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3. THE OPERATIONAL ENVIRONMENT - SOUTHERN SECTOR

This chapter considers the operational environment of OLS Southern Sector. It begins with an overview of the war. As noted in chapter 2, war is a constant feature of the Southern Sector landscape, and OLS has been forced to adapt to the existence of protracted conflict as part of the operational environment. The chapter then goes on to consider the specific mechanisms for coordination in the Southern Sector. With UNICEF as lead agency, numerous NGO implementing partners, and counterparts from among the various opposition movements, OLS Southern Sector presents a highly complex scenario for coordination. The chapter will describe the structures that exist, the various actors involved, and the extent of co-ordinational coherence. Finally, the chapter will examine the distribution and scope of humanitarian activities and programmes in the Southern Sector.

3.1 War and the Targeting of Resources

Whatever the broader political and military objectives of the warring parties, the civil war has been fought on the ground as a resource war. Battles between organised armed groups, with the intention of seizing or holding territory, are only one aspect of the fighting. Civilians have been systematically targeted in asset stripping raids since the outset. The intention has been not only to seize whatever resources they possess, but to deny these resources to the opposing side. Civilian populations themselves have often been treated as resources to control. The pattern of this resource war has also expanded to include relief supplies, with the various parties adapting their strategies either to secure relief items, or to interdict the delivery of such items to their opponents.

The targeting of resources has changed as the pattern of war has altered. In the early years of the war (1984-1988), the GOS relied heavily on surrogate forces raised from tribal militia, now incorporated into the Popular Defence Forces. The most prominent of these have been the Murhalin (Missiriya and Rizeigat of South Kordofan and South Darfur), the Rufa'a of Southern Blue Nile, the "Anyanya II" (Nuer), the Murle of Upper Nile and Jonglei, and the Mundari and Toposa militia of Eastern Equatoria. These forces adopted tactics aimed at denying the SPLA a civilian base of support. Consequently, civilian settlements were attacked at least as often, if not more often, than SPLA troops. In Abyei and Northern Bahr el-Ghazal, attacks were aimed at driving people away from their settlements; houses were burned, crops destroyed, cattle seized, and people abducted.

The SPLA also attacked civilian settlements of those groups from which militia were recruited. The Mundari, Murle, and Toposa were the main targets of these attacks prior to 1989. In Eastern Equatoria, the SPLA has supported militia of a number of smaller groups, and has offered very little check on the raids they have undertaken on their own behalf.

It is not just the subsistence resources of rural populations which have been targeted in the war. Installations considered to be of strategic value have also been destroyed or occupied by the military. The Sudanese army regularly destroyed hand pumps and borehole wells before abandoning areas to the SPLA. The old rural road network is virtually unusable because of land mines laid at different times by the SPLA, the Sudanese army, and allied militia. In towns and smaller garrisons, buildings which once housed schools, health centres,

or hospitals have been commandeered and occupied by the army, or abandoned altogether. Medical supplies have also been destroyed to prevent them from falling into enemy hands: government troops retreating from Maridi, for example, burned all medicines they could not take with them, as well as hospital equipment (AAIN, 1991, June).

The net effect of these activities has been massive population displacement. In some cases, individual families as well as large groups of people have moved into more secure areas near their original homes. In other cases, there have been movements of large groups of people out of the war zone altogether. For example, the Dinka of Abyei and Northern Bahr el-Ghazal have moved to sites in the Transitional Zone, or to Khartoum, while other populations have moved out of Equatoria and across border to become refugees in Kenya, Uganda, Zaire, and Central African Republic. Prior to 1991, the SPLA also organized movements of people to refugee camps in Ethiopia.

Other populations have sought refuge from war zones in government towns in the South, whether as people connected with pro-government militia, or as civilians forced to move due to attacks from government troops and SPLA alike.

By 1988, the frequency of attacks on civilians was on the decline as the SPLA gained control of more territory, and adopted a policy of wooing government militia to its side. Since 1991, however, the eruption of interfactional fighting between Southern opposition movements has led to both an intensification of attacks on civilians, and a focus of attacks more narrowly on certain regions.

For example, the Anyanya II of Fangak, who joined the SPLA Nasir faction in 1991, continued their despoiling tactics when they attacked Kongor and Bor late in 1991. Civilians were also regular targets of both factions of the SPLA in the "Hunger Triangle" area of Kongor-Ayod-Waat in 1993. This type of fighting produced another great exodus of displaced people, as nearly the entire population of Kongor and Bor Counties fled to other parts of South Sudan.

The boundary between Western Upper Nile and Bahr el-Ghazal, coinciding as it does with the border between SPLA and SSIM territory, has also become a focus of raiding in which civilian populations and their livestock, rather than opposing military forces, have been the main targets. Troops coming out of the Nuer heartland of Western Upper Nile have been strongly supported by government forces in the Bahr el-Ghazal/Lakes perimeter. Some of the cattle seized in these attacks are reported to have been paid over to government garrisons, in exchange for weapons and ammunition; others have entered into the cattle trade network between Western Upper Nile and South Kordofan, which has greatly expanded since 1991. Finally, troops of the former SPLA commander Kerubino Kuanyin Bol, based first in Abyei and then in Gogrial, have made civilian settlements in Northern Bahr el-Ghazal their exclusive targets for attack. Not only have houses been burned and livestock and grain stores seized, but standing crops have also been destroyed, in tactics reminiscent of the Murhalin raids of the early 1980s.

The factional fighting between Southern movements includes competition for OLS resources. There have been attempts to secure control of contested areas by inviting OLS in, as happened when the SPLA United sought to establish its tenuous hold on Kongor in

1993, and is currently happening in much of Jonglei now being fought over by SSIM splinter groups. This parallels a policy of denying resources to opponents through the deliberate destruction of OLS inputs in rival faction areas. For example, donkey pumps installed by OLS at Waat and Ayod (to replace those earlier destroyed by government troops) were destroyed in the Hunger Triangle fighting of 1993. Veterinary and EPI cold chain equipment in Waat and Northern Bahr el-Ghazal have also been looted or destroyed in interfactional raids.

The presence of relief bases and relief stores in some places of the South now appears to invite attack. In Kongor in 1993, and in Northern Bahr el-Ghazal, raids have been timed to take place just after air drops of food. Kerubino's forces have also made primary health care facilities their specific targets, while the forces of William Nyuon and others have attacked camps of displaced persons in Eastern Equatoria, especially at Labone.

What is more damaging in terms of the working relations between OLS agencies and their counterparts in the Southern movements has been the looting of OLS bases under the cover of rival attacks. Both factions of the SPLA looted UN camps at Bor and Kongor in 1991, for example, and each accused the other of being responsible. SPLA troops in Akot and Akon looted OLS agency camps after they were evacuated during SPLA United/SSIA attacks, and OLS bases and barges have been looted by factions of SSIM and SPLA United during the last two years of interfactional fighting in Jonglei and Upper Nile. OLS-issued two-way radios are particularly prized objects in factional fighting, and there is evidence that they have been used (for example, by Kerubino) to listen to OLS networks in order to time attacks to coincide with relief deliveries.

The constant, if irregular, largescale movements of populations, the frequent evacuation of OLS personnel, and the destruction of OLS facilities and equipment have added further constraints on the planning and implementation of OLS programmes in the Southern Sector. The experience of many agencies has been that to resume a project after an interruption is virtually to start anew. This is because counterparts have typically been dispersed and have to be recontacted, or new ones identified and trained, new equipment has to be brought in to replace that which was lost, looted or destroyed, and often a new set of displaced people have to have their needs identified and assistance provided. Continuity in the field is thus being broken regularly, and any sort of progress is difficult.

It is against this background of ongoing and disaster producing warfare that the specifics of the operational environment of OLS Southern Sector must be considered. In the following section, the structure and mechanisms of coordination is considered

3.2 Coordination and Coherence in the Southern Sector

The major actors in OLS southern sector are UNICEF, WFP, NGOs (both international and local), and the humanitarian wings of the Southern opposition movements - RASS and SRRA. UN agencies provide considerable assistance to war-affected populations in South Sudan, but the largest part of actual programmes are implemented by some 35 NGOs, in cooperation with counterparts from RASS and SRRA.

In discussions with OLS agencies in the Southern Sector, the Review Team noted time and again the importance of coordination for future strategy and planning in OLS, a fact which is also acknowledged by UNICEF officials in Nairobi. The UN also acknowledges that interagency collaboration and coordination with NGOs is a key element in relief operations (UN, 1993, January). Given the number of actors involved in OLS, and the increasing scope and complexity of its work, coordination becomes even more critical for the effective delivery of humanitarian services. The task of coordinating so many actors and such a variety of programmes in a complex emergency situation is a herculean one, however, particularly when the lead agency - UNICEF - does not have the power of enforcement, and must instead rely on the goodwill, understanding, and cooperation of participating actors.

Coordination mechanisms used by UNICEF/OLS may be categorised broadly into two types: institutional and organizational. Institutional mechanisms refer to a set of rules and relationships which UNICEF/OLS uses as means of defining the contractual framework of the Southern Sector, and of gaining some degree of regulatory control over NGOs and movement counterparts. Organizational mechanisms refer to various established forums for coordination between various actors and components of the OLS operation.

In the section below, institutional mechanisms are considered first, after which an overview of the organizational structure of OLS in the Southern Sector is provided. The discussion will then move on to consider organizational mechanisms for coordination.

3.2.1 Institutional Mechanisms for Coordination

Institutional mechanisms include Letters of Understanding (LOUs), which UNICEF signs with NGOs, and Ground Rules, which the humanitarian wings of the opposition movements are expected to adhere to.

3.2.1.1 Letters of Understanding (LOUs) with NGOs

Letters of Understanding form the basis of UNICEF's agreement with NGOs, under which both parties undertake to cooperate in the provision of humanitarian assistance to war-affected civilians in South Sudan. An attempt to make LOUs tripartite, by including opposition movement counterparts, has not been successful.

The LOUs allow NGOs to operate under the OLS umbrella, and to make use of OLS supplies and logistics. Individual LOUs typically specify what humanitarian services the NGO is to provide, and where, according to an agreed plan of action within a specified period of time. The responsibilities of the NGO and UNICEF are clearly spelt out in LOUs. For the NGO these include: implementing activities specified in the LOU, coordinating food and non-food assistance, and supporting training and capacity building of Sudanese organisations. LOUs also engage NGOs to submit quarterly progress and monitoring reports, as well as to cooperate in evaluations, assessments, and additional monitoring of the distribution of humanitarian assistance.

For its part, UNICEF undertakes to negotiate access to all project sites indicated in the LOU, provide logistical support to NGO staff and cargo according to OLS programme priorities (subject to availability of cargo space and flight permissions), allow the NGO use of OLS communications systems, keep the NGO informed of the security situation and facilitate the evacuation of its staff if necessary, and provide accommodation to NGO at the Lokichokio base camp, and provide supplies, services, and funds according to an agreed list.

It is clear from the above that LOUs are designed as a mechanism to both regulate and coordinate the activities of NGOs. They also provide a framework through which UNICEF and NGOs are able to work together. Significantly, LOUs enable an NGO to obtain the free use of the OLS Southern Sector logistical network, including access to flights from Lokichokio, and to OLS resources.

In practice, LOUs have not been as effective a mechanism for coordination as expected. This mainly due to UNICEF's incapacity to effectively monitor the agreed objectives in LOUs, and the specific NGO programmes they support. In this regard, the relationship of accountability between UNICEF and NGOs is relatively weak. Moreover, the inability of UNICEF to meet the cargo requirements of NGOs, and the sometimes untimely nature of the supply of inputs, especially for health, has undermined the credibility of the coordinating role of UNICEF.

Another defect of the current LOU system is that it does not link its present cargo prioritisation process directly to NGO requirements listed in LOUs, itself a reflection of the fact that NGOs do not necessarily have common priorities or common strategic programme objectives with UNICEF. Complicating the picture is the fact that, while UNICEF agrees to provide cargo support to NGOs through LOUs, the actual management of logistics remains with WFP, which is outside the OLS coordination structure and has its own priorities. Hence, although UNICEF undertakes to provide logistical support, it does not control logistics itself.

3.2.1.2 Ground Rules with Opposition Movements

According to senior OLS sources, the establishment of Ground Rules was prompted by the murder of aid workers in 1992. Following that incident, the UN saw the need for a framework with which to work with the SPLA.

Ground Rules are an agreement between UNICEF and the humanitarian wings of the opposition movements, which:

...lay out the basic principles upon which Operation Lifeline Sudan (OLS) works and lay out the rules and regulations resulting from such principles. It seeks to define the minimum acceptable standards of conduct for the activities of OLS agencies (UNICEF/OLS, 1995, July/August).

Ground Rules also seek to define the minimum acceptable standards of conduct for the activities of SRRA and RASS - the present counterpart organizations of OLS in the South,

in areas controlled by the armies of their respective military authorities. Respect for humanitarian principles, including the right of the child, the right to offer and receive humanitarian assistance, and the need to facilitate access to populations in need, form the cornerstones of the Ground Rules. Other aspects of the Ground Rules relate to mutual obligations of the parties to the agreement, and to how relief properties and supplies should be used.

The Ground Rules are meant to regulate opposition counterpart agencies and their relationship with OLS agencies. They are also a vehicle to enable OLS agencies work in non-government held areas with the agreement of the military authorities for those areas. The fact that Ground Rules have evolved is an indication of an adaptation by UNICEF of strategies designed to cope with an environment in which formal civil codes of law and order have either collapsed, or are being interpreted and implemented by armed political bodies. In this regard, the Ground Rules also provide a mechanism for attempting to regulate the extent of abuse against civilians in non-government areas by the various factions of the opposition movements.

By their nature, the Ground Rules require considerable publicity and education, especially within SPLA/SRRA and SSIM/RASS, for them to be accepted and effective. The impression of the Review Team from field visits was that the Ground Rules have yet to trickle down to the field staff of counterpart organizations at community level. The Review Team also noted the importance of dissemination and education around Ground Rules to commanders and rank-and-file of the armies of the opposition movements, as well as to their civilian personnel.

Nevertheless, as noted in chapter 2, the Ground Rules represent the bringing together of humanitarian and human rights concerns, and provide a vehicle for OLS agencies to address incidents of abuse against civilians directly with the parties responsible. In this regard, they enable OLS agencies to maintain pressure on opposition movements for internal reform, and for the development and implementation of effective civil codes, within an agreed framework. Hence, the Ground Rules are an innovative adaptation to the provision of humanitarian assistance in the context of ongoing warfare, and indicate a laudable pragmatism concerning the need for UN agencies to engage directly with warring parties concerning their disaster producing activities.

3.2.2 The Organizational Structure of OLS Southern Sector

3.2.2.1 UNICEF as Lead Agency

UNICEF is the lead agency for coordinating OLS relief activities in the Southern Sector on behalf of the DHA. This makes UNICEF's Chief of Operations (Nairobi) the overall Coordinator of OLS in South Sudan.

The lead agency role of UNICEF can be traced to its experience in running operations in South Sudan prior to 1988, and to the appointment of James Grant as the Personal Representative of the UN Secretary General for Sudan in 1989, by which UNICEF came to play a leading role in negotiating and securing access through contacts with the warring

parties. Its OLS programme coordination role began to develop, particularly from 1993, with the gradual expansion of OLS operations. The weak capacity of SRRA as a counterpart organization, and the absence of effective government in the South, meant that UNICEF moved in to fill a vacuum that would otherwise have been taken up by an indigenous civil/political authority (O'Brien, 1996, April 19).

The unique nature of OLS, based on negotiated access and the mutual agreement with the warring parties, means that all NGOs under the OLS umbrella in the Southern Sector are subject to the overall guidance of UNICEF. NGOs depend on UNICEF's ability to provide them with support, the most important being air transport for cargo and staff from Nairobi to the UN base camp in Lokichokkio, and from there to various operational locations in South Sudan. Despite the lack of credibility in coordination that UNICEF has with many NGOs, it is this logistical support, in large part, that attracts NGOs to remain under the OLS umbrella. Another important factor in NGO interest is the security and evacuation system that UNICEF has evolved to address the safety of NGO staff and programmes in the midst of continuing warfare. Finally, the OLS umbrella provides a legitimate cover for NGOs to work cross-border into non-government areas of South Sudan, which is especially important to NGOs that simultaneously run programmes in government areas.

In its lead agency position, UNICEF provides regular security briefings to participating agencies; daily situation reports keep NGOs and their field staff constantly informed of the security situation. The security and evacuation system developed by UNICEF, described in chapter 2, has been widely acknowledged by even the most critical NGOs as a necessary criteria for their operations in South Sudan; since it is unlikely that NGOs themselves would have been able to devise and implement such a system, it is probable that many of them would not be working in the South were it not for UNICEF's efforts in this regard.

By 1993, OLS had developed into a massive air lift operation. This required a greater capacity to manage logistics than UNICEF could cope with at the time. By agreement, UNICEF subsequently ceded responsibility for managing logistics to WFP in the same year, leaving UNICEF with the management of the Lokichokkio camp and programme coordination. With regard to programme inputs, there has been a division of responsibility between WFP, which is responsible for food aid, and UNICEF, which is responsible for non-food inputs.

3.2.2.2 Coordination Between WFP and NGOs

There is also a degree of division of labour between WFP and some NGOs. WFP operates food relief distributions in areas not covered by NGOs. Beyond this, however, WFP does not have effective coordination with NGOs.

The consequences of this are seen particularly in relation to support for agricultural production, and especially the provision of seeds and tools. In targeting vulnerable communities for the distribution of seeds and tools, sufficient food assistance should be available prior to the arrival of seeds. This helps ensure that households, pressed by food shortages at the leanest time of the year, are not forced to eat seeds. In addition, the provision of food assistance prior to agricultural production enables households to maximize

labour for food production, rather than for other short-term strategies to fill food gaps.

In practice, this has not worked satisfactorily, in part due to logistical constraints, but also due to security disruptions. Indeed, the pattern of militia raiding in some areas of the south - for example, Bahr el-Ghazal - has itself been influenced by the pattern of WFP food distributions; raiding often follows food distributions in particular locations. According to one WFP source, it is for this reason that NGOs have come to regard WFP as a liability in the field, and are reluctant to be present with WFP in the same area during a food distribution. In relation to one incident of attack, an NGO staff member expressed the following view:

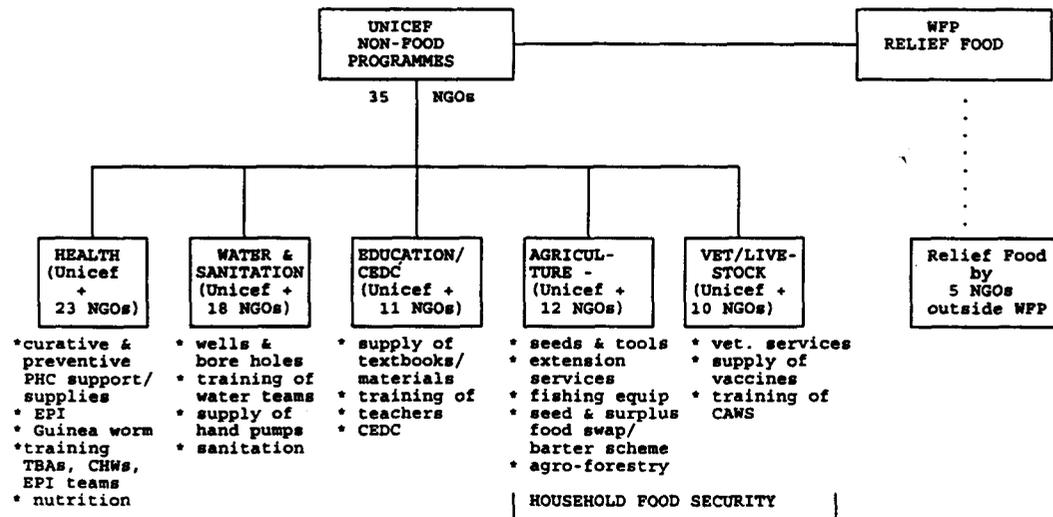
I personally feel extremely angry that WFP, against the advice and reports from their field officers, continue to dispose of their (food) surplus...in places which neither require nor at present want it. Over the last few months they have even had difficulty of giving the food away, let alone finding enough people to whom to distribute it. It is entirely irresponsible and is putting other aid workers at risk, as it seems that Kerubino Kuanyin Bol is specifically (at the moment) targeting distributions of food...Kerubino Kuanyin Bol now has at least five OLS radios, and the timing of his last two attacks on food distribution points is not coincidental. I personally would insist that I do not in future coincide in a location with food intervention.

This statement illustrates, among other things, the growing tension between WFP and NGOs in the field. This makes coordination between WFP and NGOs, especially in the distribution of food aid, and seeds and tools during the farming season, more difficult.

3.2.2.3 UNICEF's Operational Structure

In terms of OLS programmes, it is the UNICEF Programme Coordinator in Nairobi who is responsible for liaison both with NGOs and with UNICEF's and WFP's sectoral project offices. Figure 3.1 below indicates the central role of the Programme Coordinator in the overall UNICEF structure.

Figure 3.1 OLS Southern Sector Programmes



Source: Compiled from information supplied by UNICEF/OLS

Note: The list of specific activities under each sector is not exhaustive, but indicates programme concerns. Capacity building and humanitarian principles, and women programmes, are key activities supported by UNICEF/OLS and some NGOs.

Work at sectoral level is coordinated by the respective UNICEF project officers, who liaise with NGOs working in that sector, as well as UNICEF's own field staff. In this regard, it should be remembered that UNICEF also runs its own country programme. Hence, the UNICEF Chief of Operations, the Programme Coordinator, and the project officers have to oversee UNICEF own country programmes as well as coordinate the work of UNICEF's own and other agencies OLS activities. In practice, combining the lead agency role with the implementation of its own country programmes, especially in the context of a complex and multi-agency operation such as OLS, appears to have overstretched UNICEF project officers.

There have also been complaints from some NGOs about the bias of UNICEF's programme coordination, an issue that will be considered in more detail later. On the other hand, some UNICEF sources suggest that the call for better coordination is in some cases aimed at protecting specific areas covered by specific NGOs.

UNICEF also has a field programme office in Lokichokio, established in 1994 in a move to decentralize the Nairobi office. Until recently, a UNICEF had a field liaison officer based in Lokichokio; he was replaced, however, by a field officer with no decision making authority. Rather, the present field officer in Lokichokio can only implement decisions taken in Nairobi.

This has considerably weakened both the coordination and coherence of UNICEF's work out of Lokichokkio, and illustrates the more general constraint of the administration of OLS Southern Sector being split between Nairobi, Lokichokkio, and the field inside South Sudan. At present, the UNICEF office in Lokichokkio is overwhelmed by the sheer weight of coordinational responsibilities, particularly in dealing with NGO requests and complaints. In a discussion with the Review Team, it emerged that the present Programme Coordinator in Nairobi spends approximately 50% of her time in Lokichokkio (Nichols, 1996, April 1). Even so, a common complaint by NGOs is the weak level of coordination between Nairobi and Lokichokkio levels in decision making and implementation.

NGOs also face the constraints caused by the spacial split between Nairobi, Lokichokkio, and the field. Most NGOs have their programme officers based in Nairobi. Important decisions affecting programmes in the field are thus taken at the Nairobi level, and communicated to field staff in both Lokichokkio and inside South Sudan. Distance and problems in communication sometimes make coordination between these three levels problematic. Delays are often caused when matters that crop up in the field have to be relayed to Nairobi-based officers. Field staff inside South Sudan also sometimes receive contradictory directives from Lokichokkio and Nairobi, respectively.

It should be mentioned here that the Review Team's attention was drawn to a possible restructuring of UNICEF/OLS Southern Sector. The limited information available on the proposed restructuring suggests that UNICEF intends to appoint a Senior Field Programme Coordinator to be based in Lokichokkio, whose responsibilities will be to ensure coordination among various OLS partners - WFP, NGOs, and Southern Sudanese counterparts. This person will also be expected to supervise UNICEF programme staff in the field, who will still have to report to their respective project officers.

The proposed appointment could potentially improve coordination. However, it may also lead to overlap in responsibilities with the current Programme Coordinator. More importantly, the new post still combines UNICEF's OLS coordination function with UNICEF's own country programmes. The Review Team felt that what may be required is to dedicate a new post to OLS completely, and avoid mixing responsibilities with UNICEF country programmes. This would free the proposed Senior Field Programme Coordinator to concentrate on the coordination of OLS agencies, a large and critical task given the complexity of the OLS operation, and the difficulty of ensuring adherence to its principles in the highly politicized context of South Sudan.

There is also a proposal to establish a new post of Deputy Chief of Operations for UNICEF, to free the UNICEF Chief of Operations/OLS Coordinator to concentrate on both coordination and negotiation of access. In light of the above discussion, the Review Team felt this would represent a good step forward in separating UNICEF's own programmes from those of OLS.

3.2.3 Organizational Mechanisms for Coordination

The organisational mechanisms for coordination in the Southern Sector take various forms. These include regional coordination meetings, sectoral coordination meetings, and the INGO

Forum. The issue of cargo prioritization is also considered in this section.

3.2.3.1 Regional and Sectoral Coordination Meetings

Regional and sectoral coordination meetings began in 1994, in response to the increased access for, and growing number of, NGOs under the OLS umbrella.

Regional coordination meetings provide a forum for OLS agencies to discuss problems in a specific geographical area. The demand for such coordination is especially high in unstable areas (Kagunde, 1996, March 31). The meetings are typically run by Sudanese counterparts (SRRA or RASS), and attended by both NGOs and WFP. Although in theory regional meetings are held for all regions accessed in the Southern Sector, in practice meetings for Upper Nile, Bahr el-Ghazal, and other regions have been dormant for some time. Attendance at such meetings is also said to be poor, in part due to lack of transport for agency personnel. Moreover, friction between NGOs serving populations in the same geographical area sometimes inhibits the effectiveness of regional meetings. As a result, "coordination is patchy...and there is less sharing of resources" (Southern and Clarke, 1996, March 29).

Part of the problem of regional level coordination also appears to result from the fact that most NGOs operate in two or more regions, meaning the same set of people have to attend several meetings. Also, the extent of counterpart capacity may limit regional meetings in some areas; where counterparts are cooperative and dynamic, field-based coordinational meetings are said to be quite effective.

The value of good coordination among NGOs working in the same region can be illustrated by the following case. Catholic Relief Services (CRS) and Action International Contre le Faim (AICF) both work in Nimule/Mogale and Labone in Eastern Equatoria. Inputs from UNICEF and WFP, including Unimix and vegetable oil, are brought into Labone by air at considerable cost from Lokichokio. In order to cut costs, and reduce the inefficient use of air cargo space, AICF and CRS have made a deal under which CRS delivers vegetable oil by road to AICF programmes in Nimule/Mogali and Labone. This kind of cooperation between NGOs, where it has not evolved naturally through field level contact, or on the content of regional meetings, needs to be encouraged, especially given the pressure on air cargo space and the high running costs of the air operation.

According to impressions gathered by the Review Team, sectoral coordination meetings - run by UNICEF project officers based in Nairobi - appear to have been relatively more successful than regional meetings. They are said to have been generally useful, and to have produced important results. The frequency, format, and quality of coordination varies from sector to sector, however. Water and livestock were frequently mentioned as areas where coordination is running effectively, while health was noted as a problematic area, mainly due to the unwieldiness of health sector programmes. For example, some 23 NGOs operate health-related programmes. Further, the technical demands of the sector, and need for regular logistics and supply of inputs, makes coordination far more challenging.

For the water sector, meetings are said to be very regular at two levels: general coordination meetings to discuss transport, areas of operation, and who is doing what, held every two months, and technical coordination meetings to discuss technical issues. According to the logistics and field officer based in Lokichokkio, coordination in this sector also operates in a more decentralized manner, from Lokichokkio itself and two bases inside South Sudan covering particular regions. There is also a regular and effective system of reporting, collation, and computerisation of data at the Nairobi level concerning water programmes.

In general, most NGOs work across sectors. SCF (UK), for example, operates programmes in education, veterinary services, and agriculture, while AAIN is in health, education, water and women's programmes. The demands on staff time to attend sectoral coordination meetings are thus great, especially for programme or field coordinators.

3.2.3.2 The INGO Forum

Formed in July 1995, the original aim of the INGO Forum was to be a consultative group playing an advisory role to UNICEF at the highest level. UNICEF, however, preferred a management advisory group including NGOs and donors; subsequently, counterpart agencies from opposition movements also sought to participate. As a result, the initiative became unworkable in practice, and the INGO Forum was reformed as a forum for NGOs alone, in order to discuss common problems and form a collective influence on OLS decision making.

The Forum considers operational, especially logistical, problems in OLS, and innovations in programming. While it is too early to assess the effectiveness of the Forum, it is worth noting that, so far, the Forum has been able to successfully lobby donors for USD 2 million to clear the backlog of cargo to South Sudan. As NGOs acquire more financial muscle within OLS, the Forum will no doubt provide an increasingly important mechanism for NGOs to influence OLS policy and programme decision making.

On the other hand, the growth of the NGO sector, both in terms of resources and programmes, raises the question of the extent to which NGOs will remain willing to submit to UN coordination and regulation. Already there are complaints from NGOs that UNICEF is too powerful, that there are too many regulations, and that decisions are too centralised. Calls for deregulation and decentralisation from NGOs are now becoming common.

3.2.3.3 Cargo Prioritisation Decision Making

One of the main issues the INGO Forum considers is logistics, and specifically the growing problem of limited air cargo capacity. In the face of increasing demands by NGOs for air cargo space, it has become necessary to prioritise cargo in a more coherent manner.

As an indication of the scale of the problem, the number of locations served by OLS rose from 30 in the early 1990's to over 100 at present, while the number of NGOs rose from a few to almost 40 today. The pressure on the OLS logistical system that this has entailed has been substantial. Moreover, with the increased emphasis on capacity building and

institutional development, demands for personnel transport, as well as cargo transport, have also grown.

At the same time, the availability of aircraft has been limited by a number of factors, including, importantly, the decline in funding that allows for bigger and longer aircraft rental contracts to be made. The accidental loss of the Twin Otter aircraft has also contributed to the limitations on air capacity. The contraction of air transport capacity has meant that UNICEF's commitment to meet the transport requirements of NGOs, pledged in the LOUs, has been compromised. Since demand for air transport far exceeds supply, prioritisation has become a necessity.

In principle, cargo prioritization is based on needs assessments, as well as on seasonal requirements to have certain inputs in place - for example seeds and tools - prior to the start of the rains. Prioritisation meetings take place in Nairobi among heads of agencies - what is called the Executive Group - and decisions taken are communicated to field staff and logisticians in Lokichokio. Allocation of air cargo space is then determined by logisticians on a weekly basis according to cargo prioritisation guidelines from Nairobi. NGOs submit their priority locations and cargo to logisticians in Lokichokio, who then decide, together with UNICEF's field officer, what can be moved by the aircraft available. Aircraft availability is, in turn, determined by flight operations.

Cargo prioritisation has operated on the basis of identifying requests as either high or low priority cargo, or high or low priority destinations (O'Brien, 1995, September 29), rather than on a first-come first served basis (Nichols, 1996, April 1). In practice, however, WFP and NGO logisticians, respectively, tend to make different decisions on cargo priority. Further, the absence of NGOs from consultation on cargo prioritisation decisions at the Nairobi level means that there is tendency for conflict between OLS cargo priorities and NGO priorities. Finally, both UNICEF and WFP, aside from operating a coordinational and logistical management role, are also implementing agencies with their own programmes.

The conflict of programme interests between NGOs, WFP, and UNICEF are thus a common source of argument vis a vis cargo. According to one senior UNICEF official, another facet of the problem is the fact that some NGOs obtain funding from donors outside the OLS framework; once funding is secured, the NGO then comes to UNICEF to demand logistical support regardless of whether the project is within the OLS framework or not. Hence, the OLS logistical system is supporting a larger traffic of air and personnel cargo than its formal agreements would indicate.

In addition, although cargo priorities are expected to be based on annual assessments, individual NGO programme needs do not feature in these assessments.

What the above indicates is that there is no consensus between UN OLS agencies and NGOs concerning the overall priorities of OLS programming. That there is so much cargo to move with a limited air capacity gives rise to tremendous pressures from different sources, which makes the reaching of decisions about cargo priorities both difficult and controversial. The fact that NGOs have a limited input into cargo priority decisions exacerbates this difficulty. Further, the majority of people who decide on cargo priorities are logisticians, who have little or no knowledge of programme requirements, and especially

the critical issue of seasonality for some inputs.

In general, the Review Team felt that present mechanisms for coordination are inadequate for an operation of OLS's nature. This inadequacy becomes more important in light of the fact that OLS has grown in both scope and complexity.

3.3 Growth, Complexity, and the Unevenness of Assistance

3.3.1 Increasing Scope and Complexity of the Southern Sector

Part of the operational landscape of the Southern Sector is the increasing number of sectoral programmes under the OLS umbrella. Sectoral programmes have grown substantially since 1989; although relief food and basic health care are still integral parts of OLS, programming has broadened over the years beyond these two concerns. Programmes now cover household food security, including rehabilitation of agricultural production and livestock, roads, water and sanitation, primary education, capacity building, and promotion of humanitarian principles. Figures 3.2 and 3.3 below summarise the sectoral programmes under the OLS umbrella, including those of UNICEF and WFP, and of NGOs, respectively.

Figure 3.2 UNICEF Operational Structure

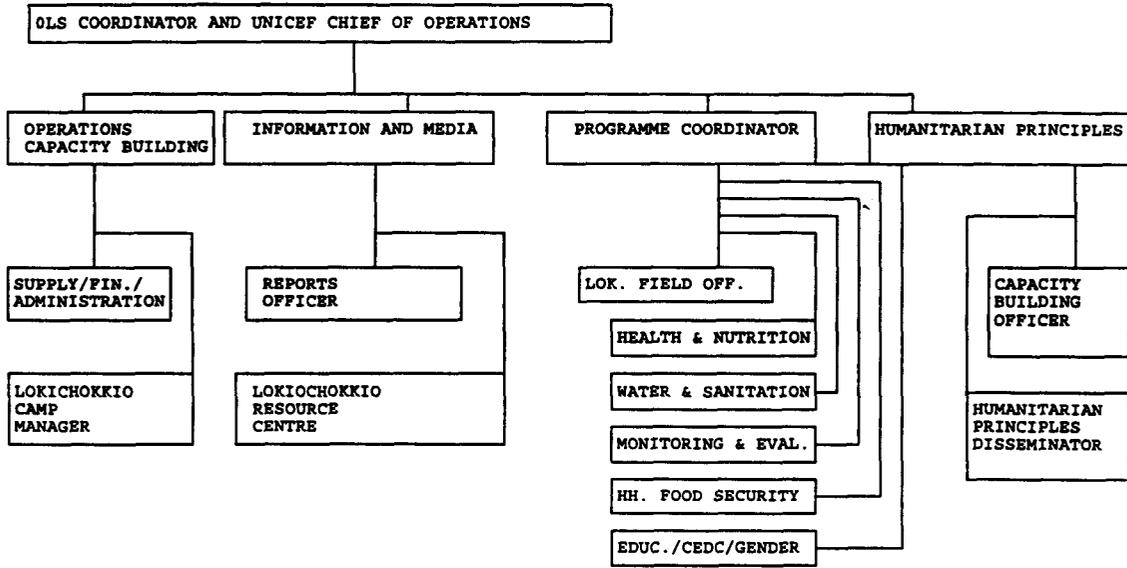


Figure 3.3 Southern Sector NGOs and Type of Relief Operations

ACRONYM	NAME	AREA	TYPE OF OPERATION
AAIN	Action Africa in Need	Yei (EE, Maridi, Mundri (WE)	food relief, health, agriculture through women's coops and income generating projects, education water
ACROSS	Association of Christian Resource organisations Serving Sudan	Akobo (J), Akot (L), Leer & Nyal (UN)	health, education, veterinary services
ADRA	Adventist Development and Relief Agency	Kapoeta county & Maridi (EE), Mankien & Nyal (UN), Akobo (J)	agriculture, education, health, veterinary, water
AICF	Action Internationale Contre la Faim	Labone, Mughale, Nimule (EE) Akak, Turale (BEG)	health, nutrition, water and sanitation
ANV*	Association of Napta Volunteers	Akot, Agangrial, Mathiangic(L)	agriculture
ARC	American Refugee Committee	Kajo-Keji county (WE)	health
CARE	Cooperative for American Relief Everywhere, Inc.	Tambura county (WE)	agriculture, health, water relief food, fishing
CCM	Comitato Collaborazione Medica	Adrior, Akot (L), Tonga (UN)	health, water
CDA*	Community Development Association	Narus (EE)	women's projects
CMA	Christian Mission Aid	Haat, Toic (UN), Boma (EE)	health
COSV	Coordinating Committee for the Organisation for Voluntary Service	Nyal, Nhialdiu (UN)	health, water
CRRS*	Cush Relief and Rehabilitation Society	Mapodit (Yirol county) (L)	agriculture, health, veterinary
CRS	Catholic Relief Services	Chukudum, Ikotos, Nagishot, & Labone (EE), Yambio (WE)	agriculture, relief food, gender programmes
DOR*	Diocese of Rumbek	Rumbek county, Tonj county (L)	education, water, general relief
DOT*	Diocese of Torit	Narus, Chukudum, Ikotos, Lohutok, Nimule, N.Cush, Naite (EE)	education, health, general relief, agro-forestry, water, peace work, capacity building, veterinary
GAA	German Agro Action	Bor county (J)	agriculture
HNI	Health Net International	Ler, Duar (UN) W.Equatoria Lakes	health (UN), coord of oncho. programme (WE.,L)
IMC	International Medical Corps	Tambura county (WE)	health, EPI, hygiene education
IRC	International Rescue Committee	Ganyliel (UN), Fangak, Ayod (J) N.Bahr el-Ghazal	health, water
MDM	Medecins du Monde	Mankien (UN)	health, EPI
MRDA*	Mundri Relief and Development Association	Mundri, Maridi (WE)	education, capacity building
MEDAIR		Atar, Oriny (UN)	health, household food security, water
MSF-B	Medecins Sans Frontieres-Belgium	Akobo (J), Maridi, Angatua (WE) Mapel, Barurud, Panthou, Akon (BEG)	health, nutrition, water
MSF-H	Medecins Sans Frontieres-Holland	Toic, Duar, Leer (UN)	health, water
NCA	Norwegian Church Aid	Ler (UN), Ikotots, Lokutok, Acholi (EE)	women's programme, health general relief,
NSCC*	New Sudan Council of Churches	Bahr el-Ghazal, Eastern and Western Equatoria, Upper Nile	agric.,education, health, community dev.general relief, women's programme
OXFAM UK		Maridi, Mundri (WE), Rumbek county (L)	agriculture, health, water, veterinary
RADDA BARNEN	(Swedish Save the Children Fund)	Ler (UN), Akot, Rumbek county, Yirol county (L)	education, psychological (re-unification/follow-up)
SCF-UK	Save the Children Fund United Kingdom	Bahr el-Ghazal, E.Equatoria, Jonglei, Upper Nile	agriculture, education, fishing, general relief, veterinary, water
SMC*	Sudan Medical Care	Narus (EE)	health
SUPRAID*	Sudan Production Aid	Tonj county (L)	agriculture, veterinary
VSF-B	Veterinaires sans Frontieres-Belgium	Akobo, Ayod (J) Haat (UN), Marial (L)	Veterinary services
VSF-CH	Veterinaires sans Frontieres-Switzerland	Mankien, Nhialdiu, Duar, Nimne, Ganyliel, Nyal	veterinary services
VETAID	Veterinary Aid	Pauler (J), Marial (L)	veterinary services
WVI	World Vision International	Yambio (WE). Nabogok (L)	agriculture, relief food, capacity building, water

SOURCE: UNICEF/OLS Nairobi

* indicates a Sudanese NGO (SNGO)

The number of approved locations has also grown from 77 in May of 1994, to 115 in 1995 (UN/DHA, 1996 February), and 120 in 1996. Coterminous with this extension of access has been a phenomenal increase in the number of INGOs and Sudanese Indigenous NGOs (SINGOs) operating, or seeking to operate, under OLS. The growth in number of INGOs was particularly noticeable following the 1992 agreement (O'Brien, 1996, April 19). While there were only two SINGOs (CRRS and SMC) in mid-1993, by early 1996 the number of those seeking to register with OLS had reached nearly 30, out of which six have signed Letters of Understanding with UNICEF. Figure 3.3 also presents the list of NGOs operating in the Southern Sector as of April 1996.

The number of implementing agencies within any given sectoral activity has also increased. For example, the number of INGOs delivering livestock/veterinary services is presently ten, as compared to one in 1989, while the health sector now has 23 NGOs apart from UNICEF, compared to three in 1989.

Part of the growing complexity of OLS Southern Sector has to do with the rise of factionalisation within opposition movements, and the simultaneous rise of potential new counterparts for OLS. In this respect, the Southern Sector presents a more complex picture than the North, where there is a single political authority to act as counterpart. Finally, OLS Southern Sector has changed from being a mainly land-based operation prior to 1992, to a massive airlift (O'Brien, 1996, April 19).

3.3.2 The Distribution of Humanitarian Services

The growth of OLS programmes, however, has not guaranteed equitable distribution of humanitarian services to all populations in need in the South. Despite the dearth of data, there is some evidence of concentration of humanitarian services in some regions at the expense of others.

An examination of the list of NGOs and their activities, provided in Figure 3.4 below, suggests that, while there is a good presence of OLS NGOs in Western and Eastern Equatoria, Upper Nile, and Lakes, there is a much smaller number of NGOs covering Bahr el-Ghazal and Jonglei. For lack of complete data and absence of sectoral mapping, it is difficult to show the coverage of sectoral programmes. It is however reasonable to infer from the spread of NGOs that populations in some areas of maximum vulnerability or of greatest need, but insecure and access-restricted, such as Bahr el-Ghazal are under serviced by OLS agencies.

Figure 3.4 Regional Distribution of NGOs in OLS Southern Sector

Region	Number of NGOs
Bahr el-Ghazal	4
Eastern Equatoria	11
Jonglei	8
Lakes	13
Upper Nile	15
Western Equatoria	11

Note: Based on list of NGOs and their activities provided by UNICEF/OLS Nairobi.

The uneven distribution of NGOs is explained by a combination of factors. First, there is an informal division of labour between WFP and NGOs, whereby WFP does not operate in areas where NGOs distribute relief food. Hence, WFP and NGOs do not necessarily have knowledge about the extent of coverage of each other's food aid programmes. Despite this, there does appear to be a de facto division of labour with regard to food aid coverage; NGOs tend to operate in relatively secure environments such as Western and Eastern Equatoria, while WFP operates in some of the most difficult and insecure regions such as Bahr el-Ghazal.

Second, and more importantly, flight bans and the manipulation of access by warring parties have not enabled OLS to operationalize an equal coverage of all affected populations. In worst-affected areas such as Bahr el-Ghazal, Jonglei, and parts of Upper Nile, relief programmes have been ad hoc, according to the extent of access allowed and the security situation at any given time. In the view of NGOs consulted by the Review Team, erratic flight bans constitute one of the most disruptive factors in their coverage and programming; in this regard, areas that are accessible by road, and hence not subject to interdiction through flight bans, may appear more attractive to many NGOs. In terms of formal access, Bahr el-Ghazal and parts of Upper Nile became accessible relatively late, following the December 1992 agreement; as a result, OLS Southern Sector operations to Bahr el-Ghazal did not commence until February 1993.

Fighting between the GOS and the SPLA, as well as interfactional fighting within Southern movements, and militia raiding, have also rendered some areas chronically insecure. In terms of NGO coverage, a pattern that has been evident is the fact that NGOs tend to congregate in areas of greater relative security. The implications of this for programming is considered later in this section.

Third, the fact that there is a heavy presence of NGOs in some parts of Upper Nile (especially the west) which, like Bahr el-Ghazal, is both distant and liable to insecurity, suggests that there is another dimension to NGO coverage. According to some NGO officials, this has to do with the willingness of NGOs to have a presence in areas controlled by SSIM/A, either because there was no other choice, or more significantly, in order to establish a neutral balance between work with SPLA and SSIM.

Finally, the unevenness of NGO coverage of the South is a result of the lack of effective, centralized coordination by the UN of NGO operations. NGOs by and large decide where they

want to work in the Southern Sector, in some cases with donor approval. Hence, the pattern of NGO coverage does not necessarily correspond to a rational division of labour among OLS implementing partners, but has evolved on an ad hoc and historical basis according to individual NGO interests and capacities. Because NGO site selection tends to favour areas both further south and relatively more secure, this has led to uneven coverage. WFP and UNICEF are then left to operate in areas where NGOs are not willing to go. It must be acknowledged, however, that a few NGOs are working in some of the most difficult operational environments in South Sudan, as in Northern Bahr el-Ghazal.

3.3.3 The Distribution of Programme Types

Closely linked to the uneven security situation, there is a noticeable difference in the type of programmes being implemented in various regions of the South, and an unevenness in the extent to which implementing agencies are attempting to apply a shift away from relief toward rehabilitation.

In general, more rehabilitation-oriented programming has gravitated toward the more stable regions in the south of South Sudan, and away from Bahr el-Ghazal and other insecure regions in the Transitional Zone. In theory, more stable areas present greater opportunities for enhancing coping strategies, supporting production, and restoring basic social services. In Equatoria, for example, NGOs have actively embarked on rehabilitation projects such as roads, support for agriculture through the provision of inputs and revival of extension services, and attempts to revive the local economy by providing opportunities to exchange surplus grain for commodities.

One of the assumption underlying the shift toward rehabilitation and away from relief is that the operational environment will remain stable in those areas where rehabilitation is taking place. However, the pattern of the war indicates that the frontline is constantly in flux; moreover, the emergence of factions within the Southern movement hostile to each other, and the extent of raiding by various groups, means that stability in terms of the war cannot be predicted with any degree of certainty. Such conditions place any rehabilitation or development projects at risk.

In this regard, one of the key features of the operational environment in the Southern Sector is the unpredictability of warfare, and the extent to which this unpredictability has influenced programme coverage and type. NGOs and UN agencies cannot know the extent to which programmes will endure. In this respect, the cross-border operation in South-Sudan presents a very different picture from the other major cross-border operation in the Horn, that to Eritrea and Ethiopia during the 1980's and early 1990's. In that situation, aside from air attacks, the frontline of warfare was relatively easy to predict in advance, and conditions in non-government held areas were relatively stable. Without a stable frontline of fighting, however, and without international military protection for humanitarian operations, OLS Southern Sector programmes and coverage must remain flexible. This does not lessen the need to enhance mechanisms for a more rational coordination of NGO programme coverage, however.

3.4 Working with Southern Movements

Another of the defining features of the operational environment is the extent to which international agencies have been placed in direct contact with sections of the Southern opposition movements, and the degree to which this contact has informed a process of institutional reform within the movements. This section considers the evolution and implications of this contact.

The Sudan Relief and Rehabilitation Association (SRRA) was founded in 1984, as an independent and non-political association to provide for the relief needs of refugees, mainly in Ethiopia (SRRA, 1984, September 2: 1). Since that time, SRRA has had to reform its structures several times. This has involved both a shift from refugees to the more diverse needs of the internal populace, and the need to deal more effectively with a greater variety of external agencies.

INGOs attempting to work through the SRRA immediately before OLS often experienced difficulties; indeed, at that time the SRRA had gained a reputation for "paranoia" when dealing with foreign organisations (Scott-Villiers, 1988, April 21). With increased NGO activity in the South by the end of 1988, the SPLM attempted some reform of the SRRA, by placing it under the direct responsibility of a member of the SPLA Political/Military High Command, and moving its headquarters from Nairobi to Kapoeta.

Although the SRRA represented itself as an NGO, it was tied very closely to the SPLA, and this seriously affected its efficiency. Because SRRA officials retained their ranks in the SPLA, and local commanders appointed and promoted their own SRRA field secretaries without reference to headquarters in Kapoeta, the authority of the Secretary General and his executive was undermined, and the SRRA's internal chain of command was almost non-existent. Indeed, the reality was that OLS was dealing with SPLA commanders without being fully aware of it. In practice, local programmes were implemented only through negotiation with local commanders.

OLS required a central authority through which planning could be made, but there was no functioning central system. Not knowing the precise nature of the structural weaknesses within the SRRA, OLS attempted to solve the problem by strengthening the headquarters and the Nairobi liaison office. At the end of 1989, WFP provided the SRRA with USD 20,000 for support costs (Daniel Deng Kut, 1989, November 16), the first attempt at "capacity building".

The SRRA headquarters for its part lobbied the SPLA for the appointment of an Executive Director, who could coordinate the activities of the headquarters and the liaison office, and try to improve working relations with OLS agencies. An Executive Director was appointed in 1991, but in practice this appointment further emphasised the importance of the Nairobi office at the expense of the headquarters in the field. In the words of a former SRRA secretary, "Nairobi became everything, the field nothing". This had disastrous results when personality clashes developed between the SRRA Executive Director and the OLS Coordinator in Nairobi.

The split in the SPLA in 1991 forced changes in the SRRA structure. The creation of the Relief Association of Southern Sudan (RASS), representing the Nasir faction - SPLM/A United (later SSIM/A), introduced a new element of competition for relief resources. The RASS structure paralleled that of the SRRA, and also came under the jurisdiction of the SPLA United's Secretary for Humanitarian Affairs. At first, the experience of OLS agencies was that RASS officials allowed greater freedom of access to local communities than was frequently the case with the SRRA. This put further pressure on SRRA for internal reform, which began in 1992 with the appointment of the current Secretary General, Mario Muor Muor, following the breakdown in relations between the SRRA and OLS that same year. In 1993, the SRRA was officially separated from the SPLA, becoming a department under the Secretary for Humanitarian Affairs and Relief, a move confirmed at the SPLM's first National Convention in April 1994.

The humanitarian wings of the two movements have had diverging experiences in recruitment. In 1991, both drew heavily on the military personnel already in their ranks. RASS grew out of the SRRA committee appointed in Nasir to look after the returnees from Ethiopia, which was initially dominated by the former SPLA administrators of Itang. As the SPLA United came increasingly under the control of Nuer commanders, and was riven by intersectional Nuer conflicts, there was an exodus of non-Nuer from the ranks of both SPLA United and RASS. This included some of the more qualified Dinka and Equatorian civil personnel, who had originally joined SPLA United because of its public stance on humanitarian issues. There has thus been a decline in the number of RASS field staff capable of performing competently the functions OLS expects of them.

The SRRA has had the opposite experience. In 1992, the new Secretary General found that the appointment of field personnel followed the recruitment pattern of the SPLA generally, meaning that the majority came from the Dinka of Bahr el-Ghazal, Lakes, and Jonglei. In response, he attempted to give the SRRA a more diverse character by recruiting persons from throughout South Sudan (Mario Muor Muor, 1996, April 7). This has opened the SRRA up to a wider pool of expertise. This reform was also necessitated by other reforms the SPLM/A has implemented in civil administration, and in its policy towards SINGOs. These reforms have meant that SRRA faces more competition for experienced civil staff than was previously the case.

Local relief structures also vary throughout the Southern Sector. Initially, assessments and distributions were made through the hierarchy of local chiefs, and access to the chiefs was mediated by the SRRA. Following the establishment of SPLA administration in Western Equatoria, a new system of Joint Relief Committees (JRCs) was set up, with a membership composed of local representatives from UN agencies, INGOs, the SRRA, the New Sudan Council of Churches (NSCC), and representatives of the community. The JRCs together were responsible for local assessments and planning, as well as implementation. This system was expanded to other areas under SRRA jurisdiction.

Problems of over formal structure, plus the growing desire of INGOs to have greater access to "the community", have meant that in some areas where JRCs have not been set up - for example, northern Bahr el-Ghazal - WFP has developed its own community-based Relief

Committees. These Relief Committees operate closer to the community, and include representatives chosen at village level. Relief Committees are involved in identifying and distributing relief to those deemed most vulnerable within a community.

Hence, there are now three types of relief or distribution structures in operation within the Southern Sector: relief distributions organised by chiefs, mainly in RASS areas such as Western Upper Nile, relief projects ostensibly planned and implemented by Joint Relief Committees, mainly in Western Equatoria and Lakes, and relief distributions implemented through Relief Committees, mainly in Northern Bahr el-Ghazal.

In the early years of OLS, SRRA field staff were inextricably connected with the civil administration of SPLA held territories; indeed, many staff doubled as Civil/Military Administrators, responsible for collecting taxes from the civilian population and supervising the court system within their jurisdiction, under the authority of the SPLA Area and Zonal Commanders. With the introduction of OLS and its relief requirements, however, this led to a direct conflict of interests. As a Civil/Military Administrator, an SPLA officer would be involved in collecting taxes from his people, often in the form of livestock or grain; meanwhile, as an SRRA agent, the same person was involved in assessing relief needs and the distribution of items (usually food) to local communities.

The reforms at the first National Convention in April 1994, which brought about a separation of the SRRA from the SPLA, also began the process of separating the civil from military administration, and formalizing a new civil administration more generally. Pre-1976 provinces were formally designated as regions, and former districts (called provinces in GOS federal nomenclature) became counties, which were then further subdivided into payams. Governors have been appointed to administer the regions, and Commissioners to run the counties. While Regional Governors and County Commissioners continue to be political appointments by the SPLA, a civil administration is being reconstituted within each county, under the supervision of an Executive Director. The payams are the responsibility of the Payam Civil Administrators (PCAs), and villages are administered by Executive Chiefs. Many of the new PCAs were formerly CMAs in the old SPLA, although many also had been in civil administration before the war.

The role and influence of the different officials within the counties is still emerging. There is quite clearly a conflict of jurisdiction between the SRRA, and the civil administration at all levels. In the National Executive Council, the responsibilities of the Secretaries of Health, Education, and Agriculture, among others, overlap with the responsibility of the SRRA's Secretary for Humanitarian Affairs; the SRRA is still responsible for the implementation of programmes now theoretically being planned by the other secretariats. In the field, the SRRA has direct access to the resources of OLS, but finds itself in competition with the civil administration for the control of these resources.

Administration in the SPLA United/SSIM areas has remained under the military, mainly because of the political and military factional fighting which has affected the Jonglei and Sobat areas. In 1994, the SSIM attempted an administrative reform, retitling its regions as states (paralleling GOS usage), but civil structures outside Liech State (Western Upper Nile) have

been more theoretical than actual, due to continuing insecurity.

The drive by INGOs to circumvent the military and deal directly with civilian institutions has been an important factor in the creation of local level relief structures, and in the reform of civil administration within the SPLA. It has also contributed to the creation of Sudanese indigenous NGOs (SINGOs) within the South. When OLS began, the SPLA prohibited the hiring of Southern Sudanese relief staff outside the structure of the SRRA. Parallel to the SRRA, and working sometimes in an uncomfortable alliance, was the New Sudan Council of Churches (NSCC), with churches employing their own staff, as well as receiving assistance from expatriate church staff. Since 1992, there has been a greater liberalisation of employment practices, not only in terms of INGOs hiring Sudanese in various capacities, but in the encouragement of SINGOs. Many of these have been set up by ex-SRRA and RASS staff, some with considerable experience in OLS projects. The major weakness of SINGOs is that they depend on the UN and INGOs for support, and have yet to establish any independent source of funding. Only a few SINGOs have progressed beyond the planning stage, and only a few manage their own field operations.

Given the above, it can be seen that one of the factors behind the impetus for reform of civil administration in non-government areas of the South, and the impetus to separate civil from military authorities, has been the existence of OLS Southern Sector. Since the provision of humanitarian resources through OLS depends in part on the existence of competent and autonomous counterparts, political authorities in the South have been pressed to move away from a purely military orientation toward civilian populations, and toward the development more formal structures of civil society administration. While these reforms cannot be said to have been caused by OLS, and while the extent of their depth versus superficiality cannot be judged at this stage, the fact of OLS has acted as an important catalyst in the impetus for reform. If one accepts that large parts of South Sudan are administered by opposition movements - which, however it may be debated according to one's sentiments about the warring parties, is nevertheless the reality on the ground - then the impetus to reform that OLS has provided is a positive step for war-affected populations.

4. THE OPERATIONAL ENVIRONMENT - NORTHERN SECTOR

4.1 Introduction

This chapter considers the policy framework and operational environment of OLS Northern Sector. It begins with a discussion of UN responses to the issue of war-displaced populations, and the establishment of a framework that defined OLS in the Northern Sector. It then goes on to consider the operational environment, with regard to government structures, NGO implementing partners, and the structure and coordination of UN OLS agencies. Throughout, examples are drawn from OLS Northern Sector operations generally, and from the various sites that the Review Team visited. In Chapter 7, the programming and social impact of Northern Sector operations are considered.

In general, the Review Team felt that an analysis of the organization and structure of OLS Northern Sector should be made in terms of the extent to which they allow the defining principles of OLS to be operationalised. These principles, laid out in various OLS agreements, include neutrality, transparency, and accountability. Accordingly, the implications of Northern Sector structures and organization as described below are considered with reference to these principles at various points throughout the chapter.

4.2 Defining OLS in the Northern Sector

4.2.1 Responding to Internal Displacement: The Development of a Framework for OLS

OLS in North Sudan has its origins in the issue of internal displacement. In 1989, an estimated two million people were displaced throughout Sudan. In 1994, the total number of war-displaced living in Greater Khartoum alone was estimated at 800,000 people (UN, 1994, August).

By the late 1980s, internal displacement had become a matter of concern at policy level for the GOS; internal displacement was seen to contribute to rapid and potentially destabilizing urbanisation in Khartoum. Further, the plight of the displaced had attracted negative publicity, particularly in the transition zone, where the famine of 1987/88 left nearly quarter of a million people dead.

In September 1988, the GOS issued a draft of its general policy towards the displaced, reaffirming the rights of displaced citizens and emphasising government efforts to provide relief (GOS, 1988, September 22). For the short term, the policy highlighted the importance of creating employment opportunities in rural and urban areas to increase self-reliance, and the upgrading of spontaneous settlements. For the medium term, GOS policy called for the establishment of reception centres at interregional frontiers, in order to stem movement to the capital and other urban centres, and facilitate returns to home areas (GOS, 1988, September 22).

The GOS policy statement coincided with the arrival of a UN team in September 1988, aimed at developing a UN/GOS response to the emergency situation. This mission would

establish a framework for international appeals and, subsequently, for the formation of OLS (UN, 1988, November 10). Importantly, this framework endorsed the government's approach to the issue of displaced populations. Government policy is reflected, for example, in various UN appeals, including those prepared for OLS (UN, 1988, November 10; UNDP, 1989, August 9; UN, 1990, March 26). In 1988 and 1989, the UN adopted a three pronged approach that fits well with GOS policy as set out in September 1988, which aimed to combine the provision of relief commodities with:

....a comprehensive set of programmes to assist people migrating out of conflict areas into the transitional zone of Darfur and Kordofan; comprehensive urban strategy to direct urban growth and reduce adverse environmental consequences of overpopulation and resultant poverty (UN, 1988, November 10).

The early stages of UN policy with regard to displaced peoples were thus significant in establishing a framework for OLS responses to the humanitarian needs of these populations, which involved a convergence with, and accommodation of, government policy. For the Review Team, this has a number of critical implications for the definition of OLS Northern Sector.

4.2.2 Implications of the Framework

First, the framework set out by the GOS in 1988, and endorsed by the UN in 1988 and 1989, does not include an analysis of the origins of displacement, or of the risks faced by people moving into the Transitional Zone, or to government-controlled towns. The omission of such crucial considerations is especially noteworthy given the widespread public knowledge of, for example, the massacre of Dinka in Ed Da'ein and Wau in 1987 and 1988, respectively, which left several hundred people dead. The failure to situate the humanitarian response to war-displaced populations within the broader context of internal conflict has meant that human rights concerns for these populations is effectively absent from the definitional framework of OLS. This, in turn, has left the UN without a clear mandate to address the issue of protection. In the case of Greater Khartoum, this has meant a de facto accommodation with the forced resettlement of war-displaced populations.

Second, the framework reflects a convergence of thinking between the UN and the GOS regarding the need for a transition from relief to development. Thus, the UN noted in 1990 that:

The status of many of the displaced in the transitional zone has moved from an emergency phase into one of maintenance and thus a priority for 1990 is to encourage as many of the displaced as possible to become productive, through, wherever possible, their return to areas either in the south or through location to other suitable sites (UN, 1990, March 26).

Indeed, emergency relief had come to be viewed as a means of achieving a developmental agenda in the previous year:

...help the Government of the Sudan to put sizeable amounts of its displaced citizens back into the mainstream development process of the country...(and) that the displaced populations will make no contribution to the development of the country unless they are i) rescued from starvation; ii) provided with the means of ensuring their own subsistence (UNDP, 1989, August 9).

The idea promoted by the UN that developmental strategies can be used to overcome the dependence on relief of people made destitute by the war fits well with those of the GOS. The National Development Foundation, for example, stated that:

For food security we as a Foundation and the states can do a lot together. As far as agriculture goes we have 600,000 feddans; if we can make this productive it will provide food in those states...The aim is to bring peace to the South through development (NDF, 1996, March 28).

It should be noted that it is not clear how the land referred to above was acquired, nor the extent to which plans for agriculture on such land will displace pre-existing subsistence practices.

The convergence of thinking between the UN and the GOS with regard to the transition from relief to development is not unique to Sudan. Within the international humanitarian community, the concept of a "relief-to-development" continuum has gained popularity in recent years. Increasingly, the idea of the continuum is seen as a means to make aid expenditures in complex emergencies more efficient, and as part of wider strategies of conflict management (Boutros-Ghali, 1995; DHA, 1995). Hence, despite the effective embargo on development assistance in Sudan, a number of NGOs reported that:

We perceive that donors, particularly the European Commission and Euronaid, would prefer that we do rehabilitation rather than relief...The Euronaid funding guidelines stress rehabilitation and development, and will therefore not give relief food (Christian NGOs, 1996, April 20).

Although the concept of a "relief-to-development" continuum may have legitimacy on its own terms, its application as a policy framework in the midst of internal warfare raises critical questions. In the Northern Sector, for example, the shift in focus from relief to development at policy level has not been matched by the realities on the ground. Rather, as will be seen further in Chapter 7, the UN was promoting development programming at a time when continued displacement as a result of war was undermining the subsistence economy and trading networks in the South, and when the condition of war-displaced peoples was steadily deteriorating. Hence, the conceptual basis for much of the UN's developmental programming for the war-displaced has been deeply flawed. Further, the focus on development programming as a means of addressing the socio-economic impact of warfare contributes to the failure to define a humanitarian agenda in which an analysis of the causes of displacement, and protection for the displaced, play a central part.

4.2.3 OLS Northern Sector as a Government Programme

In general, the framework established in the late 1980's and continuing today defines OLS Northern Sector as a government programme; indeed, the GOS has systematically emphasized its ownership of OLS operations. The UN for its part has continued within this definitional framework to work with government authorities responsible for implementing GOS policy with regard to the war-displaced, initially through OLS agreements, and subsequently through the expansion of UN country programmes in OLS areas, as security has improved.

At the same time, there have been important initiatives by the UN in recent years to increase its autonomy relative to the GOS, and thereby protect the neutrality and accountability of UN operations under OLS. However, these have been only partially successful, and have been undermined by the UN's own pursuit of strategies that tend to reinforce GOS policy, but which conflict both with OLS principles and the needs of its beneficiaries.

The original definition of OLS did not address the contradiction between humanitarian goals in the context of a political emergency, and the alignment of the UN with a government which was also a party to the conflict. The paradox of portraying itself as simultaneously a government programme, and a humanitarian relief operation in the midst of internal warfare, continues to lie at the heart of OLS. Thus, in 1989 the agency coordinating OLS - UNDP - signed a project agreement (SUD/032/88) with the GOS which aims to:

...enhance the capacity of the Government of Sudan to put in place key elements of the agreed UN/GOS strategy to successfully deliver assistance to the south (UNDP, 1989, August 9).

In addition to the delivery of relief assistance to war-displaced populations in the South, this agreement provides for the relocation and resettlement of war-displaced peoples according to GOS directives.

The interpretation made in the late 1980s and early 1990s was that the problem of responding to the needs of war-affected populations in Sudan was largely one of a lack of government capacity and finances. This approach was also endorsed in OLS II, which emphasised a capacity-building element:

[OLS II] support will be given to on-going GOS efforts to find durable solutions for the displaced through the funding of pilot projects for relocation and income-generating schemes and the provision of high level consultants.... [who] will assist the GOS in its review and refinement of these and other proposals, and more substantial funding for comprehensive, large scale programmes will be sought (UN, 1990, March 26).

Thus, government ownership of OLS was not only defined early on through agreements, but sustained by a UN approach which recognized the primacy of sovereignty over the maintenance of humanitarian principles. This approach was reinforced by the organisational structure of OLS, and in particular the choice of UNDP as the coordinating agency for the operation. UNDP's involvement was justified by the need to:

...help the government to put sizeable numbers of displaced citizens back into the mainstream development process of the country, as well as to develop perennial structures for emergency preparedness (UNDP, 1989, August 9).

UNDP continues to perceive that the lack of effective administrative capacity is a primary constraint to humanitarian programmes in North Sudan. For example, with regard to the internally displaced in Khartoum:

There is no [Government] strategy for the displaced and therefore no systematic approach...this results in things like the destruction of UNICEF's water pumps and other assets. It is not a deliberate policy of the Government; these things happen because of administrative problems...I really feel that it is an organisational problem...If we want to make changes they have to come from within the Government. [We] need to show the Government from the inside why existing systems don't work (Jaeger, 1996, April 17).

This approach has been reinforced by the fact that the UNDP Representative is also the UN Coordinator for Emergency and Relief Operations (UNCERO). Also, the Secretariat for OLS - UNHCU - continues to be funded through UNDP channelled appeals (Taha, 1995), and all UNHCU staff are employed under UNDP contracts.

4.2.4 Implications of Government Control

The Review Team noted a number of important implications of government control for the OLS Northern Sector operations.

First, the scope of coverage of OLS Northern Sector is determined not by overall needs, but by negotiated agreements with the GOS which delimit the areas OLS can formally access. More specifically, needs assessments - which define the scope of OLS in any given year - are limited to sites that have been agreed by the RRC (Painter, 1996, March 24; INGO Meeting, 1996, March 27). This has led to considerable unevenness in coverage; for example, war-displaced populations in Greater Khartoum were excluded from OLS needs assessments until 1994; at present, only those war-displaced living in GOS recognized displaced camps are included in OLS, while displaced living in unofficial settlements continue to be excluded.

Second, agreements with the GOS for OLS access do not always correspond to the actual sites OLS is able to serve. For example:

Access to the Nuba mountains was not agreed in the OLS agreement, but this year GOS has facilitated movement into the Nuba mountains...UNICEF does things de facto not de jure (Tayarah, 1996, March 28).

In the case of the Nuba Mountains, WFP is using OLS resources to respond to needs in areas where the GOS has facilitated access, despite the fact that these areas have been systematically excluded from formal agreements, and despite on-going efforts by the UN to negotiate their inclusion (Bailey, 1996, April 1).

Hence, government control over the scope of OLS needs assessments allows for the formal exclusion of certain sites from the framework of OLS agreements. At the same time, by extending access selectively outside the OLS framework, the GOS is de facto sidestepping the application of OLS principles, while still obtaining its resources. Moreover, in the case of the Nuba Mountains, efforts by the UNHCU to promote strict adherence to OLS principles were eclipsed by WFP and UNICEF's sense of obligation to respond operationally to urgent needs in the area (Painter, 1996, March 25; Bailey, 1996, April 1).

Third, with regard to the allocation and distribution of relief assistance, the 1992 Relief Act, together with the original OLS Plan of Action, establishes a framework for government control of relief resources down to beneficiary level. The 1992 Relief Act, for example, states that once relief arrives in country, it belongs to the State. Thus, in legal terms, relief assistance cannot be considered as having been misappropriated by the GOS, since it is already GOS property once it has arrived in Sudan.

At local level, a network of Local Relief Committees has been established to manage relief resources in affected areas (described in more detail below). As the 1990 Draft Plan of Action makes clear, it is these committees which are "...responsible for the receipt and distribution of relief and rehabilitation inputs" (UN, 1990, March 26). Hence, Local Relief Committees (LRCs) and other local government institutions are of central importance in determining the quality of access enjoyed by the UN and its implementing partners. They are responsible, for example, for the registration of beneficiaries, for determining the conditions for visiting beneficiary populations, and they are consulted on all assessments, appeals for supplies, and distributions. Information from local authorities also typically forms the basis for OLS assessments (INGO Meeting, 1996, March 27).

In a similar regard, the GOS exercises significant control over the choice of UN implementing partners, through regulatory mechanisms that restrict OLS operability (see below).

In general, the primacy granted to sovereignty poses a myriad of structural and operational dilemmas for OLS Northern Sector, particularly with regard to principle of neutrality. Because the GOS is a party to the conflict, the principle of neutrality is frequently violated both by the government's insistence on ownership of the OLS operation, and by the fact that this ownership has not been sufficiently challenged by the UN. As noted in Chapter 2, the UN's acceptance of the primacy of sovereignty is seen by some to be a pragmatic position which ensures continued access in the south:

There is a balance to be struck. To allow the Southern Sector to carry on means that we meet their (the Government of Sudan's) needs in the North (Painter, 1996, March 24).

Hence, the Review Team felt that the UN has accepted a hierarchy of principles, whereby neutrality is subjugated to sovereignty, in order to ensure access for the Southern Sector. In this context, the scope for application of OLS principles is perceived by the UN to be limited by the contractual and regulatory framework defined by sovereignty; in other words, the UN believes that "We do not have the right to apply principles" (Lynch, 1996, March 26). For UNDP and UNICEF in particular, enhancing the government's capacity, which in effect

involves a deepening of government ownership of OLS Northern Sector, is seen to be an explicit and necessary objective of UN operations - including OLS and other UN country programmes - in order to respond to the humanitarian crisis in Sudan.

4.3 Structures and Organization of OLS Northern Sector

Having outlined key issues in the definitional framework of OLS Northern Sector, this section considers in more detail the structure and organization of the operational environment. It begins with a description of government structures at national and local level that participate in the implementation of OLS programmes. Subsequently, NGO implementing partners are discussed, followed by the structures established both between and within UN agencies.

4.3.1 Government Structures for Relief Management

4.3.1.1 Local Relief Structures

GOS structures responsible for relief policy in Sudan have undergone significant changes since OLS began in 1989. Under the Federal Constitution, individual states have been granted responsibility for relief matters within their territory. These responsibilities are discharged through committees operating at state, provincial, and local level. At federal level, the RRC in Khartoum is responsible for overall coordination of relief resources, and has also has RRC offices located in the capital of each state, and in some cases in provincial capitals.

In practice, what these changes have meant is that additional layers of authority between the beneficiaries and OLS agencies have been created, and that the particular configuration of authorities responsible for relief matters in a given area is complex.

For example, in South Darfur, state bodies responsible for the war-displaced include the Department of the Displaced, in charge of developing state-wide policies, and the Food Security Committee, in charge of monitoring food needs and the allocation of aid resources. The Department of the Displaced liaises with the state RRC office, which also participates in needs assessments (Osman Nasir, 1996, April 11). It is not clear, however, how agreements are reached between state and federal governments. The RRC office for South Darfur noted, for example, that they do not receive the results of needs assessments, nor of allocations that are likely to be received in Ed Da'ain Province (Osman Nasir, 1996, April 11).

In Ed Da'ain province, there is no RRC representative. The provincial government's High Committee for the Displaced is responsible for managing the provision of relief to displaced populations. The High Committee comprises representatives from provincial government departments, Public Security, the police, local, and international NGOs, and the Dinka Paramount Chief (Sharif, 1996, April 3). The Chair of the High Committee for the Displaced is appointed by the Provincial Commissioner, who is the executive head of provincial government. There are also a number of sub-committees chaired by representatives of

relevant provincial government departments, and NGOs selected according to their specialization. Thus, for example, SCF (UK) chairs the provincial Food Committee. Below provincial government authorities are Rural Councils. While the role of Rural Councils in relief operations has not been formally enhanced through federalisation, they are nevertheless increasingly important in determining the availability of basic services, including those that serve the war-displaced.

In Wau, the Local Relief Committee has, since 1992, controlled the allocation and distribution of relief aid. The Local Relief Committee is a state authority that includes representatives from relevant government departments, Provincial Commissioners, Public Security, the RRC, UN agencies, and national and international NGOs. The Local Relief Committee is chaired by the state Commissioner for Relief.

In Khartoum, there are currently several GOS authorities responsible for squatters and war-displaced in Khartoum, including:

- COVA: The GOS focal point for international and national NGOs. Since 1996, COVA has become part of the Humanitarian Aid Commission.
- DOD: Responsible for the organisation, services, and coordination of NGOs working in the four official displaced camps, and issuing travel permits for INGOs staff and visitors.
- KSRC: Responsible for the control and coordination of all food and non-food relief within Khartoum. All NGOs are required to have a technical agreement with KSRC. They also assign national NGOs to work with INGOs.
- MOH: Monitors health and nutrition. NGOs working in health require technical agreements with the MOH.
- NPC: Data collection and analysis.
- RRC: Responsible for the coordination of all relief and rehabilitation activities throughout Sudan, and for the counterpart of OLS. Its original responsibilities for displaced throughout Sudan have been passed to the COD.
- MOHPU: Responsible for urban planning. Controls allocation of land.

4.3.1.2 Implications of GOS Structures

What is apparent from this overview is both the complexity of government structures, and the large number of government authorities and committees involved in relief assistance. Several points are worth noting in this regard.

First, the number government authorities with responsibility for managing OLS resources has increased. This means additional administrative layers have been created between UN agencies and OLS beneficiaries. Further, despite the number of authorities that exist, very

few government services are actually provided in Ed Da'ain, Wau, and Khartoum. Instead, the provision of basic services has largely been delegated to NGOs.

Second, in some locations local committees are obtaining material benefit through the management of relief operations, which can also be seen as a factor contributing to the increase in their number. In Wau for example, the committee which oversees the distribution of WFP food in the displaced camps is composed of five Local Relief Committee members (representing four organisations), three people from Public Security, eight porters, drivers, and support staff, four members of the National Youth, and one WFP monitor. In exchange for facilitating distributions, this committee receives 40 sacks (two metric tons) of sorghum, ten sacks of pulses, and 16 gallons of oil per distribution (Gichigi, 1996, January 22/February 17).

The review Team was consequently not surprised to find a feeling among the displaced in various locations that their entitlements to relief were being compromised:

Quantities are determined in Wau. Large numbers of people will oversee the distribution, including youth and security people, and NGOs...They have their own cards and will take their own share. An educated person knows how to get food (Interview, Wau).

There is a man in the middle here. As soon as the facts are known, the man in the middle stops any action being taken. Somebody who is hungry can't give to the hungry. If there is no man in the middle, we can seek food ourselves. There is someone taking care of the man in the middle here (Interview, Ed Da'ain).

The fact that such committees are regularly obtaining OLS aid resources raises important questions about the extent to which local GOS administration and related institutions have become economically dependent on OLS. Indeed, the Review Team felt the question of aid dependency merited more scrutiny in this regard, than in terms of the extent to which it may be discouraging self-sufficiency among the war-displaced.

Third, there is a notable absence of representation from war-displaced communities in formal relief structures that determine both needs and recipients. The Review Team was told by one displaced person that:

We have not been given the opportunity to solve our problems. We have no power to think and talk alone and have a definite person who is responsible for us...members of the [High] Committee do not call on us except when there is some food for them (Interview, Ed Da'ain).

Where formal representation does exist, it is largely in the form of Popular Committees, appointed and supported by the government. In Ed Da'ain, even this form of representation is absent; the Dinka Paramount Chief who sits on the High Committee is rather considered to be a token representative only.

Given the complexity of the administrative structures mediating the relationship between the UN and OLS beneficiaries, and given that under present arrangements OLS is constrained

to work within GOS policy in the Northern Sector, the Review Team felt that the UN should be more assertive with the GOS regarding OLS principles, if these principles are to be fully implemented down to beneficiary level. The Review Team also noted that the development of an effective UN capacity at field level is crucial to achieving this, however.

4.3.1.3 UN Response to GOS Structures

In general, the UN has tried to address the issue of the complexity and number of government structures dealing with relief, by proposing alternative structures. In 1996, for example, WFP terminated an arrangement in Wau whereby all food aid was distributed through the Local Relief Committee. This was done on the grounds that:

We observed that the LRC is using large numbers of people in the distribution and that they are paid in food. There is also a big problem in holding the LRC responsible for food distribution because they feel it is theirs to distribute how they wish. There is a national relief policy which says that food is the responsibility of the LRC, we have this problem all over the South, and we have overcome it through enforcing conditions... Wau has the highest food prices in the country. We don't know whether this is linked to the reluctance of the LRC to distribute relief aid or they are "rigging" the system. (Adly & Bailey, 1996, April 20).

It is important to note, however, that while fewer WFP food resources for direct distribution may be channelled through the Local Relief Committee, the LRC retains the management authority for the displaced camps, and it is LRC figures which are likely to determine future needs assessments.

Also in Wau, the UNDP Wau Agricultural Rehabilitation Project (WARP) has established Village Development Committees (VDCs) to enhance community participation in decision-making and the management of project activities. Emergency supplies of seeds and tools provided by UNICEF are distributed through these committees. Within the first year of the project, however, an Advisory Committee was established the state government to oversee the project. Of the 23 members of the Advisory Committee, only seven are from the VDCs; the remainder are comprised of representatives from state ministries, the Agricultural Bank, and Public Security (UNDP, 1995, December). The UN-supported creation of VDC's has thus done little to alter the structures that ultimately control access to OLS resources.

In Khartoum, the UN and INGOs have frequently cited the lack of a single focal point of responsibility within the GOS for the war-displaced, and have noted that this has been a constraint on their operations (INGOs, 1995, July). As noted above, there are many government authorities from whom approval must be obtained for programmes for the war-displaced. The position of the UN, INGOs, and some donors has been that the lack of a single agency with sole responsibility for the war-displaced is an indication of an absence of clear policy on the part of the GOS toward this population (Esmieu, 1996, March 30; Jaeger, 1996, April 17).

The history of the RRC, however, suggests that there is not so much a failure of government policy, as an attempt by the GOS to implement a policy that is at odds with the UN's. During the 1984/85 famine, the RRC was the national body responsible for the coordination of famine relief, and substantial funds were invested in the RRC to develop a competent Sudanese relief agency. The RRC was the main government partner during the first year of OLS, and continues in this role today. However, in 1989 the new GOS promoted the Department of the Displaced as an alternative government partner for war-displaced populations. In the view of some observers, the GOS's aim in so doing was to reduce the role and influence of international humanitarian agencies (Burr, 1990, August). This is illustrated in the following observation:

Bureaucracy, personal, and institutional rivalries are utilised to the maximum to thinly disguise what in fact is a systematic and homogeneous policy of exclusion of international NGOs and other expatriates from efforts to assist the displaced in Khartoum (Akram, 1992, March 23).

4.3.2 OLS Implementing Partners - NGOs

This section considers the operational environment of OLS Northern Sector with regard to the non-governmental implementing partners of OLS.

4.3.2.1 Changes in the NGO Community in Sudan

With important exceptions, such as the barge operation, the UN does not directly deliver services to beneficiary populations in the Northern Sector. Rather, it works through partner agencies, including national and international NGOs, and national/local authorities and ministries of the GOS.

Since the famine relief operations of the mid-1980's, there has been a marked change in the composition of the NGO community in Sudan. The number of international NGOs (INGOs) operating in the North has declined, while the number of Sudanese and regional NGOs has increased. In Figure 4.1 below, a rough indicator of size of operations of various NGOs presently working in the Northern Sector is provided (excluding some INGOs such as ADRA and MSF).

Figure 4.1 Comparative Size of International and National NGO Programmes Including both Relief and Development (from interviews by the Review Team - 1995)

Agency	Budget USD million	Employees
CARE	3.5	160
SCF (US)	1.5	70
Oxfam UK/I	3.0	200
Dawa al Islamia	6.0	500
Muwafaq	1.0	200
IARA	2.0	500
Sudanaid	1.0	100
ECS/SUDRA	1.5	112
YMCA	0.7	115

(Kessler, 1996, April 1; Dyer, 1996, April 16; Kumar, 1996, April 17; El Amin Osman, 1996, April 15; El Din A. Bary, 1996, April 16; Abdelzahir Ajaj, 1996, April 16; Arkangelo Suleiman, 1996 April 20; Phanuel Yata, 1996, April 20; Hai Zaza, 1996, April 20).

As the Figure suggests, the work of Sudanese and regional NGOs (such as IARA -Islamic African Relief Association) is significant. This shift in NGO composition has been underpinned by GOS policies explicitly aimed at encouraging the expansion of Sudanese NGOs, while simultaneously reducing the operational scope of INGOs (Janvid 1993 June 1).

4.3.2.2 Differential Access

The range of NGOs that the UN can select as operational partners is determined by the different degrees of access that various types of agencies are able to obtain. This access has fluctuated over time, and different agencies have benefited to different degrees.

Prior to 1989, for example, several INGOs, the ICRC, and a number of Sudanese Christian NGOs were supporting relief operations in Wau. In 1996, only one INGO - SCF (UK) - is operational in Wau, and the activities of the Sudanese Christian NGOs have been curtailed. In Ed Da'ain a consortium of INGOs were operational in late 1988 and again in 1992. Today, however, only SCF (UK) is operational in Ed Da'ain. In Greater Khartoum, a 1993 report notes only three Sudanese NGOs working with displaced and squatter communities (Burr, 1993, May). In 1995, it has been suggested that there were some 50 Sudanese NGOs working in these same communities (Meadows, 1996), while the access of INGOs to the displaced camps in particular is heavily restricted. One of the advantages for Sudanese NGOs working with displaced populations in Greater Khartoum is the close proximity of their

beneficiaries to their headquarter offices. These examples indicate the extent to which INGO operations have been reduced, and the extent to which Sudanese NGO operations have grown.

Recently, the fact that SCF (UK) was able to obtain permission from the GOS to work in Wau in late 1995, and that MSF France has received permission to begin work in Meriam and Dill in South Kordofan, has been interpreted as a sign of general improvement in physical access for INGOs (Jaeger, 1996, January 30). However, the kind of operational access granted to INGOs by the GOS is limited. In Ed Da'ein, for example, although SCF (UK) is allowed to visit displaced camps unaccompanied by Sudanese security, it is not allowed to establish services such as health facilities there, nor is it able to conduct itself the physical distribution of food aid; food distributions have instead been allocated to the Sudanese Red Crescent by the Provincial High Committee for the Displaced. Similarly in Wau, SCF (UK) activities are restricted to the town itself, and staff are unable to visit or provide services to displaced peoples in the displaced camps villages.

In Khartoum, although INGOs report that the problem of obtaining travel permits for their personnel to visit displaced camps appears to have been resolved, they continue to be issued on a case by case basis (UNEU, 1996, March 20). Further, although State authorities have expressed a willingness for more INGOs to become operational, travel permits and project agreements are signed in Khartoum and hence control over INGO activities is still vested in the national government. Improved access to the Transition Zone also needs to be placed within the wider context of the war; the easing of access in the North has coincided with greater restrictions in the South.

4.3.2.3 The UN Response to Differential Access

During the course of successive OLS negotiations with the GOS, the UN has tried to increase access for INGOs. This has been justified by concern that Sudanese NGOs (SINGOs) lack the capacity to respond fully to the large-scale emergency. Given this, one of the central dilemmas confronting the UN has been whether or not the capacity of SINGOs should be increased - and if so, how this can be done in an even-handed way - as well as how to ensure that, in the interim, populations in need receive adequate assistance.

One strategy, first advocated in 1988 and formalised in 1993, is that of "twinning" INGOs and SINGOs (UN, 1988, November 10; GOS/INGOs/UN, 1993, January). The framework for twinning arrangements was "...a formalised relationship between an international and a national NGO. The selection of partners is voluntary, but should be guided by: geographical presence; consideration of sector expertise; organisational capacity, and the offering of the widest distribution of capacity-building among national NGOs" (GOS/INGOs/UN, 1993, January). In addition to capacity-building, twinning could provide UN and international NGOs a means to increase the coverage of their activities, and a framework for monitoring and needs assessments.

However, the four formal twinning arrangements established in the wake of the 1993 agreement was largely unsuccessful. Access for INGO monitoring did not materialise, and in some cases there were allegations of misappropriation of funds (Painter, 1996, March 24).

While the twinning policy appears to have quietly disappeared at the formal level within OLS, it continues informally by a number of INGOs, particularly in Khartoum, in order to enhance access to displaced populations (Higgins, 1996, March 27). The quality of these partnerships appears to be variable; in some cases, they appear to be only arrangements of administrative convenience, with few resources actually channelled through the SINGO partner. At the same time, project agreements specify that on termination, project assets including vehicles and equipment will be handed over to the SINGO partner. This contractual condition is likely, however, to conflict with INGO agreements with donors, which specify that the international NGO is responsible for determining how assets are disposed of.

Some regional NGOs in particular are also facing a crisis in funding for their development programmes. This reflects changes in external relations between Sudan and its regional neighbours following the Gulf War, and the fact that these agencies relied heavily on investments within Sudan which have been affected by the deteriorating environment for business and trade. For example, as a result of funding problems, Muwafaq is the process of closing down its Sudan office (El Din A. Bary, 1996, April 16); the Islamic African Relief Association (IARA) - the second largest regional NGO operating in Sudan - is also reported to be facing financial difficulties. Funding problems have also emerged as a result of problems in accountability and monitoring; UNICEF, for example, has reduced its cash assistance to national NGOs for this reason (MacCarthy, 1996, April 1).

In a context of declining sources of funding for development programmes, there is a perception that Sudanese NGOs are becoming more reliant on emergency aid programmes (Christian Agencies, 1996, April 20). This means, however, that Sudanese NGOs receive only material supplies and compensation for the cost of internal transport and handling. No support, however, is forthcoming to cover the costs of salaries and office expenses from the UN, leaving many Sudanese NGOs in a weak position to fulfil their contractual obligations. The Sudanese Red Crescent (SRC) receives additional support from the Red Cross movement, which meets many of their overhead costs; it also undertakes local fundraising initiatives. The SRC volunteer network also provides resources for relief operations in Sudan, including those receiving material support through OLS. However, the scope for volunteers to occupy fulltime posts is limited, and the need to recompense staff is clear.

The issue of UN-supported capacity-building of Sudanese and regional NGOs in the Northern Sector is complicated by concerns regarding neutrality. This arises as a consequence of the fact that an "even distribution of capacity-building" (GOS/INGOs/UN, 1993, January) is limited by the differential access granted to some Sudanese/regional NGOs over others. Further, some Sudanese/regional NGOs have not sufficiently established their neutrality and autonomy from the GOS. For example, the NGO Da'wa states that its objective is to support the GOS's policies, and to build the GOS's capacity, while the former Director of Da'wa was later appointed as the Secretary General of the GOS National Development Foundation; during 1994, official government meetings were held in the Muwafaq offices in Wau. In a context where the GOS is a party to the on-going war, this kind of blurring of the boundaries between government and NGOs is highly problematic for OLS principles of neutrality. In many cases, it is these same NGOs who have exclusive operational access to heavily militarized and restricted areas that are otherwise inaccessible to the UN, such as displaced camps in Wau, Ed Da'ain, Attido, and Getti.

The dilemma for the UN is thus whether or not to work within a policy that excludes some NGOs from operating in favour of others, thereby providing a legitimacy to the policy, as well as how to ensure that evenness in support for capacity-building can be maintained in a context where some NGOs have greater access than others. In terms of capacity-building, a key factor for the UN will in future be the establishment of a formal and enforceable system of contracts and cooperation between itself and all its implementing partners, which clearly outline their respective roles and responsibilities, particularly with regard to the principles of OLS. Historically, and despite on-going negotiations to increase INGO access, the Review Team found that for the UN it has largely been a case of working with what is there. In other words, maintaining operationality has in some cases taken priority for the UN over ensuring the effectiveness and humanitarian principles of the implementing partner.

4.3.2.4 Contractual Relations with Implementing Partners

At present, the contractual environment in the Northern Sector does not reflect the mandate and principles of OLS. Contracts signed between UNICEF/WFP and their partners agencies are standard country-wide contracts, and make no reference to OLS principles, nor how these will be monitored. Not only does this vague contractual environment contribute to the lack of distinction for, and knowledge of, OLS generally, it also means that implementing partners are not fully aware of the principles to which they must adhere.

At present, contracts between UNICEF and implementing partners involve signing both a standard UNICEF country agreement, and a project specific agreement. For various reasons, however, including the uncertain division of labour between the Emergency Unit and the decentralized offices, this practice is not consistently enforced. As a result, NGOs and other implementing authorities have received OLS resources without having signed a contract. After questioning this, the Review Team was assured that measures were in place to address the situation (MacCarthy, 1996, April 19).

Throughout, the Review Team was struck by the assertion of different "rules" that applied to the Northern Sector as distinct from the Southern Sector. In particular, it was stated that in the North it was impossible to apply OLS principles through contractual arrangements (Lynch, 1996, March 26; Jaeger, 1996, March 25; Painter, 1996, March 25; MacCarthy, 1996, April 19). In addition to the basic constraint of sovereignty, the perception of UN personnel was that, since they had little leverage in relation to NGOs - for example, control of logistics - NGOs would be unwilling to accept a more rigorous regulatory framework for their operations established by the UN.

In fact, in discussions with national and international NGO personnel, considerable interest was expressed in an overall framework of humanitarian principles, but it was also noted that there is a lack of awareness that such principles might exist, as well as a lack of information about how they could be implemented. A sample of comments made to the Review Team are provided here:

There is no attempt by the UN to explain the principles of OLS to national NGOs (El Amin Osman, 1996, April 15).

This is the first time we have heard of OLS principles (Abelzahir Ajaj, 1996, April 16).

NGOs' desire for independence should not preclude them from working with the UN. There have to be certain mutually accepted values and standards. Freedom is not about no rules; it is about knowing what the rules are (Kumar, 1996, April 17).

While OLS principles remain opaque to implementing partners, so the standards according to which UN materials must be delivered remain unevenly monitored, and apparently rarely enforced. Although there have been workshops for partner NGOs, for example, on using essential drugs, the capacity of the UN to monitor the performance of NGOs and government authorities in this area is limited, as is the UN's advocacy of good practice. As far as the Review Team is aware, guidelines for utilization of UN supplies are not appended to contracts, although doing so would provide an important baseline against which NGO partner operations could be monitored and evaluated.

4.3.3 Organization and Structure of UN OLS Agencies

4.3.3.1 Humanitarian Relief Versus Development Agendas

Within the UN OLS agencies themselves, the Review Team found a considerable blurring of humanitarian relief and development programme agendas among UN agencies in the Northern Sector. The implications of this are considered below.

The role of UN Coordinator for Emergency and Relief Operations (UNCERO) is vested in the UNDP Representative. In addition to his responsibilities for the humanitarian relief operation, he is also in charge of UNDP's development programming. With improvements in security and access in and around some government-held towns, UNDP has been expanding its operations in the South.

The way in which humanitarian relief and development agendas are reconciled is illustrated by the following comment from UNCERO:

We often define humanitarianism as putting bread in the mouth of a starving person, but it is not humanitarian to let him get into that situation. We should replace free food deliveries and make people repay what they have received, this is what we are doing in Wau...People should repay this humanitarian loan not to us but to their community. We are taking them out of the beggar mentality. People are proud to pay for themselves...this is part of society building, enabling people to feel more consciously self-reliant. It is linked to democracy building because people have to elect a management committee (Jaeger, 1996, April 17).

In addition to influencing the overall policy of OLS as a result of its leadership of UNCERO, UNDP is also linked to OLS in several other ways. The UNDP Field Adviser for Wau, Kadugli, and Juba, for example, is also a field monitor for OLS, under UNHCU. Also, OLS resources, notably UNICEF seeds and tools, are allocated to the UNDP programme.

The blurring of boundaries between development and humanitarian relief operations also characterises UNICEF's operations. The UNICEF Country Representative, for example, described OLS as "...an outreach programme of UNICEF" (Farooqui, 1996, April 17), in effect perceiving OLS as a mechanism through which wider developmental goals can be achieved. This view is reinforced by the pattern of UNICEF country programming, which is extending increasingly into OLS areas:

Priority states for the country programme are the three southern states, Darfur and Kordofan and one in the northern area. There are links between the emergency and country programme: UNICEF aims to reach global goals which are set in Sudan by GOS...The emergency programme is supported by the development budget of the country programme and vice versa. The linkages between the Country Programme and OLS are determined by funding, security and priorities (Tayarah, 1996, April 16).

Indeed, UNICEF has a clear policy of using increased access for relief operations as a means of expanding country programming. Thus:

As access widens and local security improves so opportunities for rehabilitation are increasing. Analysis of non-food services under OLS indicates that 75% of the assistance was related to mid-decade and decade goals...Rehabilitation is the entry point for these goals (Farooqui, 1994, October 29).

Statements such as these, which exude a certain amount of optimism for the scope of expanding developmental programming, stand in sharp contrast to a statement by the UN Secretary-General made within the same time period in 1994:

Since September 1993 government military activity has intensified... causing massive displacement of people...government planes have carried out aerial bombardments with many bombs falling in and around civilian areas including displaced persons' camps. Conflict has disrupted relief programmes...and prevented people from planting, despite the delivery of seeds, in time for the rainy season. In some cases, populated civilian areas that had been relatively stable have been left deserted as a result of these military activities [by both sides], completely destroying the achievements of previous rehabilitation activities (UN, 1994, September 12: 2-3).

The lack of clear, strategic distinction between objectives and principles of OLS and the UNICEF Country Programme is reflected in organizational structures. For example, with the exception of the Household Food Security Unit, the UNICEF Emergency Unit is dependent for technical advice from specialists working under the Country Programme.

This lack of distinction has important implications in terms of conflicts of interest that may arise. The government counterpart for UNICEF's Country Programme is the Ministry of Health, whereas for OLS it is the RRC. A priority for the Country Programme is to maintain good working relations with the Ministry of Health in order to facilitate implementation of UNICEF programmes. This has the potential to conflict, however, with UNICEF's emergency mandate.

For example, in 1995 there was a serious cholera outbreak in one of the displaced camps in Khartoum, where UNICEF provides essential drugs. The UNICEF Health Unit was reportedly unwilling to challenge the government on its failure to declare the outbreak, however, arguing that this would undermine its relationship with the Ministry of Health, and was in any case the responsibility of WHO. On the other hand, failure to acknowledge the outbreak had implications for UNICEF's own response, since only when a cholera epidemic is formally declared can UNICEF place special orders for the necessary IV fluids. An estimated 57 people died in the outbreak. Such examples illustrate the trade-offs which are regularly made between reaching developmental goals, and the mandate of UNICEF to protect the health of women and children in the context of its humanitarian work.

In addition, the lack of dedicated technical support for OLS has raised problems of accountability. Heads of technical departments of UNICEF country programmes, for example, have signed agreements with NGOs to receive OLS resources without the knowledge of either the Emergency Unit or the relevant sub-offices. The Review Team was assured, however, that measures have been put in place to formalise arrangements, so as to prevent this situation arising in future (MacCarthy, 1996, April 19).

In general, although there is overlap in the content of some humanitarian relief and development programming - for example, EPI - the aim of expanding country programmes is often in structural conflict with the aim of pursuing a rigorous humanitarian agenda. This is especially true with regard to the issue of neutrality. The working relationships with the GOS that are required for the implementation (and expansion) of UNICEF's country programmes are not conducive to simultaneously dealing with the GOS as one party to a conflict which underpins the chronic emergency UNICEF is trying to address. Further, as will be seen in Chapter 7, the conceptual framework driving UNICEF's approach to developmental programmes is itself deeply flawed, and based on the assumption that the emergency is now largely over.

4.3.3.2 UN OLS Coordination: UNHCU

The Review Team found significant problems with regard to UN coordination in the Northern Sector, which has resulted in a lack of coherence in significant areas. Coordination problems are, in part, a function of the unwieldy nature of the structural relationships between various UN functions, positions, and agencies pertaining to OLS.

At present, UNHCU acts as the Secretariat to the UNCERO. This office combines a mandate for liaison with the GOS with respect to the Southern Sector, and a mandate to facilitate UN agency, NGO, and GOS coordination in the Northern Sector. As such, while UNHCU staff are employed through UNDP, they act as interlocutors - together with UNCERO - for DHA in the field (Painter, 1996, March 24). UNHCU staff report to DHA New York solely through UNCERO; no other formal channel for direct communications exists (Painter, 1996, April 16).

Until June 1995, there were 25 staff at UNHCU. Presently, there are six international and two national support staff, excluding drivers (Painter, 1996 March 24). Of the six international staff, one acts as the Unit Administrator, while three pursue Northern Sector-

specific issues, including: internally displaced in Khartoum, liaison with NGOs, and field support in Wau, Kadugli, and Juba. The Chief of the Unit and the Information Officer are responsible for monitoring and support to both Northern and Southern Sectors.

The majority of senior UNHCU management time appears dedicated to trouble-shooting, particularly on problems arising in the Southern Sector, and on activities related to North-South liaison and negotiation. The Review Team noted that this tends to create a lack of coherence with regard to monitoring, assessment, and evaluation in the Northern Sector. For example, although the number of sites accessible from Khartoum has risen, the UN has not been able to produce a unified strategy on how to use this access to increase the quality of programmes. As the Chief of the Unit noted:

Political matters take precedence over everything else and this has a negative impact on longer-range programmes. For example the flight ban had a negative impact on putting together the northern assessments in November 1995. Our main task in this office is monitoring negotiated access in the south. In the north access is less controversial (Painter, 1996, March 25).

Further, the Review Team believes that the absence of a coordinator within UNHCU dedicated to monitoring developments in the North means that staff working exclusively on Northern Sector issues do not receive sufficient management support.

For example, a United Nations Volunteer is presently responsible for monitoring the status of the estimated 800,000 war-displaced people living in Greater Khartoum, and the relief response provided by the UN and NGOs. The Review Team felt that the junior status of this position does not provide the necessary scope for UNHCU to advise and coordinate UN agency responses to war-displaced in Khartoum, or elsewhere. Further, while a number of UN studies have been commissioned, particularly with regard to war-displaced population in Khartoum, the Khartoum Displaced Officer in UNHCU reported that she had not received copies of some of these, especially Project Amal documents. Similarly, the UNHCU Field Adviser for Wau and Kadugli does not appear to have received adequate support in securing travel permits for his visits to these areas, nor has he received briefings either before or after field visits. Finally, it was reported that regular staff meetings of the UNHCU team were introduced only during the visit of the Review Team; prior to this, staff relied on ad hoc bilateral meetings with the Unit Chief.

Field Advisers are of particular importance in communicating the principles of OLS, and facilitating inter-agency coordination at state and provincial levels. In the early years of OLS, there were five international Field Advisers based in Juba, Wau, Aweil, Kapoeta, and Malakal. These advisers were seen by a senior UN official as providing:

...an objective adjunct and backup function to the operational monitors from UNICEF and WFP and the NGOs. They are non-interested parties, particularly in areas where there is not a full UN presence.

In addition to five international Advisers, there were also senior national staff acting as Field Advisers for East/Central Darfur, Kordofan, Juba, Wau, and Malakal (Taha, 1995). The system of UNHCU Field Advisers virtually disappeared in 1993, however, due to lack of

resources. In 1994, funding was secured from the Dutch government for the single UNHCU Field Adviser for Wau and Kadugli. Despite appeals, however, no funding has been forthcoming to finance senior national staff as Field Advisers.

The value of Field Advisers lies not only in providing support to UN agency and NGO staff working in difficult conditions, but also in providing first-hand accounts that can feed into assessment processes, inform strategic planning, and improve institutional memory with regard to changing conditions in specific locations. At present, however, the Field Adviser appears confined to the first role only, and few mechanisms exist to expand this. Moreover, in the absence of a clear strategy for advocating the principles of UN engagement, and the absence of dedicated management support, much of the potential value of a Field Adviser's role cannot be realised. This situation is also exacerbated by limitations of access, and by the fact that the single Field Adviser also carries out work for UNDP during field visits.

The capacity of UNHCU was also reported to have been undermined by the lack of funding to maintain its own plane. It was not possible for the Review Team to examine this issue in detail. However, the UNHCU chief noted that the plane

...enhanced our capacity to assist in humanitarian operations and to back up what we said with some action. For example, if we wanted to access a particular area we could take a couple of NGOs with us to get in and facilitate an assessment. We have lost our flexibility and become more dependent on others (Painter, 1996, April 16).

The lack of recognition of OLS in the Northern Sector is also reinforced by the absence of a dedicated OLS forum - monthly Inter-agency meetings, for example, are not referred to as OLS Inter-Agency meetings - or a monthly newsletter or information sheet reporting on different OLS agencies' activities and policies. The poor public understanding of OLS has also been compromised in this regard by the lack of continuity in the post of Information Officer in UNHCU.

In general, the Review Team felt that the lack of coherence in the UNCERO/UNHCU can be attributed to: a lack of management capacity, which is itself a product of an erratic and declining funding base for UNHCU; the imperatives of negotiating access in the South, which occupy a significant portion of the unit's time and energy, and generally poor management practices. This lack of coherence, in turn, contributes to the perception among many NGOs and some governmental bodies - particularly at regional and provincial levels - that OLS lacks a clear strategy for managing the chronic political emergency in the Northern Sector.

4.3.3.3 Sector-Specific Coordination

The coherence of various UN agency mandates is of particular concern with regard to food security interventions. At present, UN agencies involved in food-related interventions include WFP, FAO, UNDP and UNICEF. However, the Review Team noted a poor coordination between these agencies at both strategic and operational levels, and especially between food security-oriented programmes and the provision of food aid.

For example, the majority of UNICEF's household food security programmes involve the delivery of seeds and tools, an activity which also lies within the scope of FAO and UNDP's Agricultural Development Schemes programme; WFP is responsible for the provision of food aid. However, WFP and UN programmes aimed at food security are not sufficiently coordinated. Consequently, a situation arises in which WFP justifies a reduction in rations on the assumption that seeds and tools will be delivered by other agencies, while seeds and tools are allocated on the assumption that sufficient food aid will be available to support people during the growing season. The lack of coordination between these two spheres was illustrated for the Review Team when it asked WFP in Ed Da'ein whether or not FAO was delivering seeds and tools to this location, and was told that WFP does not monitor the outcome of FAO appeals.

With regard to supplementary feeding, UNICEF distributes Unimix for wet feeding, and WFP provides dry rations. In order for NGOs to undertake supplementary feeding programmes, therefore, two contracts are required with each agency, respectively. Further, although WFP provides materials to UNICEF to produce Unimix, it has no information or control over where these materials are allocated, nor does it have a mechanism to ensure that wet feeding is accompanied by appropriate dry rations (Fadl, 1996, April 16). This kind of practice contributes, in turn, to poor NGO practice with regard to supplementary feeding programmes more generally (Mohamed El Badawi, 1996, April 18).

The lack of coherence with regard to food security interventions also contributes to a negative perception on the part of NGOs; as one NGO staff noted:

...Joint appeals are not based on a coherent programme. When WFP and UNICEF sit together in a household food security meeting it is clear that they have not sat together to form a joint plan, but are running separate operations. It is not just an issue of cooperation, but of coherence. UN agencies should not be [just] exchanging information at coordination meetings but working to a comprehensive plan (Kumar, 1996, April 17).

In the health sector, NGOs appear to have taken the lead in creating a forum for coordination. Led by MSF Holland, and with support of a temporary member of UNICEF staff, this forum includes a number of sub-groups working on issues such as revolving drug funds, nutrition, and primary health care for internally displaced persons. Both UNICEF and WHO attend these meetings, and the GOS Ministry of Health attends irregularly (Bos, 1996, March 27). However, the Review Team found it surprising that this initiative has come only recently, and that the UN - a major supplier of essential drugs and other health and nutrition support - has not been more proactive in establishing such a coordinating forum. Not only do such coordinating forums improve the standard and effectiveness of health coverage, they can also be used to collate available mortality and morbidity data in key OLS areas, a move that would greatly enhance monitoring of the impact of UN-supported health programmes.

4.3.3.4 Decentralization

With consolidation of GOS control in the North, and increased access obtained through the December 1992 and August 1993 agreements, decentralization of OLS monitoring and

programme activities has increased (UN, 1994, September 12). In the case of UNICEF, this has involved (re)opening sub-offices in key locations. Whereas in 1991 there was only one UNICEF field office, at present there are regional offices in Juba, Wau, and Malakal, and sub-offices in Kadugli, Ed Da'ain, Abyei, and Nasir (MacCarthy, 1996, April 19; UNICEF, 1996, March 28).

The Wau sub-office was reopened in May 1993, following the withdrawal of UNICEF staff in 1990. The office has a technical staff of seven people, and covers four states, including North and West Bahr el-Ghazal, Warap, and Lakes. It supports some 204 different activities in 50 different locations. Materials are delivered by truck to Abeyi, which has become the logistics base for the region, and from there supplies are flown into Wau and other areas. Since late 1993, planes have been able to stay longer in the different sites covered by the regional office, enabling staff to spend more time in the field monitoring distributions and assessing needs (Paulino, 1996, April 9). The UNICEF office also has a store, which includes relief materials such as shelters, utensils, and Unimix, thus enabling it to respond to new population influxes. The Review Team felt that the UNICEF officer and staff in Wau deserve credit for the expansion of the UNICEF programme in the region; UNICEF was clearly respected within Wau town for its work, and most importantly by beneficiaries in the camps.

UNICEF's Ed Da'ain office is much smaller, and is managed under the UNICEF regional office in El Fasher. As such, it lacks the level of technical, logistical, and communications support present in Wau, and is not engaged in the same range of activities. For example, there is no household food security component or emergency relief provision in Ed Da'ain. Instead, the primary focus is on the provision of educational materials, essential drugs, and EPI programmes.

The establishment of sub-offices is seen by UNICEF as an opportunity to strengthen UN working relations with beneficiary populations, local authorities, and partner NGOs. Building on improved access, UNICEF reports that:

Over the last 18 months there has been a more deliberate attempt to ensure that basic principles are adhered to. We have put more monitors in the field and conducted workshops on drug use and management. If then find that drugs have been misused there is something to refer to (MacCarthy, 1996, April 19).

However, although decentralization has increased the visibility of UNICEF, it has not increased the visibility of OLS. Senior members of state and provincial government where UNICEF has field offices were either unaware of OLS, or believed it to have ceased in 1991/2 (Bal, 1996, April 10; Sharif, 1996, April 2). Indeed, one UNICEF staff in charge of a sub-office was unaware that his office actually came under OLS, until the time when the Review was being planned. The need to induct staff on the mandate and principles of OLS is clearly central, if these are to be effectively coordinated to UNICEF's partners in the field, and used to serve the interests of beneficiaries.

In general, the Review Team felt that UNICEF's decentralization has further blurred the distinction between its country programme and its humanitarian role within OLS. While UNICEF staff, particularly in Wau, have managed to protect the integrity of UNICEF

programming in general from political interference, the Review Team had deep concerns regarding the potential conflict of interest between humanitarian and developmental programming.

For example, the Review Team was also surprised to note that there is no dedicated UNICEF officer currently responsible for the Khartoum displaced. For several years, an Assistant Project Officer was the only person in UNICEF responsible for covering the displaced camps. As the number of NGO health clinics in the displaced camps increased, and particularly as SINGOs expanded their work, UNICEF sought to expand its own capacity in this sector. It was not until 1995, however, that UNICEF had a medically qualified member of staff in place, responsible for supervising its health work in the displaced camps. At the same time it should be noted that UNICEF has made efforts to improve its impact monitoring capacity, through improving information collection and the reporting capacity of NGOs (MacCarthy, 1996, April 1).

Nevertheless, the Review Team considers the lack of a dedicated officer for monitoring the needs of the war-displaced in Khartoum to be a major gap in UNICEF's programming, especially in light of the size and vulnerability of this population. This situation appears to result from a lack of distinction between UNICEF's country programme and its humanitarian role within OLS, as reflected in the following statement:

In Khartoum, I don't think there is any official recognition that the internally displaced are under OLS; our response there is not very different from the normal country programme (MacCarthy, 1996, April 1).

Further, accounting and management systems have not kept pace with the trend towards decentralization of programming:

Decentralized systems mean that regional offices in Juba, Wau and Malakal don't report on what quantity of supplies are provided to different NGOs... We don't have an established reporting system in terms of which NGOs are receiving what; we count on our regional offices to do that, and to report to us if there are problems (MacCarthy, 1996, April 19).

In the absence of clear reporting guidelines, UNICEF Khartoum is unable to adequately monitor the terms of OLS contracts, or trends in the kinds of institutional partners the agency works with. Moreover, given the general level of insecurity, the wide geographical areas served by regional offices, fluctuating access, and limited transport, the capacity of the regional offices to monitor implementation of the projects it supports is also constrained. As described further below, there are important reasons why this information should be available to the UN.

4.3.3.5 Human Resource Management

The quality of any programme is determined in large part by the quality of staff employed, and by the quality of management they enjoy. This is particularly the case in the difficult

working conditions associated with highly politicised and insecure environments such as pertain in OLS.

A significant proportion of OLS staff are employed through Special Service Agreement (SSA) contracts - some 75% in the case of UNICEF (MacCarthy, 1996, April 19) - and it is these staff who are responsible for working in some of the most difficult conditions confronting OLS, in particular barge operations. While using SSA contracts is standard UN practice in order to maintain the flexibility required by a volatile funding environment, the Review Team was concerned that there appears to be no induction for such staff into OLS principles, and the responsibilities they must assume to ensure these principles are operationalised. Indeed, one former SSA contractor noted that it was only through his own initiative that he became aware of OLS principles. In addition, the lack of regular meetings of UN staff - for example, WFP field monitors, both national and international - reduces the ability to develop a consistent approach among staff to interpreting and enforcing OLS humanitarian principles in such a complex working environment (Watson, 1996, April 10).

Another key concern for the Review Team was the acute feeling of insecurity among a significant number of permanent and SSA staff in reporting serious problems to their line managers. For example, quarterly visits to areas where permanent monitors are based have only recently been instituted by WFP. As a result, management support to field staff who face chronic problems of harassment and attempts at manipulation of UN resources, or who perceive beneficiary populations to be under significant threat, has been poor. Further, the willingness of staff to report such incidents was limited in a number of cases either by the insistence that they provide a formal written report for the file, or by the perception that their managers would rather not know.

Although prompt action has been taken when serious incidents have occurred, the Review Team felt that this not mitigate the fact that management has failed to create an environment where field staff are positively disposed toward signalling problems of whatever magnitude, should they arise.

Staff morale is also undermined by inflexible and insensitive handling of compensation issues. For example, one former SSA staff reported being taken hostage by the SPLA for 12 days. When applying for his DSA, he was told that he would only receive 20% of the allowance for these 12 days, as the SPLA had fed and accommodated him. It was also reported that if SSA staff are killed during the course of their duties, mechanisms for compensating their families are ad hoc and prolonged. Also, no SSA staff employed by UNICEF receive full debriefings following major incidents (MacCarthy, 1996, April 19).

Similarly for WFP, the Review Team found that criteria for monitoring staff performance had only recently been introduced. This is the case despite the fact that WFP management has had serious reservations concerning the performance of some of its staff, and has wanted to reward those who have performed well (Bailey, 1996, April 20).

4.4 Conclusion

Analysis of the performance of the UN in the Northern Sector must be set within the context of constraints imposed by working under the conditions of a sovereign government that is a party to the war. The extent to which the UN is willing and able to maintain a humanitarian space in this context, and to defend the principles which it has both advocated and secured agreement on, is the central issue to be considered.

The original framework of OLS, which defined the operation as a government programme, focused on achieving and reinforcing government objectives with regard, among other things, to its agenda for development. This developmental agenda - for example, the attempt to establish self-reliance among internally displaced populations through settlement schemes - fitted well with the UN's own adoption of a relief-to-development continuum approach. It thus provided a means for the UN to continue working within the highly constrained and politicized context of North Sudan. In this regard, the Review Team feels that it is not entirely correct to say that the UN has been hostage to the demands of sovereignty in the Northern Sector. Rather, there has been a convergence of interests between UN and GOS - and indeed donor community - objectives with regard to developmental programmes. However, the UN's adoption of a developmental agenda has eclipsed the need to aggressively assert humanitarian principles in a chronic political emergency. This is especially true since, as will be seen in Chapter 7, OLS developmental programmes in the Northern Sector are deeply flawed, as a consequence of their intimate connection to the war and to a broader political agenda for the country. Further, the operational distinction between relief and development programmes does not lie in the content of the programmes themselves, but rather in the different strategies that are employed in their delivery. In particular, ensuring the neutrality of relief operations is contingent on a more pro active and discriminating approach to the selection and monitoring of implementing partners.

The failure of the UN to assert humanitarian principles in the Northern Sector is a failure at the level of both analysis and management. It is an analytical failure in the sense that the UN has not properly addressed the nature of the underlying political crisis, which constitutes the fundamental threat to the physical and socio-economic security of war-affected populations. Rather, it has concentrated on the more visible crisis of material supply. It is a managerial failure in that neither the contractual relationships the UN undertakes, nor the human resource strategies it follows, have been sufficient to address the challenge to neutrality that OLS faces. This has contributed to the overall failure of the UN to provide an adequate framework for the rights of beneficiaries to security and material support in the Northern Sector.

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