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SOUTH SUDAN: PEACE DIVIDENDS OR PEACE PENALTIES?

Three years after the signature of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A), adequate access to basic services and creation of sustainable livelihoods remain elusive for most Sudanese people. Since 2004, an estimated 2 million southern Sudanese, either exiled in neighbouring countries or displaced within Sudan, have returned home, with more than 90% having done so spontaneously.

Only a fraction has received adequate assistance. Failure to address reintegration and recovery needs generates frustration, has started to ignite communal tensions, and could ultimately jeopardize the success of the peace process itself.

The parties and the international community accompanying the peace process need to address the delays in the implementation of security and political aspects of the CPA, which in late 2007 faced serious threats when members of the SPLM temporarily withdrew from their offices in the Government of National Unity. But greater support for the reintegration of returnees and the recovery of recipient communities must also be a priority. Food insecurity and insufficient seeds and tools remain huge obstacles to restarting life after exile and basic living conditions of southern Sudanese are not improving. The provision of services, such as access to clean water, primary health care, education and the creation of livelihoods have been minimally increased but remain woefully insufficient for the much greater number of beneficiaries. Only 25 percent of people in south Sudan have access to health services.

Stop Denying Reality – Respond to Ongoing Emergencies

The international donor community has started to shift its financial support to southern Sudan out of emergency humanitarian aid and into development aid. For example, for 2008 the US Government redirected more than \$50 million from emergency assistance into development funding. Yet, significant humanitarian needs still persist. For example, since October 2007, humanitarian agencies in Northern Bahr El Ghazal have assisted more than 13,000 people fleeing fighting over a disputed border, endured the closure of the main supply route and looting of UN World Food Program supplies, and assisted thousands of households whose crops were destroyed by flooding. Northern Bahr El Ghazal is just the tip of the iceberg: according to a 2007 inter-agency food security and livelihood report, in 5 of the 10 states in the south (the 5 states with the highest number of returnees), households experience serious food shortages, lack of security, water and shelter.

Policy Recommendations

1. USAID should retain 2007 humanitarian funding levels to provide for ongoing emergency needs in south Sudan. Other donors should apportion sufficient humanitarian funding to address ongoing emergency needs.
2. International donors, including the US Government, should increase funding to UNHCR for its south Sudan return and reintegration operation, including \$2 million to strengthen its protection work.
3. The Government of Southern Sudan should make the reintegration of returnees a policy priority, and increase the proportion of its budget focusing on reintegration activities.
4. The Government of Southern Sudan and the international community should provide support to local women's groups to enable their participation in reintegration and recovery.
5. The Government of Southern Sudan should prepare a recovery strategy and allocate funds for its implementation while international donors should identify an appropriate recovery funding mechanism and fund it without detriment to current emergency and development allocations.

While support for development programming is necessary in other areas, donors must accept that there remain serious emergency needs in much of southern Sudan. In some states maternal and infant mortality levels remain significantly higher in south Sudan than in conflict-torn Darfur. Failure to address emergency needs will make the transition towards sustainable development impossible.

Help People Return Home in Safety and Dignity

Returnees interviewed by Refugees International expressed a clear desire to live again in their areas of origin. But the sheer numbers returning – around ten times the planned numbers – present a challenge to agencies which must ensure that they will return home in safety and dignity.

More than 50,000 Sudanese refugees in Uganda and Kenya have signed up to participate in the return process organized by the United Nations Refugee Agency (UNHCR) for the states of Eastern Equatoria and Jonglei. Simultaneously, the International Organization for Migration (IOM) is helping to resettle internally displaced groups between and within those states. UNHCR, which takes the lead role in coordinating all returns of refugees and internally displaced people (IDPs) in those states, is under a lot of pressure to quickly upgrade its transportation and way station capacity. However, a shortage of funding has undermined its planning for returns, and coordination with other agencies is suffering. Potential problems include conflicts when returning refugees plan to settle in areas now occupied by IDPs, delays in the establishment of reception committees, and a lack of resources to secure partnerships with implementing organizations, particularly in the area of protection. Limited UNHCR staff capacity will make it difficult to monitor returns and respond to recurrent gender based violence issues.

Enhance Women's Status

The 2005 Interim Constitution of South Sudan accords many rights to women, including the promotion of women's participation in public life and a minimum representation quota in government of at least twenty-five percent. This has great potential for advancing women's rights, and some progress has been made in women's participation at the central level, but this has not reached the local level. There are many women's groups showing initiative which could enhance the reintegration and recovery process, but such groups rarely receive the necessary support to enable their participation.

The lack of absorption capacity in return areas is having a disproportionate impact on women, because of their traditional roles as caregivers for families. The frustrations caused by the burdens on limited resources posed by large numbers of returnees hit women hardest, as they are the ones who take responsibility for water-collection, and for feeding and caring for their children. International donors and the Government of Southern Sudan (GoSS) should ensure that all reintegration and recovery projects advance progress towards the levels of women's participation called for in the Interim Constitution.

Fund Recovery Needs

Managing a successful transition from relief to development is a daunting challenge, especially in southern Sudan. As one humanitarian official said, "We keep going back and forth between early recovery and humanitarian scenarios." Although real obstacles to early recovery remain -- including insecurity, recurrent floods and droughts, and immense deficits in basic social services and infrastructure -- these have become somewhat predictable. It is time for the GoSS and the international community to address the policy, structural and funding gaps which are preventing the expansion of social infrastructure and livelihood opportunities.

Governmental authorities must recognize that pursuing legitimate political and security priorities should go hand in hand with social and economic priorities. GoSS urgently needs to prepare a recovery strategy outlining priorities at central and local levels and identify a time-frame and resources for its implementation. Although its current capacity to deliver social services is minimal and international agencies are filling part of this gap, medium term partnerships should be sought and intense capacity building initiatives carried out.

The existing pooled donor funding mechanisms available for Sudan attempt to address emergency relief through the Common Humanitarian Fund (CHF) and development needs through the Multi Donor Trust Fund (MDTF), but they cannot adequately fill the recovery gap. Southern Sudan urgently needs a recovery funding mechanism - either new or expansion of an existing one - which is capable of garnering the approval and resources of major donor governments. It should not divert money that was or would otherwise be provided to the CHF, MDTF or on a bilateral basis. This mechanism must be multi-year, adapted to local conditions and must build the capacity of local and state governments and local civil society. Its focus must be on the establishment and maintenance of basic services in the field and livelihoods creation, without which there will be no incentive for people to remain in the areas to which they have returned, creating further obstacles to reconciliation and rebuilding of southern Sudanese society.

Andrea Lari and Melanie Teff assessed the situation for returning refugees and IDPs in southern Sudan in January and February 2008.

SOUTH SUDAN: KEY FACTS ON ENHANCING WOMEN'S STATUS

Lack of resources in the areas hosting large numbers of returnees has a disproportionate impact on women because of women's traditional role as caregivers for their families. Yet the potential of women to contribute significantly to the reintegration of returnees and to the recovery of their home areas is not being harnessed. There are many currently under-resourced women's groups which could enhance the reintegration and recovery process. But they need access to adult literacy and civic education, to small business and vocational training and to micro-credit. The Government of Southern Sudan (GoSS) and the international community should provide support to local women's groups to enable their participation in reintegration and recovery.

- ❑ **It is women who have to stand in line at boreholes to collect water for their families.** Conflicts at water-points are common -- because women from host communities are frustrated by large numbers of returnees placing a burden on limited water resources, they frequently target returnee women. In many communities in southern Sudan it is women who play the main role in agriculture, and the lack of adequate and timely provision of seeds and tools affects the lives of these women and their families. Reintegration processes often focus on reducing potential conflicts between men in the returnee and host communities, ignoring the women.
- ❑ **During the transitional period in the lead-up to the anticipated referendum in 2011 the advancement of women's rights should be a policy priority for the GoSS.** It has been estimated that 65% of the population of southern Sudan is female. The dangers of continually postponing decisions on issues that particularly affect women must be avoided.
- ❑ **The women who are taking up their government posts in the capital of south Sudan are potential role models, and they need to have more contact with local-level women's organizations.** The GoSS should build on the landmark rights for women set out in the Interim Constitution of Southern Sudan. The 25% minimum quota for women's representation has great potential for advancing women's rights, and some progress has been made in women's participation at the central government level, but this has not yet reached the local level.
- ❑ **The international community should increase the resources available to the UN Refugee Agency (UNHCR) to enhance its protection capacity.** The current inadequate protection capacity of UNHCR in south Sudan particularly affects women, as it reduces its ability to address gender-based violence issues, and its ability to ensure that accurate information about their home areas reaches potential returnees so that they can make informed decisions about return. Men currently have much more freedom of movement than women in southern Sudan, and therefore more ability to obtain such information themselves.
- ❑ **GoSS and the international community should prioritize the engagement of traditional leaders in discussions about, and ultimately respect of, the provisions of the Interim Constitution relating to the rights of women.** Very few women currently get access to justice in southern Sudan. Even when women could access the court system, the costs involved are prohibitive. GoSS is passing new laws for southern Sudan, but many issues which particularly affect women, such as land law reform, are still pending. In the absence of statutory laws, customary laws are applied by traditional leaders, a situation which does not favor women's land rights. Women's right to own property, which is enshrined in the Interim Constitution, is frequently ignored by traditional leaders who are deciding disputes.