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Humanitarian  
Policy Group

# **The long road home**

## **Opportunities and obstacles to the reintegration of IDPs and refugees returning to Southern Sudan and the Three Areas**

### **Report of Phase I**

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# Acronyms

<b>CHF</b>	Common Humanitarian Fund
<b>CPA</b>	Comprehensive Peace Agreement
<b>DFID</b>	Department for International Development
<b>DDR</b>	Disarmament, Demobilisation and Reintegration
<b>DG</b>	Director General
<b>FGD</b>	Focus Group Discussion
<b>GNU</b>	Government of National Unity
<b>GoSS</b>	Government of Southern Sudan
<b>HAC</b>	Humanitarian Aid Commission
<b>IDP</b>	Internally Displaced Person
<b>IGAD</b>	Inter Governmental Authority on Development
<b>IOM</b>	International Organisation for Migration
<b>JLC</b>	Joint Logistics Coordination
<b>JMC</b>	Joint Military Commission
<b>MCM</b>	Monthly Coordination Meeting
<b>MDTF</b>	Multi-Donor Trust Funds
<b>NGO</b>	Non-Governmental Organisation
<b>NMPACT</b>	Nuba Mountains Programme Advancing Conflict Transformation
<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>RCO</b>	Resident Co-ordinator's Office
<b>RRP</b>	Recovery and Rehabilitation Programme
<b>RWG</b>	Returns Working Groups
<b>SAC</b>	Sudan Advocacy Coalition
<b>SDG</b>	Sudan New Pound
<b>SSRRC</b>	Southern Sudan Relief and Rehabilitation Commission
<b>SPLM</b>	Sudan People's Liberation Movement/Army
<b>UNICEF</b>	United Nations Children's Fund
<b>UNMIS</b>	United Nations Mission in Sudan
<b>UNMIS/RRR</b>	United Nations Mission in Sudan's Return, Reintegration and Recovery Section
<b>WFP</b>	World Food Programme
<b>UNDP</b>	United Nations Development Programme
<b>USAID</b>	United States Agency for International Development





# Introduction and methodology

This in-depth study on the reintegration of internally displaced people (IDPs) returning to Southern Sudan and the Three Areas in the wake of the signing of the Comprehensive Peace Agreement (CPA) was initiated by the United Nations Mission in Sudan's Return, Reintegration and Recovery Section (UNMIS/RRR), with the specific aim of informing future strategic planning on how best to support return and reintegration over the coming year. The study seeks to understand key determinants of sustainable reintegration and the role of different actors in achieving this goal. It focuses on key obstacles to, and opportunities for, successful and peaceful reintegration, paying attention to different interventions (implemented by federal and state governments, by UNMIS and by other international agencies), and the extent to which these have addressed obstacles or harnessed opportunities.

The study is being carried out in two phases. This first phase has focused on Southern Kordofan and Northern Bahr el Ghazal as representative states already experiencing high levels of return activity and generating important lessons for other areas. A second phase will be completed in late 2007/early 2008, and will extend into other geographical areas. This first phase has been funded by the UK Department for International Development (DFID), which commissioned the Humanitarian Policy Group (HPG) of the Overseas Development Institute (ODI) to carry it out. ODI established a three-strong core team, all with extensive Sudan expertise. In-country, the core team was joined by seven local consultants and secondees from the government, UN agencies and international and national NGOs. Each of the Sudanese team members was recruited for their in-depth experience and knowledge of the return and reintegration process. This expertise was invaluable in setting up and carrying out the fieldwork, and for the preliminary analysis.

The methodology for this study was based on the 'Adapted Sustainable Livelihoods Framework to Support Analysis in Situations of Conflict and Political Instability', developed by HPG in 2003, building on DFID's sustainable livelihoods framework (Collinson, 2003: 13). Thus, both data collection and analysis paid attention to assets, to livelihood strategies and to outcomes, especially of returnee households but also of resident households receiving the returnees. These issues were explored within the broader environmental, social, political and economic context, to take account of the institutions, policies and processes that have impacted on the return and reintegration process. Special attention was paid to the relationships between returnee and resident households, to any evidence of competition over resources and to potential points of further conflict.

The work began with a review of relevant literature and documentation, a process that continued throughout the study.

This included policy and programme documents on return and reintegration, other studies on return in Sudan as well as assessments and data on the return process, recent evaluations and background documents on the areas of return to inform the contextual analysis. The major funding mechanisms for return and reintegration pertain in both states, and have been examined in greater depth in Southern Kordofan. The core of the study was based on fieldwork in selected case study areas in Southern Kordofan and in Northern Bahr el Ghazal. In Southern Kordofan the study team split in two, one travelling to the western Jebels (mountains) and one to the southern part of the state. The two teams visited a total of 15 villages in Southern Kordofan, as well as Dilling and Kadugli towns. In Northern Bahr El Ghazal the team visited 6 villages and Aweil town. In each village most of the information was collected through focus group discussions (FGDs), with village leaders, returnees (wherever possible divided into separate groups of men and women, and of youth), and resident members of the community. To make maximum use of the time available the team would often sub-divide so that two focus group discussions were conducted at the same time. This was also useful in cross-checking and triangulating between different FGDs. The FGDs were based on common checklists to ensure consistency. Issues covered included: history of the conflict and displacement; details of the return process; details of reintegration according to how livelihoods had been re-established and the provision of services; issues of local leadership; and how policies, institutions and interventions had supported return and reintegration. Proportional piling (a technique developed for participatory rural appraisal) was used to understand different sources of livelihoods for returnees and residents.

In addition, semi-structured interviews were carried out with government officers both at state and local levels, with tribal leaders and with agency staff, again according to a common checklist. In Khartoum, meetings and interviews were conducted with federal government officers, donor representatives and UN and NGO staff.

The analysis was carried out as a phased process. A preliminary analysis of the fieldwork findings was done with the full study team, and the results were fed back in debriefing meetings in Kadugli and Khartoum. The core team then completed the analysis, accessing further documentation and submitting a first draft for comment in June 2007.

This report is written in three sections. The first section summarises the key findings and recommendations from phase 1. The second section presents the findings of the work in Southern Kordofan in more detail, and the third section does the same for Northern Bahr el Ghazal.



# Section 1

## Key findings and recommendations

### Chapter 1

## The political context of reintegration

This study was commissioned to provide insight into some of the key determinants of sustainable reintegration in Sudan, initially based on two states, Northern Bahr el Ghazal and Southern Kordofan, during May 2007. The states chosen present two different contexts in the broader and highly complex process of Sudan's search for peace under the framework of the Comprehensive Peace Agreement (CPA), signed between the government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A) in January 2005. The war between the government and the SPLM/A displaced millions of people, most of whom have been living in the north of Sudan. Ostensibly, the agreement has, for the first time in over 20 years, created an opportunity for people uprooted by war to shed their designation as refugees or internally displaced persons (IDPs) and to 'freely choose' where to settle and live. However, the CPA is fragile, and its achievement can never be taken for granted. Major processes such as return and reintegration, while potentially trophies of its success, could also inadvertently undermine it.

The promise of the CPA has different implications for the people from Southern Kordofan and Northern Bahr el Ghazal. The deal for Kordofan did not directly address the root causes of the dispute, but provided a framework for resolving the issues that underpinned the conflict. The protocol was intended as a 'model', in the hope that the institutions and processes recommended would address key issues, such as land, which are also a problem in many other parts of Sudan. Should it fail, the consequences will extend beyond the state, with implications for Darfur and eastern Sudan, and the CPA in general. In the south, the CPA has promised a referendum to determine whether Southern Sudan secedes or stays with the north, a political goal that southerners prize and are determined to wait for.

Years of war have devastated the physical and social capital of the southern and central areas of Sudan. In most instances, the conditions for integrating returnees are adverse, due to a chronic shortage of social services and depleted livelihood opportunities. Yet while the majority of returnees may be facing significant hardships, they do not want to be denied an opportunity to participate in the census, planned for 2007–2008, to elect their leaders in 2009 and, in the case of the south, vote in the proposed referendum in 2011. Return for many is therefore a deeply political as well as a social process.

At one level, reintegration is of necessity a gradual process, and it is not possible for all the requirements for return to be met evenly and on time. At the same time, however, questions were raised throughout this study over the *extent* of these shortfalls. To varying degrees, the study reflected a broad opinion that, strictly speaking, Northern Bahr el Ghazal and Southern Kordofan were not ready to receive a major influx of people (in terms of services, infrastructure and governance). Along with an acute shortage of services and fragile livelihood systems, the other critical factor affecting the return process is the governance environment. In Southern Kordofan, the CPA has established a power-sharing government between the SPLM and the National Congress Party (NCP). Two years after the signature of the agreement, however, the two have not sufficiently integrated and the fault lines of war are still evident. In Northern Bahr el Ghazal, the institutions of the nascent southern government (the Government of Southern Sudan (GOSS)) are partially formed, but will take considerable time to consolidate. Institutions of local government and law and order are weak. Should the pressures of return continue to mount unchecked (and services remain insufficient, for example, or the economy fail), then stability will be threatened.

These challenges raise the stakes for all the actors involved, including the UN Mission in Sudan (UNMIS). According to UN Security Council Resolution 1590, UNMIS is 'to facilitate and coordinate the voluntary return of refugees and internally displaced persons by helping to establish necessary security conditions'. The UN Policy Document on Returns in Sudan of 2006 states that the Sudanese government and the UN are committed to the principle 'that all returns must be sustainable', and accompanied by standards 'to protect and find durable solutions for IDPs'. In a time-bound peace process (the Interim peace period, which runs until the 2011 referendum) successful reintegration is vital to a successful outcome. But if the pace of return continues to exceed the capacity to absorb returnees, then a new crisis may emerge.

Along with outstanding security concerns, whether the extreme slowness of the Disarmament, Demobilisation and Reintegration (DDR) process or the lack of integration in the Southern Kordofan state government, the task of securing longer-term livelihood protection and social rehabilitation is now at the heart of the peace process. As the return process

risks exceeding the capacity of the government and the international community to adequately support it, the challenges around return and reintegration present a stiff test for the government and its international partners, and will require higher levels of planning, coordination, resources and creativity than heretofore. This study provides a glimpse into the early stages of repatriation, to ascertain

whether the conditions found for *social, cultural, economic* and *political* reintegration (essentially the pillars of an enabling framework) justify optimism or concern. While much has been achieved, the study recommends a greater focus on area-based recovery that includes the host and returnee populations without distinction, of which reintegration plays a critical part.

## Chapter 2

# The return process

In Southern Kordofan the return of IDPs has been ongoing since the Ceasefire Agreement was signed in 2002, and probably peaked shortly after the CPA. In Northern Bahr el Ghazal return started later, just before the CPA was signed. The number of returnees in Northern Bahr el Ghazal and more remote areas of Southern Kordofan increased in 2006 with a surge in 2007, especially between March and May, increasing pressure on state and local authorities and on reception mechanisms generally.

In Southern Kordofan most of the return has been spontaneous: in 2007 the joint organised return process led by the Government of National Unity (GNU), the International Organisation for Migration (IOM) and UNMIS/Return, Reintegration and Recovery Section (UNMIS/RRR) is likely to reach barely 2% of the total return flow. In Northern Bahr el Ghazal assisted return – a combination of state-organised returns, returns organised by religious bodies and GNU/GoSS/UN joint assisted return – is much more significant of late, partly reflecting the greater vested interests in supporting it. Northern Bahr el Ghazal is of political significance to the south in electoral terms because of its large population size and its homogenous ethnic profile. Assisted returns to Southern Kordofan are more limited, reflecting the fact that many IDPs have already returned home. There are also competing interests in returning IDPs to rebuild the electorate of the area, and maintaining an IDP population in Khartoum as an easily accessible source of cheap labour.

The factors encouraging people to return are broadly similar in both states, related to wretched living and employment conditions for IDPs in Khartoum, a desire to ‘be back home’ and expectations of a better livelihood and cheaper services. However, returnees are not a homogenous group and the drivers vary according to socio-economic status. Thus, the better-off who have established businesses in Khartoum are less likely to return, as are the better-educated, who are often waiting to see how services and employment potential improve back home. Those with children in secondary school in Khartoum are likely to leave at least part of the family behind in the capital. This means that it is mostly the poorest who have returned with all family members. However, their process of return is usually staggered, with the husband going back first to build a house and clear agricultural land, ready for the rest of the family to follow some time later. These different strategies are intended to spread risk and to increase the potential for immediate or future livelihood options. There is some evidence of secondary return, for example back to Khartoum. This tends to be because of poor service infrastructure, although mostly it is the better-off households who are able to afford secondary return. Some young people

who have found it hard to adapt to rural life ‘back home’ have also chosen to return to the city, a move that is not always sanctioned by their families. IDPs have also reportedly utilised assisted return transportation. This will continue as roads open up, and not always for the purposes of deception.

In Southern Kordofan returnees usually go direct to the family’s place of origin, with more returnees heading for former SPLM-held territory where displacement was highest during the conflict. In Northern Bahr el Ghazal a phenomenon of staged return has developed, whereby returnees first congregate in administrative centres, partly for reasons of solidarity, partly because community chiefs coming from the North can perpetuate their leadership status, and partly because access to services is marginally better. They may also be waiting until they have cleared their farmland. This is causing concern among local and international actors that a new generation of settlement ‘camps’ may emerge.

The GNU/GOSS/UN agreed plan on organised return is supposed to be ‘joint’, but there is little evidence of ‘jointness’ on the ground. In Southern Kordofan the state government has not fulfilled its obligations to transport returnees from drop-off points to their final destination because of an inexplicable failure on the part of the government to release the budget for these activities. In Northern Bahr el Ghazal local authorities similarly feel under-resourced and frustrated at their inability to support returnees. Other aspects of the UN’s policy on return and reintegration that are not being honoured largely concern the monitoring of security in areas of potential return, and protection once returnees have gone home.

People in organised return processes tend to have high expectations. Whichever organisation is leading the assisted return is expected to be responsible for the next steps towards reintegration. But these expectations far exceed current plans or available resources, generating frustration and disappointment. Indeed, there is evidence of false promises being made to IDPs in Khartoum about the support they can expect on returning home, although it is difficult to trace the origins of these promises. In Northern Bahr el Ghazal there are inconsistencies in the procedures and assistance packages associated with the different organised return processes, further undermining the concept of joint organised return.

There is a surprising absence of reliable data on returnee numbers. Monitoring is more challenging for Northern Bahr el Ghazal, where a number of different return systems are operating in parallel, though the data being gathered was impressive, with scope for development. Monitoring should be more feasible in Southern Kordofan.

## Recommendations: Return

*To the Joint Planning Task Force for Returns (GNU, GoSS, UNMIS/RRR, IOM, UNHCR and UNICEF)*

The proximity of most of Southern Kordofan to Khartoum begs the question of whether organised return is the most efficient use of resources. The reasons for the low take-up of the organised return convoys need to be more carefully explored and understood. At the same time, more efficient ways of supporting return, for example through a voucher system, should be investigated for more remote locations in Southern Kordofan, where transport costs are highest.

*To the Joint Planning Task Force for Returns*

As long as the joint organised return programme continues to Southern Kordofan, efforts must be made to get the state government to fulfil its role, especially in transporting returnees from drop-off points to their final destination. Failing that, consideration should be given to ending the organised return programme prematurely.

*To the Joint Planning Task Force for Returns*

In Northern Bahr el Ghazal there is a danger that the pace of return could outstrip the state and community's capacity to adequately absorb and facilitate returnees. This means that, in the coming season, the almost exclusive emphasis on return which has characterised the last two years must now switch to a focus on supporting returning IDPs in the state, in order to

minimise potential conflict and disenchantment and to maximise conditions for successful reintegration.

*To IOM, UNMIS/RRR and relevant GNU/GOSS bodies*

Monitoring of the return process must be stepped up and become more sophisticated, beyond simply recording numbers. Data could be disaggregated to build a clearer picture about the socio-economic status of different IDP households and how this affects their strategy of return and ability to integrate. Monitoring the impact of late returns (i.e. organised convoys in late May and early June) is an urgent priority, to ensure that returnees are able to establish a livelihood and settle in.

*To UNMIS/RRR*

UNMIS/RRR should explore ways of assisting governmental and technical agencies in improving the coordination and harmonisation of the various initiatives in support of return. UNMIS/RRR should also assess the impact of increased returns in Northern Bahr el Ghazal and engage with the GOSS on pacing and timing.

*To IOM, UNICEF, UNMIS/RRR, UN agencies and NGOs*

For as long as the joint organised return programme continues, there needs to be greater transparency in the way that decisions are communicated to IDPs, local communities and local authorities. This may imply some reorientation of the information campaign.

# Chapter 3

## The challenge of reintegration

Ideally, the environment into which IDPs are returning should be ready to absorb them, and should offer sufficient access to basic services and opportunities for livelihoods. While this rarely happens in practice, there should be systems and procedures in place to adequately analyse needs as they emerge. As described below, this is not the case in either state.

### 3.1 Social reintegration

In Southern Kordofan some villages have more than doubled in size since the arrival of the returnees, putting tremendous pressure on resources, food and shelter in particular. The picture is similar in Northern Bahr el Ghazal; residents described how the local community feels 'overwhelmed'. At the same time, however, there is a strong sense that the returnees are welcomed back, especially where kinship ties are strong. But in Northern Bahr el Ghazal there is also an element of hesitancy and suspicion and of needing to get to know the returnees, which is not untypical of a war-torn society. Returnees for whom kinship ties are weakest are more vulnerable.

Particularly striking is the very different life experience of many returnees from urban areas, compared with their relatives who stayed behind in the village. Inevitably this mixing of lifestyle and experience has caused some tensions, for instance the more permissive behaviour of young people returning from Khartoum, but there have also been some positive elements; returnees in Southern Kordofan, for instance, are valued for their new skills and knowledge in areas such as construction, and permanent buildings are being constructed in some villages for the first time. Returnees from Darfur have brought new agriculture skills to Northern Bahr el Ghazal.

The greatest difficulties in reintegrating socially are experienced by the returnees themselves, especially young people, who miss the sport and entertainment facilities of the city and opportunities such as vocational training. In a number of cases this has caused them to run away from their families in rural areas to go to towns or even back to Khartoum. Women and children have found it hard to adapt, for example to a less varied rural diet, and to the absence of opportunities for women such as literacy classes. Returnees who resided in more rural settings during their period of displacement, for example those returning to Northern Bahr el Ghazal from South Darfur or from Gedaref and Medani to Southern Kordofan, have generally found it much easier to integrate socially.

In Northern Bahr el Ghazal traditional customs such as exchanging bridewealth were modified for IDPs who had lost all their assets, with sorghum taking the place of cows.

However, there is an expectation that the traditional system will resume once returnees have settled, raising issues about how quickly 'outstanding' payments can be made to regularise marriages based on the exchange of other payments. The bride price of sorghum is not as respected as cattle, which may bring tensions and conflict between families.

### Recommendations: Social integration

*To the state governments, UN agencies and NGOs*

There is a need for much greater awareness-raising and sensitivity around social integration and cohesion, building on (rather than taking for granted) the goodwill of resident communities. Reception committees at local level could be strengthened through the combined effort of the local authorities and NGOs, to become the main forum for discussing how a community-based approach to supporting reintegration could be applied, and the priorities for external assistance.

*To the state governments, UN agencies and NGOs*

Young people must be a priority target group of efforts to support social reintegration, for example through the provision of sports facilities, vocational training and credit to start up businesses. This group is particularly vulnerable to recruitment into militia forces. Whilst local NGOs and government officials are aware of this issue, international agencies appear much less so.

### 3.2 Economic reintegration: livelihoods

During the conflict, the livelihood options of those who remained *in situ* massively contracted, principally because of insecurity and limited mobility and the loss of assets. Livelihoods are now slowly recovering, but largely without assistance and from a very low base. Local experts in Southern Kordofan believe that it will take three to five years for livelihoods to recover to pre-war levels, assuming good security. Restocking with livestock is usually the priority for household recovery, since a lack of livestock holds back a household's ability to generate agricultural surpluses, in turn holding back restocking. This means that many residents have had to resort to basic livelihood strategies that were rarely used before the war. In Southern Kordofan this includes charcoal-making, with its negative environmental consequences. There is also more agricultural wage labour. Continued high global acute malnutrition rates (above 20% (CARE, 2006)) amongst residents in Northern Bahr el Ghazal is a cause for concern though the problem seems to stem more from a poor health environment and inadequate caring practices than from lack of food.

Returnees are usually dependent on agricultural production when they return, but this is often a struggle for urban returnees who are not used to traditional labour-intensive farming methods. Returnees tend to be more dependent than residents on poorly remunerated livelihood strategies. In Northern Bahr el Ghazal, the returnees who are choosing a staged process of return are initially reliant on their own assets and on assistance from the government and/or UN agencies and NGOs, but not all are cultivating straight away. A particular challenge for all returnees is to survive the first season after their return and to become self-sufficient. This is especially the case for those who returned when the agricultural season had already started and/or have received little assistance, for example seeds and tools were delivered very late in Northern Bahr el Ghazal.

On a more positive note, the new skills that many returnees have brought back with them, ranging from building, welding, bicycle and other repair skills, food processing and baking, could have significant livelihood potential that could otherwise take years of investment in training and extension to bring about. This potential has not yet been realised. There is a serious lack of resources and capital to enable these skills to be put to use, and a lack of purchasing power to create a market in more remote rural areas. At worst, this causes skilled returnees to give up and go back to the city; at best, they may stay, but become frustrated and resort to farming instead. In Northern Bahr el Ghazal, some returnees from Darfur who have come back with enhanced agricultural skills are seeking access to land to use for mechanised farming. Although this demand is controversial and so far unmet, it is nevertheless an example of a progressive local initiative, and deserves attention.

Sluggishness on the part of assistance organisations in shifting to medium-term livelihood initiatives was noted in most cases. Other constraints to the recovery of livelihoods include the lack of road and transport infrastructure (although there has been some investment in road development in Northern Bahr el Ghazal), which constrains market opportunities. Fear of deteriorating security is evident in both states, and insecurity is restricting movement in some areas of Southern Kordofan.

### Recommendations: Livelihoods

*To the state governments, UN agencies, NGOs, donors and the World Bank*

Small community-level livelihood interventions could make a significant difference. Examples include sensitive restocking, micro-credit and food and oil processing. Returnees could set up businesses using their new skills, and residents could be supported to speed up the process of recovering their livelihoods. Ideally, this should take place through a community-based approach; the World Bank's Community Empowerment Project (CEP) in Southern Kordofan offers a positive model.

*(continued)*

### Recommendations: Livelihoods *(continued)*

*To the state governments, UN agencies, NGOs, donors and the World Bank*

There is a need for a clear and funded strategy for supporting livelihoods in urban areas. This may require a slightly different approach to rural areas, for example targeting young people with a focus on business development; micro-credit will also probably play a part.

*To the state governments, UN agencies, NGOs, donors and the World Bank*

Improving the road infrastructure should be a priority, especially in Southern Kordofan, where this is progressing very slowly. Returnees emphasise this most; having experienced better infrastructure, they are particularly aware of the isolation and limitations on markets poor roads create.

*To UNMIS*

Maintaining security is essential to the recovery of livelihoods. In collaboration with the local authorities, urgent priority must be given to the future management of relations between previously warring ethnic groups in both states.

### 3.3 Reintegration: services

The service infrastructure in both states was badly damaged during the conflict, and is inadequate to meet the needs of the resident community, let alone an influx of returnees. In one village in Southern Kordofan, for example, residents had to cut water consumption by half to accommodate the needs of the growing number of returnees. There is the potential for tensions between the resident community and returnees to escalate and even break out into conflict if this pressure on services continues to intensify, for instance as people spend hours queuing for water. An important benchmark of a 'durable solution' for IDP return is the extent to which returnees can access adequate services such as water, health and education. Assessing the availability of services is one of the first priorities for returnees, and the lack of infrastructure has caused some to pack up and leave the rural areas to which they had returned.

Again and again water emerged as the top priority for investment and rehabilitation. In both states education was usually the second priority, with three key problems: a lack of secondary education facilities; a lack of teachers; and poor school infrastructure. In Southern Kordofan the most critical problem stemmed from the different curricula that have been operating in former SPLM-held and government areas. Children returning from Khartoum and elsewhere in the north are struggling to switch from an Arabic-speaking to an English-speaking system, and usually have to drop up to four or five grades. Health facilities suffer from a lack of professional staff and drugs. This is a major disappointment for IDPs returning from the city, who are used to a higher level of service. Finally, sanitation could become



a major problem. In Aweil Town, for example, the situation is precarious, and a health crisis is possible as the rains set in.

Although there is a general awareness amongst government and international agencies of the chronic shortage of services, the limited investment so far has not made an impression in the face of growing demand. What investment has taken place has been haphazard, resulting in an uneven distribution of services. To some extent this has affected the pattern of return, as the better-served villages become magnets.

### Recommendations: Services

*To the state governments, UN agencies, NGOs, donors and the World Bank*

Existing service capacity must be reassessed in the light of projected returns, and the situation must be presented more starkly and visibly to all stakeholders. The state governments will require urgent assistance in managing the stress that inflated demand for services has created.

*To UN agencies and NGOs*

Agencies should bear in mind that it may be some time before local government institutions are fully functioning. Consequently, service delivery agencies should consider carefully how they support essential services, and should not prematurely relinquish critical support during this fragile period of return and reintegration.

### 3.4 Reintegration: leadership and institutions

In both states, new government structures are emerging or are anticipated, although in different ways and from different starting points. In the medium term, the successful reintegration of returnees will depend in part on their ability to access and participate in local governance, for example to resolve disputes and to be involved in elections and development planning/interventions. The relative strengths and weaknesses of local governance structures to manage local affairs and disputes will be a key determinant of how integration proceeds.

The traditional authorities act as a bridge between the people and the formal government system. One of the most pressing and potentially challenging issues facing the traditional leadership is resolving the status of IDP chiefs and sheikhs when they return. Officially, they are expected to lose their leadership status, but there appears to be some flexibility in practice. In both states it was reported that these individuals are sometimes invited to become 'advisers' to the resident sheikhs. In Northern Bahr el Ghazal IDP chiefs are being given space to settle down before the issue is addressed, as there is fear that dealing with the delicate matter of leadership in areas of return could either prompt their counter-return or give rise to negative messages that will filter back to the remaining IDPs in the north.

Particularly in former SPLM-held areas, resident sheikhs/chiefs are often suspicious of their returning counterparts, especially if they have been on the government payroll in Khartoum. In fact, few of these IDP sheikhs/chiefs have actually chosen to return, and there are suggestions that they may be preventing other IDPs from doing so.

In some villages in Southern Kordofan dual leadership has emerged, whereby a second set of traditional leaders has been appointed by the SPLM alongside government-appointed traditional leaders. This is a disturbing development, which is unlikely to be resolved until the Local Government Act and the Native Administration Act are passed in Southern Kordofan. At this point all traditional leaders can be elected, creating an opportunity for a unified native administration structure.

On paper at least, local government has a key role to play in managing the recovery and reintegration process. However, the political will to fulfil this role, and the capacity of public

### Recommendations: Leadership and institutions

*To state governments and UNMIS (Civil Affairs)*

While there have been limited interventions to disseminate the contents of the CPA, it cannot be assumed that those arriving from the north have the same level of understanding as resident communities. With a census coming up and an election in sight, civic education initiatives need to be planned in the medium term.

*To state governments*

In both states there is a need to raise awareness about the structures, aims and functions of the emerging local government arrangements. One indicator of successful reintegration will be the extent to which returnees are participating in effective rural governance (i.e. the political processes to determine local policy, establish priorities and make decisions).

*To the Southern Kordofan state government*

There needs to be rapid progress towards passing the new Native Administration Act, in the interests of integrating the two parallel systems that currently operate.

*To UN agencies and NGOs*

External agencies should recognise chiefs/sheikhs as part of the local government system, but also in their own right as custodians of customary law and practice. If community-level conflicts intensify, the chiefs/sheikhs will be the first to mediate and address the issues. At the same time, agencies should be mindful of perceptions of traditional leaders among women and young people, as traditional leaders are criticised by new generations for being elitist, exclusive and gender-blind. Traditional authorities may well benefit from specialised training to assist them in their new challenges, and a more inclusive approach which takes into account the interests of all groups within the community.

sector institutions to perform tasks at local level, remain questionable in both states. A major problem is the lack of funds reaching this level.

### 3.5 Reintegration: land issues (Southern Kordofan)

Tension around ownership of and access to land is an urgent issue affecting reintegration in Southern Kordofan (it is much less relevant in Northern Bahr el Ghazal, where land is more plentiful and less contested). In Southern Kordofan, however, the arrival of returnees has exacerbated long-running tensions between different land users. The four main types of land conflict are:

- 1) *Conflict between pastoralists and farmers*, ranging from low-level tensions to incidents of violent confrontation. This conflict was at the heart of the war in Southern Kordofan. Relations have still not been normalised despite the Ceasefire Agreement and the CPA, and some transhumant routes have never been re-opened. Instead, Nuba groups in several areas are building homes on the old routes. There is also resentment amongst some Nuba communities against perceived government attempts to resettle Baggara pastoralists on their land, for example in Durungaz (Kadugli locality).
- 2) *Conflict amongst agro-pastoralist communities, exacerbated by return*. Although not widespread, this is serious

in some locations, such as Saraf Jamous, where more powerful Nuba groups are seen to be extending their land at the expense of others. Increased (and in some cases encouraged) settlement on valley floors rather than on hilltops, especially by returnees, is creating tension with residents who use the land for grazing. Some returnees are coming home to find their land occupied, especially in former SPLM-controlled areas.

- 3) *Conflict between farmers and traders*. Farmers are clashing with traders who are exploiting natural resources such as timber, gum arabic and palm trees. This is a clear disincentive for returnees to come home.
- 4) *Conflict between returnees and labourers (sharecroppers) on mechanised farms*. Mechanised farms have expanded in areas such as Rashad and Abu Jebeha, affecting some IDPs whose land has been appropriated. Resolving this situation is beyond the power of local leaders, and some young people have felt compelled to take direct action.

The lack of an overall framework to deal with land issues is starkly apparent. Killings and injuries related to land conflict are the single largest risk to returnees as well as to local communities, yet this does not seem to have been given adequate attention or analysis within UN reintegration efforts or in UNMIS/RRR field reports. Joint organised return has actually brought people back to areas such as Habila and Lagawa, where tension around land is extremely high.

### Recommendations: Land (Southern Kordofan)

#### *To the GNU*

The GNU must urgently establish the Southern Kordofan Land Commission and initiate a process of land reform aimed at curbing the alienation of unregistered land.

To the GNU, UN agencies, NGOs, donors and the World Bank  
The GNU should facilitate the registration of rural land, supported by national and international partners, through awareness campaigns that take into account the limited levels of literacy of rural people. Recognition of customary rights should be accompanied by the development of modernised customary land administration institutions; these should be community-based rather than simply based on traditions, and should operate in more inclusive and democratic ways, for example with the support of elected land committees. UN agencies and NGOs could support civil society organisations to play a facilitative role in this process. Legal support to protect land rights could be provided, particularly for women, pastoralists, the disabled and orphans.

#### *To the UN State Team, NGOs and bilateral donors*

Dialogue and coordination are urgently needed to develop a coherent and balanced support effort which builds on the

different roles and capacities of relevant national and international actors. The complexity of the process means that it can only be achieved through the implementation of complementary and mutually supportive initiatives. The UN system must clarify leadership roles around land issues, and assign a clear mandate to one agency to lead a state-wide strategy, in collaboration with relevant government departments. This leadership role will ideally be assumed by the Land Commission once it has become active, but in the meantime it is essential to avoid isolated and *ad hoc* responses. In the meantime, interventions being promoted by NGOs and bilateral donors must be harmonised.

#### *To UNMIS*

In collaboration with the local authorities, it is crucial for UNMIS to identify areas where there are latent and open tensions around access to land and water resources. This task could be undertaken by UNMIS/Civil Affairs in collaboration with UNMIS/Protection of Civilians and UNMIS/RRR. This analysis should be used to alert prospective returnees to the potential for conflict in areas of return, and to support conflict prevention and mitigation aimed at assisting reintegration.

# Chapter 4

## Assistance policies and practices

### 4.1 Policies, strategies and response mechanisms

The 'United Nations Return and Reintegration Policy for IDPs to Southern Sudan and the Three Areas' of October 2006 (GNU et al., 2006a) clearly states a commitment to return IDPs only to secure areas, and to provide them with protection, not only during the return process but also in their place of return. There is, however, little evidence that either of these conditions is being met. Implicit in the UN policy and planning documents is the provision of a three-month reintegration package for returnees, made up of food aid, non-food items and seeds and tools. While the provision of reintegration packages is reported to have been timely for returnees supported by the joint organised returns, WFP country-wide data shows that spontaneous returnee households have waited for an average of 2.2 months (with a minimum of three days and a maximum of eight months) after their arrival before receiving their first batch of food aid. These delays affect the whole reintegration package, not just food aid. Such systemic delay defeats the purpose of a package which is intended to 'meet immediate food needs as well as shelter and livelihoods rehabilitation costs of vulnerable returnees and reduce the burden on host communities' (WFP, 2006). Delays in the distribution of seeds and tools were also a matter of concern, especially as the rainy season had already commenced.

There is acknowledgement that the largest problem with the current return and reintegration strategy concerns the predominant coordination focus on joint organised returns, at the expense of supporting the reintegration of returnees who choose to come back spontaneously. This is all the more important given that, so far, about 100,000 people have come back with the joint organised returns, in comparison with an estimated 1,000,000 spontaneous returnees. UNMIS/RRR is aware of the need to shift the focus to reintegration and recovery; the present study has been commissioned to support the development of a new strategy aimed at enhancing the reintegration of returnees.

Communities spoke passionately about the lack of special support to returnees from both the government and the international community upon their arrival in their home areas. Many found it particularly hard to secure shelter material. In the absence of regular monitoring of spontaneous returns by governmental and UN coordinating bodies, humanitarian agencies find it very difficult to intervene to address needs.

Host communities have clearly been bearing the brunt of the burden of the returnees' arrival. However, the pace of returns over the last couple of years has made it increasingly difficult for them to extend support. In Northern Bahr el Ghazal,

returnees were until recently less visible, partially integrated and silently facing the hardships of eking out a subsistence livelihood. The arrival of substantial additional numbers in recent months is changing this, and the burden on residents (and the authorities) has noticeably increased. The problem is compounded by the lack of substantial recovery support on the part of either the GNU/GOSS or the international community, and the almost non-existent link between reintegration and recovery strategies. High levels of return in a village have generally not been accompanied by an increase in recovery assistance. Where investment has been made in the provision of services or in community development and recovery processes, returnees and resident communities have stressed the important role that these interventions have played in sustaining the socio-economic reintegration of returnees. However, recovery assistance appears to be very patchy, uncoordinated and often limited to areas which are easier to access.

There does not seem to be a strategic framework to guide recovery efforts in the states, and assistance ends up being fragmented and limited in scope and impact. The crisis in Darfur was blamed for diverting attention away from the recovery assistance needed to underpin the implementation of the CPA. This was said to have affected the Three Areas (Southern Kordofan, Blue Nile and Abyei) more severely than the south, since country offices based in Khartoum have responsibility for the whole of Northern Sudan, including Darfur, whereas Southern Sudan assistance programmes tend to be administered from Juba. In Southern Kordofan, the lack of integration between the SPLM and the NCP has also been a key constraint to recovery. The administration of former government and SPLM-controlled areas remains separate and two local government systems are in effect operating in parallel, with separate policies on education (two languages and two systems), health (varying payment systems, different definitions of health facilities and of qualified personnel), judicial and policing systems and local government structures (*Payams* and *Bomas*, rather than Localities and Administrative Units).

The pooled funding mechanisms used in Sudan have proved to be inadequate instruments for recovery assistance. A significant amount of the humanitarian and development assistance to Sudan is funded through the Multi-Donor Trust Funds (north and south) and the Common Humanitarian Fund (CHF). These pooled funds are accompanied by a number of bilateral interventions, the most significant of which are the EU-funded Recovery and Rehabilitation Programme (RRP), DFID's Basic Services Fund (for Southern Sudan only) and projects funded by USAID. The creation of the Multi-Donor Trust Funds was envisaged in the CPA's Wealth Sharing

Protocol, and the Funds were intended to provide immediate support for ‘capacity building and institutional strengthening and quick start/impact programs identified by the Parties’ (Article 15.6). The MDTFs were designed to flow through government systems, with the World Bank acting as the administrator. According to a recent evaluation, however, the Funds ‘have not met expectations for rapid and visible impact’ (Scanteam, 2007: 106). Most of the work on basic services financed under the MDTFs has only just begun or will be starting later this year. The Funds have been slowed down by bureaucratic World Bank procedures, staffing problems and protracted negotiations between UN and World Bank teams about implementing arrangements. Delays are also due to the government’s inability to fulfil its funding obligations through the Funds. Over the last six months, efforts have been made to approve emergency projects mainly aimed at rehabilitating infrastructure. However, the MDTFs’ rules and procedures appear more suited to medium-term reconstruction and development than immediate post-conflict recovery.

Recovery assistance through the CHF has also been limited. The CHF was established in early 2006 to allow donors to channel unearmarked resources for humanitarian elements of the UN Workplan. In 2006, CHF allocations amounted to \$163,477,784, of which \$7,241,297 went to Southern Kordofan. The evaluation of the first six months of the CHF in Sudan noted that the UN Country Team had taken a decision in June to define ‘humanitarian’ in a restricted manner, confined to lifesaving activities, and to combine ‘recovery and development’ as a separate funding track in the 2007 Workplan (Salomons, 2006: 9). The evaluation felt that this was counter to Good Humanitarian Donorship principles, which recognise that humanitarian action includes assistance ‘to facilitate the return to normal lives and livelihoods’, and allows the integration of lifesaving activities with efforts to support early recovery (*ibid.*). The evaluation recommended a revision of the Workplan approach to include early recovery activities. Steps have been taken in 2007 to include an Early Reintegration Code in interventions aimed at supporting early recovery/reintegration activities. It is however difficult to assess the extent to which the allocations for early reintegration activities meet funding requirements, as the Workplan does not present these funding needs separately.

A number of NGOs interviewed felt that the Workplan did not constitute a useful or credible planning process, and raised questions about the criteria for the allocation of CHF monies. Matters appear to have improved this year thanks to increased decentralisation of the allocation decisions. However, the process underpinning the development of the Workplan was said to be driven by what has been defined as ‘supply side humanitarianism’ (Salomons, 2006), and not grounded in an accurate and verifiable assessment of needs. In the 2007 Workplan for Southern Kordofan, funding requests have been realigned towards recovery and development activities.

Humanitarian requirements in Southern Kordofan continue to exceed recovery and development requirements, but they now amount to only 59.4% of the total, as opposed to 89.9% last year. The Workplan Funding Update of April 2007 shows that, while 43% of the Workplan requirements by the second quarter for the humanitarian component have been met (35% of the total), only 4% of the recovery and development requirements have been funded (3% of the total). This may be because many donors feel that recovery and development should be covered through the MDTF. Considering that CHF allocations are mainly focused on lifesaving activities, a clear ‘recovery gap’ appears to emerge in the key funding mechanisms, and this needs to be urgently remedied. Specific rehabilitation and recovery interventions, such as the EU/UNDP RRP and USAID’s Quick Impact Projects, do not appear to have bridged this gap, particularly in Southern Kordofan, where these interventions have often been slow to take off and of limited impact.

What initiatives are being implemented are fragmented and fail to achieve the impact desired because they are not always part of an overall strategic framework linked to government and, especially, state priorities. In addition, it is clear that many initiatives have suffered from a clear lack of in-depth analysis and understanding of the history, society and dynamics of the conflict.

#### 4.2 Coordination arrangements

Inadequate recovery reflects weaknesses in coordination mechanisms between UNMIS, other UN agencies, non-UN actors and the local authorities. Many UN and NGO officials remarked that, at present, there is a plethora of coordination structures with different analyses, plans and priorities. There is an unspoken division of labour between UNMIS/RRR and the Resident Coordinator’s Office (RCO) with regard to return, reintegration and recovery issues, with UNMIS/RRR focusing on the first two and the RCO increasingly taking on responsibility for the last. However, this division of labour is not immediately clear to governmental and non-governmental actors in Southern Kordofan. In Northern Bahr el Ghazal, OCHA is about to hand over coordination to the RCO, and it is expected that functions will be divided between UNMIS/RRR and the RCO in a similar way as in Southern Kordofan.

A recurrent complaint was that coordination structures around return and reintegration issues are centred on information-sharing; in the words of an agency official, they are not ‘structured and geared to debate, rarely address policy issues, and are definitely not strategic’. There was also deep concern that the meetings of the Returns Working Groups (RWGs) are largely focused on an update of figures from the joint organised returns and logistical issues related to the operation. Moreover, there was a general feeling that not enough discussion takes place of reintegration strategies and

how to support returnees who have already come back home. There is also little discussion amongst agencies about who should cover the assistance gap in a given area, especially where there are high levels of returns.

Many government and NGO actors admitted to being at a loss with regard to the different mandates of UNMIS/RRR, the IOM, RCO and Joint Logistics Coordination (JLC) when it came to the coordination of the return and reintegration of returnees. Many pointed out that returns are removed from all other recovery sectors. Others raised concerns about the suitability of UNMIS and the RCO as coordinating bodies. As was stated by a significant number of informants, including senior UNMIS personnel, in Southern Kordofan there is underlying tension between a number of UN agencies and UNMIS, and this has made collaboration difficult. UNMIS is seen by many UN and NGO officials as a separate body detached from the rest of the humanitarian and development community in the state. UNMIS/RRR and the RCO are aware of these concerns, and are trying to clarify mandates and responsibilities for reintegration and recovery.

Coordination around return, reintegration and recovery needs to be strategic and rooted in in-depth analysis of the situation to guide planning, including the prioritisation and sequencing of interventions and the identification of areas with the greatest recovery gap. Baseline data about levels of returns and recovery needs is patchy and often anecdotal, and a stronger evidence base is required to guide intervention strategies. There was general consensus that the IOM's monitoring and tracking of spontaneous returnees was

grossly unsatisfactory. In Northern Bahr el Ghazal, UNMIS/RRR has inherited a basic data system which could be expanded further. In Southern Kordofan there is no centralised information system with data covering areas such as population, number of returnees, level of services, insecurity (mines, local-level conflict, etc.) and road accessibility. UN agencies have reportedly been providing sectoral data to UNMIS/RRR, but there has been no attempt to aggregate the data and develop analysis for planning.

Strengthening the link between aid agencies and government structures is critical if the recovery process is to be made sustainable. In Southern Kordofan the RCO is trying to help inter-agency coordination move from being emergency focused and UN-led to taking a longer-term developmental approach, led by government. To that end, the RCO is providing support to line ministries to lead coordination efforts in line with the Southern Kordofan State Strategic Plan. There are, though, some important caveats. It is not clear to what extent this initiative also involves the SPLM secretaries for health, education, water and agriculture and food security. If deliberate efforts are not made to proactively engage with such actors in what is a highly sensitive political context, the new coordination mechanism will find it difficult to influence the recovery process in former SPLM-controlled areas of Southern Kordofan, and the UN will have missed a critical opportunity to facilitate and support the integration of the two administrations in the state. The establishment of an RCO Field Office in Kaoda is, however, a positive step to try and build a more substantial engagement with the SPLM Secretariats.

### Recommendations: External assistance

*To UNMIS/RRR, RCO, UN agencies, NGOs, donors and the World Bank*

The reintegration strategy must be clearly linked to recovery support in return areas. The strategy should be premised on harnessing the potential of local natural resources, particularly fertile agricultural land, and the skills and enthusiasm for change brought by the returnees. This should be done through strategic cross-sectoral interventions focused on the provision of appropriate agricultural technology, marketing support and the provision of credit, the development of key infrastructure such as roads and markets, and the provision of basic services, particularly water. This requires a greater focus on area-based recovery planning, with special attention to areas of high return.

*To IOM*

It is critical to improve the monitoring and tracking of spontaneous returnees in partnership with the relevant government bodies and local communities, in order to guide the provision of reintegration support to recent arrivals in a timely and informed manner. In both Northern Bahr el Ghazal

and Southern Kordofan IOM should provide greater investment in upgrading the tracking and monitoring system and fast-tracking protection monitoring mechanisms, including practical solutions for the Southern Sudan Relief and Rehabilitation Commission (SSRRC) numerators in Northern Bahr el Ghazal.

*To UNMIS/RRR*

An analysis of delays in the distribution of reintegration packages to spontaneous returnees should be undertaken in order to assess their impact on returnee and receiving communities, and to help prevent such delays in the future.

*To donors, UN Resident/Humanitarian Coordinator's Office and World Bank*

It is imperative that donors and pooled fund managers identify ways of bridging the 'recovery gap' in Southern Kordofan and Southern Sudan, either by creating a special fund for recovery or by allocating greater resources to the recovery interventions identified in the UN Workplan.

*(continued)*

**Recommendations: External assistance (*continued*)***To donors*

Further pressure needs to be applied on the MDTFs to support urgent recovery interventions in both states, so that people can finally begin to see tangible peace dividends.

*To the World Bank and the GNU*

MDTF and the GNU contributions agreed for the ‘Southern Kordofan Start-Up Emergency Project’ must be disbursed without delay. It is also extremely important that the project reconsiders its current approach and looks at ways of facilitating a more community-driven and flexibly administered recovery process, learning for example from the experience of the World Bank-led Community Empowerment Project in the state.

*To UNMIS/RRR*

UNMIS/RRR should accelerate organising the information it collects and receives from technical agencies and NGOs into a centralised information system. UNMIS/RRR should use the data to provide a regular analytical update of the trends observed, and advise about emerging policy implications.

*To the RCO*

A library of resources relevant for planning should be created, specific to each state where possible. Greater use should be made of the wealth of assessment and analysis undertaken over the past six years, including the IGAD Partner Forum’s Planning for Peace documents, NMPACT (in Southern Kordofan) and agency reports. Thought should be given to creative ways of making this as accessible as possible to international and national agencies.

*To UN agencies, NGOs and bilateral donors*

Agencies should seek to better coordinate interventions and focus on strategic responses to recovery priorities, with a clear division of labour according to competences and redistribution of work in different areas to avoid over-concentration. To this end, the RCO should endeavour to better facilitate the involvement of NGOs and other partners in relevant planning processes.

*To UNMIS/RRR, UN agencies and NGOs*

Collaboration should be strengthened with HAC/SSRRC and state coordination structures for return and reintegration, especially the county returns committees and the Payam administrators in Northern Bahr el Ghazal, and the Commission for Voluntary Returns in Southern Kordofan. Where appropriate, the UN should lobby for promised resources to be made available to the state governments.

*To the RCO (Southern Kordofan)*

The RCO should ensure that support is provided to the Directorates General to develop a clear prioritisation and sequencing of the interventions envisaged by the Southern Kordofan Strategic Plan, and should ensure that external interventions adhere to the Plan. The RCO should strive to create a dialogue with the SPLM secretaries for health, education, water and agriculture and food security in order to involve them in the coordination mechanisms currently being developed.

*To the GNU, UN agencies and NGOs*

There is an urgent need to build service delivery capacity in the localities/*Payams*.

# Chapter 5

## Support to peace

The sustainable return of IDPs is predicated on continued stability in areas of return. Should the security situation deteriorate, this will affect the return and reintegration of IDPs and may cause further displacement. Numerous returnees highlighted the impact of insecurity on livelihoods. In local state economies, the ability to move safely is key to survival.

Growing tensions in a number of areas, particularly in Southern Kordofan (ICG, 2007: 12; UNST, February 2007: 3; UNRCO, 2007: 3), require a timely response by local politicians, and international support to help ensure that returning populations and host communities are free of fear about their lives and livelihoods.

### Recommendations: Support to peace

#### *To the GNU – Khartoum*

Current ambiguities about the level of special development transfers for Southern Kordofan must be urgently clarified. The central government should also enhance the transparency and predictability of resources to be transferred to Southern Kordofan, to allow the state to prepare more realistic budgets. In addition, the central government should provide support to the state to improve its revenue collection capacity at locality level.

#### *To UNMIS, UN agencies and NGOs*

Growing conflict between nomads and farmers in Southern Kordofan and the continuing proliferation of small arms in these communities require urgent attention. The UN system and NGOs should offer more substantial technical support to the state authorities to build recognised and legitimate institutions (police, judiciary and traditional authorities) which can address tension and build confidence across different communities.

#### *To UNMIS*

UNMIS urgently needs to address the pervasive perception amongst communities in Southern Kordofan that there is a lack

of robust and systematic patrolling. A regular and visible UNMIS military presence is also required in shared grazing areas and locations close to the river Kiir in Northern Bahr el Ghazal. It is important that the Public Information Unit of UNMIS step up the level and outreach of public information campaigns on the CPA in both states. It is critical that UNMIS/DDR Section accelerates the disarmament and demobilisation process in both states. In Southern Kordofan, UNMIS should seek to draw more on the learning and experience of the Joint Military Commission (JMC).

#### *To UNMIS, UN agencies and NGOs*

UNMIS/Civil Affairs Section in Southern Kordofan should devote urgent attention to strengthening the facilitation of dialogue between pastoralist and farming communities in areas of tension initiated by the JMC. In Northern Bahr el Ghazal priority should be given to the management of relations between the Dinka and their neighbours in South Darfur (and, to a lesser extent, Kordofan). Support should be sought from UN agencies and NGOs which are already active in promoting reconciliation processes at community level.





# Section 2

## State report: Southern Kordofan

### Chapter 6

### Background

#### 6.1 Setting the scene: a brief note on displacement during the conflict

Southern Kordofan saw fierce fighting between the Government of Sudan (GoS) and the Sudan People's Liberation Movement/Army (SPLM/A) between 1985 and 2002. The conflict led to the widespread destruction of traditional sources of livelihood and massive internal displacement. Fighting mainly affected the central part of Southern Kordofan known as the Nuba Mountains. This area is inhabited by a complex mix of people comprising 50 different groups speaking 50 different languages. Despite this great heterogeneity, however, these groups share a number of fundamental common cultural practices and beliefs, and widely recognise themselves as Nuba.

IDPs who left villages and areas that were subsequently controlled by the SPLM usually had the weakest links back to their remaining relatives and community members. For those whose villages were in GoS-held territory, it was usually easier to maintain communication and even to travel back from Khartoum. Sheikhs were appointed in IDP communities, usually elected by IDPs and sometimes sanctioned by traditional leaders back in the villages. These leaders became the main point of contact with the government and international organisations. Community associations were often formed, and these have played an important role in the return process. According to the 'IDP Intentions Survey' (IOM, 2006), an estimated 61,500 people from South Kordofan said that they wished to return. This represented 41% of the total anticipated returns to the southern states and the Three Areas.

#### 6.2 The return process

##### 6.2.1 Introduction

Although the focus of this study is reintegration, it is impossible to understand the factors that affect it without first understanding the process of return. As the recent Sudan Advocacy Coalition (SAC) report on 'Return with Dignity' put it: 'the success or failure of returns planning is one of the key factors that will determine the overall success or failure of the Comprehensive Peace Agreement' (SAC, 2006: 1). So far, both the government and the international community have put most of their energy and human resources into the return process.

Although many of the challenges are well-known to UNMIS RRR, as these impact directly on the reintegration process for returnees it is valuable to sketch out some of them here.

##### 6.2.2 Timing of return

The return process in Southern Kordofan has been ongoing at least since the Ceasefire Agreement (CFA) was signed for the Nuba Mountains in 2002, in other words for five years before the international community stepped in with its programme of 'organised return'. The Minister for Rural Development and Water in Southern Kordofan estimates that around 600,000 people have returned during the last five years. Although data showing estimated numbers of returnees per year is limited, the biggest wave of return was probably around 2005. According to figures from CARE and SC-US, the estimated number of returnees in 2006 was in the region of 63,500. To date in 2007, an estimated 40,400 people have returned.<sup>1</sup> There appear to be two peak periods: during December, to assist relatives with the harvest; and in April, in order to take advantage of the coming rains.<sup>2</sup>

##### 6.2.3 Method of return

The different ways in which people have returned to Southern Kordofan can be broadly categorised as follows:

1. Spontaneous return.
2. Community-organised return, for example by community associations.
3. Joint organised return (involving the Government of National Unity (GNU), the Government of South Sudan (GOSS) and the UN).
4. State organised return.

The first category is by far the most significant. Indeed, 'spontaneous' is something of a misnomer as all the evidence points to a highly organised and planned process whereby families join together to hire a truck, and communication with the receiving community will usually precede the return journey, sometimes through the sheikhs, thus facilitating the reception of the returnees and to some extent their

<sup>1</sup> Based on figures obtained from CARE and SC-US for food aid distribution to returnees, plus UN/IOM figures for joint organised return to date.

<sup>2</sup> However, it should be noted that IOM's organised return process continued into June.

reintegration. 'Joint organised' return started in 2007, and is discussed below. It is expected to cover approximately 11% of the total anticipated organised return in 2007. By 20 May, 3,741 returnees had participated in the joint organised return.<sup>3</sup> There are isolated examples of state-organised return, for example from Sennar state, apparently at the request of the Southern Kordofan state government, which provided financial resources for IDPs to return home.

#### 6.2.4 Final destination

Most returnees to Southern Kordofan are choosing to go directly back to their area of origin, where they are known and have relatives, and where they can reclaim their family's farmland. There are reports of some returnees subsequently moving to urban areas, for example to Dilling or Kadugli. A number of key informants for this study said that the largest number of returnees are going back to former SPLM-held areas. This would be consistent with the fact that most displacement during the conflict was from SPLM-held territory.

#### 6.2.5 Pattern of return within families

The most common pattern of return is that the male head of household (or another adult male) will return first, in order to build a house, clear the land and start to re-establish a livelihood. The rest of the family (wives and children) then joins him some months or even a year or two later. Variations on this pattern include:

- a) Some of the poorest families returning together, usually because their living conditions in Khartoum are so precarious there is little to stay for.
- b) Households splitting their livelihood strategies between Khartoum and Southern Kordofan, with some members of the family remaining in Khartoum indefinitely.<sup>4</sup>
- c) Households leaving some of their older children in Khartoum so that they can complete secondary education.

Discussions with IDPs in Dilling revealed that most have chosen to remain in the town because services and livelihood opportunities were better, although some family members (usually the men) have returned to the villages to re-establish their rural livelihoods.

#### 6.2.6 Who are the returnees?

There is a tendency to treat returnees as a homogenous group, whereas they are in fact highly differentiated, with different families adopting different strategies according to their socioeconomic status. The following provides a breakdown of socio-economic stratification (in estimated order of magnitude).

- 1) The most numerous are the poor who are returning spontaneously, usually over time. When the whole family

returns, they usually bring all their assets with them. Part of the family may use the organised return process, for example for women and children to join the male head of household.

- 2) The second group is poorer, and unable to afford to return as a household, though some family members may be travelling occasionally to their village of origin. This group is particularly dependent on the joint organised return process.
- 3) The third group comprises households with some skilled members, with a higher income potential. These households are most likely to return to areas where services are better and where there is market potential for their skills and the businesses they wish to start.
- 4) The fourth group is the best-educated, usually graduates who also have a high income-earning potential, but have least interest in returning to rural areas. Some are delaying their return until they can assess employment potential.

Communities in the Saraf Jamous area reported that there was a fifth very small group, the very poorest, who apparently are unable to participate in the joint organised return process because they cannot afford to transport their families and luggage to the departure points in Khartoum. There are two further categories. The first is those who were displaced during the conflict, and who are now well established in Khartoum or elsewhere in the north, and who have no intention of returning except for periodic visits. (As return is a voluntary process, development support of the needy choosing to stay in Khartoum should not be overlooked.) The second is those returning from Peace Villages within Southern Kordofan, most of whom have already gone back except where their land has been appropriated.<sup>5</sup>

#### 6.2.7 Push and pull factors

The 'push' factors favouring return are strongest for poorer households. They include:

- Lack of employment in Khartoum (a number of IDPs and returnees commented on the wave of redundancies that followed the signing of the CPA in 2005).
- Dependence on unreliable and poorly paid day labouring in Khartoum.
- Harassment of women engaged in alcohol brewing in Khartoum as a source of livelihood, with frequent arrests and imprisonment, often requiring payment of a fine to secure their release.
- The high cost of living in the city, especially the cost of education.
- Feeling like 'second class citizens', whose rights are denied and who are vulnerable to abuse.<sup>6</sup>
- Lack of dignity living as an IDP.

The 'pull' factors encouraging IDPs to return include:

<sup>3</sup> 'Revised Planning Assumptions for Organised IDP Returns During 2007', RRR, Khartoum.  
<sup>4</sup> For some households this was a pre-war livelihood strategy, and it is likely to persist as a long-term strategy for many others.  
<sup>5</sup> Once again, there are no reliable estimates of the numbers in this group.  
<sup>6</sup> The failure to protect IDPs living in and around Khartoum has been commented on for years, but to little effect.

- Peace and relative security in Southern Kordofan (although see below, on the continued evidence of insecurity).
- The opportunity to see and live with their relatives once again, and a desire to return to their land of origin.
- Access to land to cultivate.
- Access to free housing and water.
- Expectations of less restricted livelihood options.
- Expectations of better/cheaper education.
- Freedom from ‘psychological stress’. (This was expressed in different ways by different groups. A young male IDP from Southern Kordofan, still living in Khartoum, poignantly said: ‘I’m defeated here. At least I won’t be defeated there’.)

Disincentives to return include:

- Continued evidence of insecurity, including tribal conflict.
- Poor services in areas of return. This was mentioned by IDPs still living in Khartoum, who are particularly aware of the poor water services from recent visits they have made to the area. Lack of education facilities is a major disincentive, especially for families that can afford to send their children to secondary school in Khartoum.

### 6.2.8 Evidence of secondary return

There is some evidence of secondary return, in other words people who have returned to Southern Kordofan retracing their steps and going back again to their place of displacement, often within a few months. Secondary return is significant in some villages and non-existent in others. In Sallara village, for example, as many as 20% of returnees were said to have returned to Khartoum, mainly because of the continued presence of troops occupying the school and health centre facilities. In other villages, the poor quality of service infrastructure is the reason for secondary return. In Al Fos village, near Sallara, we were told that no returnees had gone back to Khartoum. This may be because services in Al Fos are generally better than elsewhere, and there is also a greater sense of social cohesion than, for example, in Sallara village. Similarly, in Shatt ed Dammam, where service provision is generally better, there is no reported secondary return (although there are reports of young people running away – see below).

It is worth noting that those who do engage in secondary return are either individuals sent ahead by their families and deciding not to bring them back to Southern Kordofan, or the better-off. Poorer families usually cannot meet the costs of secondary return, and are in any case less likely to want to return. Some agencies believe that secondary return is becoming less common as information flows between IDPs and Southern Kordofan increase and prospective returnees become more aware of the situation back in the villages.

In a modified form of secondary return, some families move from their village to the nearest town, usually Kadugli or Dilling, in search of better services. Young people may move to

the towns on their own in search of employment. This modified secondary return probably accounts for only a small proportion of the overall number of returnees, but is nevertheless noticeable, and beyond the normal ‘rural to urban drift’.

### 6.2.9 Organised return in practice

Joint organised return has been on a much smaller scale than anticipated. After an overwhelming response by IDPs in Khartoum to the registration process for organised return, which took place at the end of 2006, the early convoys to Southern Kordofan in 2007 were only 17% full. This took the organisations involved by surprise, but they have since revised their approach and now transport IDPs back to pre-determined destinations on a first-come, first-served basis. As a result, more of the convoys have been closer to capacity, although many are still not full.

Whilst the significance of organised compared with spontaneous return is small, it does seem to meet the needs of some of the poorest IDP families, who would otherwise struggle to find the resources to return, and would have to sell a large proportion of their assets to do so. On this point it is worth noting that it is not the cost of personal travel that is the issue, but the cost of transporting assets and belongings. Figures for the cost of spontaneous return, collected by the study team in Southern Kordofan in May 2007, ranged from SDG 5,000 to SDG 10,000 for a family with luggage to Saada in Lagawa locality, to SDG 14,000 to 20,000 for a family returning to the more remote village of Angolo in the far south of Southern Kordofan.

A number of IDPs have used the organised return process as part of their overall strategy of return, while others have used it as a way of travelling back to visit relatives. Despite the fact that convoys are not full, it seems that significant numbers of people still hope to be part of the UN/IOM organised return, although the longer they have to wait the more likely it is that they will organise their return themselves.

The state coordination committee decides which destinations should be prioritised, and this information is cross-checked in Khartoum according to the registration figures for organised return and specified destinations. On this basis, the destination of the convoy will be finalised. However, the study found that there had been no organised convoys to some areas, such as Julud, whereas more accessible locations such as Sallara locality had received many convoys of returnees. This suggests a need for greater transparency in how destinations are selected and decisions communicated. In addition, the state government has failed to provide transport for returnees from drop-off points in Southern Kordofan to their final destination, even though it has a budget for this, but half-way through 2007 this budget had still not been released. This caused much confusion and anger among returnees, who have to cover these unexpected costs themselves.

The UN policy on return and reintegration says that ‘organised returns in which the UN participates will require reasonable certainty that the IDPs will return early enough in the dry season to construct a shelter and prepare land for cultivation, or that plans and capacity are in place to provide assistance to compensate for missing those opportunities’. However, organised return to Southern Kordofan continued into June, in part because of delays in getting the operation off the ground earlier in the year. The consequences of such late returns should be carefully monitored, especially in terms of shelter for the rainy season and whether returnees can still benefit from the current agricultural season. If either becomes an issue, agencies may have to be more flexible in their assistance package, for example providing shelter material.

Political manipulation and distortion is another concern. There are vested interests in favour of IDPs returning in time for the census. There are also vested interests in seeing the IDPs remaining in Khartoum, where they provide a source of cheap labour and can be more easily controlled. The study team came across one example of fraudulent registration in Khartoum in a bid to prevent IDPs returning, as well as false promises of a generous assistance package awaiting them on their return, presumably to encourage them to leave Khartoum. The financial packages promised – and of course never received – ranged from SDG 5,000 to SDG 10,000, along with tents and *tukuls*. These findings are consistent with the ‘Return With Dignity’ study (SAC, 2006), which found that some returnees had been promised SDG 3,000. Interviewees told us that these false promises had been made to returnees at the time of registration by those involved in the registration process; registration processes were sponsored by various actors as well as the GNU/GOSS/UN return programme.

Despite the investment in the information campaign, returnees’ expectations are not being well-managed. Information flows between IDPs in Khartoum and villages in the Nuba Mountains are generally very good, and many IDPs have some idea about what they should expect on their return,

suggesting that it may be more productive for the information campaign to focus on the return process itself and on the assistance that returnees can reasonably expect to receive, and to give some transparency on some of the decisions that are made, for instance the timetabling of return convoys and their selected destinations.

In conclusion, an effective and well-facilitated return is the critical first step to the successful reintegration of returnees. At the same time, however, the energy and human resources that have been invested in the organised return process have been a major distraction to understanding, monitoring and supporting reintegration. For the more accessible parts of Southern Kordofan, the cost-effectiveness of organised return is highly questionable, and many key informants interviewed for this study were of the view that more should have been spent on rehabilitating services. There may still be a need for organised return to more remote parts of Southern Kordofan, such as Buram, Trogi and Kaw Nwaro, where the costs of spontaneous return are prohibitive for many. But it is worth exploring other forms of support.<sup>7</sup> Spontaneous return is also more ‘community-friendly’ as it tends to occur as a constant trickle, as opposed to organised returns, which tend to involve large numbers arriving in a community at the same time.

The lack of reliable data on returnees to Southern Kordofan is striking, despite the fact that the return process is a cornerstone of the CPA and of the peace process. Numbers tend to be exaggerated at community level if there is seen to be a direct correlation with the availability of aid resources, for instance for services. Working through local and international NGOs at village level is one way of cross-checking data. Once monitoring has improved, more disaggregated analysis of the socio-economic status of returnees would be valuable, building on the initial stratification provided by this study.

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<sup>7</sup> On this point, see NCA’s note on ‘Community Based Approach to Organised Return in South Kordofan’, drafted in October 2006.

# Chapter 7

## The reintegration process

This chapter explores reintegration according to:

- a) social reintegration;
- b) economic reintegration;
- c) services;
- d) access to land; and
- e) leadership and local institutions.

In doing so, it pays attention to the variables that facilitate or obstruct reintegration, on the side of the returnees, and on the side of the receiving community.

### 7.1 Social reintegration

Since IDPs started returning, some villages appear to have more than doubled their population.<sup>8</sup> This influx is putting great pressure on resources, food and shelter and services. Despite these pressures, returnees are almost universally welcomed back by receiving communities. Comments such as ‘they are our relatives, of course we welcome them’ and ‘we are happy to share our resources’<sup>9</sup> were common. Only very occasionally were examples given of returnees not being welcome. At the same time, however, the long-term displaced living in Khartoum have had very different life experiences. They have been exposed to an urban lifestyle, with all its financial and other pressures, and its opportunities. They are returning to a rural and in many cases poorly developed and isolated environment. Some are having to learn agricultural skills for the first time. Returnees from areas such as Gedaref and Wad Medani, who continued to farm and live a more rural lifestyle, have generally found it easier to reintegrate.

Inevitably, this mixing of experiences has caused tensions. Behaviours that jar with traditional values include young people smoking and taking drugs, and more permissive social relations between boys and girls. In Tacho village, residents pinpointed drunken fighting with knives amongst returnees as one instance of unacceptable behaviour brought back from Khartoum. But the different values and behaviours of returnees can also have positive dimensions. For example, returnees often attach a higher value to education and are returning with new skills and knowledge. Residents noted this approvingly, citing skills such as food processing and construction. In some villages, En Nugra for example, permanent buildings are being constructed for the first time,

using the building skills of returnees. Returnees are also encouraging the building of houses on the plains rather than in the hills in some villages in the south-eastern part of Southern Kordofan close to good agricultural land, and where the provision of services should be easier.

The greatest difficulties in reintegrating seem to be experienced by young people, who miss city life most in terms of sports and entertainment facilities, transport and opportunities such as vocational training, and are unwilling to take up a rural livelihood herding livestock and fetching water. In some cases this has been so acute that older children have run away from their families. This was most evident in Shatt ed-Dammam, close to Kadugli, where a number of young people ran away to Kadugli town. In Angolo village it was reported that older children were returning to Khartoum, where they were living as street children.

Women and children too have found it difficult to adapt to rural life. Some children have struggled with a much more limited diet, and with their ignorance of the local Nuba language. Women talk of missing opportunities available to them in Khartoum, for example literacy classes. Better-off women who did not have to work in Khartoum must now collect water and farm, and no longer enjoy the free time they had in the city. Returnees are generally much more aware of poor road infrastructure and feelings of isolation in rural areas than long-term residents. In the words of one returnee woman in Kameri:

*we had great hopes after the ceasefire that we’ll have a better life in the Nuba Mountains. But when we came back here we found nothing, economically, in terms of services and education. People were poor when they were displaced, and people are poor here in the village.*

This is where there is some disappointment with the lack of a visible or tangible peace dividend.

All of this must be set against a general feeling amongst returnees of greater freedom, of no longer being treated as second-class citizens and of being welcomed back and supported by their own kin. Despite the difficulties returnees face, the overwhelming picture is of a population and families reuniting. More community-targeted support would be helpful here: there has been very little assistance for receiving communities to set up reception committees. These community-level committees could act as a forum for discussing how the community could be supported to facilitate social (and economic) reintegration.

<sup>8</sup> These estimates should be treated with caution, however, as they are based on figures given by village leaders and have not been verified or cross-checked.

<sup>9</sup> From a focus group discussion with the resident population in Al Fos village, Sallara locality, and with residents in Saada, respectively.

## 7.2 Economic reintegration: livelihoods

### 7.2.1 Livelihood systems and the impact of the conflict

There are broadly three livelihood groups in Southern Kordofan:

- 1) Traditional agricultural smallholders, practicing subsistence farming based on sorghum and livestock production, estimated at approximately 60% of the state's rural population in 2000.
- 2) Mainly transhumant pastoralists, who practice seasonal migration for grazing when herds are large (approximately 30% of the rural population).
- 3) Horticulturalists, practicing agriculture and intense crop cultivation using irrigation, mainly around the wadis in the north and close to larger settlements. This group also provides labour for mechanised farms (approximately 8% of the rural population) (Pantuliano, 2005, sourcing IFAD, 2000).

Each group's livelihood system was badly affected by the conflict. Most of the displaced are from the smallholder subsistence farming group. For those who remained, livelihood options massively contracted. Most were only able to farm *jubraka* and fields close to villages because of insecurity, and were unable to collect wild foods. Livestock herds were seriously depleted, economic infrastructure such as shops was destroyed and trade collapsed. Pastoralists suffered from the closing of migration routes, and many lost livestock.<sup>10</sup> For many horticultural farms, irrigation infrastructure was badly damaged or destroyed.

### 7.2.2 The slow process of recovery for resident households

Livelihoods of resident households in Southern Kordofan have been recovering since the Ceasefire Agreement restored some level of security. But so far this is largely unassisted, and it is happening very slowly and from a low base. According to some local experts it will take three to five years for livelihoods to recover to pre-war standards, assuming that security does not deteriorate in the meantime. Rebuilding livestock herds is usually the priority, but this remains a major constraint to other livelihood strategies until a critical mass is reached. There is a vicious cycle that is slow to break: lack of livestock reduces *nafir*<sup>11</sup> because a household cannot afford to slaughter many animals to support this form of community work; this limits the amount of land a household can cultivate, and hence the ability to generate an agricultural surplus; this in turn restricts the pace of restocking.

Households are having to resort to basic livelihood or coping strategies that were rarely used pre-war, such as collecting and selling grass and making charcoal. There is also evidence

<sup>10</sup> Miseriya pastoralists in Drongas commented that they can still only use one cattle migration route, whereas before the conflict they were able to use three.

<sup>11</sup> *Nafir* is a form of communal labour, whereby the farmer benefiting provides those working on his/her land with food, usually a slaughtered animal.

of a higher dependence on agricultural wage labour as households struggle to earn income to meet cash needs. A typical range of livelihood strategies is illustrated in Figure 1. Villagers in Saada explained how even the wealthy had been reduced to a much more basic level of subsistence compared with before the conflict. Then, the 'wealthy' would have owned 100 to 120 cows and would have harvested up to 120 sacks of sorghum. Now they rarely own more than ten cows, and produce no more than 30 sacks of sorghum. Pastoralist households that suffered major livestock losses during the conflict have often had to settle as a result. Like resident farming households, increasing numbers have resorted to charcoal-making. The better-off have developed trade, but often over long distances, for example to El Obeid, because of the problems caused by severed relationships and unresolved disputes with other resident communities with whom they would have traded in the past in Southern Kordofan

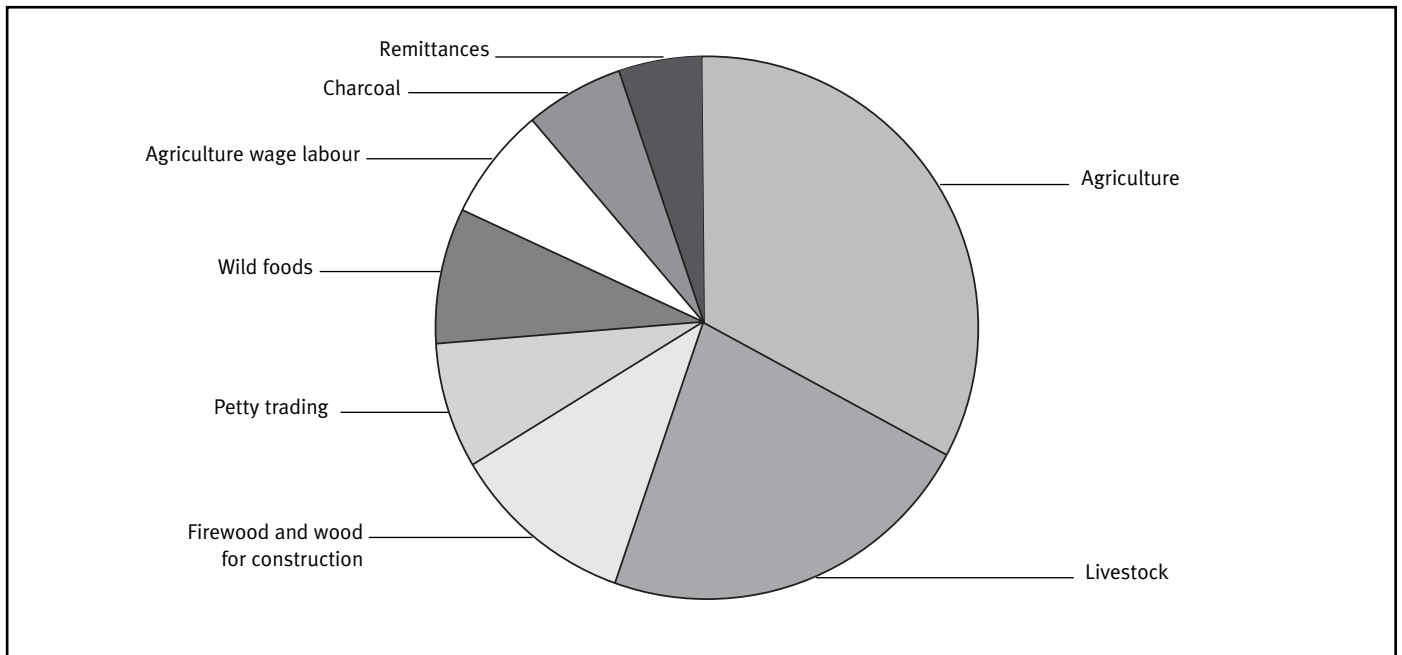
### 7.2.3 Returnee livelihoods

The majority of returnees are poor, and depend first and foremost on agriculture. Those who lived in cities as IDPs are struggling with traditional labour-intensive farming methods, and many households have limited manpower because some family members have stayed in Khartoum. Without significant livestock holdings they are able to make only limited use of *nafir*. For these reasons they usually cultivate smaller areas than resident households, at least for the first couple of years after they return. Indeed, a number of returnees talked about having to leave large parts of their land uncleared. As with resident households, restocking livestock is a high priority for returnees, but is proceeding at an even slower pace as they are starting from scratch. As a result, many returnee households are more dependent than residents on basic and poorly remunerated livelihood strategies, such as charcoal-making and collecting and selling firewood.

Better-off returnee households, in contrast, usually have cash to invest, typically in livestock. In En Nugra village, there were reports of wealthier families sending back money to restock before the household returned. Unusually, in Sallara village a larger proportion of returnees – around 10% – are said to be well-off (owning 20 to 40 cows) compared with only about 2–3% of the resident community who fall into this category. Where better-off returnees are present, they have provided a valuable source of employment for residents, for example in house construction. But the Sallara pattern is not typical. In Ras El Fil village, for example, returnees were clearly identified as the poorest because of their low or non-existent livestock holdings.

As noted above, many returnees have come back with new skills, including building, blacksmithing, bicycle and other repair skills, welding, electricians, food processing, oil pressing and furniture making. Although welcomed by resident communities as a development opportunity, there is a dire lack of resources, especially capital, to enable these skills to be put to use, and for businesses to be established.

**Figure 1: Livelihood sources of resident households – Al Fos village**



The resources to purchase many of these services are also lacking, especially in more remote rural areas. A young woman who worked as a hairdresser in her own small salon in Khartoum illustrates the problem well. Now living in Shatt ed-Dammam, she reported that people cannot pay for her services, and she can no longer depend on hairdressing as a source of income. Instead, she works for free for weddings and social events at the request of her relatives. At worst, the lack of capital and market opportunities cause some skilled returnees to leave Southern Kordofan. Others stay, but become frustrated and have to resort to farming. The more educated returnees are welcomed back as professionals, often as teachers, but once again there has been little progress in making use of their skills and integrating them into the education system in Southern Kordofan.

Household livelihood strategies that straddle Southern Kordofan and Khartoum are not uncommon, with some returnees travelling to Khartoum in the dry season to find work. However, the significance of remittances as a source of livelihood varies enormously between households. The majority said that they did not receive remittances, and if they did they were often unpredictable in timing and amount, and so could not be relied on. More common were reports of households in Southern Kordofan sending part of their harvest to relatives in Khartoum, especially sorghum, and wild foods.

Other constraints to the recovery of livelihoods include:

- 1) Lack of road and transport infrastructure, which severely constrains access to markets, especially in the rainy season. It is often returnees who are most aware of the isolation and limitations on markets dismal roads impose.

- 2) The challenge of generating agricultural surpluses using traditional farming methods, while lack of access to agricultural credit prevents the use of more advanced technology such as tractors.
- 3) The cash economy is limited. In remote areas such as Angolo a barter system prevails, but this is hard to integrate into the market economy because large-scale traders will not accept payment in kind.<sup>12</sup>
- 4) Poor services, especially water, which has a knock-on effect on other livelihood strategies, for example brick-making and vegetable production.
- 5) Deteriorating security in some areas. This was reported as a particular constraint in Saada village, where residents and returnees alike are fearful of venturing far from the village, making it difficult to collect wild foods.
- 6) Increasing pressure on land as more pastoralists settle, in turn increasing the risk of violent conflict.
- 7) The lack of integration of the two administrations (SPLM and NCP), resulting in double taxation along routes that pass through both territories.
- 8) The Nuba population are finding it hard to break into the market as traders in some former garrison towns where Arab traders have established a monopoly, for example in El Buram.

**7.2.4 Implications and opportunities for assistance**

The new skills that returnees are bringing back with them present an extraordinary opportunity that could otherwise take years of investment in training and extension to bring about. This potential has not, however, been fully realised,

<sup>12</sup> Returnees to Angolo who are now running donkey cart businesses are paid in sorghum and are then unable to use or trade this with the next level of traders. A similar situation was reported in El Buram.

and investment in developing livelihoods is extremely limited. Yet there is tremendous potential and local people have many ideas.<sup>13</sup> The resource potential of Southern Kordofan is hugely under-exploited, and it would not take much to rectify this. Small community-level interventions, such as restocking, micro-credit and food and oil processing, could make a tremendous difference. During our field work, we were often told how tonnes of mangoes go to waste every year because of lack of storage and transport facilities during the rainy season. Ideas for overcoming this included mango processing in the form of jam, juice and drying. Similarly, communities saw the potential in processing sesame oil.

The World Bank's Community Empowerment Project (CEP) is a good example of what can be achieved through a modest yet sound community-based approach. Each CEP target village has been allocated \$30,000 to invest in projects it prioritises. Some of these are service-related, for example rehabilitating handpumps and water points and building schools. Many are livelihood-related, such as building shops and restocking.<sup>14</sup> Villagers in Saada compared themselves unfavourably with their neighbours in Serafiya, who have benefited from a CEP-funded restocking project, which they saw as key to accelerating the process of recovery. The findings of the survey carried out for the recent CEP evaluation show very clearly that local people associate a lower rate of secondary return and out-migration with selection as a CEP village. The draft evaluation report also notes that women and youth have particularly benefited from the CEP and that the CEP has been implemented in a highly inclusive and participatory way, helping to build trust and social cohesion (Stavrou et al, 2007). An earlier lessons-learned report comments:

*Many communities commented on the fact that the CEP brought them closer together as a community ... Many of the CEP micro-projects were selected specifically to attract returnees. Community members would often comment on the need to have a school or a clinic in order to secure the return of their displaced populations. Returnee populations also influenced the types of projects that were selected, communication centres and entertainment centres were particularly welcomed by returnee populations who had become accustomed to such services while living in larger cities. Lastly the CEP provided an opportunity for returnees to employ the skills and trades that they had gained while living outside of the Nuba Mountains (FAR, no date: 30 and 32).*

<sup>13</sup> We found no evidence to back up the comment made by a representative of one international agency that 'there need to be better ideas to support livelihoods, but at the moment these are lacking'. On the contrary, the ideas are running far ahead of the available investment.

<sup>14</sup> According to a FAR lessons-learned report on the CEP, it generated 232 micro-projects, 32 of which were to do with service infrastructure, including education and health, while 200 were focused on income-generation with livestock and crop micro-projects proving particularly popular (FAR, no date).

There is also a need for a clear and funded strategy for supporting livelihoods in urban areas in Southern Kordofan. This may require a slightly different approach to rural areas, for example targeting young people with a focus on business development, and probably also micro-credit.

### 7.3 Reintegration: services

The service infrastructure in Southern Kordofan was badly damaged by the war. For example, Sallara village had 14 handpumps before the conflict, but only three are working now. In Kameri village there used to be nine handpumps; now only four are functioning. This pattern is repeated in village after village. Plainly, the service infrastructure is inadequate to meet the needs of the resident community, let alone an influx of returnees. In Saada village, for example, residents used to draw four jerrycans of water per household per day. Since the influx of returnees, this has dropped to two. In parts of Dilling town it used to take 15 minutes to collect water. Now, with the pressure of returnees, it takes up to three hours.

Investment in rehabilitating the service infrastructure in Southern Kordofan has been generally poor and haphazard. The most accessible communities are often best served, for example Abu Hashim, which is just 30 minutes from Kadugli. This uneven investment affects the pattern of return, with better served villages acting as magnets. Service infrastructure is generally worst in former SPLM-held areas, yet these are receiving the greatest numbers of returnees. The pressure on the service infrastructure is compounded by a lack of maintenance. Thus, services that do exist are in great danger of deteriorating further. One of the few positive aspects of services in Southern Kordofan, from the point of view of returnees, is the lower service charge compared with Khartoum, particularly for education.

Water emerged as the top priority for investment and rehabilitation, both during the field work for this study in Southern Kordofan and in discussions with IDPs in Khartoum familiar with conditions in the villages. Education was the second priority, with four key problems (listed here roughly in order of significance):

- 1) The lack of integration of the two education systems in former SPLM-held areas and former GOS-held areas has resulted in two parallel curricula being followed, one in English and one in Arabic. Many returnee children used to Arabic teaching have fallen back by up to four or five grades in the English-speaking schools of the south.<sup>15</sup> In several villages, such as Shatt ed Dammam, Keiga el Kheil and Angolo, there are now two parallel schools running the two different curricula alongside each other.
- 2) The lack of secondary or higher education facilities in Southern Kordofan has meant that some older children

<sup>15</sup> In Saada, for example, there are 70 pupils in the lowest grade.



from returnee households have not come back, or have put pressure on their parents to return to Khartoum.

- 3) Even where school buildings are intact teachers are reportedly frequently lacking, even though many returnee teachers are still unemployed.
- 4) School buildings have often been destroyed or are inadequate to cope with an inflated population.

Health facilities suffer from a similar lack of professional staff, as well as from a lack of drugs despite the physical presence of health centres in many villages.

#### **7.4 Reintegration: leadership and institutions**

IDP sheikhs mostly lose their leadership status when they return to Southern Kordofan, although it was reported that they often became 'advisers' to the resident sheikhs. Although most communities in Southern Kordofan visited for this study did not see this as a problem or as a constraint to reintegration, it is

worth noting that few IDP sheikhs have returned, and most are still living with the remaining IDP population in Khartoum or elsewhere. It is also notable that relations between the sheikhs in former SPLM areas and IDP sheikhs in Khartoum are characterised by a high degree of suspicion.

Of more concern is the dual leadership that has developed in some communities, such as Sallara village. Before the Ceasefire Agreement the government appointed traditional leaders; after it was signed, a second set was appointed by the SPLM. Now both leadership structures are having to co-exist, and there is evidence of tension between them. Similar issues emerged in Keiga el Kheil and Shatt ed-Damam. A major constraint is the lack of progress in passing the Local Government Act and the Native Administration Act. When these laws are implemented, all traditional leaders will be elected, creating an opportunity for a unified native administration structure. But in the meantime the SPLM is going ahead with its own elections.



# Chapter 8

## Land issues

### 8.1 Background to land conflict in Southern Kordofan

In Southern Kordofan access to and ownership of land are central issues, both for the reintegration of returnees and for the sustainability of the peace process. Customary land rights are generally not recognised by the government, and statutory legislation has often been used to bypass local customs. The promulgation of the Unregistered Land Act in 1970 provided a legal basis for land acquisition for large-scale mechanised agricultural projects (LTTF, 1986: 4). By 2003, it was estimated that 3–4 million *feddans* (1,260,000–1,680,000 ha), or between 9% and 12% of the total area of Southern Kordofan, were under mechanised farming (Harragin, 2003: 13). Half the total area of the fertile plains is taken up by these schemes. The abolition of the Native Administration in 1971 deprived communities of a regulatory body and resulted in sustained land-grabbing, intensifying disputes between farmers, scheme owners and pastoralists. Settled farmers were not the only victims of mechanisation. The mechanised schemes also cut across the transhumance routes of Baggara nomads, who frequently re-routed their herds through Nuba farmland. The most serious problems were around Habila scheme, which according to IFAD data (2000 III: 25) extends across 750,000 *feddans* (315,000 ha). The grabbing of land led to massive displacement and was one of the main reasons why people in Southern Kordofan joined the SPLM insurgency in the late 1980s.

Because of its complexity, the CPA defers the problem of land ownership to the post-agreement phase. It does not address the ownership of land and natural resources, but institutes a process to resolve this question through the establishment of a National Land Commission, a Southern Sudan Land Commission and State Land Commissions in Southern Kordofan and Blue Nile. However, neither the National Land Commission nor the State Land Commissions in transitional areas have been established as part of the implementation of the CPA (Pantuliano, 2007: 2).

### 8.2 Land conflict in Southern Kordofan today

All communities and key informants stressed the importance of addressing the problem of land tenure in Southern Kordofan. The arrival of returnees appears to have further increased tension between different land users. Four main types of land conflict were identified:

1) *Conflict between pastoralists and farmers.* Reports of conflict between Arab pastoralist groups such as the Misserya, the Humr, the Darajul and the Hawazma and farmers of Nuba origin were repeatedly made. Conflict ranged from low-level tension between communities in

Shatt ed Dammam, El Buram, Angolo and Abu Hashim to more violent confrontation in the Lagawa area, where the number of pastoralists is higher and several Arab nomadic groups have their *dar* (homeland). The involvement of a number of pastoralist groups in pro-government militia during the conflict seriously damaged their relationship with farming communities of Nuba origin, since pastoralists were often involved in predatory activities and attacks on Nuba villages. During the study, Nuba communities stressed almost without exception that they were not prepared to welcome pastoralists on their land again. In several areas, Nuba groups were building homes on the old transhumant routes. In areas where this confrontation has become violent, communities explained that insecurity has reduced their capacity to cultivate all the available land, as farmers do not dare venture to farms further away from the village. Nuba agro-pastoralists also told the study that, in the past, they had entrusted their cattle (and often also child herders) into Baggara pastoralists' hands to be taken on transhumance throughout Southern and North Kordofan. However, the breakdown in relations between the two groups has meant that Nuba livestock no longer leave the villages, and more land needs to be made available locally for grazing. In areas like Keiga el Kheil, Nuba communities resented what they perceived as government attempts to resettle Baggara pastoralists on Keiga land in nearby Durungaz.

2) *Conflict amongst agro-pastoralist communities exacerbated by return.* This type of conflict differs in different locations. In areas such as Saraf Jamous, small Nuba groups like the Tacho spoke of their unhappiness about more powerful Nuba groups such as the Moro using their land as pasture for their animals. Tacho communities had raised the problem with the authorities, but said that no solution had been found. Their primary concern was that the expansion of the Moro and other neighbouring Nuba groups like the Achiroun and the Tira could preclude access to land for prospective returnees. In the nearby Achiroun area, returnees have found their land occupied by residents who, during the war, lived on the hilltops, and who now were not prepared to return the land to its legitimate owners. The problem is compounded by the fact that most returnees tend to settle in the valleys rather than on the hilltops, something which is also encouraged by the local administration. The increasing concentration of settlements in the valleys has created tension throughout the Saraf Jamous area, especially in Gegeiba and ed-Debkar. In a couple of locations in former SPLM-controlled areas, including en-Nugra, returnees found their land occupied by residents or other households who used to

live in areas under SPLM control. The local authorities apparently find it difficult to reclaim the land from people who had supported the SPLM during the war.

- 3) *Conflict between farmers and traders.* Many key informants reported that insecurity has significantly increased in areas where farmers are clashing with traders who are exploiting local natural resources. This was said to be a particularly acute problem in the Rashad and Abu Jebaha localities, where traders were reported to have been illegally logging timber, gum Arabic and palm trees (dileb), with the complicity of the military. The areas most affected by logging are Khor Dileib (palm trees), Umm Duraffi (where last year 700 palm trees were said to have been cut), Kao Nwaro (gum arabic), Abu Jebaha (gum arabic) and Kawalib (gum arabic). Banditry is also common in these areas, especially on the road between Abu Karshola and Abu Jebaha. Insecurity deters returnees from coming back to these areas. Key informants attributed the insecurity to groups opposed to normalisation for fear that stability would damage the timber and gum trade. UNMIS reports confirmed that a number of security incidents have taken place around Abu Karshola and Kaw Nwaro. In Keilak locality, problems were reported to do with the deforestation of grazing land for petroleum exploration, without any compensation to the community.
- 4) *Conflict between returnees and labour on mechanised farms.* Access to land for returnees in Rashad and Abu Jebaha areas is also impeded by the expansion of mechanised farms. State authorities reported that IDPs are unable to move out of Peace Villages because their land is now part of a mechanised scheme. Many of these prospective returnees are unable to prove that they have title to land because they only hold customary rights. In Al Goz, near Saraf Jamous, some returnees could not access land because merchants from Maflu village had exploited it for large-scale mechanised sorghum production. Tribal leaders are unable to mediate these disputes as they do not have power over the traders. State authorities reported that, in Habila, young people had been harassing sharecroppers and demanding a payment of SDG 3 for every ten *feddan* cultivated. Landlords have reportedly been paying for fear that their crops would be burnt if they refused.

### 8.3 Legal vacuum and current responses

The CPA recognised that a durable solution to the conflict in Southern Kordofan could only be reached if rights and access to land were secured for the majority of people. The absence of an overall framework to deal with land problems is starkly apparent. Such a framework would include a coherent land

policy, adequate legislation, functioning institutions, law enforcement capacity and supporting services (Pantuliano, 2007: 4). A review of state land legislation and the establishment of the State Land Commission are crucial to guarantee that underlying tensions around land are addressed. The establishment of the Land Commission should be underpinned by state interventions aimed at demarcating tribal lands and opening up pastoralists' transhumant routes.

Several external initiatives are under way in Southern Kordofan to help the state government address land issues. In former SPLM-controlled areas, attempts have been made to demarcate customary land holdings, supported by a bilateral donor. Project staff asked communities throughout Southern Kordofan to identify their customary holdings in preparation for the work of the Land Commission. The process was enthusiastically supported, but it has also created a number of problems because it has led communities to believe that their land is now officially registered. This has heightened tension between Nuba communities living in 'border areas', such as the Ghulfan and Timaeen in Dilling locality and Atoro-Lira-Abul in the Heiban area. The project is expanding into former GoS areas, and 'boundaries committees' are planned throughout the state. Many observers stressed that there is a pressing need to legalise the guidelines the project used to identify tribal land, otherwise further conflict would be created. In addition, a review of the 1971 and 1974 land laws is urgently needed. The Land Commission will then have to oversee and arbitrate any disputes that arise around claims to occupied land.

State authorities estimated that clashes around land, particularly between pastoralists and farmers, have resulted in between 200 and 300 casualties in Southern Kordofan since the signing of the CPA. Killings and injuries related to land conflict are the single biggest risk to returnees as well as local communities. However, there has been very little effort to date to identify areas of highest insecurity and potential conflict, and inform returnees where they are. On the contrary: some returnees have been brought back through the joint organised returns to areas like Habila and Lagawa, where tension around land is already extremely high. Land-related analysis does not appear to be prominent within UNMIS/RRR reintegration policy and field reports. NGO workers observed that there has been very little questioning by UNMIS/RRR of the low level of return to areas such as Kaw Nwaro and Hajar Jallaba, where land conflict is reportedly deterring people from going back despite the high agricultural potential of these areas. Land issues are central to UNHCR's policy for return and reintegration strategies in Southern Sudan, and are recognised as key to the successful reintegration of returning IDPs and refugees.

# Chapter 9

## Assistance policies and practices

### 9.1 Policies and strategies

The ‘United Nations Return and Reintegration Policy for IDPs to Southern Sudan and the Three Areas’, drafted in October 2006 by the Government of National Unity, the Government of Southern Sudan and the United Nations (GNU et al, 2006a), spells out that the UN’s role is to support the government. Yet in Southern Kordofan almost all responsibility and resources for the organised return process is provided by the UN and other international organisations. The lack of support and resources from the Southern Kordofan state government is noteworthy. Although decisions about organised return convoys and their destinations may be jointly made in Khartoum, at state level the concept that this is a ‘joint operation’ simply is not borne out on the ground.

The principles underpinning UN assisted return are sound, and are based on international frameworks. However, several have not in practice been followed, and there is little evidence that the necessary monitoring is being done. Most concerning is the failure to ensure that IDPs are returned only to secure areas and are protected, not only during the return process but also in their place of return. The UN Return and Reintegration Policy for IDPs to Southern Sudan and the Three Areas also emphasises that the ‘planning and programming of reintegration assistance and planning of returns are integrally linked’. According to the GNU/GOSS/UN draft Joint Return Plan (GNU et al., 2006b), returnees are supposed to receive a three-month reintegration package consisting of food aid, seeds and tools and NFIs (plastic sheeting, jerry cans, blankets, sleeping mats, mosquito nets and soap). The plan also provides for food assistance to support community-based reintegration activities. While the provision of reintegration packages is reported to have been timely for returnees supported by the joint organised returns, WFP country-wide data shows that spontaneous returnee households have had to wait an average of 2.2 months (with a minimum of three days and a maximum of eight months) after their arrival until they received their first food aid. In Southern Kordofan, the delays reportedly affected the whole reintegration package, not just food aid. Such delays defeat the purpose of a package intended to ‘meet immediate food needs as well as shelter and livelihoods rehabilitation costs of vulnerable returnees and reduce the burden on host communities’ (WFP, 2006).

The biggest problem with the current return and reintegration strategy appears to be its focus on joint organised returns, which has overshadowed the need to support the reintegration of returnees who choose to come back ‘spontaneously’. This is all the more important given that, so far, only about 3,900

people have come back with the joint organised returns, compared with an estimated 400,000 to 600,000 ‘spontaneous returnees’. There are widespread concerns that, as a result, the needs of ‘spontaneous returnees’ are being overlooked. A number of NGOs have questioned the wisdom of the current approach, and some have called for a new emphasis on ‘community based organised returns’, whereby returns would be actively supported by Community Based Organisations which would provide guidance and support to IDPs returning to their own villages by offering information on insecurity and services to prospective returnees, and receiving financial support to facilitate the return of the IDPs from the areas of displacement.

There is a general feeling that the focus of the international community needs to shift away from supporting joint organised returns. All communities spoke passionately about the lack of special support to returnees from both the government and the international community on their arrival in Southern Kordofan. It was also emphasised that returnees arriving after registration has taken place end up being excluded from the general food distribution. (It must be noted that food distribution only takes place in food-insecure areas, which means that returnees arriving in what are considered food-secure areas will necessarily have to rely on host communities or use their own assets to bridge the gap to their first harvest.) Most returnees found it particularly hard to find shelter material, especially those who arrived in Southern Kordofan in the last two months of the dry season. In the absence of regular monitoring of spontaneous returns by governmental and UN coordinating bodies, humanitarian agencies find it very difficult to intervene to address needs.

Host communities have clearly been bearing the brunt of the burden of the returnees’ arrival. However, the pace of returns over the last year appears to have severely tested their capacity to extend support. In areas such as Sallara, returnees are said to total 40% of the local population. The problem is compounded by the lack of substantial recovery support from either the GNU or international agencies. The UN Return and Reintegration Policy for IDPs to Southern Sudan and the Three Areas (GNU et al, 2006a) states that:

*reintegration programmes will be linked to and take account of priorities and timeframes for long term area based recovery programmes, in order to ensure a smooth transition from reintegration activities to longer term recovery.*

The study found the link between reintegration and recovery strategies to be almost non-existent. High levels of return in a

village have generally not been accompanied by an increase in recovery assistance. Where investment has been made in the provision of services, as in Shatt ed Damman, or in community development and recovery processes, as in Dilling locality in the villages supported by the World Bank-led CEP, returnees and resident communities stressed the important role that these interventions had played in sustaining the reintegration of returnees. However, recovery assistance appears to be very patchy, uncoordinated and often limited to areas which are easier to access.

In almost every village, the study team was told that people felt let down by both the government and international agencies. In Keiga el Kheil, angry community leaders said that they were tired of assessments, as they did not see them leading to meaningful assistance. Other communities indicated that the assistance they received was limited to the building of infrastructure, often not supported by local capacity development or restricted to sporadic training which was not followed by help with its practical application. A number of communities praised small local NGOs like Ruya for their constant engagement in community development processes and interventions aimed at supporting the reintegration of returnees. In the Buram area in particular there was a dearth of international actors, almost certainly because of the remoteness of the area, whereas villages close to Kadugli, like Shatt ed-Dammam and Abu Hashim, had seen a multiplicity of interventions. In these two locations there seemed to be a higher proportion of returnees with a higher level of skills and income potential, underscoring the role recovery assistance plays in underpinning reintegration.

In the areas assessed during the study, the various UN agencies and NGOs appeared to be working in isolation from one another. A strategic reintegration and recovery strategy should be premised on harnessing the potential of local natural resources, particularly fertile agricultural land, and the skills and enthusiasm for change brought about by the returnees. This calls for strategic cross-sectoral interventions focused on providing appropriate agricultural technology and marketing support, the development of key infrastructure such as roads and markets, and the provision of basic services. At present, no strategic framework exists to guide recovery efforts, and assistance is fragmented and limited in scope and impact. The international funding available for recovery assistance in Southern Kordofan is limited.

## 9.2 Response mechanisms

The Three Areas are recognised as a priority in all major policy documents related to the peace process (CPA, JAM, MDTF). The JAM report of 2005 defines them as ‘the litmus test of the CPA’. The JAM also recognises the significant costs of building new infrastructure and providing basic services, and estimated that the recovery programme would cost a total of \$735m, about half of which (48%) would be spent on basic

social services. However, the First Sudan Consortium<sup>16</sup> meeting held in Paris in March 2006 noted that, since the signing of the CPA, the Three Areas had not received the resources expected. A year later, delays and other obstacles continued to hamper the provision of recovery support.

Most humanitarian and development actors blame the crisis in Darfur for diverting attention away from the CPA. This is said to have affected the Three Areas more substantially than the South since country offices based in Khartoum are responsible for the whole of Northern Sudan, including Darfur, whereas Southern Sudan assistance programmes tend to be administered from Juba. While the Darfur crisis has undoubtedly had an impact, it is also fair to say that the pooled funding mechanisms used in Sudan have proved to be inadequate instruments for recovery assistance.

A significant amount of the humanitarian and development assistance to Sudan is funded through the Multi-Donor Trust Funds (North and South) and the Common Humanitarian Fund (CHF). These funds are accompanied by a number of bilateral interventions, the most significant of which are the EU-funded Recovery and Rehabilitation Programme (RRP), the DFID Basic Services Fund (for Southern Sudan only) and USAID-funded projects.

### 9.2.1 The MDTF

The creation of the Multi-Donor Trust Funds was envisaged in the CPA’s Wealth Sharing Protocol. The agreement specifies that the MDTFs are to serve as a channel for international resources to provide immediate support to priority areas of ‘capacity building and institutional strengthening and quick start/impact programs identified by the Parties’ (Article 15.6). The MDTFs were designed to flow through government systems; the World Bank was asked by the GOS and the SPLM to serve as the administrator of the Fund. The National Multi-Donor Trust Fund (MDTF-N) was established to support the GNU, focusing on the reconstruction and development of war-affected Northern states, with specific attention to the Three Areas. According to a recent evaluation, however, the MDTFs ‘have not met expectations for rapid and visible impact’ (Scanteam, 2007: 106). Work on basic services financed under the MDTF has only just begun, or will be starting later this year. The Fund has been hampered by bureaucratic World Bank procedures, serious staffing issues and protracted negotiations between the UN and World Bank teams about implementing arrangements. Failure to reach agreement meant that the Fund could not rely on the UN to implement work directly, and was instead tied to implementation through the public sector (Scanteam, *ibid.*). Channelling funds through the public sector has made it more difficult for the MDTF to work through NGOs. Senior government officials in Khartoum

<sup>16</sup> The Sudan Consortium is a high-level gathering of representatives from the Government of National Unity (GNU) and the Government of Southern Sudan (GOSS), along with an array of international institutions and bilateral partners. Its primary aim is to assess progress in the implementation of the CPA and provide a framework for coordinated donor assistance.

expressed great frustration with the performance of the MDTF, and blamed it for the lack of visible peace dividends in Southern Kordofan. However, it should be noted that delays are also due to the government's inability to fulfil its funding obligations through the Funds.

Over the last several months, the concerns of the First Sudan Consortium about the lack of resources allocated to Southern Kordofan have translated into approval for a 'Southern Kordofan Start-Up Emergency Project'. This one-year, \$14.7 million project will have education and water supply components to be implemented by UNICEF, a vocational training component, to be implemented by UNIDO, and health, minor roads/bridges, capacity-building, and demining components, to be implemented by state/federal agencies. The MDTF-N will disburse \$7.9m (largely covering the water and education components), while the remaining \$6.8m will be allocated by the GNU. During the study, concerns were raised within UN and donor circles about the fact that the project is overly targeted at infrastructure development, and its multi-sectoral focus was too ambitious given its tight implementation timeframe. The wisdom of adopting a 'quick-impact' approach in Southern Kordofan, rather than a more community-driven recovery process, has also been questioned, especially since the World Bank is supporting other community initiatives in the area. The Community Development Fund (CDF), which is resourced through the MDTF, focuses almost exclusively on social service delivery implemented through local government, while the Community Empowerment Project (CEP) provides support to livelihoods recovery and social services, leaving the choice of intervention to the communities concerned. The CEP experience suggests that communities value livelihoods-related activities highly, as they chose them in 70% of cases. Many of these livelihoods activities also provide income-generating opportunities for returnees, and services that returnees value, such as access to satellite TV and mobile telephones. The CEP has a strong empowerment effect at community level, as communities are tasked with prioritization, identification and management of recovery initiatives (including, crucially, procurement and financial management). It would therefore seem appropriate to reflect the experience of the CEP more fully in the Start-Up Emergency Project.

Although it is difficult to anticipate to what extent this new project will aid recovery in the region, it seems fair to conclude that the MDTFs' rules and procedures appear more suited to medium-term reconstruction and development than immediate recovery support in post-conflict situations.

### 9.2.2 The CHF and the UN Workplan

The provision of recovery assistance through the Common Humanitarian Fund (CHF) has also been limited. The CHF was established in early 2006 to allow donors to channel unearmarked resources for humanitarian elements of the UN Workplan. In 2006, CHF allocations amounted to \$163,477,784, of which \$7,241,297 went to Southern

Kordofan. It is not clear how much of last year's funding was reserved for early recovery activities, but the feeling in Southern Kordofan was that most resources had been spent on humanitarian interventions. The evaluation of the first six months of the CHF in Sudan, carried out by the Center on International Cooperation (CIC), reported that the UN Country Team had decided in June 2006 to define 'humanitarian' in a restricted manner, confined to lifesaving activities, and to combine 'recovery and development' as a separate funding track in the 2007 Work Plan (Salomons, 2006: 9.) CIC felt that this was counter to Good Humanitarian Donorship principles, which recognise that humanitarian action includes assistance 'to facilitate the return to normal lives and livelihoods', and allows humanitarian actors to combine lifesaving activities with efforts to support early recovery (Salomons, *ibid.*). CIC recommended a revision of the Workplan approach to include early recovery activities under each sector as relevant.

Steps have been taken in 2007 to include an Early Reintegration Code for interventions aimed at supporting early recovery/reintegration activities. Early Reintegration Activities (ERA) in South Sudan or the Three Areas have been allocated almost \$38m from the 2007 CHF, predominantly in the sectors of food security and livelihoods (\$9.1m), health and nutrition (\$8.5m) and education (\$7.6m). It is however difficult to assess the extent to which ERA allocations meet funding requirements, as the Workplan does not present ERA funding needs separately. CHF allocations do not reflect the pressure on basic services and livelihoods in key areas of return. Southern Kordofan is in receipt of 7.8% of early reintegration activity funding, while hosting 40% of spontaneous returns.

The CHF has also been affected by delays in allocation and unclear administrative procedures, especially with regard to pre-financing arrangements.<sup>17</sup> NGOs have also found the CHF/Workplan one year January-to-December timeframes artificial and unhelpful. Many NGOs raised questions over the effectiveness and efficiency of the Workplan as a planning tool, as well as about the criteria for the allocation of CHF monies. Matters appear to have improved this year thanks to increased decentralisation of the allocations, which in Southern Kordofan have been administered by the Resident Coordinator's Office (RCO). Nonetheless, many NGOs still felt that the allocation from the CHF was not helping to address the recovery gap in Southern Kordofan.

The CIC evaluation concluded that the Workplan lacks a detailed analysis of the situation on the ground. Despite the clear need to focus on the recovery process in the state, the 2006 Workplan requested \$90,086,735 for humanitarian aid, 57.6% of which was for food aid (\$51,878,200). The requested allocations for recovery and development totalled only \$10,085,837, while total actual funding was \$6,591,930. On

<sup>17</sup> Personal communication with NGO representatives, Khartoum and London.

**Table 1: Recovery and Development Workplan funding by sector compared to full-year requirements**

Sector	Required by end Dec 06 (US\$)	Pledged (US\$)	Shortfall (US\$)	Coverage (%)
Basic Infrastructure and Settlement Development	498,000	200,000	298,000	40.2
Education and Vocational Training	1,116,850	0	1,116,850	0.0
Food Security and Livelihood Recovery	4,511,987	2,321,987	2,190,000	51.5
Governance and Rule of Law	400,000	1,792,154	(1,392,154)	448.0
Health	1,600,000	1,723,984	(123,984)	107.7
NFIs, Common Services and Coordination	150,000	150,000	0	100.0
Water and Sanitation	1,809,000	403,805	1,405,195	22.3
<b>Total Recovery and Development</b>	<b>10,085,837</b>	<b>6,591,930</b>	<b>3,493,907</b>	<b>65.4</b>

the other hand, funding to humanitarian work totalled \$62,476,669, 81.4% of which went on food aid (\$50,840,636). Table 1 shows how little assistance was allocated (and requested) for sectors such as basic infrastructure, education and water. The data presented in Table 1 seem to substantiate the analysis of the CIC evaluation to the effect that the planning process is driven by 'supply-side humanitarianism' (Salomons, *ibid.*), and is not underpinned by accurate and verifiable assessments of need on the ground.

The requests for the 2007 Workplan for Southern Kordofan show an encouraging realignment of funding requests towards recovery and development activities. Humanitarian requirements (\$54,009,337) continue to surpass recovery and development needs (\$36,973,339), but they now account for only 59.4% of the total, as opposed to last year's 89.9%. The key strategic priorities identified for the state for 2007 are: 1) water and sanitation; 2) education; and 3) capacity-building of state institutions. However, the Workplan Funding Update of April 2007 shows that, while 43% of requirements for the humanitarian component have been met (35% of the total), only 4% of the recovery and development requirements have been funded (3% of the total). This may be because many donors feel that recovery and development needs should be covered through the MDTF. Considering that CHF allocations are focused on lifesaving activities, a clear 'recovery gap' appears to emerge from the key funding mechanisms, which needs to be urgently remedied. In Southern Sudan instruments such as DFID's Basic Services Fund have been used to fill the gaps in basic service provision caused by delays in the MDTF, but the Fund, which was only ever intended as a stop-gap, is not available in Southern Kordofan.

The only large fund specific to recovery and rehabilitation in the state is the EU/UNDP Sudan Post Conflict Community Based Recovery and Rehabilitation Programme (RRP) SKILLS project. The project, which is being implemented through a consortium of NGOs in consultation with the local government authorities, aims to 'improve livelihoods for 201,038 returnees and war-affected people' through a grant of \$4,900,000 over three years (RRP, 2006). However, the project, which started

over a year ago, has suffered numerous delays and to date its delivery ratio (actual as a percentage of grant amount) is only 28.38%. On the ground, this means that impact is very limited and the project has so far been unable to offer meaningful support to the reintegration of returnees.

A number of other bilaterally funded projects are also being undertaken in Southern Kordofan. One such is the USAID-funded Quick Impact Projects (QulPs) focused on infrastructure development, implemented by DAI for the US Office for Transition Initiatives (OTI). The QulPs are focused on the water sector (construction of water yards; replacement and rehabilitation of handpumps; dam development). There was very little knowledge in government circles about the focus and impact of the QulPs interventions. No QulP appeared to have been implemented in the areas visited during the study.

The analysis presented above clearly shows that insufficient resources have been allocated to the recovery and rehabilitation of infrastructure and livelihoods in Southern Kordofan. It is, however, also important to stress that the limited initiatives that are currently being implemented by UN agencies and NGOs are extremely fragmented, and fail to achieve much because they are not part of an overall strategic framework linked to government priorities. In addition, a number of projects have demonstrated poor performance. One case in point, which is not unique, is the UNDP Livelihoods Rehabilitation and Gender Equality Project, which was developed in 2002 with the aim of supporting recovery and facilitating the reintegration of IDPs following the Nuba Mountains Ceasefire Agreement. The project is almost universally seen as a failure in Southern Kordofan because of management problems and the ill-advised interventions it has undertaken. At the same time, positive examples of successful community-focused recovery support, such as the World Bank-led CEP, have not been replicated in other parts of the state.

### 9.3 Coordination arrangements

Inadequate recovery reflects weaknesses in present aid coordination mechanisms between UNMIS, other UN agencies,



non-UN actors and local authorities. Many UN and NGO officials remarked on the plethora of coordination structures, with different analysis, plans and priorities. There is an unspoken division of labour between UNMIS/RRR and the RCO with regard to return, reintegration and recovery issues, with UNMIS/RRR focusing on the first two and the RCO increasingly taking on responsibility for the latter. However, this division of labour is not immediately clear to governmental and non-governmental actors in the state.

A recurrent complaint amongst NGO personnel was that coordination structures around return and reintegration, both in Kadugli and Khartoum, are centred on information-sharing and are not 'structured and geared to debate, rarely address policy issues, and are definitely not strategic'. There was also deep concern that the meetings of the Returns Working Groups (RWGs) are largely focused on an update of figures from the joint organised returns and logistical issues related to the operation. Moreover, there was a general feeling that not enough discussion takes place of reintegration strategies and how to support returnees who have already come back home. One NGO official emphasised that there is no discussion about who should cover the assistance gap in a given area, especially where there are high levels of returns. The same official stressed that each agency appears to pursue a different strategy, and that these strategies are not harmonised. Even joint assessments have become much rarer, and are typically undertaken only in emergency situations.

The transition from the Nuba Mountains Programme Advancing Conflict Transformation (NMPACT)<sup>18</sup> to the RCO is said to have led to a loss of focus on the integration between GOS and SPLM and reconciliation processes at the local level. NGO staff remarked on how the lack of integration in the state affects agency performance as well. The feeling is that they are dealing with two different states and that there is no attempt to facilitate the interaction of aid agencies with the different systems of government. One example given was that, if an NGO signs an MoU in Kadugli for the health sector, this will be irrelevant in Kaoda, where policies are developed by the SPLM Health Secretariat. The Director General of the Ministry of Health in Kadugli has no authority in areas under (former) SPLM control. However, the NGOs felt that the fact that the RCO, the UNMIS/RRR or the sectoral lead agency for health, WHO, had not tried to address the issue was symptomatic of a shift of focus away from the principles which had followed the end of NMPACT.

Many government and NGO actors admitted being at a loss with regard to the different mandates of UNMIS/RRR, IOM, RCO and JLC when it came to the coordination of the return and reintegration of returnees. Many pointed out that, at present, returns are separate from all other recovery sectors. NGO officials observed that, while the RCO is trying to work more

closely with the state government, it is failing to address wider coordination gaps such as those between UNICEF and NGOs in the education sector. Others raised concerns about the suitability of UNMIS and the RCO as coordinating bodies. As was stated by a significant number of informants, including senior UNMIS personnel, there is underlying tension between a number of UN agencies in Southern Kordofan and UNMIS, and this has made collaboration difficult. UNMIS is seen as a separate, detached body governed by rules and regulations that technical UN agencies and NGOs find cumbersome and counter-productive. UNMIS' lack of proximity to the humanitarian and development community in Kadugli<sup>19</sup> has further exacerbated this sense of division between UNMIS and other key UN and NGO actors.

UNMIS/RRR and the RCO appear to be aware of these concerns about coordination arrangements, and are trying to clarify mandates and responsibilities around reintegration and recovery. UNMIS/RRR has also been looking into establishing an office in the centre of town in order to be in closer touch with the humanitarian and development community. It is also important that UNMIS/RRR and the RCO work at addressing the need for more strategic coordination around return, reintegration and recovery in Southern Kordofan. NGO staff and key informants in Kadugli observed that they would like these coordination structures to provide more in-depth analysis of the situation to guide planning, including the prioritisation and sequencing of interventions and the identification of areas with the greatest recovery gap. Many (particularly Sudanese personnel) referred to the inter-agency assessment and planning exercises conducted in the past, and felt that there was still a need to continue this level of coordinated analysis and planning. There is undoubtedly a clear need to build a stronger evidence base to guide reintegration and recovery strategies, as current baseline data about levels of return and recovery needs are patchy and often anecdotal. There was general consensus that IOM's monitoring and tracking of spontaneous returnees was grossly unsatisfactory, and that UNMIS/RRR had been able to develop a centralised information system with data on population, number of returnees, level of services, insecurity (mines, local level conflict, etc.), road accessibility and other information essential to developing the level of analysis required to build informed responses. A number of UN agencies mentioned that they had provided sectoral data to UNMIS/RRR, but that this had not been followed by an attempt on their part to aggregate the data and develop analysis for planning. UNMIS/RRR stressed the difficulty of

<sup>18</sup> NMPACT was a joint GOS-SPLM programme as well as a coordination mechanism based on principles of engagement. It was in place in Southern Kordofan between 2002 and 2007.

<sup>19</sup> UNMIS headquarters in Kadugli is located in El Sheir, near the airport approximately 40 minutes' drive from the centre of Kadugli, where government offices, UN agencies and NGOs are based. The fact that the areas where UNMIS is located are difficult to reach by either landline or mobile adds to its isolation from the rest of the humanitarian and development community. Government officials observed that, if they wanted to talk to an UNMIS official, they had to drive to El Sheir without guarantee that they would find the person they are looking for. The same frustration was shared by UN and NGO personnel.

aggregating data given that different sectoral units in the state use different administrative boundaries. This should not, however, be seen as an impediment that cannot be overcome.

Strengthening the link between the aid community and government structures is of critical importance if the recovery process is to be made sustainable. The RCO is currently trying to help inter-agency coordination move from being emergency focused and UN-led to taking a longer-term developmental approach, led by the government. To this end, the RCO has agreed with the Director Generals (DGs) of the line ministries in Southern Kordofan to establish a three-day Monthly Coordination Meeting (MCM) to 'standardise sector meetings and package them into a single forward thinking framework' (RCO, 2007). This forum is underpinned by the belief that the DGs must take the lead in the recovery process, with substantial administrative and technical support from the UN. It is still too early to judge the success of this recent initiative, though the MCM seems to be gaining some momentum in the state. The move to strengthen the DGs' role in the recovery process does appear to be a step in the right direction, especially if the meetings are linked to strengthening the implementation of the Southern Kordofan five-year Strategic Plan 2006–2011 and clarifying the prioritisation and sequencing of the activities proposed in the Plan within each of the core focus areas. The RCO is also considering seconding a technical support team to the DGs to enhance their analytical skills.

There are, however, some important caveats. It is not clear to what extent this initiative also involves the SPLM Secretaries for Health, Education, Water and Agriculture and Food Security. If deliberate efforts are not made to proactively engage with such actors in what is a highly sensitive political context, it will be difficult for the new mechanism to influence the recovery process in former SPLM-controlled areas. The establishment of an RCO Field Office in Kaoda is a positive step to try to build a

more substantial engagement with the SPLM Secretariats. Another important issue is the latent tension with HAC/SRRC, which is wary of the new coordination role being taken up by the DGs. Given that HAC/SRRC is one of UNMIS/RRR's two government counterparts, it is important that it be brought on board. The Commission for Voluntary Returns, the government body set up to oversee return and reintegration coordination, is the other UNMIS/RRR counterpart. It would be advisable that the Commission also be involved in the MCM so that support to returns does not remain isolated from the planning of assistance in areas of arrival.

The RCO should also try to harness parallel initiatives being undertaken by different UN agencies. The two most notable appear to be the Socio-Economic Risk Mapping exercise developed by UNDP and the Integrated Community Based Recovery and Development (ICRD) Programme led by UNICEF. The map of data points produced by UNDP, with details of services, high concentrations of returnees, conflict areas, nomadic routes, agency interventions and other important data, could become an extremely useful tool for strategic planning, provided that the data are underpinned by informed analysis. It is important that the mapping does not remain a one-off exercise, but that data are verified and updated regularly. The DGs and the SPLM Secretaries should be supported in understanding and using the data shown on the map.

The ICRD is a new initiative aimed at supporting community-led socio-economic development in Southern Kordofan through a commonly agreed framework whereby the DGs of the line ministries, UN agencies and partners work together to promote community-driven recovery and development in 45 communities over the next two years. The involvement of the DGs in the planning and implementation of the programme can provide an important opportunity to anchor the analysis and planning developed through the MCM to a practical initiative on the ground.

# Chapter 10

## The policy context

### 10.1 CPA implementation and integration issues

The implementation of the CPA in Southern Kordofan has been subject to numerous delays in many different areas. The most significant delays have been around the formation of the state government and the passing of the state constitution, while the most notable outstanding issue is the lack of full integration of the National Congress Party and the SPLM in the state governance system. The implementation of the CPA has also been very slow with respect to the fiscal arrangements provided for Southern Kordofan. In addition to general federal transfers, which apply to all northern state, and own-source revenues, Southern Kordofan and the rest of the Three Areas were also meant to receive special development transfers associated with the CPA, though the agreement is vague on the actual amounts and transfer modalities. Southern Kordofan is also entitled to 2% of the revenues from oil produced within its boundaries. World Bank calculations, however, show that, while total transfers to Southern Kordofan have increased significantly over the last two years, the state's share in total transfers has fallen from 7% to 5%. If one includes former West Kordofan state, the share of transfers has in fact halved from the 2000 level of 10% (World Bank, 2007: 36). In 2006, total federal support to the state was about \$25 per capita, compared to an average of over \$45 for Northern states overall (World Bank, *ibid.*: 71). Senior government officials complained vehemently about the lack of transfers from the centre. Many commented that resources are insufficient even to cover salaries and allowances. Employee unions went on strike in February 2007 to protest against unpaid salaries. These grievances fed into widespread unrest that later led to riots in Kadugli town. The construction of the tarmac road between Dilling and Kadugli was said to have been halted because of lack of funds from the central government.

NCP and SPLM officials blame each other for the failures of the government in the state. The lack of integration between the two parties is the most significant delay in the implementation of the power-sharing arrangements outlined in the CPA. The administration of former GOS- and SPLM-controlled areas remains separate, and two local government systems are in effect operating in parallel, with separate policies for education (two languages and two systems), health (varying payment systems, definitions of health facilities and of qualified personnel), judicial and policing systems and local government structures (*Payams* and *Bomas* rather than Localities and Administrative Units). The SPLM Secretariats in Kaoda are not legally recognised and do not receive funds from the federal or state government, but they *de facto* set the policies for areas formerly under SPLM control. This clearly presents challenges in terms of recovery support, which coordinating bodies such

as UNMIS/RRR and the RCO need to address if they want to retain a position of neutrality and equity. As NMPACT officials advised during the development of the 2007 Workplan, it is important that the UN system recognises that different systems exist, and that they are seen as equally valid until such time as statewide systems are harmonised or agreed (Hockley, 2006: 3). UN coordinating bodies have a role to play in assisting this process. This also entails the 'need for negotiation and excludes the assumption that one system will simply be absorbed by the other. Agencies will need to decide whether they have a role in this negotiation, and if so in what form (for example the CPA sets out that education and health policy is a concurrent power of State and Federal Government, opening the door for support at the State level across the former political divides)' (Hockley, *ibid.*).

The current separation is a major obstacle to recovery. NCP state officials are unable to access former SPLM-controlled areas. Access is also impossible for technocrats from line ministries coming from government-controlled areas. Northern Sudanese staff from UN agencies and NGOs also continue to experience difficulties in operating in these areas. Trade movement from former SPLM- to former GOS-controlled areas is also reported to be suffering as merchants are stopped at SPLM checkpoints for revenue collection, effectively subjecting them to double taxation. The lack of integration is also preventing the adoption of new laws and the establishment of bodies such as the state Land Commission, which are essential to provide the policy framework for reintegration and recovery. It is therefore of paramount importance that UNMIS and the RCO maintain sustained dialogue with both administrations, seeking to influence the actors to take meaningful steps towards integration wherever possible. The need for support by the international community was underscored by several ministers in the Southern Kordofan government.

A further difficulty in ensuring the sustainability of recovery interventions is the low level of government capacity at locality/*Payam* level. The systems for financing, staffing and managing schools and clinics are extremely weak. This is a critical area for technical support to the state government, including at locality level. Without the necessary government staffing, structures and systems in place recovery efforts are unsustainable. Building schools and health centres and training programmes for teachers and health workers will not increase sustainable access to education and health if teachers and paramedics are not paid regularly, and if recurrent costs exceed state and county budgets and management capacity (Sudan Advocacy Coalition, 2006: 14). Facilitating linkages between locality, state and federal

planning and budgeting processes will also be of critical importance. Development priorities for the state are currently determined in a top-down way, mostly at the state and federal levels without the involvement of localities. The picture is different when it comes to *Payams*, as the formulation of recovery and development policies in former SPLM areas appears to be more decentralised. However, the lack of state transfers to *Payams* makes the development of policies in these areas more-or-less redundant.

In order to maintain a position of neutrality and equity, in the transition to negotiated statewide policies, UN agencies and partners need to continue supporting a variety of service providers (Hockley, *ibid.*). This is a particular challenge as support is increasingly channelled through the state government, including the DGs. The cessation of hostilities has allowed greater freedom of movement and an increase in economic activity in the state. Over the last five years, the number of livestock has noticeably increased, farms have expanded in the valleys, settlements have increased in size and number and urban areas have started to grow. However, the social cleavages created by the war are still profound, and socio-economic recovery must take into account the interests of different groups, and must be supported in a way that promotes reconciliation.

## 10.2 Sustaining returns: the role of UNMIS in keeping peace

One of the key criteria guiding people's return to Southern Kordofan is the feeling of increased security which has prevailed in the region since the signing of the CFA in 2002. The ceasefire was monitored by the Joint Military Commission/Joint Military Mission (JMC/JMM), which was deployed in Southern Kordofan from March 2002 until May 2005, when it handed over to UNMIS. The JMC was an *ad hoc* organisation which worked under the political direction of the Friends of the Nuba Mountains, a group of 12 European and North American countries. The JMC carried out its monitoring responsibilities with mixed teams made up of SPLM/A, government and international members. The JMC has almost unreservedly been seen as a success by the government, donors, humanitarian workers and external observers. The Security Council and the United Nations Secretary-General consistently praised the performance of the Joint Military Commission (UN Press Release no. 011, 20 May 2005). More importantly, the JMC has managed to enlist the support of local communities thanks to continuous community liaison work, systematic patrolling, careful follow-up of ceasefire violation complaints (250 followed up between March 2002 and January 2004) and promotion of local-level dialogue between pastoralists and farmers. During the takeover ceremony from the JMC, the Special Representative of the Secretary-General at the time, Jan Pronk, pledged that UNMIS would do its utmost to live up to the legacy that the JMC was leaving: 'That's what the people in Nuba Mountains expect

and that's what we promise to deliver', he said (UN Press Release, *ibid.*).

Unfortunately, Pronk's promise to the people of Southern Kordofan appears to have remained unfulfilled. Throughout the study local key informants and community members constantly compared UNMIS to the JMC. A recurrent issue was the lack of disarmament of militia, particularly of former PDF fighters, especially in areas where tension between pastoralists and farmers has been escalating. Community leaders and local aid workers pointed out that this was one of the greatest deterrents to IDP return in parts of Lagawa. The Amir in Dilling reported that, in some villages, this has simply enabled people to continue to live by the gun. In Kadugli key informants complained about the presence of armed checkpoints in different parts of the state, in some cases only a few kilometres away from UNMIS barracks. The study team was unable to meet UNMIS/DDR personnel to discuss the reasons behind the delays in the DDR process. It was however evident from discussion with UNMIS/RRR personnel that the links between UNMIS/RRR and UNMIS/DDR are almost non-existent both in Khartoum and in Southern Kordofan.

Another persistent complaint was the lack of patrols by UNMIS, either on foot or by helicopter. Although patrols are reportedly carried out, there is a widespread perception amongst communities that their coverage and effectiveness is inadequate. Key informants and leaders in Southern Kordofan repeatedly stressed that all UNMIS had to do was to make its presence more strongly felt, as this would be enough to reduce the pervasive feeling of insecurity, particularly where pastoralists and farmers come into closer contact. In the words of Misseriya and Daju leaders in Lagawa: 'The JMC was monitoring security very closely. If there was a problem, they would come by helicopter and resolve it immediately. They also organised workshops to explain the CFA and helped strengthen social cohesion. When the JMC left the area, security deteriorated'. The lack of information on the content of the CPA and the mandate of UNMIS were also raised as deficiencies compared to the public information campaigns on the CFA promoted by the JMC via radio, leaflets, personal meetings and visits to communities.

The area where communities feel the handover from the JMC to UNMIS has left the greatest vacuum is local reconciliation work between pastoralists and farmers. Community leaders in Saada spoke of meetings arranged by the JMC between the SPLA military and leaders of pastoralist groups in order to organise exchange visits between different tribes and attempt to reopen cattle routes. The SPLA at the time maintained that the cattle routes going through their areas could not be opened until the CPA had been finalised, but leaders remarked that, after the arrival of UNMIS, there has been no follow-up work on this. The need for facilitation of dialogue between pastoralists and farmers was emphasised by key informants and community members throughout the study, especially in

Lagawa locality, where confrontation has turned violent, as the incidents in es-Sunut in late May 2007 indicate. During community meetings disgruntled Misserya leaders threaten to fight their way back into the cattle routes if the government of Southern Kordofan and UNMIS did not step in to facilitate a peaceful settlement. Whilst it is the ultimate responsibility of the government to promote reconciliation between different ethnic groups, this is a clear area of engagement for UNMIS/Civil Affairs Section. On a more positive note, there was appreciation at community level about the progress made by the de-mining operation.

The sustainable return of IDPs is predicated on continued stability in Southern Kordofan. Should the security situation continue to deteriorate, this will affect the reintegration of returnees and may even cause further waves of displacement. As stressed by the UN Southern Kordofan State Team itself, growing tensions in a number of areas require a timely response by local politicians, and international determination to help address the lack of services (UNST, February 2007: 3). However, providing services without ensuring that returning displaced populations and host communities do not fear for their lives and livelihoods will not promote return and reintegration.



# Section 3

## State report:

### Northern Bahr el Ghazal

## Chapter 11

### Background

Northern Bahr el Ghazal State is bounded by South Darfur and Southern Kordofan to the north, Warrap State to the east and Western Bahr el Ghazal State to the west and south. It is mostly inhabited by the Malual section of the Dinka ethnic group (the largest in south Sudan) and members of the Luo group. It is the most populous administrative area in South Sudan. It suffered extensive forced out-migration because of the war and severe environmental pressures. Consequently, the state is expecting high levels of IDP return during the current Interim period of peace under the CPA. Proximity to southern Kordofan and Darfur has kept the region in a state of tension, even during the brief period of peace in 1972. Its historical ties with northern border communities are complex in terms of markets and competition over natural resources.

A frequent tactic in the North–South conflict was the co-option of local armed groups to prosecute a proxy war on behalf of the main warring parties. This happened along the boundaries of Northern Bahr el Ghazal, where the Sudanese armed forces backed the Popular Defence Force and pastoral groupings from the Misseriya and Rezeigat ethnic groups. The aim was to dislodge the civilian population, push back the ‘front line’ and create a buffer for cattle from the north to freely graze. Incursions included the abduction of adults and children (over half recorded were under 18). Research to date (Rift Valley Institute, 2003) has established the names of more than 12,000 people violently abducted from North Bahr el Ghazal between 1983 and 2002.

The violence created mass migration and the destruction of the social and economic infrastructure. In 1988, intensive raiding and drought precipitated a famine, forcing people to sell cattle or move them south. The destitute people who remained (mostly women and children) moved northwards for safety and relief. The majority headed for humanitarian camps across the borders of Kordofan, before eventually scattering inland to places like Ed Dien, Kosti and Khartoum. Ten years later, in 1998, a new wave of carefully organised militia raids and a failed harvest claimed more lives.

The signing of the CPA agreement in 2005 has restored stability, and livelihoods appear to be recovering (WFP, 2007), though malnutrition and poverty persist. IDPs nevertheless have been returning in increasing numbers. Most returnees are expected to settle in four main areas: Aweil East, West and North, and Aweil Town.

In 2001, a public consultation (IGAD Partners Forum, 2001) made a number of predictions about ‘future return’. Extracts show how the people of Northern Bahr el Ghazal accurately anticipated many of the issues now being faced, especially the lack of services, and even then were recommending:

- ‘There shouldn’t be too many changes too quickly during the interim period. There is a need to create a free and relaxed atmosphere for those returning and prepare a cultural orientation to make integration easier’.
- ‘Provide services when the returnees return. Prioritise education: it will be the main reason why exiles will return.’





# Chapter 12

## The return process

So far in 2007, the rate of official return of IDPs has been higher in Northern Bahr el Ghazal State than anywhere else. Explanations for this include the state's relatively high population (estimated at over a million in the 1986 census); its proximity to the north and neighbouring Darfur and Kordofan, where many displaced reside; and the fact that government and UN agencies assisting return have prioritised it. North Bahr el Ghazal is also viewed as important because its large population and relatively homogenous ethnic profile are expected to have a significant impact in the elections scheduled to take place in 2009. Hence, senior politicians are interested in seeing substantial numbers returning as a prerequisite for canvassing and consolidating the southern vote.

The total number of returns is difficult to ascertain as tracking systems have only just become operational. Meanwhile, officials/agencies are even less certain about how many people have returned spontaneously, without any formal assistance. As the CPA neared completion, a small but constant trickle of spontaneous returnees began. By 2006, numbers were steadily picking up and returns were becoming more conspicuous. By 2007, significant numbers of – mostly assisted – returnees were coming home.

### 12.1 Method and timing of assisted returns

Return has occurred spontaneously and through a variety of assisted mechanisms, each with different arrangements and requirements. The dominant modes of return are:

- **Spontaneous household and clan groupings organised without external assistance.** Various forms of spontaneous return took place this year: i) family members returning to gather information or prepare for the later arrival of the household; ii) households moving and reintegrating using their own resources; or iii) cases where larger family or clan groupings were organised and transported by members of their community. A small number of spontaneous returnees were given assistance en route or on arrival.
- **Joint national/federal government–UN/IOM assisted returns.** The joint GOSS/GOS/UN assisted return programme facilitated by IOM set a target of 20,000 for 2007 (which was later revised down to 10,000, deemed a more realistic number to manage). This target was almost reached before the seasonal closure of the 2007 programme in mid-May.
- **Northern Bahr el Ghazal State-sponsored organised returns.** The state-sponsored assisted return programme was initiated by the authorities and supported through committees in the state and in Khartoum (built around the former Bahr el Ghazal Coordination Office). After a disappointing start in 2006, when significant resources

were made available but few results transpired, a new and larger state committee was formed. The programme assisted an estimated 10,000 returns this year.

- **Return organised by religious bodies.** The Catholic Church also assisted over 12,000 returns this year, mostly from Darfur and Khartoum.

The capacity for organised return hugely expanded this year. Nevertheless, the operation has raised a number of issues with consequences for future planning.

- Although the state return falls outside of the agreed GOS/GOSS strategy, it is likely to remain a fixture in the overall process, assuming funding levels can be sustained.
- Each system operates under different expectations and procedures, creating inconsistencies in information campaigns, assistance packages and the criteria for destination points. This also gives rise to different standards for communication and information management, for instance data on destinations, departure and arrival dates and manifests, making central tracking, monitoring and coordination difficult.
- At the local level, the two parallel systems gave the impression that there was a government/state-led operation that was inferior to the IOM/UN-led one (even though the latter is in fact under the auspice of the GOS/GOSS). Administrators at the reception level believed their 'substandard' state return system reflected badly on them and the southern government, and undermined their legitimacy.
- There was a strong perception among returnees that whoever is 'responsible' for transporting them was also responsible for the next steps towards reintegration.

Although a number of lessons were learnt from initial experiences in 2005/6 (IDD, 2006), 2007 was not without difficulties. The assisted return operation was delayed, and only gained significant momentum between March and May. This meant that returns were concentrated just before and as the rain season commenced (see the Annex for a summary outline of the lead-up to the 2007 returns). This had a number of implications:

- The surge of organised returnees between March and May put the state and local authorities under pressure - testing the 'receiving structures and systems' thus far developed.
- One of the reasons for the late return was hesitation among the returnees themselves, reflecting the fact that households were not prepared, and needed time to dispose of assets; children needed time to complete school exams; or there was a lack of clarity about the

procedure. Hesitancy can also be explained by genuine caution, as people waited to see how others fared first. However, the practice necessitates a review of the state and joint registration and information campaigns.

- The focus on addressing the blockages around return, and ensuring substantial numbers get back before the rains, appeared to have distracted attention from broader concerns over protection and the conditions for reintegration, even though site visits by joint GOSS/UN teams in 2006 noted the familiar disjunction between the projected numbers of returning IDPs and the capacity to receive them.

So far, security along the return routes has been relatively good. Prior to the assisted returns programme, individuals and small groups had reported incidents of looting and harassment. However, this is not a justification for complacency: as illustrated by UNMIS/RRR at the time, the precarious and unresolved status of the North–South boundaries, and the growing tensions around Abyei, are reminders that the security of these routes could easily change.

## 12.2 Profile of returnees and driving forces for return

The initial categories of returning populations tended to be from the poorer IDP groups, mostly those with few assets and employment opportunities. The first of these returned spontaneously from Darfur (some in small organised groups), reporting harassment in their place of displacement and some looting on the way. Later, poorer spontaneous arrivals came from other parts of the north. These groups tended to return directly to their places of origin, and are among the more ‘integrated’ of the returnees. Returnees with assets followed later – especially through organised returns – divided between those with agricultural skills and those with other income-earning potential (construction, commerce, etc.). Returnees with earning potential based on education and experience of more skilled work were later in arriving, and are perhaps the least settled as they are not confident about their future work prospects.

The overwhelming motive for returning cited by those interviewed during the study was to ‘be back home’: better to face our difficulties here, many said, than in the north – because here ‘we can be free’. In many cases, facilities, services or markets in Khartoum were reported to have been better than in the south, but the city was not perceived as ‘home’. Other frequently heard reasons for returning included the death of former Vice-President Garang (‘We feared after his death. We wanted to go back after that. If the president can die, what of us?’). In many cases, return appeared bound up with a deeper desire to assert southern identity, especially after years in exile in northern society. Although returnees are experiencing yet another socio-economic shock in their lives, and are clearly unhappy about the availability and standard of services they have found in the south, return is perceived as both a political and personal statement about who they are, and what the future may hold.

These motives partly explain why reintegration has been occurring relatively ‘silently’, despite the conditions faced and the meagre support provided. However, a general perception that ‘people are just getting on with the business of reintegration’ is naive and could generate complacency among government and support organisations over how the return and reintegration process is actually taking place. There is a danger that adherence to basic principles and best practice can inadvertently become compromised by government and international actors caught up in the ‘rush’ to assist IDPs return.

## 12.3 Returnee strategies and distribution patterns

Assisted return was intentionally focused on three of Northern Bahr el Ghazal’s five counties: Aweil North, West and East. Because of the strong pull from urban centres, Aweil Town has also become an important site for large numbers of returnees seeking alternative livelihoods and services. The uprooted population in Aweil South is reported to have mostly migrated southwards. Few assistance organisations operate there, and it was difficult to confirm reports of high numbers of spontaneous returns to this area.

Before returning and after arrival, numerous strategies were observed among IDPs and returnees to spread risk and increase the potential for immediate (e.g. employment) or future (e.g. education) options:

- family units sending members to the south in advance to prepare for their clan/household arrival later on;
- households planning to retain family members in the north (youngsters in secondary or further education, those with businesses seeking to retain a presence in the capital, but eventually opening a ‘branch’ in the south, and a number who grew up and raised families in Khartoum appear less inclined to return); and
- returnees planning to distribute members (e.g. wives) in different locations in the state, and between the state and the north, in an effort to increase livelihood security.

At the same time, returnees were keen to stress that those who remained, perhaps the majority, would promptly follow. There were reports of returnees going back to the north after evaluating their prospects in the south – a trend worrying the authorities. There were also reports that the authorities were not allowing people to travel north without a convincing reason and a permit (costing SDG 15). Finally, there were reported incidents of IDPs utilising assisted return transportation for visits. As the road network improves, this trend will continue but not all instances should be viewed as opportunistic.

### 12.3.1 Staged return

During the study period, there was concern among local and international actors assisting the return process that a new generation of settlement ‘camps’ may emerge in county or *Payam* administrative centres. The issue is complicated by the

presence and influence of returning community ‘chiefs’. As their status is not certain in the new ‘home’ context, some chiefs believe that they can only retain influence if they are surrounded by their ‘community’.

Additional perspectives from returnees living in these groups emerged during the study:

- Returnees would like to maintain social integrity as a group – especially as their youth are not used to the new cultural environment and village life.
- Remaining as a group shows solidarity and increases the pressure on local authorities to respond to their requests. That power is lost when you go to the village.
- Life in Khartoum demonstrated that, by staying together, assistance or services were more likely to appear.
- The returnees want to remain in towns to increase opportunities to use the new skills they have acquired. These skills are more applicable in market settings.
- Returnees argue that they have lost their agricultural skills, meaning that village life is not possible in the short run.
- Farms are so overgrown that they cannot be cultivated.
- Reintegration is going to take time. It needs to be gradual and will not be achieved until after returnees and the host community exchange and learn from each other more. ‘We will decide what we will do later.’

Residents and officials expressed anxiety about ‘the pull to the centres’, but mostly in a measured manner:

*People coming from towns are having difficulties; life and even food is not what they are accustomed to. Youth think there is a life better in Aweil Town – we are trying to discourage them from going. They have different experiences of education. Which is why the new arrivals stay together and don’t integrate with their relatives so much. They think they will get more if they stay around here. They want to go to Aweil and address the NGOs directly, but not through us. They don’t think we are so relevant.*

Thus, while the driving force and motivation to move from the north to the south have for the most part been clear and acted upon, a final decision on the place or places of settlement has been postponed – effectively resulting in a staged return.

#### **12.4 Facilitating return: the first step in reintegration**

Although the majority of returnees expressed satisfaction at being ‘back home’, this was tempered by dissatisfaction (and sometimes shock) with conditions at different points in the

process: the actual return, the situation on the ground, how they were received on arrival and the ‘start up package’ they were expecting. Reactions appeared to differ according to gender, age group, where returnees came from in the north, how accurate their knowledge of the south was, whether family members had prepared for their arrival in advance and the extent to which they retained linkages with family members who remained in the south throughout the war.

On arrival, many returnees spoke of being ‘dropped’ or abandoned, and said that they had expected more help from the authorities. Delays in food distribution, and the promised seed and tool distribution, became a source of tension in many places (mostly between the returnees and the administration). Administrators also expressed their disappointment at the lack of preparedness, and were frustrated because they were sometimes the last to know when convoys were coming to their areas. Information from the state to the county, and even from the counties to the *Payams*, was often late or non-existent.

Coping with the acute lack of facilities and services has been exceptionally stressful for returnees and their families, as well as for existing residents. All parties encountered significant cultural differences between residents and returnees, to a degree that they might not have expected. Previously in Northern Bahr el Ghazal, returnees were numerically fewer and quickly became embedded in the community, generally going to their places of origin and cultivating. Facilitating integration was more manageable under these circumstances. With higher numbers coming back, it is anticipated that social and economic conditions will more obviously change. Returnee density is increasing relative to residents, and returnee groups are likely to start to assert their presence in different ways (for instance remaining in groups to demand better services). It is also to be expected that many ‘return and reintegration’ experiences will be communicated back to IDP centres in the north. The return phase this year has left deep impressions among returnees, who, based on their experiences, repeatedly raised concerns over the very basics of the process:

- quality of information before departure and on arrival (including making contact with IDPs not living close to official departure centres);
- immediate access to food distribution;
- immediate access to seeds and tools – especially in the planting season;
- immediate access to basic shelter – especially in the rain season; and
- access to household items like cooking pots, water containers and mosquito nets.



# Chapter 13

## The reintegration process

Reflecting international norms, IDPs relinquish their status as ‘war displaced’ when they can *freely* choose to stay, return home or resettle elsewhere, on the understanding that their rights and choices are protected like any other citizen’s under the state (as promised in this case under the CPA). Their return is understood as sustainable when ‘returnees’ physical and material security is assured and when a constructive relationship between returnees, civil society and the state is consolidated’ (FMR, 2003).

It is questionable whether the conditions for returnees are actually meeting the basic benchmarks for a ‘durable solution’ to end displacement. Logically, the receiving environment should be ready to absorb returnees, with sufficient access to basic services and adequate opportunities for livelihoods before IDPs return. Clearly this is not the case, as the resident community in South Sudan, let alone the returnees, has yet to enjoy the minimum recognised standards for basic health, water and education.

The shape of Sudan’s expected mass return is deeply influenced by the CPA’s call for a population census, elections and finally a vote on whether to secede – with the expectation that as many as possible of the southern displaced communities living in the north will want to return to participate in these unprecedented historical opportunities. For many southerners, the process as a whole appears to be a trade-off between the political imperative to move south to play a part in concluding the Interim peace period, and acquiring adequate basic conditions for successful reintegration. Relying on political motives alone may not, however, be enough to ensure successful reintegration. Unsuccessful return and reintegration could easily undermine the political objective of peace.

Reintegration is of necessity a gradual process; given the destruction of infrastructure and social capital in the south, it is impracticable to expect that all the requirements for return will be met evenly and on time. However, the government and the UN are committed to a policy guided by the principle that ‘all returns must be sustainable’, and by standards ‘to protect and find durable solutions for IDPs’ (GNU/GOSS/UN policy document, 2006). The question remains whether the current process is commencing in a manner that will give reintegration the best chance of success. This study provides an objective glimpse into the early stages of the reintegration programme to ascertain how the process has fared, and whether the conditions for social, cultural, economic and political reintegration (essentially the pillars of an enabling framework) justify optimism or concern.

### 13.1 Variables determining the shape of the reintegration process

The study noted numerous variables that appeared to lessen or increase the challenges faced by returning populations: whether a family had sent a member south in advance; whether kinship relations remained strong during separation; or whether people were assisted to return or not, and what that assistance comprised. Broadly, returnees from South Darfur and those from the Khartoum area faced different sets of challenges and opportunities.

#### *Characteristics of those returning from Darfur*

- Appeared accustomed to rural hardships and arrived with a determined work ethic (‘they stay in fields longer than we do, or perhaps ever did’, reported a host community member).
- Appeared comparatively worse off materially and physically than those from Khartoum.
- Generally arrived with fewer assets, though a small number had ploughs and (donkey) carts. Some brought seed and food.
- Had raised goats in Darfur and had opportunities to ‘keep in touch’ with basic livestock herding skills.
- Were confident they had acquired new farming skills, including ploughing and ‘group farming’ techniques, which could be put to immediate productive use.

Overall, this group is integrating better in rural areas and generally do not see returning to Darfur as a viable option.

#### *Characteristics of those returning from the Khartoum area*

- Brought metal beds, chairs and other furniture – some reported bringing cash.
- A significant number had lost or never acquired basic cultivation and herding skills.
- Appeared better dressed than residents or those returning from Darfur.
- Had acquired a new range of alternative livelihood skills while away.
- Some saw returning to Khartoum as a possible future option.

Reintegration for this group is more of a struggle, and the cultural differences with residents are more apparent.

#### *Characteristics of those who returned in 2006 or before compared to more recent arrivals*

- Tended to return using their own resources (spontaneous return), showing a determination to get established and reintegrate.
- Most went to their former home areas and survived through kinship, hard work and (very few) assets.

This group is generally demonstrating signs of ‘settling down’, although social interaction with residents is still not as it should be. Many of those who returned in time for last year’s harvest reported a poor one (citing as possible causes inadequate area cultivated, soil not sufficiently prepared, insufficient inputs, pests and unfavourable weather).

Returnees have gone through the first phase of a dramatic transformation, shedding their designation and status as ‘IDPs’ and becoming ‘returnees’. Reintegration is the next phase in restoring their identity as residents of Northern Bahr el Ghazal. The label ‘returnee’ remains useful if it assists government and UN agencies to recognise the specific needs and challenges of resident and returnee populations, but the process must quickly move to broad-based community recovery initiatives. The following sections examine the socio-cultural, economic and political aspects of the reintegration process.

### 13.2 Social and cultural reintegration

The study recommends that social reintegration features prominently in any future reintegration framework. While culturally most of the returnees share the same heritage as residents, people spoke most often of the *differences* between them: ‘Khartoum people seem to like the town life, not hardships. It is difficult for them to accept where we have come from’, said a *Payam* official in Aweil West County. Others were struggling with the limitations of the local diet or hygiene practices, or differences in dress codes. Language too was an issue (whether the loss of the Dinka language or preference for or facility in Arabic or English).

One resident from Aweil East noted: ‘with the arrival of the returnees our settlement has expanded, families are reunified and we have strengthened the social aspect of the community’. However, some residents acknowledged that they were effectively dealing with an unknown quantity, reflecting the hesitancy and mistrust war-torn societies typically experience: ‘We welcome and eat together, but we still don’t know their hidden minds [agenda]. We don’t see it now, but will see it in the future. They could have been brainwashed or received money’. Nonetheless, ‘over time, we will change their minds’.

#### 13.2.1 Kinship

Kinship covers a range of relationships to do with lineage, marriage and sometimes spatial groupings found within cattle camp structures (wut). Kinship support is a critical part of the reintegration process. In most instances, it is expected to be limited and time-bound, on the assumption that returnees are going to be self-sufficient in time. Residents reported taking turns to host or entertain new arrivals. For others, the experience was more mixed: ‘Relations with the elders in the host community are good, even though they have been away from us for a long time. They still keep and know the old rules of their culture. However, some of our family members are not even sharing milk with us’ (Aweil West).

The level of sharing/loaning with returnees appears to be related to the durability of lineage bonds during the time of separation. A number of informants stressed that the most vulnerable are those who have lost their family connections. ‘In Nyamiell, we are more flexible in giving someone married a cow. Our spiritual heritage entitles them. Only those with no direct family members will not benefit.’ However, kinship’s significance goes beyond material support; ultimately, it is the setting within which identity and belonging are felt, and for those who have been in exile for some time it is a critical aspect of the reintegration process. (For more on this theme, see Annex 1.3 on the role marriages play in social reintegration.)

A number of suggestions emerged from the study.

- The government should reconsider how it communicates and addresses returning populations; formally ‘welcome them back’, listen to their perspectives and make sure people are aware of plans for recovery.
- Linked to this, establish a comprehensive awareness-raising campaign around social integration and cohesion, building on the will found in all communities to develop their area. As an example, a youth group recommended establishing a team of resident and returned youth ‘to undertake joint awareness raising, to make sure we are one’. Different forms of media need to be engaged in this programme.
- Establish an employment agency/register, raise awareness of the skills that are available and facilitate creative ways to utilise skills and experience in the service of recovery.
- State authorities need to establish a participatory process to review customary norms or practices that may need to be revived to suit the new context – requiring collaborative investigations, research and follow up.
- Revised laws should be developed to facilitate disputes over bride-wealth to minimise conflict and enhance positive reintegration.
- Young people are not being engaged in the recovery process, and some expressed the value of a forum to debate and exchange their views. Specialised interventions in support of young people need to be established. A youth group, dominated in this case by returnees in Aweil, gave an example of the type of initiative that could be undertaken. They had commenced evening classes for returnees, providing adult education in Arabic and English, and wanted to focus on ex-combatants. They were also recruiting for ‘youth volunteers’. To complement this, they were seeking a training centre and access to radio broadcasts. Sports facilities and competitions were often mentioned as a way of encouraging positive interaction.
- Engaging residents and returnees in joint public works was also recommended as a way of harnessing the joint spirit for recovery.
- Hastening the formulation of a participatory urban development framework alongside the necessary and urgent implementation of a Local Government Act to streamline and bring clarity to local government structures.

### 13.3 Local institutions and political reintegration

Improved subsistence and livelihood security will increasingly require returnees to access and participate in local governance systems (whether to resolve a dispute, challenge a law or lobby for change). Former IDPs are returning to a changing political environment with new government structures, while the culture of the previous militarised system still pervades. For some, even customary regulations and courts have become unfamiliar. The capacity of local governance structures to manage local affairs and disputes will be a determinant of how integration proceeds. At the grass-roots level, local government systems and the traditional authorities provide this structure.

#### 13.3.1 Traditional authority

Traditional leaders have an influential role at the local level. They are essentially the bridge between the people and the formal government system, and pass information and perspectives back and forth. Through Head- Executive- and Sub-Chiefs, as well as local-level headmen (*GoI* leaders), they carry out key functions in the day-to-day life of their communities, such as mitigating conflict and maintaining public order by presiding over the local courts under customary regulations, mediating disputes over marriage, arbitrating and presiding over land disagreements, identifying who is vulnerable in their community, mobilising people for public works and collecting taxes.

The general opinion of resident leaders interviewed is that returnees need to settle down and ‘stabilise’ before they will be required to conform fully to local customs and governance systems. For example, returnees are allowed to claim outstanding debts from residents but, for the time being, not the other way around. There was also recognition that some returnees will have to learn, or relearn, the courts system and laws. Residents spoke of wanting to regain some of the cultural values lost during the war, and many chiefs wanted to play a positive role: ‘We need to enlighten them of our way of life, talk to them when they come’.

One key question concerns what to do with the chiefs who have returned with the former IDPs. Officially, the policy is that former *GoI* leaders or chiefs will be asked to return to the role they formally had; otherwise, returnee leaders either fall back under the local chiefs or, if returnees like their old chief, they are welcome to elect him when the time comes (chieftainship will be by elections after the census takes place). A number of residents were suspicious of some of the northern-based chiefs, especially those that have been on the government payroll in Khartoum (though it was reported that most of these are still in the north). There were suggestions that some may be deliberately preventing IDPs from returning home. Nevertheless, for a returnee chief, losing privileged status is not easy. There is a general consensus that returnees should be allowed to settle down before being confronted. ‘Let them

keep their leadership for now so as not to frighten them’ explained one chief. There were examples of resident chiefs allowing returnee leaders to attend court and ‘sit beside them’ to advise on the background/context of people who had been living in the north – a position that preserved some dignity for the newly arrived chief. Some believe the problem will take care of itself: ‘They have come with their leaders, but when ensconced in their home areas that issue will take care of itself and they will be forced to go and cultivate’. Over time, however, the restraint currently being shown over this issue is likely to weaken and it should be addressed now, before it becomes a point of major conflict in the future.

Traditional leaders have the potential to aid the reintegration process. Although the Interim Constitution directs the state legislatures to fulfil the role of traditional authorities as ‘an institution of local government on matters affecting the community’, their future function is under scrutiny. Chiefs are not yet fully integrated into the local government structures. Now that the war is over, many believe that they are entitled to payment from the government for their executive services (as was publicly promised in 2006). As they assisted the SPLA during the war, they now believe that they should be recognised for their efforts. There were reports of reduced cooperation between chiefs and, for example, county commissioners.

External agencies should recognise chiefs as a *part* of the local government system, as well as custodians of customary law and practice in their own right. Whereas an official (who is paid) is accountable to the government system (which people consider a little removed from them), chiefs are mostly accountable to the people. The state legislature is the forum with the competency to revive customary laws and address shortcomings in the system, such as the inherent structural bias in favour of men at the expense of the views of women and young people. Maintaining their authority, however, especially while they adapt their functions to meet the needs of the new political context, is critical. The emerging government depends on traditional authorities to maintain governance more than it may care to admit. And while it is anticipated that conflicts within the community will only intensify as large numbers of returnees begin to settle, the chiefs will be the first to mediate and address these issues. Traditional authorities may well benefit from specialised training to assist them in meeting these new challenges (which they appear eager to do).

#### 13.3.2 Local government

The other more formal administrative link with the government is through local structures at the county, *Payam* and *Boma* levels. In its constitution, the GOSS is committed to principles of decentralisation and devolved power. The key to realising this at the local level are the laws, policies and structures of local government.

Local government is on paper the most important mechanism for managing the recovery and reintegration process.

However, the political will to implement it, and the capacity of public sector institutions to perform the tasks allotted to them at the local level, remain questionable. Significantly, the new GOSS structure did not include a ministry for local government in Juba, arranging instead for a Board of Local Government to be attached to the Office of the President. Local government ministries in the state are provided for, but do not have central resources to run their affairs, and must seek funds from the state minister of finance. Structures are weak and salaries are not regularly paid. Consequently, the decentralised model is precarious and not really functioning.

Early returnee interaction with new government structures has been tense. Much of the frustration being felt upon arrival is typically vented at local officials. Officials in the counties and *Payams* are effectively on the front line in dealing with returnee problems. 'These new ones don't even acknowledge our local chiefs. We the administration can do nothing, only take messages to the higher authorities', said an administrator in Aweil West *Payam*. They have had little or no resources and receive scant information on what is happening or being planned. The sidelining of local authorities, and the under-resourcing of their departments, is seen as a lost opportunity for local government development. Continued neglect will ultimately make the reintegration process more difficult: 'If rule of law and law enforcement agents, for example, are not controlled wisely or functioning improperly – due to delayed payments or poor management – then things will fall apart locally', said one local government official in Aweil.

Another potential source of conflict concerns the employment of demobilised soldiers. Returnees see the allocation of government positions as a reward for either fighting in the war or showing solidarity with the SPLA: 'We don't have immediate relatives in the government or in other positions of influence. We are not yet the same', explained a returnee. There is also growing anxiety that 'retired' war veterans without any formal (demobilisation) benefits are becoming increasingly restive. State and local authorities will need to address these issues.

### 13.3.3 Conclusion

All of the issues described above are playing out within the context of the CPA arrangements. While there have been limited interventions to disseminate the contents of the agreement, it cannot be assumed that those arriving from the north have the same level of understanding as those in the south. With a census approaching and an election in sight, civic education initiatives need to be planned in the medium term. One requirement for the reintegration process therefore will be to raise awareness among the expanding community about the structures, aims and functions of the emerging local government arrangements. One indicator of successful reintegration will be the extent to which returnees participate in rural governance (i.e. the political processes to determine local policy, establish priorities and make decisions).

The SPLM party is becoming active in the state and has started its 'campaign'. While it is likely that it will receive the bulk of support, it is unknown how the public will react to other contenders (some with political histories that extend long before the last war). Community leaders in Aweil Town warned that elections may not succeed unless the differences among returnees, and especially the young and those who fought in the war, are resolved. In Aweil Town people with a diverse mix of political and social backgrounds live in close proximity, and social cohesion will need special attention.

## 13.4 Livelihoods and economic reintegration

Central to the reintegration process is the ability of returned households, along with the resident population, to acquire viable livelihoods, primarily through a combination of a) livestock and agricultural production, b) the sustainable use of natural resources, c) access to employment and d) the establishment of small businesses. For each household (or members of a household), reintegration is taking place within a particular economic context or livelihood zone. Awareness of these specific conditions is crucial when designing strategies in support of the reintegration process.

### 13.4.1 The livelihood context facing returnees

The high-return areas of Aweil North, West and East are located in the northern portion of the 'Western Flood Plains' zone (SSCCSE, 2006). Land and cattle are the principal assets and the traditional base for the economy. Cattle function as insurance against fluctuations such as droughts, changes in market behaviour or insecurity. However, the war has undermined the structure of the traditional economy, and pastoral and agriculture practices have been subject to change. It is expected that, especially in areas of high return, the state will take considerable time to recover from the impact of war and the extensive disruption to traditional livelihood patterns.

The area is further divided into three distinct livelihood sectors: the highlands, midlands and lowlands.

- i) The highlands (*gok*) are characterised by loose sandy soils suitable for growing groundnuts, sesame and sorghum. They enjoy better trade opportunities with the north through markets spread across the zone. Through localised peace agreements brokered during the 1990s, limited trading relationships were established with South Darfur and South Kordofan.
- ii) The midlands is home to most of the population, and is where most of the humanitarian and development agencies are based. Subsistence agriculture and pastoralism are the main activities.
- iii) The lowlands – low-lying swampy areas – are subject to extensive seasonal flooding from the tributaries of the Nile, reducing agricultural potential, but making the region rich in fish, wild foods and grazing in the dry season (*toic*).



Income is generated from a variety of sources. Selling livestock is the main income source for middling and better-off households. Poorer households are constrained by a lack of labour and markets, and rely on selling alcohol, tea, mats, baskets, hibiscus leaves, dried fish and forest products such as charcoal, poles, wild foods, firewood and game. Fishing is especially important for middle-income and poorer groups, and is an expandable food source in times of stress. Wild foods are also important, and are used extensively during crises. Although rarely acknowledged, seasonal labour in Darfur and Kordofan is an important livelihood strategy.

Improved stability in recent years is reported to be having a positive impact on food security. Aweil East County, for example, the most populous in the state, is currently thought to have an average farm size of 1.5 feddans (compared with 1.20 feddans (Tearfund, 2007) during the war). Nevertheless, agricultural practices have remained rudimentary, with low use of technologies such as ox ploughs, and poorer households typically find it difficult to meet their minimum food intake throughout the year.

Northern Bahr el Ghazal (along with Upper Nile State) experiences global acute malnutrition rates above 20%, beyond the international threshold of 15% (CARE, 2006). Although severe malnutrition appears to have seasonal peaks, there does not seem to have been any improvement since the cessation of hostilities. There is evidence to suggest that, while food security may be improving, health and caring environments appear static. Sustained, high levels of acute malnutrition are likely therefore to be a product of a poor health environment and unhealthy behaviour (CARE, *ibid.*, Concern, 2006).

#### 13.4.2 Livelihood opportunities and constraints

To the extent possible, the study compared resident livelihood practices with how returnees who arrived last year or before were surviving. More recently-arrived returnees were then asked to assess their asset and skill base to ascertain what opportunities may exist for returnee economic integration and, eventually, more broad-based community development and greater livelihood security.

Up until now, returnees have relied on their own assets, limited kinship support, minimum government support in the form of administration and limited services, and assistance from NGOs and international agencies (food, seed and tools and for a few, other non-food items) to survive. The official and consistent message from the state and local authorities to returnees is to 'go back to your village of origin', and many officials are frustrated that not everyone is heeding this advice. Guidelines on outstanding debts were also communicated, to the effect that returnees were entitled to call in a debt, but that residents must wait a year or so until returnees have settled down before they can make a claim. Administrators were also told that state purchases of sorghum, which were being made available as a loan to be repaid at a fixed cost after the harvest (intended for

vulnerable groups), should be made available to returnees under the same conditions, although prices of grain had fallen below the fixed rate at the time of the study. Land was not cited as an issue as there was adequate available. Some cases have arisen in rural areas, and the state authorities have asked local chiefs to attend to any disputes, most of which have been resolved. In Aweil Town land is more of an issue, especially for dwelling plots, and there have been disputes over market plots.

Perhaps the biggest contribution from the state will be its oversight of road and rail development. The GOSS is hopeful that the railway line will be rehabilitated in the future. These developments – especially the main artery from Aweil Town heading north through Southern Kordofan – have the potential to transform the local economy, especially in opening up new markets. However, the issue uppermost in resident and returnee minds is security. Because of the war, the railway, and to a lesser extent the symbolically important northward road, are as much associated with vulnerability and threat as with future opportunities for peace and prosperity. Many living in rural areas adjacent to the road believed that it was 'compromising their security' and presented a potential threat from the north. Future household investment will be linked to people's confidence in the ability of the authorities and UNMIS monitors to secure stability and remove potential threats. Counties close to the unresolved North–South boundary have reported sightings of armed personnel, and several cases of intimidation were cited. The presence of landmines close to the railway line was also raised as a constraint on livelihoods.

Residents were impressed with how farmers from Darfur were applying themselves and taking the initiative. 'They are eager to be independent agriculturally', said an Aweil East resident. Previously, returnees from Darfur had survived on humanitarian assistance and had worked on landowners' farms as sharecroppers; now, however, they are bringing back new agricultural methods and are looking for support to be able to cultivate their own farms.

These aspirations were stated as:

- We would like to establish our own mini-mechanised farms.
- We are willing to train the host community in farming techniques.
- We can diversify local produce significantly, with tomatoes, guavas and other vegetables.
- We still want to farm, 'whereas some of the locals are behaving as if they were traders. We need tractors'.

By contrast, many of the Khartoum returnees were struggling with local agricultural practices. 'We know tractors better than a hoe', explained one returnee, indicating not only that new skills will have to be taught, but also that opportunities to bring existing skills to bear should be explored.

**Table 1: Skills found among male returnees, Mangok, Aweil East**

Darfur/Kordofan	Khartoum
Group farming (including ploughing)	Market gardening (tomatoes, onions), including using irrigation
Cane sugar processing	Tractor driving
Participated in seed load schemes	Small-scale restaurants
Construction	Bread baking
Distributing assets properly	Reading and writing
Storekeeping	Medical assistant skills
Medical assistant skills	

Priorities among returnee communities varied from place to place, but seed and tools featured at the top of the list, followed by food (to have the ‘energy to cultivate’), then shelter (as the rains had started), and finally basic services (water as an immediate priority, but health and education as part of the longer-term requirements for sustainable settlement). While inputs like seeds and tools constitute only the very basic and immediate support, their importance, and timely availability, was repeatedly highlighted by returnees. ‘If we have shelter, some food, mosquito nets, seeds, tools and water, we can become independent quickly.’ Delays in food and seeds and tool distributions were a cause of distress in all the counties visited. Some families reported being down to one meal a day.

#### 13.4.3 Skills found among the returnee population

In general, the resident population recognised that returnees were bringing a broad range of skills ‘home’. A broader assessment of the pool of skills among the returning population revealed important opportunities for gaining livelihoods and deepening the local economy. Some can be utilised straight away, others only after medium-term investment has been made in the sector (such as agricultural extension, market development and cooperative development). A typical skill profile is shown in Table 1.

Skills among Khartoum returnees in Aweil North included:

- Welding
- Construction
- Masons
- Mechanical or driving skills
- Brick making
- Carpentry

General trading skills were particularly found in this group. However, it was noted that the majority of skilled people were still in Khartoum. The best income-generating opportunities were in tree cutting and wood selling. Others reported that some returnees were showing an interest in teaching or joining the army. Those who were in the construction industry noted: ‘We built all the tall buildings in Khartoum. We are ready to build the south now.’ Female returnees from Khartoum in Aweil East also had a range of skills:

- Cooking
- Using hand tools for cultivation
- Petty trading
- Sowing
- Brick making
- Tailoring

Others came back with new skills in agriculture, trading and soap-making (a few had midwifery skills).

#### 13.4.4 Livelihood sources in Northern Bahr el Ghazal State

Feedback from returnees who had arrived in time for last year’s cultivation season highlighted the difficulties they faced. In general, the yield from farms was reported to be low, with

**Table 2: Income sources among women from Darfur and Khartoum**

	Prominent among women from Darfur	Prominent among women from Khartoum
Collecting and selling firewood	✓	
Collecting and selling poles and sticks for construction	Seen locally as a task for widows. Normally task done by men	
Selling tea		✓
Rope making	✓	✓
Food covers	✓	✓
Pot making	✓	
Alcohol brewing	✓	✓
Door covering	✓	✓
Cooking food (Kisra)		✓
Groundnuts	✓	✓
Grass cutting and sale	✓	✓

**Table 3: Livelihood sources in Meriam**

Returnee women in Meriam	Host women in Meriam
	Sorghum (by far the biggest source, accounting for perhaps 90%)
Sowing (20%)	Tobacco
Poles (16%)	Poles
Grass	Grass
Buy sugar and sell tea	Mats
Sticks (for construction)	Sticks
Firewood	Firewood
Labour for thatching/building huts	Charcoal
Wild vegetables (Akwa)	Wild foods (more diverse and proportionally higher)

many crops destroyed by pests, and returnees had to rely on other income sources for essential commodities, savings for livestock and making ends meet generally. Returnees survived by selling grass, firewood, charcoal, poles and building sticks. In markets, there was also evidence of some returnees making chairs and beds, and doing well.

Table 3 describes livelihood sources among host and returnee women in Meriam.

Women and residents made ropes, and both Khartoum and Darfur returnees made covers for food trays (*tabak*) and grass matting for doors. Returnees also engaged in dry-fish sales. It

was noted that returnee traders found it difficult to hire transport to restock commodities like sugar.

The proportionate value of these sources among men in Mangkok, Aweil East is shown in Table 4. Table 5 gives a breakdown of livelihood sources accessed by returnee women from Khartoum and Darfur in Mangkok Aweil North.

The situation in Aweil Town differed, with a stronger emphasis on trading and market activity. Typical income sources for returnee men included:

- Poles for construction
- Market gardening
- Brick making
- Restaurants

**Table 4: Breakdown of livelihood sources accessed by returnee men over the past 18 months, Mangkok Aweil East**

Darfur/Kordofan men		Khartoum men	
Sources	% of income	Sources	% of income
Groundnuts	22%	Market gardening	16%
Sorghum	18%	Poles	2%
Trade/business	16%	Trade/business	22%
Fishing	12%	Fishing	22%
Ploughing	12%	Making fishing nets	10%
Tailoring	8%	Brick making	8%
Construction	8%	Construction	20%
Kinship	4%	Kinship	0%

**Table 5: Breakdown of livelihood sources accessed by returnee women from Khartoum and Darfur, Mangkok Aweil North**

Darfur/Kordofan women		Khartoum women	
Sources	% of income	Sources	of income
Food cover ( <i>tabak</i> )	23%	Food cover ( <i>tabak</i> )	18%
Door covers	12%	Door covers	10%
Grass collection	12 %	Grass collection	4%
Rope making	8 %	Rope making	6%
Alcohol brewing	6 %	Alcohol brewing	4%
Pot making	12 %	Tea selling	22%
Firewood	6 %	Kisra cooking	24%
Groundnuts	21 %	Market gardening (okra, tomatoes)	12%

- Bakery
- Fix radios
- Driver
- Kinship
- Welding
- Mechanical skills
- Charcoal making

Women on the other hand appeared to be engaged in the following subsistence activities:

- Grass collection for building
- Sticks for construction
- Sowing
- Trade (selling food and tea, high)
- Charcoal
- Alcohol brewing
- Grass collection for animal feed
- Rope making
- Tailoring
- Selling water
- Firewood

The authorities reported that they were about to open three new markets in response to growing demand. Despite the obvious hardships, a number of Aweil Town returnees expressed their determination to succeed: ‘We are poor, but that is not the issue. We will be patient as we have been in Khartoum. We are determined to improve what is not right – I am pleased to be back in the south’.

#### 13.4.5 Conclusion

Former IDPs are returning to a devastated local economy which, despite signs of modest improvements, offers limited scope for agricultural production and few market opportunities. However, once stability is secured and there is confidence about the future, there is significant potential for growth. Because they have not yet established a productive base, many returnees are forced to seek out income generating and market activities. While the study showed them quickly and proactively seeking out diverse means, many strategies were labour-intensive and offered only a meagre – albeit vital – return.

In the longer term, livestock development, agricultural production and income generating activities will require a more robust rural economy to create and sustain the opportunities necessary for livelihood security. Eventually, integrated policies and programmes around the development of market infrastructure and systems, and the promotion of appropriate technologies and skills to enhance agricultural production, will be necessary to establish the foundations of recovery.

Presently, government and agency support around livelihood reintegration is piecemeal or non-existent – limited to a few discrete interventions, with no broader integrated strategy to revive the rural economy. Interventions are dominated by the supply of seeds and tools for ‘relief’, and have yet to embrace the complex (and locally specific) mix of strategies for livelihood development. Seeds may contribute to basic survival for the returning population, but achieving more sustainable livelihoods will entail farmers addressing pest problems, sourcing more appropriate varieties of seed, the

possible introduction of irrigation, fertilizers or mechanised technologies, and so on. Focusing on and supporting the reintegration process needs a broader community-based approach, bringing together the needs of residents and returnees under joint recovery strategies.

The medium-term need for a wide spectrum of inputs and services does not mean that there are not immediate challenges to address. A chief in Wudhum, Aweil West, summed up some of the difficulties facing successful reintegration: ‘returnees have come back with useful skills that can help them reintegrate, and which will be helpful for both receiving and returnee communities. Among the returnees some are carpenters, others masons, teachers, medical workers, midwives, electricians etc., but the question remains as to where opportunities may be found which will enable them to apply these skills’. Encouragingly, some returnees, from Darfur in particular, believed that over time their home area will eventually offer more opportunities for income generation than their place of displacement. A spirit of ‘reconstructing the south’ was evident among many returnees and residents interviewed, a sentiment that should be urgently exploited. Otherwise, as one resident chief remarked, ‘if returnees become impoverished, they will turn to criminality or return’. The study highlighted the value of focusing on existing income and production opportunities, and building on the new skills returnees are introducing to their settlement areas, to significantly strengthen and expand livelihood options.

Perhaps the most obvious intervention cited by numerous returnees (both men and women) was making basic credit facilities available, whether for income generation activities or farm inputs. Other possibilities include:

- Rice farming (though sometimes the preserve of better-off farmers).
- Fishing equipment (a seasonal but critical source of additional income).
- Market gardening.
- Petty trade in tea or food selling.
- Tailoring and sewing.
- Livestock, such as goats, donkeys and cattle.

Measures to protect alternative (wild) foods and raise awareness of them should be considered. In Northern Bahr el Ghazal, wild foods have in the past been the difference between life and death.

A related opportunity was the expressed willingness of (mostly Darfur) farmers to cultivate as a group and transfer new farming approaches to resident populations. This might be a propitious moment to support the formation of joint producer groups, or to test cooperative development approaches generally as a way of introducing new technologies and building up trust through improvements in the economy. Markets for agricultural products will be a key component in

rural revival, including the rehabilitation of road and railway networks. Existing animal health services should be expanded, and livestock restocking should be piloted.

Numerous returnees highlighted the impact of insecurity on livelihoods. In particular, and although the level of incidents is presently low, priority should be given to the future management of relations between the Dinka and their neighbours in South Darfur (and, to a lesser extent, Kordofan). There are a number of historical and more recent initiatives that can build upon UNMIS and specialist local and international agencies.

### 13.5 Services

One important benchmark of a 'durable solution' for IDP return is the extent to which returnees can access adequate basic services in their area of settlement. Services such as water, health and education fulfill basic needs, but are also intertwined with household abilities to secure livelihoods. Given the already inadequate coverage for the existing resident population, it is no surprise that services have become a controversial issue. Current service provision tends to be concentrated in the midland economy zone where the bulk of the population (and NGOs) reside, and are unevenly distributed in other areas.

A chief in Wudhum, Aweil West summed up the situation: 'the reintegration process will take time and is rather complex. But if the basic (service) infrastructure is not increased (in terms of water wells, pumps, health centres and schools), then the increasing number of returnees will negatively affect and worsen the living conditions for the entire community and make reintegration a slow and difficult process'. Returnees accept that reintegration will be an arduous task, but believe that access to services is vital if they are eventually to succeed. For some, success or failure in this area will force radical decisions: 'I will go back if there is nothing here for my children. Not that I want to, but I have to', said one female returnee.

The most fundamental issue of all concerns water. Although the government is promising a large programme to expand water services, the sector is dominated by NGOs. Water scarcity has already brought tension and conflict. 'We spend hours queuing for water, and it is bringing strain on our relationships' said a women resident from Aweil East. 'Before the returnees came, the water pump was sufficient, but now, access to clean water has become difficult.' In addition, as populations grow and congregate in specific locations, there are anxieties that sanitation will become a problem in towns and 'staged' settlement areas. The sanitation situation in Aweil Town looked precarious, with a health crisis pending as the rains set in.

The study found examples of returnees being expected to be the 'last in line' for water collection. A returnee youth from Aweil commented: 'I saw people fighting over water and returnees

denied access. Locals were getting water first. There is still suspicion in places that returnees have been influenced by the NCP in the north. The authorities eventually had to intervene and a local Executive Chief warned the community that if he saw such behaviour again, he would arrest and imprison the culprits and order a fine. It stopped the bad practice but in places where chiefs are not as strong, these incidents will persist'.

Another concern raised was over health care, especially among women caring for children: 'We were told in Khartoum that our home is a good place and that we would be provided for by the government. This is not what we found. Only those responsible here can afford the services, not us. Many of us have been sick since we arrived. There are people planning to go back as a result', claimed returnees in Aweil East. The main hospital serving areas of high return, at Akuem, Aweil East, had been managed by an NGO, but had recently been handed over to the Ministry of Health, and standards were reported to have dropped. In Aweil North, a dispute with the authorities had prompted one NGO to end its support for health services in the county. Although another NGO was planning to fill the gap, services dropped off during the peak return period. The study also revealed that many returnee households had lost essential knowledge about traditional medicines.

Although education was a priority among many returnees, services cannot cope with the demands placed upon them. While some new schools being built in Aweil East, West and North are of an improved standard, many are still housed in poor and inadequate shelters. As the number of pupils grows, so more and more classrooms are convening under trees – an image that unsettles returnees when they first arrive. Returnees are facing overcrowding, long distances to reach schools, an unfamiliar curriculum, teaching in the English language and a chronic shortage of secondary schools. There were appeals to help children coming from the north who were not familiar with English. 'We don't mind our children moving from Arabic to English, but they need help. We just want kids in schools, not looking after cattle', said a female returnee based in Gok Machar. The authorities in Aweil Town have had to close their schools to new admissions, much to the anger of the returning population.

### 13.6 Conclusion

Everyone is aware of the chronic shortage of services and the pressures, hardships and tensions it is creating. There has been a modest increase in services in the areas of high return over the past few years, but this is not making an impression on growing demand. It is doubtful whether there is the capacity to radically transform this situation in the timeframe desired. Equipment to drill boreholes is scarce, and the dry season, when construction is undertaken and boreholes sunk, only lasts for half the year. It is not uncommon for agencies who acquire funds for water points to fail to fulfil their commitments within a season, and they frequently request extensions. Human resource capacity to run services is also

limited. Acquiring enough teachers or health workers, training them and building up the appropriate organisational and management expertise are all medium- to long-term tasks. Salaries for government employees to run institutions are erratic, and can never be guaranteed.

The government and UN agencies need to reassess existing service capacity in the light of projected returns, and present the scenario more starkly and visibly to all stakeholders. The state will require urgent assistance. Measures need to be put in place to ensure that community groups are trained and supported in conflict management skills in areas where access to services is limited, including the training or refreshing of community/user group management committees.

The signing of the CPA brought an end to the war, the establishment of a government and the beginning of Sudan's recovery phase. For some agencies, this signalled a shift away from humanitarian relief and a new relationship between international agencies and the nascent government around recovery and development. In others, supply-driven relief persists without much recognition of 'developmental' needs. Agencies should be mindful that this post-conflict stage is extremely volatile. The emerging government will not be able to fully maintain its institutions for some time. Consequently, service delivery agencies should consider carefully how they support essential services, and not prematurely relinquish critical assistance during this vital but fragile period.

# Chapter 14

## Assistance policies and practices

The UN's policy for return and reintegration sets out some of the key elements in what should form part of a broader 'post-conflict' recovery strategy. While the study focused on what are still the early stages of 'reintegration' for most returnees, it also considered aspects of the preceding return process, as experiences here shape the first steps in stabilising returnees as reintegration begins. The first observation is perhaps obvious to all actors: that while the focus on return was understandable, it left broader strategies and follow-up on reintegration exposed. While commendable efforts are being made in extraordinarily difficult circumstances, the elements that should make up a more comprehensive approach are not coming together in a manner that harnesses the scattered capacities and resources in Sudan, or attracts new and complementary initiatives. Ground may have been temporarily lost through the focus on assisted return; now is the time to bring together some of the key components of return and reintegration into one recovery framework.

### 14.1 Response mechanisms

The three-month window for assisted return in 2007 put huge pressure on the receiving authorities and exposed concerns about the underlying capacity and infrastructure to absorb additional numbers. Fundamentally, the people from Northern Bahr el Ghazal are jubilant that their scattered community is finally coming back together. However, there was also deep disappointment and sometimes distress over the manner in which the government and the international community is supporting return and reintegration.

### 14.2 Tracking and monitoring

Tracking and monitoring is essential to keep abreast of the rapidly changing situation and manage the task of planning and coordinating the response. This was always going to be difficult, given the imprecise records of spontaneous returns and the fact that the state and other sponsored return processes did not forward basic (manifest) information in advance. Alongside government officials, the IOM is responsible for overseeing this process on behalf of and in cooperation with UNMIS/RRR. IOM inherited from OCHA/SSRRC a system whereby OCHA provided incentives for *Payam*-based numerators to register returnees. The arrangement did not work very well, and when IOM took over it stopped paying incentives, explaining that registration was a government responsibility (IOM did provide stationary and basic training). Because the SSRRC has no budget to pay for them, the numerators – officially under SSRRC coordination but *de facto* operating with *Payam* administrators – were expected to work as volunteers. The county claimed that it had no additional resources to expand its staff.

Tensions appear in localities when the right people are not recorded, and the study found one instance where residents were put on the list at the expense of returnees (in anticipation of a food distribution). For some returnees, there is also a genuine fear of being 'lost' to possible support if they are scattered around rural areas. It is critical that returnees do not associate any disadvantage with 'going back to their places of origin', and their visibility needs to be assured.

Finally, when a critical system like this depends on volunteers with vague relationships of accountability, it is vulnerable and not always reliable. While numerators are volunteers, it is impossible to maintain stability in the system. Practical solutions need to be found, including additional substantial support for training, monitoring and deepening the system, and jointly analysing the results.

Another key component is protection, which, except for child protection, was exceptionally slow to get going. IRC is planning a new programme in this area, and IOM has recently completed a survey in preparation for similar activities after the rains. However, this function should have been established well in advance of the organised returns.

### 14.3 Focusing on reintegration

The study found a lack of consensus around how to broaden the emphasis from current assistance norms (mostly humanitarian supply-side interventions), to embrace more productive and opportunistic support fitted to medium-term reintegration and economic recovery.

The return process, the accompanying packages, start-up assistance (food, seeds, tools, shelter) and access to essential services all form part of the initial 'stabilisation' of returnees. But from that point on, the focus must be on the medium-term processes to assist sustained reintegration. During the transition from war, programme interventions can expect to include a mix of humanitarian as well as recovery interventions. State structures have been formed, but are not all functioning, and the working relationship between the government and support organisations may in reality be sitting between humanitarian conventions (stepping around the state) and development conventions (implementing through the state).

The overall conditions for receiving an increasing number of returnees are inadequate, and the assumed further increases in returnees may well precipitate breakdowns in the relationship between the authorities and the rest of the population. The inadequacy of basic services is a major stumbling-block. NGOs on the ground have been modestly

expanding provision, but at current levels the existing rates of increase are unlikely to catch up with the needs of the resident population, let alone those of additional returnees. Government structures are also under strain, and the impact of two experienced NGOs withdrawing from health projects in the area (whatever their reasons) was significant. Additional measures to increase the capacity of service provision will have to be given greater priority, although there are questions over whether the capacity to do this is available unless new agencies participate.

Aid has been predominantly channelled through the Common Humanitarian Fund (CHF) and the Multi Donor Trust Fund (MDTF). Support for service provision is also provided by DFID's Basic Services Fund. The general understanding is that the CHF, under the control of the Humanitarian Coordinator, provides a mechanism to fund return and humanitarian priorities in the UN Workplan (albeit the CHF also included 'recovery-type' programmes). The MDTF would focus exclusively on recovery and development funding. Because of long start-up delays and unfriendly bureaucratic procedures, the MDTF has to date been a disappointment, and essentially not available for rapid recovery requirements (the MDTF process has been so slow that some donors have shown reluctance to subscribe to it of late). The two funds therefore do not function in a complementary fashion (see South Kordofan report for more details).

The CHF has predominantly funded humanitarian actions. While necessary, humanitarian actions are only part of the mix of strategies required for reintegration and recovery interventions. The second CHF allocation for 2007 (April to June) was \$2m for Northern Bahr el Ghazal State, broken down into health (\$500,000), nutrition (\$500,000), water (\$250,000), education (\$500,000) and infrastructure (\$350,000). The recent decentralisation to the state level of decision-making over these allocations has been a very positive development. This shift immediately opens up the possibility that funding will be better aligned to reintegration interventions once actors in the state begin to assess and plan for locally specific recovery needs.

A more specific recovery fund, the EC/UNDP Post Conflict Community Based Recovery Programme (RRP), is active in Northern Bahr el Ghazal State through a consortium of NGOs. Outside of infrastructure development (such as government offices), the programme has faced constraints, partly in fulfilling extensive EC compliance regulations and partly because of the lack of a viable partner built into the programme, i.e. the local government officials at the county levels. A study of the Northern Bahr el Ghazal RRP area (Harragin, 2007) points out how the early shifts to development programming assume that the government has the capacity to play its part, such as paying salaries and retaining administrative and financial management skills. Although the war is over, these 'development' conditions are not yet in place, least of all at the local level. While it is

important that the new government has ownership of these institutions, it still does not have sufficient funds to reach the grass roots. The RRP is reported to be addressing these challenges at the local level, and in the meantime is engaging numerous returnees as labourers in construction activities. Many more interventions similar to the RRP need to be developed to address the huge deficit in recovery programming.

Another example of recovery programming comes from UNDP's plans for a Public Works Programme component in the Rapid Impact Emergency Project. This is for activities in Aweil Town (approximately \$1m), supporting 'viable community projects to rehabilitate social and physical capital', such as roads, sanitation and waste management and provides opportunities for integrating Food for Work/Recovery interventions (reflecting WFP's revised programme strategy), though 'cash transfers' should also be considered. While this is a welcome development, significantly higher levels of investment are needed.

#### 14.4 Planning and coordination

The coordination structure for actors participating in return, reintegration and recovery is centred on a regular forum facilitated by the OCHA representative in Aweil Town. UNMIS/RRR plays an active role in the coordination process. While the basic infrastructure exists, coordination tends to be limited to the circulation of information. However, as the number of meetings increase, it appears that much time is spent just repeating information as many joining participants are new and fewer decision-makers participate. While information sharing is critical and must continue, strategic coordination – the ability to proactively read, anticipate and respond to the changing context – is also required to attract resources and focus agencies around a common framework of action. While there are state Returns Committees and various County committees, their effectiveness varies from county to county. To be more useful, direct feedback is needed from government representatives at the layer below, the *Payam*.

SSRRC's role has been compromised by competition from state ministries, especially Social Affairs. This tension reflects wider institutional problems between SSRRC and the state authorities. These problems partly stem from the commission's role during the war, when it channelled the bulk of external resources to SPLM-controlled areas. State entities are keen to ensure that this does not happen again, and would like to see the commission's role diminished. The implication is that, at the state and therefore strategic level, SSRRC is not having the influence it is intended to have. At a county level the picture is better, and the commission is usefully complementing the county authorities.

One key question concerns the quality of data. Basic but essential descriptive data is maintained, thanks to an initiative in December 2004 when the state counties, the UN and NGOs



assembled to assess their preparedness to respond to the anticipated high numbers of returnees (Pact, 2004). The groundwork for an area planning approach was begun, and capacities and services were assessed. This initiative was effectively utilised by OCHA, and is partly maintained with UNMIS/RRR assistance. There is an opportunity to invest in developing the data management system, as it is an indispensable tool for future planning.

In line with the new UN structures for Sudan, it is envisaged that the OCHA representative will be replaced by the Resident Coordinator's Office. In support of the state authorities, the RCO is expected to be the fulcrum for coordinating assistance from international organisations and with the authority to bring (for example) the other UN actors around a common strategy. This function is critical and necessary, but will require technical support and strategic management (so that sates don't become isolated units separate from greater South Sudan).

With the exception of UNMIS/RRR, the level of initiative and outreach from many of the other UNMIS sections was shown to be very poor. The conspicuous profile of the UNMIS presence in Aweil Town (accommodation and vehicles) makes the lack of action striking. In particular, the slow uptake in getting roads officially cleared and approved for access was deeply frustrating to other UMIS units as they have been prohibited from using key roads (that are in fact being used daily by NGO and civilian vehicles). The lack of military patrols is astonishing given the specific anxieties residents and returnees expressed over their sensitive and disputed borders with South Kordofan and South Darfur. There are already tensions reported at border areas near the river Kirr and armed nomadic groups frequently penetrate the state in search of pasture for their cattle.

There are flaws inherent to the UNMIS configuration (a possible carry-over from previous operations in Afghanistan) that need to be addressed, and the Sector Command structure does not lend itself to prompt and flexible interaction. However, the CPA (and the presence of the mission) are rapidly advancing, and activities such as patrols should not be complicated (primarily about planned and regular uniformed visibility and informal interaction with local communities). These concerns serve to further emphasise the need for informed, proactive and strategic leadership around the total international response in Northern Bahr el Ghazal State.

#### 14.5 Conclusion

Bahr el Ghazal is the most populous state in the south, and its electoral significance in any regional vote is not lost on politicians. Returnees too see return as both a political and a social act: they want to play their part in the peace process, as well as reconnecting with their culture and identity and reinforcing their sense of belonging. Successful reintegration is a key part of the peace process.

On the one hand, there is broad acknowledgement that the state is not 'ready' to receive its extra people (in terms of services, infrastructure and governance). However, as the driving forces behind the timing and pace of return are partly political, it is not a question of 'halting' or 'reversing' return, but highlighting the inherent risks in the process, and how these risks might be mitigated. Should the pace of return continue to exceed the capacity to receive returnees, the wider peace process may be undermined.

This study has focused on the reintegration process in Northern Bahr el Ghazal State. But just as return is the first step in reintegration, so a reintegration strategy must assume a broader recovery framework. While the elements of a recovery framework are located in many places (the CPA document, constitutions, the rationale behind Trust Funds, the JAM findings, GOSS priorities, donor strategies), these various components have not come together to inform regional and state-level analyses and plans. Recovery and transition programming generally does not fit neatly within normative aid concepts and funding mechanisms. War is officially over, but conflict is not far from the surface. New peacetime structures have been formed, but it may be many years before they can function autonomously. Humanitarian needs remain high, but development aspirations and approaches must be applied. Reintegration is one part of this overall picture, and emphasises the environment returnees are living in, and the opportunities available to them to secure durable livelihoods.

Agencies focused on reintegration, such as UNMIS/RRR, are in a position to assume a higher profile in advocating for greater awareness and an improved response from the GOSS and the international community to the specific needs identified by returnees. The study has highlighted a number of elements that should inform a more strategic reintegration approach, which should in turn stimulate the formulation of a clearer, state-led recovery framework. Such elements include:

- Break down and understand the profile, experiences and skills of returnees, and the environment they choose to settle in.
- Acknowledge the impoverishment risks of the resident community receiving the returnees, and move towards a general community-based approach.
- Analyse potential sources of conflict and build on local mitigation mechanisms.
- Reintegration has social, cultural, economic and political dimensions:
  - Make the attainment of durable livelihoods central to the returnees' (economic) reintegration.
  - Focus on the losses to social capital war and separation have caused, and support social cohesion and reintegration.
  - Pay attention to political reintegration and returnees' participation in local governance systems.
- Based on a sound context analysis, support reintegration

opportunities as they arise, using flexible funding mechanisms that merge humanitarian and development-type responses.

Build more context-specific analysis of reintegration patterns and experiences, with a view to developing more appropriate recovery programming, especially around social, political and economic reintegration support. This will require a shift in donor funding mechanisms and NGO programming in line with the new 'post-conflict' challenges that have arisen (essentially a mix of flexible humanitarian and development approaches). Where possible, local government structures should oversee and coordinate the recovery process at the local level. A state strategy for recovery should tie in with local government structures, despite resource problems and perhaps a lack of political will.

Greater investment is needed in mechanisms for monitoring and tracking the return process and gathering qualitative data relevant to state, county and local planning around reintegration and recovery. Spontaneous returnees should be given more visibility. Agencies should also work with the relevant actors to strengthen the return and reintegration structures, such as County Return Committees.

The GOSS and the international community will have to re-examine their current strategy and revise plans in order to step up assistance and mitigate impending threats. Strategies to minimise disenchantment and potential conflict, and maximise conditions for successful reintegration, need to be renegotiated between the actors – the outcome of which may lead the UN to modify its position on assisting the return process next season. State-sponsored return in particular poses a significant risk. This predicament demands the highest levels of ongoing dialogue, making sure that the responsibilities of each party are being met; highlighting the dramatic shortfall in basic services and the level of stress this

is causing among returnee and host communities; and tracking the risk to the fledgling government at this delicate stage of the peace process. In some instances, there will be no immediate solutions, which makes the role of UNMIS/RRR all the more critical and delicate in mediating a principled but pragmatic way forward. Sensible decisions based on accepted best practice will have to be reached.

UNMIS/RRR should provide a lead in rolling out a more proactive, sensitive and coordinated response among UNMIS partners, based on the experience of return and reintegration to date, especially in developing improved community relations, pre-empting potential conflicts and improving the security environment. Greater emphasis needs to be put on partner UN agencies and their partner NGOs to achieve higher standards of coordination and better timing when implementing immediate services for returnees, especially seeds, tools and shelter.

There is likely to be accommodation in the forthcoming census for southerners dwelling in the north to be registered there as residents of their home areas, while still (temporarily) residing in the north. However, this is not well known and information campaigns on the census, and whether IDPs can be recorded in the north (as southerners from the south) should be pursued if this eases the pace of return.

Security was one of the major concerns highlighted by IDPs when interviewed before the return process (Intentions Survey, 2006). Although few incidents have affected the return process, returnees are crossing some of the most sensitive areas under the CPA – the unresolved borders, Abyei, future coexistence between the Dinka, the Misseryia and Reizegat ethnic groups – and the security environment could change rapidly. UNMIS military patrols and monitoring must be in place in sensitive areas. Monitoring the situation and improving the mechanisms for protection and conflict management remains a high priority.

# Annex 1

## 1.1 Summary profile of returns

Type of return	Points of departure	Return package	Tracking	Drop-off points
1. N Bahr el Ghazal State, assisted	Khartoum area	No	Advance communication poor	Central locations
2. Joint GNU/GOSS – UN assisted	Darfur, Khartoum areas	Yes	Numbers communicated in advance	Places of origin ( <i>Payam</i> )
3. Religious organisation-assisted	Darfur areas	No	Advance communication poor	Central locations
4. Individual/household/clan groupings (self-financed or sponsored by family member/organisation)	Darfur, Kordofan, Khartoum, elsewhere	No	Not captured by overall UN system	As agreed

## 1.2 The lead-up to the 2007 assisted return

A number of key reference points appeared to have shaped the lead-in to the 2007 assisted return process.

- In October 2006, inter-agency assessments (UN/SSRRC/NGOs) were undertaken in Gok Machar (Aweil North County) and Malual Kon (Aweil East County) to gauge security, the extent of basic services and general absorption capacity, including potential future coordination mechanisms. In Gok Machar, it was noted that health facilities were very poor and water resources critical; agencies were requested to increase facilities.
- By November 2006, SSRRC and the state authorities had agreed in principle to establish a State Coordination Committee to oversee the return process at the state level. Information campaigns started/intensified in late 2006.
- By January 2007, approximately 57,000 households were registered for return on the IOM-managed database. The highest numbers originated from South Kordofan, Northern Bahr el Ghazal and Central Equatoria states.
- In January, 2,000 returnees from Darfur assisted by the Church returned to Northern Bahr el Ghazal. Also in January, reports of a meningitis outbreak in the south prompted planning for pre-departure vaccinations.
- In February, the state, SSRRC and UNMIS/RRR agreed on the priority areas for the Khartoum organised returns. Priorities were also agreed for the South Darfur convoys. State Coordination Committees were reported to have communicated to their counties the priorities for return. Plans to establish a County Reception Committee were agreed in Malualkon, Aweil East.
- The meningitis outbreak led the authorities to prohibit public gatherings in Northern Bahr el Ghazal in February, delaying food distributions. The meningitis vaccination campaign also delayed the arrival of the first convoys from Darfur. Plans for scaling up the Khartoum verification process were also

revised. The State Governor toured settlements in Khartoum and instructed the State Returns Committee in Khartoum to intensify its efforts and improve uptake.

- By March, interest had been rekindled and families were ready to commit to return.

## 1.3 Social integration themes

### 1.3.1 Regularising marriages as a factor in social reintegration

Cattle remain an important medium for social relations, whether for bride-wealth, blood-wealth or spiritual rites. Historically, marriages among the Dinka are contracted on the basis of livestock exchange. Families discuss and agree how many cows are distributed to the close relatives of the woman in question. The group among whom bride-wealth is collected and distributed typically includes both maternal and paternal uncles, aunts and brothers, the mother and even close friends of the woman. Rituals also take place between son-in-law and parents-in-law as part of the ceremony. However, if a man is recognised as being capable of taking care of his future wife, the dowry can be paid later in instalments.

As a result of the war and the subsequent displacement of the population to the north, the custom of paying cows as dowry had to be modified. It became acceptable for displaced communities in Khartoum, Darfur and elsewhere to use sorghum and money as 'bride-wealth' instead of cows. However, the practice of paying with cows did not change for those who remained behind (though the value of individual cattle has been increasing over time).

Initially (between 1980 and 2000), the value of a cow rose from approximately SDG 50 to SDG 100, eventually reaching SDG 500. Because cattle were comparatively expensive in the north, IDPs made estimates based on their approximate value in the south at the time – thus making the calculations more affordable. From 2001 to the present, the value reached SDG

3,000 for one cow in Khartoum. Informants stated that approximately two bags of sorghum are paid as an equivalent of a female cow and one bag for a bull.

For those who have returned, there is an expectation that the traditional system will be reinstated once returnees have settled, and family members will have to pay their share as determined by custom. Those without livestock will have to buy them. This requirement will be demanding for some recently returned families, but obviously more beneficial for returned families with women available for marriage, since it provides a potential source of livestock.

Residents and returnees interviewed agreed that marriages based on the distribution of cows are considered a stronger association in terms of kinship. Traditionally, the significance of transferring cows is related to the process of bolstering social cohesion around clan and inter-clan relationships. As extended families must pay a share in the marriage contract, blood and kinship ties are maintained and strong social relationships secured.

While acceptable in times of crisis, marriages based on the distribution of sorghum and cash do not possess the same social value. Therefore, even though displaced families emulated the custom through equivalent transfers, kinship affiliations are commonly presumed as 'weaker' because the Dinka view them as inferior arrangements. The danger is that returnees with daughters married using sorghum and money, and who possess little or no cattle, may be regarded as socially inferior and thus may feel marginalised or ashamed, making it difficult for them to reintegrate confidently within their clan or in their original villages. There have been cases where women have chosen to stay away from their home until they can afford to buy cows, after which they would then move back to their original homes. Where the resident community did not receive their share from dowries negotiated in Khartoum or Darfur, relations between the returnees and the resident community may be weakened, possibly leading to divorce proceedings or abandonment.

There are examples of resident communities who decided to keep cows aside for their relatives in Khartoum or Darfur in order to ensure that more favourable kinship relations are secured once reunited. For the families who did so, there is a perception that the concerned returnees will be reintegrated more successfully as traditional values are seen to be maintained. There are also examples of IDPs whose daughters were married and refused to take sorghum, preferring to wait until both families were reunited and the marriage could be settled with cows. However, there are risks associated with this arrangement. A year or two after returning, relatives of the girl will request a final settlement or regularisation of the marriage; if the in-laws fail to comply, the father or relatives of the girl may 'reclaim' their daughter (and any children born in this marriage). Disagreements in this process could easily lead to conflict.

### 1.3.2 The special case of youth integration

A group of particular concern in terms of social reintegration are the youth. Many were born in northern settlements, and never knew life in the south. Their needs are not being catered for. Feedback through the study stressed that social reintegration has a better chance of moving forward if opportunities and roles for youth are created, so that they are seen as assets for the future (rather than the present perception of being 'a problem'), and are enabled to engage positively in the recovery process. 'It's our children who have come back who are having the biggest difficulty. We expected schools and hospitals, but they are not available', explained a male returnee from Aweil East. Diet has also been a challenge, as the food is perceived as 'all the same'. Returned youth are also struggling with the education system; the medium is in English, class numbers high and facilities poor.

Reintegration seems to be more difficult for boys: they tend to stray, while girls are mainly busy pounding sorghum and assisting their mothers. It was reported that many girl IDPs in Darfur did not go to school and engaged in tasks like mat-making, though many boys were said to have dropped out after the Darfur war intensified. A significant number of parents who came from Khartoum expressed interest in seeing their girls educated (another reason why some parents are moving with them to a town). There were cases of youth accompanying their mothers when they moved to a town for petty trading (and possibly to seek secondary education for their children).

### 1.3.3 Urban integration: pressures in Aweil Town

Aweil Town, like other (formerly government-held) garrison towns in the south, had been deeply militarised and suffered 20 years of neglect. As urban centres, they have become a nexus of concentrated population movements. The town is experiencing similar social and economic pressures as rural areas, but in a concentrated form. Although government policies focus on 'returning to your place of origin', it was anticipated that a large number (some said most) returning IDPs will opt for urban settlements (Southern Sudan Urban Appraisal Study, UNDP/dpu, 2005).

Given the close proximity and cramped conditions in which returnees and residents are interacting, it is understandable that differences and tensions are more apparent than in rural areas. Women appeared to be integrating best, men with more difficulty (especially those that 'stay close with the chief they came with'). Not surprisingly, there were frequent reports of disappointed returnees going back to Khartoum. Informants said that they would eventually return if they were not engaged in the recovery process. Lack of services is also another push factor. There is one hospital (which is 'not coping'), one secondary school and three primary schools, one of which reported 130 children in a class. By early June, the authorities had closed all schools to further enrolment. Twenty-two of the town's 34 pumps were reportedly broken (five had been recently repaired). Sanitation was cited as a particular worry.

Land administration is another problem. There is a lack of systematic planning for residential plots, and a lack of transparency generally in how land is registered and allocated. The study found inconsistencies (and disagreements) between the municipality and the state authorities, especially over the surveying and allocation of third- and fourth-class plots. There

were cases where the town council had surveyed land, but the state authorities had not issued the plots. In response, people have not waited but have simply occupied their own area. To relieve the pressure one prominent chief formed a 'camp-like' settlement six miles outside of Aweil Town to help people access cultivation more easily.



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