start before the end of 2012.

The Multi-Donor Trust Fund will end in June 2102, and the World Bank is seeking to establish a \$75 million 'South Sudan Transition Fund' in its place, although this has yet to be finalised. While there is some indication from DFID that it is willing to extend the Basic Service Fund for a transitional period, arrangements for this extension remain unclear. This represents a real risk in terms of gaps in service delivery, with critical programmes in health, education and other sectors at threat of being interrupted or closed. It is not yet clear whether there will be a Common Humanitarian Fund or similar mechanism for South Sudan in 2012, despite the anticipated high levels of humanitarian need.

In sum, the funding outlook for the new country remains unclear, with potentially serious implications for the ability of the government and other stakeholders to address urgent development and humanitarian priorities.

## 4. RECOMMENDATIONS

To build a viable future for the children of South Sudan, it is vital that both the Government of the Republic of South Sudan and the international community make appropriate and timely investments in three key areas: peace and security, governance, and development.

Save the Children is calling for:

### 1. Peace and security

#### **What the government of the Republic of South Sudan should do:**

- Ensure all areas of conflict in South Sudan are accessible to aid agencies, and allow agencies to negotiate with all armed groups to ensure their access, so that South Sudan's children are not again left in danger and without life-saving services.

#### **What the international community should do:**

- Support peace-building efforts within South Sudan, both through providing the new UNMISS mission with the mandate and logistical capacity to deploy where necessary, and through support to national civil society organisations, including the churches.

### 2. Governance

#### **What the government of the Republic of South Sudan should do:**

- Ratify the UN Convention on the Rights of the Child, invest in institutions to monitor and report child rights violations, and implement in full the 2008 Child Act, as a part of a commitment to the realisation of children's rights in South Sudan.

#### **What the international community should do:**

- Invest in governance structures and promote institutional development in South Sudan that will facilitate the rule of law, including the development of juvenile justice mechanisms.

### 3. Human development

#### **What the government of the Republic of South Sudan should do:**

- Ring-fence a fixed share of oil revenues for a national 'child development fund', focused on universal access to essential services. The ground was laid for this in the CPA, but never taken up. Such a fund would demonstrate a commitment to sharing the benefits of independence equitably, and would help lay the foundations for future economic and social development. As part of this commitment, the new government should focus on basic services in rural areas, such as investment in midwives and nurses trained and equipped to tackle the key causes of child and maternal mortality, clinics, primary schools and renovation of boreholes.
- Identify and commit to a limited number of 'quick wins' over the first two years of independence, in health, education, nutrition, protection and other key areas, which demonstrate tangible progress to the citizens of South Sudan.

- These choices should be informed by consultation with communities across the country, and be supported by a communications plan that explains the timescale for development, in order to manage expectations of progress.
- One option that should be considered is a cash transfer scheme to mothers of children under 5, to realise the commitment in the South Sudan Development Plan to cash benefits. This could address many of the demand-side barriers to health and education, boost economic activity in rural areas, and provide the poorest households with a financial buffer.

**What the international community should do:**

- Support the achievement of universal primary education, and increased investment in secondary education, in order to build the human capital base of the country. Donors should support innovative approaches to education, including providing the early years of schooling in appropriate local languages, and a focus on core numeracy and literacy skills.
- Address the main causes of maternal and neonatal mortality. Further investments are needed to train existing health workers in basic emergency obstetric care; and to provide essential medicines equipment to treat maternal and neonatal complications. In areas where communities do not have access to health services, community-based distribution of essential medicines and delivery kits for home-based deliveries could significantly reduce the number of women and infants dying from birth-related complications and infections.
- Ensure that there is no gap in funding for essential services between when the current pooled funds run out in late 2011/early 2012 and when the new post-independence funding mechanisms kick in. In particular, it is important that the activities supported through the Multi-Donor Trust Fund and the Basic Services Fund are not interrupted. If necessary, the Basic Services Fund should be rolled over for a further 12 months with existing contracts extended.

## Endnotes

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- <sup>2</sup> Watchlist on Children and Armed Conflict, *Sudan's Children at a Crossroads: An urgent need for protection*, 2007
- <sup>3</sup> Save the Children, Christian Aid, Oxfam, Care, IRC, and Tearfund, *The Key to Peace: Unlocking the human potential of Sudan*, May 2002
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- <sup>5</sup> Watchlist on Children and Armed Conflict, *Sudan*, March 2003, <http://reliefweb.int/node/121985>
- <sup>6</sup> Reliable estimates of the number of people with disabilities in South Sudan do not exist. However, reports based on Ministry of Health figures put the number at 1.5 million people, or 10% of the population. Sudan Tribune, 'Disabled persons in South Sudan call for inclusion in referendum processes', 14 November 2010, <http://www.sudantribune.com/Disabled-persons-in-South-Sudan,36937>.
- <sup>7</sup> In May 2002, 19 years into the second civil war, inter-agency assessments identified at least 17,000 child soldiers in southern Sudan. Save the Children et al, *The Key to Peace* (see note 3)
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- <sup>9</sup> Ibid. Based on an exchange rate of US\$1 to SDG 2.9862.
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- <sup>15</sup> Strategic Communication Laboratories, *Promoting Post-Referendum Stability in Southern Sudan: Jonglei and Unity States*, May 2011
- <sup>16</sup> Mareike Schomerus, Tim Allen et al, *Southern Sudan at odds with itself* (see note 12)
- <sup>17</sup> Netherlands Ministry of Foreign Affairs, *Aiding the Peace* (see note 12)
- <sup>18</sup> P Wezeman, "Arms Supplies to North and South Sudan", in Henrik Boll Stiftung, *Sudan – No Easy Ways Ahead*, (Berlin, 2010).
- <sup>19</sup> Human Security Baseline Survey, South Sudan and Saferworld, *Sudan: Hoping for the best, preparing for the worst?* December 2010
- <sup>20</sup> 20,000 as of August 2010, UNICEF figures, reported in BBC, "South Sudan to end use of child soldiers", 31 August 2010
- <sup>21</sup> 2011 report of the Secretary-General to the Security Council (A/65/820-S/2011/250) issued on 23 April 2011
- <sup>22</sup> Fighting in Unity State in April 2011 and Lakes State in May 2011 led to the suspension of some aid agencies' activities in those areas. Irin news, "Land mines add to security worries in south", 6 June 2011
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- <sup>24</sup> 2011 report of the Secretary-General to the Security Council (see note 21).
- <sup>25</sup> South Sudan protection cluster rapid needs assessment: data analysis (see note 15)
- <sup>26</sup> Mareike Schomerus, Tim Allen et al, *Southern Sudan at odds with itself* (see note 12)
- <sup>27</sup> Tearfund, ICCO, World Vision, Save the Children, Handicap International, Cordaid, Christian Aid, IRC, Caritas, and Oxfam, *Rescuing the Peace in Southern Sudan*, January 2010
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- <sup>44</sup> Ibid
- <sup>45</sup> MIS 2009, in Government of South Sudan, South Sudan Development Plan DRAFT, April 2011
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- <sup>64</sup> In 2009, the WFP classified 75 bush airstrips as 'no-go'. Joint NGO paper, *Rescuing the Peace in Southern Sudan* (see note 27)
- <sup>65</sup> Irin news, "Land mines add to security worries in south" (see note 22)
- <sup>66</sup> World Bank, *World Development Report 2011: Conflict, Security and Development*, 2011
- <sup>67</sup> Ibid, p139
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- <sup>69</sup> Minister of Finance and Economic Planning, David Deng Athorbei, *2011 Budget Speech*, January 2011
- <sup>70</sup> Of which 28% is allocated to security alone. Minister of Finance and Economic Planning, David Deng Athorbei, *2011 Budget Speech*, January 2011. Regardless of the way in which the budget is allocated, public financial management systems are very weak. There are huge implementation challenges in making sure that the money translates into actual public goods. While payroll reform is underway and donors have provided support to revenue authority, systems for drug procurement and delivery, as well as other aspects of public financial management, remain to be established. This weak financial management capacity raises valid concerns about grand corruption (particularly as relates to procurement), but also about petty corruption throughout the entire budget implementation process. As described above, the government of South Sudan is putting in place measures to address this and these are also being supported by DFID through an Anti-Corruption Taskforce.
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- <sup>77</sup> These points are adapted from Southern Sudan NGO Forum, *Briefing: Financing of NGOs*, 18 March 2011. See also *inter alia* Southern Sudan NGO Forum, *Discussion Paper: Sector Pooled Funds*, 31 March 2011; Netherlands Ministry of Foreign Affairs, *Aiding the Peace*; Mareike Schomerus, Tim Allen et al, *Southern Sudan at odds with itself*; Joint NGO Paper, *Rescuing the Peace in Southern Sudan*
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