

The long road home

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

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Profound changes are taking place in Southern Sudan as a result of the Comprehensive Peace Agreement (CPA). The CPA has made possible substantial improvements in freedom of movement, trade and oil revenue, dramatically reduced conflict and laid the foundations of a system of governance to administer the south's own affairs (although reform in the three areas has been slow and unsatisfactory). Demographics and social relations are radically changing from wartime patterns. But 'peace' has also given rise to uncertainties about the future. Opportunities for citizens to be economically independent have been slow to develop, and large numbers have not yet benefited from economic growth. Insecurity and threats to safety persist. Overall, the extent of what needs to be done to stabilise the post-war environment and build a foundation for long-term peace is only beginning to be appreciated, and many opportunities to positively influence the agreement in its first years have already been lost.

The social impact of possibly two million people resettling in the south has accelerated the pace of change. On the one hand, promising new skills and fresh ways of thinking have been introduced into resident communities (including the redistribution of remittances). On the other, resettlement presents colossal challenges given the impoverished and ill-prepared post-war social and economic environment. Reinte-

gration has as a result put additional pressure on an already underserved and economically poor resident population. It has also exposed fundamental weaknesses in the fledgling regional government, and in the work of international agencies.

The fact that such massive numbers of people have returned without a major catastrophe is testimony to the resilience of the southern Sudanese and their determination to build a 'home' and a new political future. The ceasefire has largely held, an achievement of paramount importance and a central reason why so many have returned. However, this study has shown that behind these accomplishments lies a population largely subsisting and extremely vulnerable to disturbances or shocks. The structures, laws and systems of governance necessary to support integration and sustain peace are fragile. With the passing of time – the CPA is now in its fourth year – there is growing concern and a deepening sense that the challenge of the Interim Period lies not simply in avoiding fresh violence, but in preventing the emergence of a future failing state in the south, and possibly in the north as well.

Sudan's peace agreement is approaching its most testing time. Pressure is mounting on the regional government to ensure civilian disarmament and the demobilisation of combatants.

The impact of proposed elections in 2009 on local security is unclear, and the south's proposed referendum on unity (due for 2011, should it be honoured) is expected to attract a large number of remaining IDPs to their regions of origin in time to participate. Mitigating potential conflicts, contributing to stability and generating opportunities to improve and secure livelihoods in the south – making *peace* attractive – remains the highest priority for all stakeholders during the remainder of the Interim Period. This process includes dedicated interventions and the provision of sufficient resources for successful returnee integration, as well as an environment that will sustain their future. Strategies and actions are called for to address massive and rapid urbanisation, induce civilians to disarm and provide opportunities for the sustainable management and utilisation of natural resources. Infrastructure and markets require development and equitable access to essential services must be put in place.

What does (re)integration mean?

Reintegration appears to be a loosely defined concept amongst government officials and external assistance agencies. In Southern Sudan there is a strong sense of people 'returning home', often driven by a desire not only to rebuild their own livelihoods and futures, but also to contribute to the building of a viable and peaceful Southern Sudan.¹ For this to become a reality, a number of more immediate needs have to be met. In both phases of this study there has been remarkable consistency in how returnees and local residents perceive the priorities for reintegration. Security usually tops the list, and for many is directly associated with disarmament. Expansion of services comes a close second, to cope with a rapidly expanded population and very limited and often badly damaged infrastructure. The third priority is economic and other support to livelihoods, helping both returnees and residents build up their assets, develop skills and take advantage of new market and business opportunities.

For the Government of Southern Sudan (GOSS), however, the priority since the signing of the CPA has been return, driven by the political incentive to ensure that as many displaced as possible would return in time for the census, which eventually took place in April 2008. Reintegration has tended to be overlooked. It has been the government's expectation that people would want to return home and would be welcomed back by their relatives, on whom the responsibility for resettling them would fall. Thus, supporting reintegration at community level has been left to communities themselves,

¹ The Three Areas (Abyei, Southern Kordofan and Blue Nile) present somewhat different challenges due to the specific political circumstances of each. Southern Kordofan was one of two case studies in Phase I of the research.

while international aid organisations have mostly remained focused on meeting immediate needs. Meanwhile, the GOSS's main preoccupation has been on rebuilding major infra-structure and addressing security issues.

As the two studies reveal, the concept of *reintegration* is a misnomer. The end of the North–South civil war has resulted in the coming together of disparate groups with very different life experiences, often over a generation, according to whether they were displaced across the border in Uganda or Kenya, moved to Khartoum and northern Sudan, stayed more locally or remained where they were. In many places, especially Juba, the process is more about *integration* for the first time – establishing relationships and trust, accepting differences in behaviours and values and finding ways for all groups to be represented in local governance and leadership structures. If left unsupported, there are signs that these processes could take a very long time, tensions may develop, certain groups could become marginalised and the seeds of social inequality may be sown.

The role of the international aid community in supporting social and economic (re)integration is critical. Planning started early, with the JAM process. This offered a promising start, with its emphasis on community-based reintegration programmes and urban planning in Juba. However, the political pressures to launch a major organised and logistically challenging return process obscured the focus on reintegration. Some agencies – NGOs in particular – have maintained their focus on reintegration and there are examples of good practice, for example integrated approaches to supporting vocational training and counselling services at community level. But this has tended to be piecemeal, and support to reintegration has lacked overall strategic direction, leadership and coordination. The UNMIS Return, Reintegration and Recovery Section (UNMIS RRR) was mandated to exercise such leadership, but it too has been distracted by the logistics of organised return. Although UNMIS RRR now has a reintegration strategy (drafted in November 2007), a shared conceptual framework for reintegration is still lacking. In its absence, the understanding of reintegration varies widely amongst international aid agencies. Some see it principally in terms of service provision, others emphasise the protection dimension, but few have a longer-term and more holistic approach towards reinforcing the absorption capacity of communities.

At the international level, UNHCR has done most thinking around reintegration and offers one of the most useful definitions of sustainable reintegration, which it states as:

supporting those who have returned/resettled or integrated to secure the political, economic, legal and social conditions needed to maintain life, livelihood and dignity.

Legal: *access to legal processes; legal support for ownership of property, land and housing,*

Political: *stable government, full participation in political processes, gender equality in all aspects of political life, freedom of thought and expression and protection from persecution,*

Economic: *access to productive resources (e.g. agricultural inputs and livestock)*

Social: *access to services, security, absence of discrimination and community level dispute resolution, etc.²*

Support to post-conflict reintegration challenges the conventional distinction between ‘humanitarian’ and ‘development’ aid. Reintegration, and indeed recovery, sit uncomfortably between the two. The practical implications of this are all too apparent in Southern Sudan and the Three Areas, particularly in the funding instruments that have been available. One of the main sources of finance for recovery, the Multi-Donor Trust Fund (MDTF), has been unable to meet needs and expectations and failed to make a rapid impact. Delivering adequate services (which sometimes implies a more humanitarian approach), while at the same time building government capacity (implying a more developmental approach) has proved difficult. Various other funding instruments have been introduced to complement the MDTF and donors have pledged to learn from these experiences. The new Sudan Recovery Fund is a vital opportunity to put this learning into practice.

This study proposes an approach to reintegration guided by the following considerations:

- For rural areas, reintegration should be part of a wider, long-term recovery strategy; for Juba, it should be part of a broader response to rapid and ongoing urbanisation.
- Reintegration should be area-based, addressing the needs of residents and returnees together, in ways that help to promote social reintegration.

The ‘Adapted Sustainable Livelihoods Framework in Situations of Conflict and Political Instability’³ (included in Annex 1 of the main report) is a useful entry point. It places people at the centre, but is sufficiently comprehensive to consider not only their assets and immediate needs, but also how wider institutions, policies and processes affect their

² UNHCR, *Handbook for Repatriation and Reintegration Activities* (Geneva: UNHCR, 2004).

³ Sarah Collinson (ed.), *Power, Livelihoods and Conflict: Case Studies in Political Economy Analysis for Humanitarian Action*, HPG Report 13 (London: ODI, 2003).

livelihoods and well-being. Thus, it can incorporate governance issues and unresolved legal frameworks, both of which are key.

Key challenges facing Southern Sudan and the border areas

A number of challenges demand immediate attention. The most important is **insecurity**. While there is enough stability in the country to allow significant levels of return, persistent insecurity in a number of areas means that many people are not free to choose where to settle, and many more are delaying their return. This is the case in Jonglei, Southern Kordofan and Central Equatoria – three of the four states visited during this study. The brutality of the conflict and memories of war amongst returnees have soured relations between certain communities, and this will take time to heal. Addressing insecurity and facilitating reconciliation and social integration are therefore essential to providing a conducive environment for returnees and residents alike. More fundamentally, they are a prerequisite if the recovery process is to gain momentum. If external actors are serious about peace, greater commitment is needed to public security initiatives. The UN Mission in Sudan (UNMIS) must become more proactive in its approach to the remnants of various armed groups and communal violence in the South and the border areas. The authorities must support disarmament and community stability, and work with the UN mission, the UN technical agencies, donors and NGOs as part of a coordinated, common approach.

For return and reintegration to be sustainable, strengthening rural and urban **livelihoods and economic development** must be urgently addressed with specialist expertise (and support organisations) and a common framework of action. Modest but valuable practice is being built up through a number of NGO- and UN-managed interventions. But to make meaningful progress, piecemeal projects must be replaced by a systematic institutional engagement with the state and local government. As in most other post-conflict contexts, there are both challenges and opportunities in rebuilding livelihoods and developing the economy. The potential is tremendous. Returnees and residents have many ideas and are keen to be involved in the rebuilding of Southern Sudan. These ideas and this enthusiasm are still largely untapped. Greater efforts are needed to support the development of more reliable livelihood strategies through vocational training, business development and micro-credit, building on what is already working. Markets and market processes need to be better understood and international best practice brought to bear. Corrupt procedures, inconsistent tax regimes, lack of uniform standards, unequal access to information – all need addressing if the foundations for recovery are to be

correctly laid. These interventions must be sustained by adequate funding and accompanied by appropriate labour legislation and economic reforms.

Support to economic development must be accompanied by more systematic approaches to service provision and more rapid scale-up. **Services** and infrastructure are generally expanding from the 2005 base, but are still far from satisfying minimum basic needs, let alone laying a foundation for longer-term recovery. Service delivery must be understood as a strategic as well as a practical contribution to peace. While Southern Sudan and the Three Areas are a long way from attaining the Millennium Development Goals, intensive efforts to improve the coverage of services will have far-reaching implications. Delays and gaps only encourage instability. This is a distinct threat in Jonglei State and in areas where returnees concentrate in overcrowded settlements, because service provision is perceived to be of a better standard – as in the case of Juba and a number of state capitals in the South. The studies have however shown that, even in state capitals, services have not expanded significantly, and the quality of many existing services has actually deteriorated, with Primary Health Care Units (PHCUs) and schools barely functioning due to a lack of maintenance, qualified staff, equipment and drugs.

Despite inadequate service provision in urban areas, even a minimum of basic services, accompanied by expectations of better economic opportunities, are key factors pulling returnees into Juba and other towns such as Bor, rather than rural areas. GOSS, however, is averse to the current natural process of **urbanisation** and is instead promoting a policy of ‘taking towns to the people’. This is based on creating two model towns for each of the ten states, to include a functioning market, community centre, primary school, health centre, water supply and electricity. This is an alternative to the normally scattered settlement pattern of Southern Sudan, and is designed as a way of providing services more efficiently. The plan has met with some scepticism among donors and it is highly unlikely that it will have any effect on the rapid growth of Juba town, which demands immediate attention. To address this rapid urbanisation, and reintegration as one component, requires an acceptance by GOSS of the inevitability of this process of post-conflict urban expansion, and a reframing of the opportunity this could offer for economic growth and development if supported by an appropriately managed urbanisation strategy (whilst still continuing to improve security and livelihood opportunities in rural areas). It also requires greater focus and investment by international aid agencies, which

have hitherto tended to focus predominantly on rural areas.

Linked to the issue of urbanisation is the problem of **land**. The centrality of the land question for returnees in Juba cannot be overemphasised. In most of Southern Sudan land is still owned communally and rights are administered by traditional leaders. In Juba tensions run deep between the government and local communities over the allocation of new land to expand the boundaries of the town and demarcate new parcels for services, investment, government offices and infrastructure, and residential plots for returnees. Land disputes are also rife over plots already gazetted (mostly pre-war or during the war) where ownership is contested as a result of prolonged displacement and ambiguous or absent land documentation. Tension around ownership of and access to land also affect reintegration in rural areas of Central Equatoria, Jonglei and Southern Kordofan. In these areas, the arrival of returnees has exacerbated long-running tensions between land users. The problem of land in Juba is particularly urgent. Lack of access to land is making investment and the introduction of new services impossible, including schools, primary health centres and boreholes. The issue requires immediate attention through the provision of appropriate technical support by the international community and dedicated political attention at the highest levels of GOSS.

No time to waste ...

The pressures of reintegration are mounting all the time. The next few years will be crucial to the future stability and prosperity of Southern Sudan and the Three Areas. Given the very low base and the complexity of socio-economic relations in the region, progress has been remarkable in some areas, but the challenges of managing the transition of rebuilding Southern Sudan and the border areas remain considerable. As pointed out in Phase I, 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. However, to date the study (extending over the period mid-2007 to mid-2008) suggests that government capacity and international support are lagging far behind the pressures presenting themselves throughout Southern Sudan and the Three Areas as returnees struggle to establish a new life. The burden continues to fall on host communities as states are still not ready to receive a major influx of people (in terms of services, infrastructure and governance). As a result, additional stress is accumulating on what is already a deeply fragile and uncertain peace agreement. The obligation to focus more effectively on supporting the determinants for successful return, reintegration and recovery has never been higher.