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SUDAN: NO TIME FOR “BUSINESS AS USUAL”

The next two years will be critical in determining Sudan’s future. The country faces national elections in April, the first multi-party elections in 24 years, and a referendum on southern independence in January 2011. While the U.S. and others must do everything possible to ensure that the governments in north and south Sudan reach agreement on outstanding issues before the referendum, the humanitarian community must simultaneously prepare to respond if conflict erupts around the upcoming political events. Decades of responding to crises in Sudan has created a complacent “business as usual” attitude among some humanitarian agencies and donors that must be overcome.

UNCERTAINTY AND FEAR

Sudanese people in a number of locations in the south and Southern Kordofan shared with Refugees International (RI) their concerns over upcoming events. In Upper Nile, communities told RI that they were uneasy about the elections in case they led to violence, as competition between candidates and their supporters might spill over to politicize and exacerbate existing tensions between communities. In Southern Kordofan, communities expressed a direct fear to RI that, should the south secede, southern-aligned communities in the Nuba Mountains would be isolated and targeted by proxy groups armed by the north in an effort to remove them from their land.

Almost all of the community representatives that RI spoke with said that if conflict broke out they would be very reluctant to leave again or go far from home. Many people who had gone to Khartoum during the north-south war said they would not go north again. In Southern Kordofan, many people said they would flee to the surrounding mountains, and some said they were already preparing houses there.

RI heard a wide divergence of views on the likely humanitarian impact of the elections and referendum. While many international observers felt that the country would “muddle

POLICY RECOMMENDATIONS

- ❑ The UN, non-governmental organizations and donor governments in north and south Sudan must urgently draw up coherent contingency plans for possible conflict around the 2011 referendum. The recently started planning process led by the Humanitarian Country Team in the south must be accompanied by and coordinated with a similar process in the north, and donors must be willing to provide flexible funding for a quick response.
- ❑ The U.S. and other donors should fund local government and community consultations on contingency plans to feed into the UN’s process. Community early warning and self-protection networks should also receive political and financial support.
- ❑ The U.S. and other donors should increase support for reintegration of returnees, especially for basic services and livelihoods, and must support returnee tracking and monitoring. Equal attention should be paid to IDP returnees as refugee returnees.
- ❑ The U.S. and other donors should expand funding for gender-based violence (GBV) and reproductive health programming, including increased support for service provision and UNFPA coordination, especially in the transitional areas.

through” with only limited outbreaks of fighting in border and oil-rich areas, others felt that south Sudan was heading towards total collapse with an explosion of inter-ethnic tensions. A key concern was that a gradual ratcheting up of tensions rather than all-out war would mean no “CNN moment” to attract worldwide attention and funding.

Given the exceptional political events of the next two years and the unpredictability of the scenarios, it is critical that the humanitarian community quickly put comprehensive contingency plans in place, in case a return to major conflict occurs.

MAKE CONTINGENCY PLANNING COUNTRY-WIDE

As many international humanitarian workers argue, south Sudan is already in a state of emergency. Last year over 390,000 people were displaced and 2,500 killed according to the UN, and drought has caused major food insecurity. The emergency response architecture in the south largely remains following decades of conflict and humanitarian response (with the notable exception of the much scaled-back OCHA presence). This is a potential advantage in terms of capacity to manage future crises but it is also leading to a “business as usual” mentality among some humanitarian actors, who believe that if necessary the response system would kick in automatically. Politically, the next two years will be anything but business as usual and the cost of reacting at the last minute to potential conflict will be greater than that of preparing in advance.

For many humanitarian actors, contingency planning was seen as sensitive and controversial and some did not want it publicly known that they were creating such plans. Given its sensitive nature, contingency planning must be a system-wide effort led by the UN that includes NGOs, donors and Sudanese and south Sudanese government agencies, rather than a series of individual initiatives that could expose organizations to political risk. A whole-of-Sudan process is also critical to ensuring coordination takes place should the plans ultimately need to be implemented.

The Humanitarian Country Team (HCT) in south Sudan has just initiated a contingency planning process, with a senior UN staff member assigned to lead and coordinate among UN agencies and with external actors. However, while everyone is talking about scenarios and planning, there is no blueprint yet. This initiative must move quickly from theoretical discussions to putting concrete plans on paper, with the understanding that plans will be a work-in-progress that will need constant updating.

The contingency planning process is far less established in north Sudan than in the south. RI was told that individual plans existed for certain geographical areas in the north but there did not seem to be a strategy for developing a single contingency plan for the north. Even more concerning is the lack of coordination between the UN in north and south Sudan, which will be especially important for the transitional areas, where populations in former SPLM-controlled areas may face harassment or violence after separation. The vulnerability of the people will be compounded by the fact that access to the transitional areas is still difficult for international humanitarian staff. At the moment, it is unclear how contingency plans being developed in Southern Kordofan will fit into wider north/south planning.

International NGOs largely felt they did not have much capacity for contingency planning as they were already struggling to respond to existing humanitarian needs due to lack of resources. Furthermore, the current UN 2010 consolidated appeal for Sudan (US \$1.9 billion) is only 23% funded so far. Meeting existing needs is critical as planning processes continue.

CONSULT WITH COMMUNITIES AND SUPPORT THEIR EMERGENCY PREPAREDNESS

RI found no evidence that communities were being directly consulted in the preliminary phase of the contingency planning processes. Some international organizations said that their field staff would simply know the issues in the community, making consultation unnecessary. There may also be a well-intended desire by some humanitarian agencies not to create panic. However, gaps in information on security issues can also create fear and panic.

NGOs are better structured than UN humanitarian agencies to run community consultation programs, especially in partnership with local networks, to share information and to help communities develop early warning systems and local self-protection strategies. This must involve the UN peace-keeping mission in Sudan (UNMIS) in the places they are deployed, but protection by UNMIS will not be the only strategy that communities will have to rely on. Such consultations should target a broad community audience beyond just traditional leaders, and should begin with flash-point areas. A particular focus on involving women is critical. Donors must accept that consultations will be time consuming but are essential, and so will require specific additional funding. In areas where UNMIS is deployed, its substantive sections should be conducting community consultations on protection strategies.

In Southern Kordofan, RI was informed of a proposal for community-based early warning systems in which women would help set up local protection strategies. The system would be implemented by a consortium of UN, international and national organizations. Given the widespread community concerns about security and the uncertainty of upcoming events, such proposals warrant funding and senior UN institutional support.

During discussions with local government authorities in Juba, Upper Nile and Southern Kordofan, RI found that there was less reluctance to discuss these issues than expected. Officials were very open about their concerns over conflict erupting, and they were forthright in saying that they would need and expect the international community's support. In fact, both communities and local officials said openly that they expected that the U.S. would send military protection forces to south Sudan in case of conflict with the north.

There is clearly room for more dialogue between local government officials and the humanitarian community on emergency preparedness, beyond closed-door discussions at senior levels. Donors should be willing to facilitate this openness through workshops at the national and state levels involving government officials, civil society representatives and the humanitarian community, aimed at ending the "taboo of silence." The Government of Southern Sudan should be brought into the contingency planning processes and should also be assisted in reaching out to communities to discuss upcoming events.

KEY CONSIDERATIONS FOR CONTINGENCY PLANS

Although operational agencies in Sudan are best placed to determine the specifics of what must be included in contingency plans, there are some key considerations that should be addressed.

□ **Clarify the roles of agencies with respect to internally displaced persons (IDPs).** There is currently a geographic division of labor between UNHCR and the International Organization for Migration (IOM) which sometimes results in ad hoc support. It is unclear which organization would lead on humanitarian protection activities for new internal displacement. UNHCR should take on this role and be given the requisite resources.

□ **Preposition emergency items to the extent possible.** Some prepositioning occurs yearly in anticipation of the rainy season. Humanitarian organizations should take

advantage of the 2010-2011 dry season (November to March) to increase prepositioning in the south and the transitional areas in anticipation of possible post-referendum conflict. Prepositioned items should include safe birthing and post-rape kits, which are lifesaving items for women, in addition to traditional food and non-food items. Donors must provide funding early enough to ensure this timeframe is met.

□ **Reinforce OCHA staff in the south.** OCHA staff has been significantly scaled back in south Sudan due to the shift towards recovery and development, and currently has no staff outside of Juba. There is widespread belief among the humanitarian community that the reduction in staff was premature. If conflict does increase, most organizations will look to OCHA to play its traditional coordination role. Recent small increases in staff in Juba have been helpful but do not make up for the lack of staff outside the capital.

□ **Support gender-based violence (GBV) programming.** Sexual violence was a very common phenomenon during the north-south war, particularly in the transitional areas. Women in Southern Kordofan expressed fears to RI that they would be vulnerable to such abuse if conflict broke out again. There is a major gap in GBV programming in the transitional areas and the south; few GBV survivors have received assistance and minimal work has been done on prevention. UNFPA has established some positive GBV work in Southern Kordofan, particularly on clinical management of rape with the Ministry of Health, but these efforts are limited by funding constraints and need to be extended within and beyond this state.

□ **Continue returnee tracking and monitoring.** Given the current political uncertainty, it is critical to maintain structures that track informal population movements and monitor the protection of returnees. These structures could also be used to track and monitor new displacement. Without sufficient data, assistance interventions often do not get organized, even for basic UN World Food Programme (WFP) food rations. NGOs that were monitoring protection of refugee returnees for UNHCR have had to stop since the end of 2009 due to the unavailability of funding and now plan only to resume limited operations.

□ **Ensure flexible funding.** A number of donors and UN staff expressed understandable reluctance to divert funding from current needs towards potential problems that may never arise. However, having money already in the pipeline that can be quickly reallocated is the ideal strategy.

The UN Common Humanitarian Fund (CHF) in south Sudan currently maintains an emergency reserve of 10% and RI was told that consideration was being given to raising this to 20%. The 2010 forecast for CHF funding is \$112 million, roughly the same as in 2009, which is inadequate. Donors should fund the CHF generously -- and early -- in order to take full advantage of the reserve. If the reserve amount is increased to 20%, donors should increase their overall CHF funding in order to avoid a de facto reduction to other humanitarian programs. The U.S. is not currently a CHF donor and so must commit to fully funding the Office of Foreign Disaster Assistance (OFDA) requirements for south Sudan this year, notwithstanding the crises in Haiti and elsewhere, and be prepared for maximum speed and flexibility if reallocations need to be made.

BUILDING COMMUNITY RESILIENCE TO REDUCE POTENTIAL CONFLICT

Because nearby towns and villages are likely to be the first port of call for people fleeing any conflict in the future, it is essential to increase these communities' access to basic services, as well as job and agricultural opportunities, in order to minimize the humanitarian fallout. Such reintegration support is especially needed for displaced people who are returning home and rebuilding their lives and will maximize a community's ability to absorb newly displaced people. As competition over access to basic services is often a source of conflict, USAID's new local conflict mitigation program in south Sudan is a positive step.

As with previous Refugees International field visits in 2008 and 2009, the first concern that communities reported was the lack of basic services -- especially education, health services and water. Furthermore the lack of rain this year has hit local towns and villages as hard as returnees. The impact of drought has meant a much larger population struggling to access food, with WFP dramatically increasing its target beneficiary numbers in the south from 1.1 million to 4.3 million. In some areas of Southern Kordofan, local authorities told RI that the majority of returnees have gone back to where they had previously fled due to lack of basic services.

Most women told RI that their priority need was for trained midwives, as south Sudan's maternal mortality rate is one of the worst in the world (2,054:100,000). Donors should support programs that reduce maternal mortality, especially training of midwives and traditional birth attendants. With UNFPA

assistance, the Ministry of Health has assessed the initial cost of reducing maternal mortality by 25% in the south at \$107 million. Donors must also insist that all proposals encourage women's participation and examine any new program's impact on women. USAID should advance its work in this area by developing a Sudan-specific gender policy.

The USAID-funded BRIDGE project is aimed at building the capacity of state-level government agencies to provide services and should be supported by other donors. The project has made some good progress in the four states in which it is operating in the south, but it has been seriously delayed in the transitional areas by the NGO expulsions in March 2009.

Virtually all provision of transport to help displaced people return home has stopped. Funding ended for most IDP returns in 2008 and hardly any refugees have chosen to return so far in 2010. But IOM estimates that 161,500 internally displaced people and refugees returned to the south and Southern Kordofan spontaneously in 2009 and they project that this may increase in 2010 due to the elections and run up to the referendum. There is still insufficient funding directed to the reintegration of returnees, especially in livelihoods support, as international donor interest seems to have waned.

CONCLUSION: LOOKING BEYOND JANUARY 2011

If south Sudan opts for independence in 2011, as looks likely, there will be a considerable need for donor governments to support the Government of Southern Sudan to ensure that its structure and leadership are capable of successfully delivering services to its people and protecting them. Yet political sensitivities are preventing donors from clarifying what the post-2011 aid architecture will be and from engaging in a robust advanced planning process with implementing partners. This risks a situation where preparations are left to the last minute, when urgency will end up trumping the need for thorough coordination and consultation. The international witnesses to the 2005 Comprehensive Peace Agreement between the north and south have already accepted in principle the option of southern independence. It is not unreasonable, therefore, that they should be planning to support its implementation, if the voters so decide.

Melanie Teff and Jennifer Smith traveled to south Sudan and Southern Kordofan in February to assess the humanitarian community's ability to respond to potential conflict in the run-up to and aftermath of the 2011 referendum on independence.