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South Sudan

The road from the Paris Declaration to the reality of Juba, 2005-11

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Abstract

During Sudan's 'interim period' from the end of civil war in January 2005 until South Sudan's independence in July 2011, foreign development agencies provided extensive support and billions of dollars in aid—for which institutional development and capacity building of the nascent Government of Southern Sudan were core priorities. This six-year period thus provides a major case study in modern-day state-building. As a framework for analysis, the paper utilizes the Paris Declaration on Aid Effectiveness—which was signed in February 2005, shortly after Sudan's peace agreement. Assessment of how the Paris principles were utilized in Southern Sudan underscores the limits of the prevailing orthodox approach to development, particularly in fragile post-conflict environments. In such complex, highly challenging contexts, orthodoxy often fails.

Keywords: aid effectiveness, state-building, fragile states, donors, South Sudan
JEL classification: H11, K00, O19, O20

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1 Introduction

On 9 January 2005, the Comprehensive Peace Agreement (CPA) was brokered between the National Congress Party (NCP) and the Sudan People's Liberation Movement/Army (SPLM/A), ending a brutal civil war and marking the conclusion to nearly 60 years of conflict in Sudan. Established through years of negotiation and with significant US support from the Bush Administration, the CPA was a remarkable achievement for peace and development in the region. Upon signing the document, the leader of the SPLM/A, South Sudan's beloved hero John Garang de Mabior—who had been fighting since 1983 in a bloody war that claimed an estimated two million lives, and resulted in the displacement of over four million—said simply: 'This peace agreement will change Sudan forever.' (Sudan Tribune 2005).

In addition to the hallmark of peace, the CPA established semi-autonomy for the region referred to then as 'Southern Sudan', and afforded its people with a roadmap to their hard-fought independence. After an 'interim period' from 2005-11, the CPA mandated that a referendum would be held, allowing the people of Southern Sudan to vote on independence or unity with Sudan. During the six-year transitional period, under a fragile peace, Southern Sudan began to rebuild—with massive support from the international community. While data is incomplete, estimates suggest that Southern Sudan received approximately US$1 billion of international assistance, on an annual basis, between 2006-10. A major priority of this foreign support was state-building to help transform the SPLM/A (which had existed for decades as an armed rebellion) into a functioning government.

This case study considers the evolution, maturation, and development of the SPLM/A into the Government of Southern Sudan (GoSS) from the signing of peace in 2005 until the declaration of independence in 2011, when the Republic of South Sudan (RSS) was born.[1] More specifically, it assesses the approach of foreign development agencies towards Southern Sudan's massive state-building enterprise, using findings from in-country interviews.[2] As a framework for analysis, the case study utilizes the Paris Declaration on Aid Effectiveness—which was adopted in February 2005, just months after the signing of the CPA, and which reflected the values, priorities, and strategies of the prevailing aid orthodoxy. The five core principles of the Paris Declaration—ownership, alignment, harmonization, results, and mutual accountability—can be understood as the key principles of engagement that

[1] The semi-autonomous region created after the signing of the CPA was known as 'Southern Sudan', but after independence in 2011 the nation was named 'South Sudan'. When referring to the interim period of 2005-11, this case study will utilize 'Southern Sudan'; but when referring to the region as a sovereign state, 'South Sudan' will be used.

[2] More than 40 interviews were conducted in Juba, South Sudan during July/August 2012 and January 2013 with a broad range of respondents comprising donors, consultants, technical assistants, ministers, mid-level bureaucrats, presidential advisors, and local academics. Participants in this research include representatives from bilateral donor agencies (USAID, DFID, JDT); multilateral agencies (World Bank, UNDP, UNHCR, UNICEF, IOM, WFP); implementing partners (Deloitte, AECOM, Chemonix, ODI, IRI, NDI); local think tanks (Sudd Institute, Ebony Institute, Center for Strategic Analyses and Research); state government offices (governors, ministers, bureaucrats); national commissions (Anti-Corruption Commission, Relief and Rehabilitation Commission); and national government offices in Juba (Ministry of Culture, Youth, and Sports, Ministry of Finance and Economic Planning, Ministry of Foreign Affairs and International Cooperation, Ministry of Gender, Child, and Social Welfare, Ministry of Labour, Public Service, and Human Resource Development, Ministry of Transport, Roads, and Bridges, and the National Bureau of Statistics).

international development agencies brought with them when they arrived in Southern Sudan in 2005.

The interim period in Southern Sudan thus provides an interesting litmus test for the efficacy of the orthodox approach in fragile contexts. An analysis of the period's successes and failures can produce important lessons about the contemporary practice of development, governance, capacity building, and institutional development in post-conflict fragile environments. It is clear that key development goals went unfulfilled during Southern Sudan's interim period; as such, this case study seeks to understand the manners in which the orthodox approach failed—and, indeed, how such orthodoxy has a general tendency towards failure when applied in fragile states.[3] Such lessons are a vital opportunity to identify entry points for productive reform.

2 Juba 2005: the donors arrive

In early 2005, the donors arrived in Southern Sudan to an extremely challenging scenario. Prior to the CPA, most foreign aid to Southern Sudan comprised of humanitarian assistance; with the signing of the CPA, the region began its long transition from emergency relief to reconstruction and long-term development aid.

International engagement with Southern Sudan began as early as 2003, before the civil war had concluded. In the years leading up to the signing of the CPA, high-ranking SPLM officials visited the US and Europe, consulting with the World Bank and other institutions to make plans for post-war semi-autonomy.[4] These SPLM officials, especially those who helped frame the CPA and form the first institutions for GoSS, remember an exciting but chaotic environment and recall the enormity of the state-building challenge. 'War made sure nothing was left standing—no systems, no structures,' says the Hon. Aggrey Tissa Sabuni, who in August 2013 was appointed as the new finance minister by South Sudan's President Salva Kiir.[5]

Just months after signing the peace, representatives from more than 60 countries and international organizations met in Oslo, Norway for a two-day donor conference focusing on Southern Sudan. At the meeting—attended by the UN Secretary General and World Bank Managing Director, among others—donors pledged more than US$4.5 billion to address Sudan's immediate needs for the first two years of the interim period (Embassy of the Republic of Sudan in Norway 2005). To guide the formation of a development strategy, donors consulted the Joint Assessment Mission (JAM), a 2004 study of Sudan and Southern Sudan development needs, undertaken by the World Bank and the UN with guidance and participation from both the northern Government of Sudan (GoS) and the SPLM (UN 2004). In terms of development priorities for Southern Sudan, the JAM (GoS and SPLM 2005) listed:

1. Developing physical infrastructure;
2. Prioritizing agriculture, and promoting private sector development;

[3] This recognition is shared by today's aid community; an appendix describes the ongoing evolution of the aid orthodoxy, including policy documents such as the 2007 Fragile State Principles (FSPs), which sought to adapt the Paris Declaration to the needs of fragile contexts.

[4] Interview with former GoSS minister, January 2013.

[5] Interview with Hon. Aggrey Tissa Sabuni, January 2013.

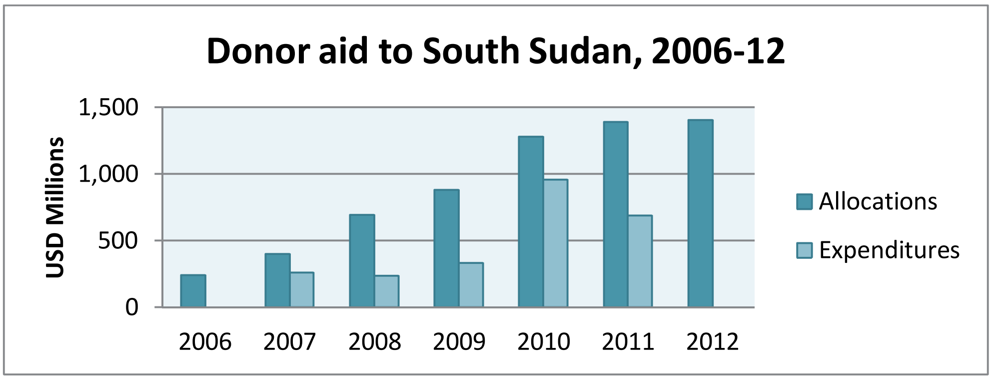
3. Restoring peace and harmony, including through access to basic services;
4. Regenerating social capital; and
5. Developing institutional infrastructure for better governance.

The JAM served as one of the first plans for addressing the urgent development needs of Sudan and Southern Sudan, and was the primary reference point for all development operations in the immediate post-CPA period.

‘We asked ourselves, “What does a Ministry of Justice look like? What does a police force look like?”’ says Minister Sabuni.[6] The challenges were practical as well as theoretical: ‘Only three out of ten states had buildings for the new governors. There was no communication—we called each other on Thuraya [satellite phones].’[7] The JAM focused on addressing the region’s most pressing, basic needs. In the beginning, the key donor stakeholders were those that had prior relationships or roles in Southern Sudan: the UN agencies, especially United Nations Development Programme (UNDP), United Nations High Commissioner for Refugees (UNHCR), and United Nations Children's Fund (UNICEF), as well as the USAID, the European Union, and others. The Joint Donor Team was established in 2006 to oversee the development activities of the Netherlands, Norway, Sweden, the United Kingdom, Denmark, and Canada.

Once the peace was solidified, aid to Southern Sudan ramped up in 2007 (see Figure 1). As Sabuni recalls[8]: ‘It came in trickles, then a flood.’ Development assistance ranged from relief to development programmes—with particular international investment in Southern Sudan’s health and education systems, as well as infrastructure development. The US was the leading donor during the interim period, followed by the UK and Norway—a group collectively referred to as the ‘Sudan Troika’. Dozens of other donors joined the effort: by the time of independence in 2011, South Sudan was receiving development assistance from thirteen bilateral donors and eight multilaterals. Aid allocations for the first year after independence totaled US$1.4 billion.

Figure 1: Donor aid to South Sudan, 2006-12



Source: Data from Ministry of Finance and Economic Planning (2012).

[6] Interview with Hon. Aggrey Tissa Sabuni, January 2013.
[7] Interview with Hon. Aggrey Tissa Sabuni, January 2013.
[8] Interview with Hon. Aggrey Tissa Sabuni, January 2013.

3 Donor conference on aid effectiveness

Interestingly, at the exact moment that civil war was drawing to a close in Sudan, the global development community was involved in a period of intensive self-evaluation. Southern Sudan's emergence, in 2005, coincided with major shifts in the way donor agencies understood and evaluated their own 'effectiveness'. As such, in many ways, Southern Sudan's development and state-building experiences from 2005-11 are part of the 'next generation' aid orthodoxy. To understand the development processes at play, it is worth briefly considering the roots of 2005's Paris Declaration and how the global 'best practices'of the early twenty-first century came into being.

Shifts in the aid industry began in the late 1990s, as donor governments and development agencies recognized that the prevailing approach—namely, strict requirements and one-sided conditionalities on aid, as articulated in the Washington Consensus—often imposed unintended harm and other consequences on recipient countries. By this time, lack of widespread success in achieving development goals, and in particular the problems of aid dependence and corruption in recipient countries, suggested failures at creating positive institutional environments in developing countries. While the dominant aid architecture had demonstrated proficiency with technical challenges, such as building roads and schools or immunizing children, it exhibited less results with adaptive challenges like establishing the rule of law, for example, or good governance or democracy-building.

Such recognitions were officially articulated in the Monterrey Consensus of 2002, where donors acknowledged that aid alone would not produce impact; efforts must be made to increase aid's effectiveness, and to treat recipient governments more as partners. In 2003, aid officials convened the High-Level Forum on Aid Effectiveness in Rome, producing a document that acknowledged shortcomings in aid methodology, admitting that donor agendas 'do not always fit well with national development priorities' and that aid processes can overburden recipients: 'the totality and wide variety of donor requirements and processes… are generating unproductive transaction costs for, and drawing down the limited capacity of, partner countries' (Rome High-Level Forum 2003).

In 2005, the donors developed their first comprehensive framework for self-evaluation at the Second High-Level Forum on Aid Effectiveness, hosted by the French government in Paris in February 2005. The Paris Declaration was produced with 100 signatories and 56 partnership commitments—a watershed document that was quickly accepted as the new prevailing orthodoxy for evaluating the aid enterprise. The Paris Declaration's five core principles were developed alongside indicators for benchmarking, monitoring, evaluating, and setting results-based goals.

Like any multilateral policy document, the Paris Declaration was broad enough to achieve relevance, validity, and credibility in any number of diverse development contexts. But during the meeting in Paris, a breakout senior-level forum was held to discuss the specific challenges of achieving development effectiveness in 'fragile states' and regions suffering from violent conflict—such as Southern Sudan. This breakout meeting was one of the first instances of donors acknowledging the 'growing consensus that fragile states require responses that are different from better performing countries.' (OECD 2011a). As the ministers and agency heads drafted these words in February 2005, it is not unlikely that the newly peaceful region of Southern Sudan—the guns barely yet silent—was on their minds.

Throughout 2006, the fragile state ideas were 'field-tested' in nine countries, including the still semi-autonomous region of Southern Sudan.[9] In 2007, based in part on observations from the Southern Sudan field test, Organisation for Economic Co-operation and Development (OECD) ministers codified the 'Principles for Good International Engagement in Fragile States and Situations'—or Fragile States Principles (FSPs). For the first time in its history, Southern Sudan was an integral participant in the ever-unfolding policy evolution of the global aid architecture.[10]

4 South Sudan as proving grounds for aid effectiveness

Southern Sudan thus emerged into a global aid architecture that had its own rich theoretical ecology of what works and what doesn't in aid; at the same time, this aid ecology was undergoing a process of self-review. Today, GoSS officials are extremely well-versed in the prevailing aid orthodoxy; conversations about aid effectiveness in South Sudan elicit strong opinions. In an interview, for instance, a former GoSS minister extemporaneously quoted the 2011 World Development Report: 'South Sudan must move from the "vicious cycle of fragility" to the "virtuous cycle of confidence-building and institutional transformation!"''[11] Minister Sabuni remembers when the donors arrived in 2005: 'They told us what "donor coordination" entails and drew our attention to the Paris Declaration.'[12] Long before becoming an independent state, Southern Sudan was aware of and knew the particularities of 'aid effectiveness'.

In Oslo, donors pledged commitments to Southern Sudan's post-conflict development, accepting their newest challenge; at the time, many development experts offered their hopes that Southern Sudan, with the help of twenty-first century aid, would be able to 'leapfrog' development hurdles that had vexed so many post-conflict countries in the past. Meanwhile, the aid orthodoxy's process of self-evaluation continued over the course of the following years, punctuated by annual or semi-annual summits and donor conferences—some of which, eventually, would be attended by delegates from Southern Sudan.

The aid architecture that arrived in Southern Sudan during the interim period should be understood within this context of flux and transformation. The goals professed in Monterrey, Rome, and Paris were widely held convictions; but they were relatively new and untested, and applying them in such a fragile context would certainly prove difficult. The following is an overview of how each of the five Paris Declaration principles unfolded in Southern Sudan during the interim period from 2005 to 2011.

4.1 'Ownership'

Paris Declaration Principle 1: *Developing countries set their own strategies for poverty reduction, improve their institutions, and tackle corruption.* (OECD 2005).

[9] At the time, based on provisions in the CPA that required Southern Sudan and Sudan to consider unity, it was not even certain that Southern Sudan would become its own state at the end of the interim period. However, the level of donor engagement in Southern Sudan, the complex development environment, and the particular emphasis on state-building made it relevant to the 'fragile state' considerations of the Paris Declaration drafters.

[10] For more on the FSPs and the evolution of the Paris Declaration since 2005, see appendix.

[11] Interview with former GoSS minister, January 2012.

[12] Interview with Hon. Aggrey Tissa Sabuni, January 2012.

Nobody trusts us to take over; nobody from South Sudan can take over.
—Senior official from Ministry of Finance & Economic Planning (MoFEP)[13]

Local government ownership of the development process is a key component to aid effectiveness, but in Southern Sudan, low capacity levels in government—combined with the strong influence of the donor community—resulted in a situation where it became the norm for donor partners to design development strategies and priorities that were then rubber-stamped by GoSS.

Two brief quotes from the donor community in Juba can provide a broad, anecdotal illustration of this state of affairs. During an interview about donor co-ordination, a technical assistant (TA) who works in the MoFEP spoke frankly about the nature of 'Sector Working Groups', the main co-ordinating mechanism for donor-government collaboration. In principle, sector working groups are weekly meetings, attended by donors and government officials; over the course of weeks or months, high-level programmes and projects are conceived and designed. In practice, sector working groups revealed ownership shortcomings: 'The government's role starts and ends big; they are always there at the beginning, but then they peter out as the weeks go by. The donors come up with the plan, and then the government comes back weeks later to endorse it.'[14] A second quote comes from an interview with a donor representative with experience working directly with line ministries: 'Most of the work is written by the donors, with government support—but we like to spin it the other way. So we say: "Written by the government, with donor support"'.[15]

A useful approach to understanding the complex nature of 'ownership' during Southern Sudan's interim period is to look at the policy documents that were produced. From 2005-11, five significant development policies were articulated, each representing a unique moment of collaboration between donors and government. All five documents stress the importance of country ownership, but on closer inspection, the majority of the policies actually resulted from donor-driven processes. Ownership was often only achieved 'on paper' rather than 'in practice'.

4.1.1 Joint Assessment Mission—2004

During the interim period, the central (and many might argue, only) priority for GoSS was to successfully implement the CPA, including the referendum on independence in 2011. Peace and security were paramount, and any other concerns were seen as secondary in the eyes of most Southern Sudanese. As mentioned previously, GoSS and donor partners formulated initial development policies based on the strategies set forth in the JAM, which prioritized infrastructure, basic services, agriculture, governing institutions, and consolidating the peace. While the SPLM did not independently set this strategy, most officials in GoSS agree that the JAM was an important framework that reflected indigenous priorities. Notably, it was produced prior to the signing of the CPA, in 2005, and thus prior to the arrival of many development agencies. As the first development policy of Southern Sudan's interim period, it effectively exhibited the Paris Declaration principle of 'ownership' both on paper and in practice.

[13] Interview with senior MoFEP official, January 2012.
[14] Interview with TA, January 2012.
[15] Interview with donor representative, January 2012.

4.1.2 GoSS Aid Strategy—2006

One of the first initiatives by the donor community in Southern Sudan was to update and expand upon the JAM. In 2006, the first ‘GoSS Aid Strategy’ was unveiled, laying out the government’s priorities for aid: its preference for grants over loans, for untied over tied aid, and for capacity-building assistance that is ‘aligned with government’s priorities’ (Ministry of Finance and Economic Planning 2006).

This aid strategy was written with significant donor input—in fact, most of the document’s main principles are borrowed directly from the Paris Declaration; it uses language taken directly from OECD discussions of aid effectiveness, with slight modifications. (This, of course, is not inherently negative, but it suggests that GoSS did not, in fact, ‘set their own strategy’ so much as adopt an internationally agreed-upon ‘best practice’ strategy.)

It is interesting to note that in the list of key principles undergirding the GoSS Aid Strategy, the Paris principle of ‘ownership’ is not featured. While this is perhaps just a semantic technicality, it is intriguing, when considering the low level of ownership realized by GoSS during the interim period. The lists below highlight the subtle differences between the Paris Declaration principles and the GoSS Aid Strategy principles; the inferred rationale behind this half-borrowing is that the context of Southern Sudan was so fragile that donors did not deem ‘ownership’ or ‘results’-based development activities as achievable strategies.

Paris Declaration	**GoSS Aid Strategy**
Ownership	Alignment
Alignment	Co-ordination
Harmonization	Predictability
Results	Harmonization
Mutual accountability	Mutual Accountability
	Institutional Development

Considering the interim period as a whole, several of the goals set forth in the Aid Strategy were never fulfilled. For example, it endeavoured to minimize project proliferation so as to ‘reduce the management burden placed on government’; however, nearly all GoSS officials interviewed for this case study considered project proliferation to be a major issue confusing aid delivery. The strategy also aimed to ‘promote institutional capacity’ by ensuring that project implementation and management was ‘led from within the relevant Ministry, by civil servants who are paid through the Government payroll’. Donors in South Sudan, instead, set up over one hundred parallel project implementation units (PPIUs) that went outside the government system and did not directly involve GoSS staff in design, implementation, or evaluation; government ministries were notified of progress and informally involved, but most project implementation occurred outside, managed by donors or ‘implementing partners’. The strategy further asserted that GoSS and development partners would limit distortions in salaries by ‘prohibiting donor-funded “salary top-ups” to civil servants.’ While top-ups are generally avoided, donors and NGOs regularly poach capable civil servants from government postings, and it is common to find a high-performing ministry official on the payroll as a TA, receiving a higher salary as a foreign consultant instead of through government payroll. Finally, the strategy declared that technical assistance would be ‘chosen with or by government’, such that it ‘meets government’s needs, and builds the capacity of government officials'; the donor-driven capacity building project in Southern Sudan is widely believed to be insufficient and problematic.

In terms of upholding the Paris Declaration principle of 'ownership', the GoSS Aid Strategy fulfilled the principle on paper but not in practice; no mechanisms, protocols, or implementation procedures were established to realize the widely advocated principle.

4.1.3 Juba Compact—2009

Southern Sudan faced a significant economic shock when the price of oil rapidly dropped in 2009; combined with a spike in food prices, this presented GoSS with a serious financial crisis. After appealing to the donors for urgent support, the 'Juba Compact' was signed; it was an agreement to not only co-ordinate an immediate response to the crisis, but to create mechanisms for improving a wide scope of issues such as fiscal sustainability, responsible public financial management, acceleration of private-sector development, development of non-oil revenues, and good governance and transparency. These were timely problems, identified by GoSS itself, and the government understood that finding resolutions was vital to its long-term survival and viability.

By setting aside less urgent concerns in the interest of establishing economic stability and fostering growth-oriented policies, the Juba Compact reflected a shift in development policy towards what some scholars have termed 'just enough governance'[16]; rather than design a comprehensive institutional architecture all at once in Southern Sudan, critical binding constraints were identified and prioritized. The economic crisis created urgency and opened the political space necessary for these strategic reforms to be adopted. Commendably, the Juba Compact was simple, straightforward, and realistic; it was not an adoption of international best practices, but a plan to address problems of economic fragility in the short-term, without being too ambitious. The Juba Compact represented a step forward for government ownership of development strategy in Southern Sudan; much like the JAM, it fulfilled the first Paris Declaration principle both on paper and in practice.

4.1.4 Vision 2040 and core governance functions—2010

The interim period was a time of grand optimism for the future of Southern Sudan, but underwhelming progress on achieving key goals. This lack of progress is evident in the final two major policy documents from the interim period. In the year leading up to the January 2011 referendum, it grew increasingly clear that the population of Southern Sudan preferred independence. The Office of the President (OoP) thus began articulating 'Vision 2040', a broad set of long-term goals meant to signal that South Sudan's leadership would be ready to set the soon-to-be-born nation on the right trajectory. Vision 2040 serves mostly as a rhetorical and symbolic device; it hits all the right notes and presents an image of the new state as conforming to widely-held notions of good governance—rule of law, separation of powers, respect for human rights and fundamental freedoms, justice and equality, accountability and transparency. President Kiir vowed to fight corruption, to begin delivering services to the people, and 'to achieve the development that the people of South Sudan longed and fought for.' (Mayardit 2011). This rhetoric sent important signals to the

[16] See Fukuyama and Levy (2010).

international community, but many Southern Sudanese were quite skeptical about the real value and substance of Vision 2040, beyond a symbolic gesture.

In November 2010—just two months before the referendum on independence—GoSS unveiled 'Core Governance Functions', a practical action plan and short-term roadmap for achieving the most essential tasks that were signaled in the Vision 2040.[17] Core Functions is a 'costed action plan for rapid capacity development' and underscores how closely the development partners were working with GoSS at the time. The first priority in the plan is the development of mechanisms for 'building high-level political consensus around visions, plans, and policies'. It identifies the urgent need for the finalization of the South Sudan Development Plan (SSDP), which was set to be completed by May 2011 (two months before the scheduled, yet still contingent, independence). But in listing the significant 'gaps' towards achieving the SSDP, it underscored the need 'to develop a process for building consultation and ownership'. In one line item from the Core Functions budget, US$600,000 was requested for 'building a broad-based consultative process and ownership around the Southern Sudan Development Plan and Vision 2040'.

This single detail betrays the donor-driven nature of both Vision 2040 and Core Functions: the documents were written *before* ownership was obtained, and they list 'ownership' as an intended project *output*. While fulfilling the principle on paper, neither Vision 2040 nor Core Functions fulfilled ownership in practice.

4.1.5 South Sudan Development Plan—2011

The South Sudan Development Plan (SSDP), unveiled at the time of South Sudan's independence in July 2011, was heralded as an important strategy that would guide the world's newest nation on a path towards prosperity. While the SSDP is a significant achievement as a policy document and represents a concerted effort across all levels of government and the donor community, most agree that GoSS relied heavily on donor input and intense technical assistance in its formulation. The development partners, who helped frame the SSDP, largely framed it as a standard development plan for a standard situation of 'post-conflict reconstruction'. Specific contextual constraints within Southern Sudan were not adequately considered, as can be seen in the current status of the SSDP: respondents widely characterize it as 'unrealistic' and 'overambitious'. Like the majority of the development policy documents released during Southern Sudan's interim period, the SSDP exhibited the first Paris Declaration principle on paper, but not in practice (see Table 1).

Again, the purpose of such grand strategic policy documents is largely for signaling effect. The process of translating the SSDP from symbol into practical policy plan is ongoing. In early 2012, the SSDP was extended from a 2011-13 strategy into a 2011-15 strategy. In March 2013, UNDP announced that it was taking the lead on a 'South Sudan Development Initiative' (SSDI), described as 'a prioritized and costed plan of action to achieve the SSDP objective over an eight year period', extending the SSDP into a 2011-20 strategy (Stephen 2013). Clearly, the plan presented in the wake of independence was not based on any

[17] The existence of the Core Functions document reflected the environment of unpredictability in which GoSS and development partners were operating in late 2010; due to the provisions and timetable of the CPA, the idea of Southern Sudan's independence (which was only eight months way) still had to be discussed as a hypothetical outcome. The document assumes that independence is likely, but treats unity as a relevant contingency as well. In reality, independence was inevitable.

practical reality or achievable GoSS short-term priorities. Interestingly, the focus of SSDI is less on capacity building and institutional development, and more on economic growth: ' … on removing key bottlenecks to development, and mobilizing resources from regional partners for infrastructure development, to enable economic growth and service delivery' (United Nations Economic and Social Council 2012). This would suggest a further shift in the direction of a 'just enough governance' approach. Rather than trying to get all the right institutional frameworks working up front, the urgency was shifted towards simply generating growth.

Table 1: Evaluation of Paris Declaration Principle 1 in Southern Sudan, 2005-11

Ownership	On paper	In practice
Joint Assessment Mission (2004)	Yes	Yes
GoSS Aid Strategy (2006)	Yes	No
Juba Compact (2009)	Yes	Yes
Vision 2040 & Core Functions (2010)	Yes	No
South Sudan Development Plan (2011)	Yes	No

Source: Author's summary.

4.2 'Alignment'

Paris Declaration Principle 2: *Donor countries align behind these objectives and use local systems*. (OECD 2005).

We never see the money. Aid goes through projects, programmes, parallel systems; the money is given to the NGOs, who use their own systems and finances. There is no sustainability. We need to move away from ineffective aid delivery.

—Senior official from MoFEP[18]

While on paper GoSS has 'ownership' of the development process, the issue of parallel systems prevents the government from owning the delivery and implementation of development projects. These processes are largely operated by donors, contractors, NGOs, and other foreign 'implementing partners' who function completely outside of government systems. Of course, the donor motivation for parallel systems is to overcome capacity gaps; but the larger effect is that their extensive use can undermine indigenous processes of capacity building and project management learning. This is a persistent constraint in Southern Sudan's development system that has far-reaching implications, and is partly responsible for the general lack of capacity transference during the interim period. Such parallel mechanisms also constrain the Paris Declaration principle of 'alignment'.

Development partners do make strong and positive efforts to align aid to government priorities; a 2011 report by OECD indicated that 50 per cent of ODA to Southern Sudan supported government priorities (OECD 2011b). As suggested above, however, the articulation of 'government priorities' in Southern Sudan was often not a government-led or government-owned process, so the case can be made that donor alignment with government priorities merely reinforces donor influence on those priorities (see Table 2).

[18] Interview with senior MoFEP official, January 2012.

As mentioned, the rationale for donor partners' fiduciary concerns is weak capacity: a lack of institutional mechanisms for fiduciary oversight, accountability, and transparency, and a lack of capability to perform public financial management (PFM). Technical assistants in the MoFEP work to build capacity in procurement, auditing, and reporting—but no development partners use the government's systems, at either the national, state, or local levels. For several years, a Procurement Law has been pending; the earliest estimations for its passage are late 2013.[19] But even with the passage of legislation, government implementation will be difficult because capacity is not being developed incrementally over time.

The SSDP renewed the issue and set 'alignment' as a major goal, while acknowledging the capacity weaknesses, noting that GoSS does not expect full alignment immediately, and committing to address key weaknesses in the government's PFM systems. Two years after the initial articulation of these goals, however, very little progress has been made. Speaking about the SSDP, one donor representative said: 'It's there, but it's not being followed.'[20] The main mechanism for increasing capacity in PFM seems to be technical assistance, which so far has not achieved adequate capacity transference.

If donor partners are serious about upgrading the PFM capacity of GoSS, legal frameworks are perhaps not the entry point. Rather, they should develop new, iterative mechanisms for building PFM capacity, at the national and sub-national levels. Programmes that allow for practical experience in managing a small number of development projects will, ultimately, lead to more rapid generation of the capacity to manage the national development programme. Incrementally incorporating aid funding into the GoSS budget systems, at national and/or sub-national levels, will promote 'learning-by-doing' and will have positive externalities on the entire fiduciary capacity of GoSS.

Table 2: Evaluation of Paris Declaration Principle 2 in Southern Sudan, 2005-11

Alignment	On paper	In practice
	Yes	No

Source: Author's summary.

4.3 'Harmonization'

Paris Declaration Principle 3: *Donor countries co-ordinate, simplify procedures, and share information to avoid duplication*. (OECD 2005).

The donors established several co-ordination mechanisms in Southern Sudan to explicitly serve the goal of harmonization. Much co-ordination, of course, is done through informal information sharing. The formal mechanisms established include Sector Working Groups and the Joint Donor Team—which, when it was established in Juba, was the world's only joint donor office (OECD 2011b). The Joint Donor Team managed the six pooled funds that were established early in the interim period, in order to more effectively funnel several countries' bilateral aid; pooled funds in and of themselves, are designed to improve donor coordination. Sector Working Groups, at least in principle, do as well; however, most donor representatives will, at least anecdotally, admit that the Sector Working Groups in Juba have experienced

[19] Interview with World Bank official, January 2012.
[20] Interview with World Bank official, January 2012.

high levels of dysfunction, ineffectiveness, and disorganization, due to the complexity of the donor landscape and the large number of active or pending projects being discussed at any given time. One donor official with experience attending Sector Working Groups and working with the Joint Donor remarked: 'It often feels like the blind leading the blind.'[21]

Recent improvements in reporting allow donors and government to co-ordinate Sector Aid Financing Plans. A recently implemented Aid Information Management System (AIMS) requires donors to report aid commitments and expenditures on a biannual basis (though it did not exist until after independence). The AIMS system is managed centrally by the MoFEP Directorate of Aid Co-ordination—which is, in itself, a sign that GoSS and the donors prioritize 'harmonization' at least enough to establish a ministry directorate devoted to the principle.

However, because 80 per cent of aid is bilateral and there is no direct budget support from donors to GoSS, most aid flows completely off budget. Thus, many donors question the usefulness of a process like AIMS; out of the 30 donors that GoSS requests to use the system, there is 70 per cent compliance.[22] Donors (both bilateral and multilateral) each have their own internal systems for reporting aid back to their constituencies; these systems are often quite complex, and so many see AIMS as an added burden. While several co-ordination mechanisms are in place, the true level of harmonization among donors and government during the interim period is questionable (see Table 3). In the SSDP, released after the interim period had closed, GoSS underscored its frustrations with the lack of donor harmonization by requesting, again, that 'development partners reduce the fragmentation of aid by focusing on fewer sectors, engaging in harmonized funding mechanisms, and reducing the number of small aid operations' (Ministry of Finance and Economic Planning 2011).

Of course, language in a development report can only achieve so much. As suggested in an OECD report: 'The presence of institutional mechanisms alone does not result in harmonization' (OECD 2011b). Or in the words of a TA living in Juba who has experience at the Sector Working Groups: 'The whole process is a bit of a farce.' [23]

Table 3: Evaluation of Paris Declaration Principle 3 in Southern Sudan, 2005-11

Harmonization	On paper	In practice
	Yes	No

Source: Author's summary.

4.4 'Results'

Paris Declaration Principle 4: *Developing countries and donors shift focus to development results and results get measured.* (OECD 2005).

It is notable that 'managing for results' is one of the Paris principles that was not included in the GoSS Aid Strategy in 2006. This is not all too surprising, given Southern Sudan's starting point: *any* development intervention was perceived as a positive result compared to conflict.

[21] Interview with donor representative, January 2012.
[22] Interview with TA, January 2012.
[23] Interview with donor representative, January 2012.

Considering the complex development agenda and the extremely challenging work environment, much of the focus was on 'getting work done' as opposed to monitoring and measuring progress, tracking outcomes, or evaluating and reporting results (see Table 4).

Data, also, was scarce and expensive to obtain; there are very few indigenous monitoring and evaluation institutions, other than the National Bureau of Statistics (NBS), which has its own capacity limitations. The Paris Declaration defines 'managing for results' as 'implementing aid in a way that… uses information to improve decision-making' (OECD 2005). This type of evidence-based decision-making is remarkably non-existent within most levels of GoSS. A small number of private consulting firms offer evaluation services to interested NGOs that operate in South Sudan, but the resulting reports and other evaluation products are rarely made public or accessible to South Sudanese officials. Only recently have indigenous public policy think tanks, such as the Center for Strategic Analyses and Research (C-SAR), the Sudd Institute, and the Ebony Institute emerged; but these research institutions suffer from staff shortages, funding gaps, and capacity limitations that are even greater than those at NBS.

Donors are therefore left to pursue their own desired level of results-oriented reporting. While countless donor evaluations are prepared each year internally, these are rarely shared with GoSS counterparts in an effective way, and GoSS is rarely consulted for their own evaluations of donor-driven projects. It is not surprising, then, that the 2011 OECD Fragile States report on South Sudan concluded that ' … the achievement of results and managing risks in the wider development and state-building agenda have not been very successful' (OECD 2011b). When donors do monitor results, they chose indicators that convey outputs, rather than outcomes or impacts. Progress in education will be measured and reported through attendance indicators, for instance. UNICEF has strong reporting mechanisms to evaluate results in such forms of educational delivery; what they lack, however, are mechanisms to evaluate results or improvements in South Sudan's wider education system. There are no indicators for—or any data-collecting capacity to measure—systems-based results such as teacher quality or effectiveness of state-level ministries of education.

Of course, the interim period was focused squarely on implementing the CPA; now that independence has been achieved, donor partners must face the challenge of upgrading the mechanisms for results-based monitoring and evaluation of development progress.

Table 4: Evaluation of Paris Declaration Principle 4 in Southern Sudan, 2005-11

Results	On paper	In practice
	Yes	No

Source: Author's summary.

4.5 'Mutual Accountability'

Paris Declaration Principle 5: *Donors and partners are accountable for development results.* (OECD 2005).

Given the already complex donor system in Southern Sudan, donors and GoSS established very few frameworks to assess their own performance, and there are few mechanisms to deter poor performance or induce improvement. Over the course of the interim period, donor and GoSS concerns about the other's performance have coalesced around a key set of issues. The donors persistently highlight GoSS's poor performance in the areas of fighting corruption, nepotism in the civil service, and enacting important legislation; GoSS, meanwhile, persistently highlights the donor community's own lack of transparency, use of parallel systems, and inefficient use of funds through high overhead and salaries for foreign workers. Both sides' concerns are legitimate; however, there is little political will on either side for improvements, so the status quo has persisted.

The donors have little obligation to explain their actions. The Paris Declaration states that donors should commit to providing 'timely, transparent, and comprehensive information on aid flows, so as to enable partner authorities to present comprehensive budget reports to their legislatures and citizens.' Disbursements often lag behind allocations, which affects GoSS's ability to predict aid flows and make budgetary adjustments. Line ministries are often frustrated with the lack of donor transparency. As has been noted, donor compliance with the AIMS is only 70 per cent. Meanwhile, GoSS's own issues with corruption scandals and lack of transparency suggest what the OECD terms a *culture of impunity* (OECD 2011b).

The SSDP highlights mutual accountability as an important issue moving into the post-independence period, but does not introduce a framework for improving the status quo. Again, rhetoric does not translate into practice. Throughout the SSDP, it is noted that GoSS, 'in the spirit of mutual accountability', requests development partners to improve aid predictability, use government systems, and 'provide full and regular accountability to government on the performance of their aid operations and their adherence to the principles of the Government's Aid Strategy.' (Ministry of Finance and Economic Planning 2011). But to echo the words of several donor officials interviewed: Will such policy proclamations be followed in practice? (See Table 5.) Moving forward in its post-independence period, there is certainly room for GoSS to more clearly outline its expectations from the donors, to enforce those expectations, and to be more active about monitoring the donor partners and requesting the desired accountability protocols.

Table 5: Evaluation of Paris Declaration Principle 5 in Southern Sudan, 2005-11

Mutual Accountability	On paper	In practice
	Yes	No

Source: Author's summary.

Based on the findings of this research, the application of the Paris Declaration principles in Southern Sudan during the interim period achieved only nominal success; in practice, the orthodoxy failed.

5 A new state is created

In the 2011 referendum, roughly 99.57 per cent of voters in Southern Sudan chose to secede from Sudan. On 9 July 2011, the world greeted the Republic of South Sudan (RSS), its newest independent sovereign state.

And yet, at the very moment of South Sudan's independence, international jubilance met a counter-narrative of potential state failure. The inspiring rhetoric that had surrounded South Sudan for years began to waver, as realistic assessments of the situation led to fears that

South Sudan might be ‘a state destined to fail before it is even born.’[24] Throughout 2011, the new country was beset by renewed threats of war with Sudan, a proliferation of militias within its borders, humanitarian and food insecurity crises, corruption scandals involving high-ranking public officials, and an economic near-meltdown when the government shut down oil production.

Analyses by international experts diagnosed which of South Sudan’s myriad challenges—conflict, underdevelopment, corruption—would determine ‘whether it succeeds or fails as a nation.’ (Kimenyi and Mbaku 2011). Such prognoses were unsurprising, given that Sudan as a united country, never ranked highly on global governance indicators. On the 2013 Failed State Index (the first year for which South Sudan was included in the data), Sudan ranked third and South Sudan ranked fourth. Only Somalia and the Congo were deemed to be ‘more failed’, and South Sudan ranked worse than Afghanistan or Yemen (Foreign Policy 2013). Indeed, in July 2012, South Sudan’s joy on its first-ever independence anniversary was checked by widespread concern that its opening year as a nation had ‘been a disaster by all but the lowest of standards’ (Boswell 2012).

This, of course, was after six years of deep engagement by the world’s leading development agencies, including billions of dollars of bilateral and multilateral aid—much of which went towards efforts of state building. What lessons can be learned by the 2005-11 development experience in Southern Sudan?

The goal of this case study is not to baselessly criticize development efforts in Southern Sudan during the 2005-11 period. In fact, quite the contrary: the combined efforts of the donor countries clearly played a crucial role in bringing about the region’s successful independence, and establishing a foundation for peace and development in the world’s newest nation. Many important achievements were made during the interim period, and vital state functions were provided with assistance from donors; these efforts resulted in many positive ‘peace dividends’ for the South Sudanese people. Given that the peace is still only eight and a half years old—after fifty years of conflict—it would be premature to assert determined conclusions about the impact of development efforts in the region thus far.

This case study has detailed the perils of the ‘business as usual’-approach to state-building in fragile states. Development practice in South Sudan is so fraught with complications and challenges that the noble ambitions of policy documents, such as the Paris Declaration and even the Fragile States Principles, are essentially rendered useless. Fragile and complex environments demand innovative, idiosyncratic approaches—in practice, not just on paper.

Discussion questions:

1. Why did the donors push the aid orthodoxy, knowing the reality on the ground?
2. What (if anything) was different about the nature of principles/plans that were adhered to both in paper and in practice?
3. How should the donors have dealt with building state capability, given the context of Southern Sudan in 2005?

[24] Martell (2011).

Appendix 1

Post-Paris Declaration—evolution of orthodoxy, continued

While history unfolded in Southern Sudan through the interim period, the aid community's process of self-evaluation continued to evolve. As mentioned, the Principles for Good International Engagement in Fragile States and Situations—the Fragile State Principles (FSPs)—were created in direct response to early concerns that the Paris Declaration would be difficult to uphold in challenging, fragile state contexts.

Fragile State Principles (FSPs)—2007

The FSPs presciently acknowledged many of the problems that unfolded in Southern Sudan and that have been identified in this case study. This is unsurprising; as mentioned, Southern Sudan was actually observed in a field test for the Paris Declaration, and the FSPs resulted in part from those findings.

Underscoring the importance of country context, the FSPs note that states recovering from violence and fragility are likely to confront 'particularly severe development challenges such as weak governance, limited administrative capacity, chronic humanitarian crisis, persistent social tensions, violence, or the legacy of civil war' (OECD 2007). Of course, each of these was occurring in Southern Sudan. The purpose of the FSPs was to 'provide a set of guidelines for actors involved in development co-operation, peace building, state-building, and security' (OECD 2007). Noting that international actors can have both positive and negative impact in fragile state environments, the FSPs offer themselves to help actors 'maximize the positive impact of engagement and minimize unintentional harm' (OECD 2007). Such principles fit South Sudan's context very well, and the FSPs thus offered potential to be very good guidelines for donor engagement in the country. The FSPs are as follows:

1. Take context as the starting point.
2. Ensure all activities do no harm.
3. Focus on state-building as the central objective.
4. Prioritize prevention.
5. Recognize the links between political, security, and development objectives.
6. Promote non-discrimination as a basis for inclusive and stable societies.
7. Align with local priorities in different ways and in different contexts.
8. Agree on practical co-ordination mechanisms between international actors.
9. Act fast… but stay engaged long enough to give success a chance.
10. Avoid creating pockets of exclusion (OECD 2007).

But again: there is a great gulf between global policy reforms on paper and reforms of a given country's policy in practice. As we have seen, even the Paris Declaration principles often went unfulfilled. Southern Sudan, though a test subject for the FSPs, was alas not an early beneficiary of their wisdom.

Accra Agenda for Action—2008

In September 2008, the OECD convened the Third High-Level Forum in Accra, Ghana—at a time when Southern Sudan was struggling to contain its fragile peace with northern Sudan, and a few months after completing its first-ever census, an accomplishment administered by the new indigenous statistical agency the Southern Sudan Centre for Census, Statistics and Evaluation (SSCCSE). The meeting in Ghana was notable for the increased rate of participation from developing countries, and resulted in the Accra Agenda for Action (AAA), a document that sought to 'strengthen and deepen implementation… for accelerated advancement towards the Paris targets' (OECD 2008).

The AAA highlighted the importance of capacity building to the development process as envisioned in the Paris Declaration (OECD 2005): 'Without robust capacity—strong institutions, systems, and local expertise—developing countries cannot fully own and manage their development processes.' However, the AAA did not outline extensive guidance on strategies for actually implementing the goal of capacity building; in fact, based on the document signed in Accra, the donors were uncharacteristically hesitant to offer up solutions: '[C]apacity development is the responsibility of developing countries, with donors playing a supportive role… Developing countries will systematically identify areas where there is a need to strengthen the capacity to perform… and design strategies to address them' (OECD 2008).

Of course, it would be a mistake to read too much into such language; the documents signed at such donor conferences are articulations of broadly held notions—such as, for example, the importance of developing country ownership. However, it is true that the region of Southern Sudan would have made little use of these paragraphs about capacity development in the AAA. The problem was that the capacity gap in Southern Sudan was so great that 'capacity development' was required everywhere. To ask the semi-autonomous GoSS in 2008 to 'systematically identify areas where there is a need to strengthen capacity' would have been an exercise in circular logic; at that time, GoSS lacked the capacity to evaluate their own capacity.

Emergence of the g7+ and the 'New Deal'

Around the time of Accra, representatives of 'fragile developing countries and regions', including Southern Sudan, began meeting together more regularly, recognized the need to articulate their own narrative, and formed a fragile state coalition that could jointly represent their interests at such large, global conferences on development strategy. They christened themselves the intentionally lower-cased 'g7+'.

In April 2010, the g7+ met in Timor-Leste and signed the Dili Declaration, calling for large-scale changes in how donors interact with fragile states. In October 2011, newly independent South Sudan—while simultaneously putting the finishing touches on their brand new national development plan, the SSDP—hosted a two-day g7+ retreat in Juba. Representatives from seventeen g7+ members attended the conference, including post-conflict states in Africa, as well as Afghanistan, Timor-Leste, and Haiti.

The members discussed how best to prioritize between goals, such as peace building and state-building, and emphasized the importance of aid being directed in ways that generate employment, improve rule of law, and support political dialogue in fragile states. At the conference, the participating countries planned and prepared to go to the upcoming Fourth High-Level Forum on Aid Effectiveness in Busan, South Korea and to 'lobby for more effective aid provision to fragile states' (Garang 2011).

In President Kiir's keynote address on the last day of the g7+ retreat, he underscored that fragile states presented development complexities that confounded the prevailing aid orthodoxy. Kiir specifically underscored capacity building as a crucial shortcoming in the current aid status quo, particularly the issue of donors establishing parallel systems. Bypassing local government, Kiir emphasized, can be harmful to long-term capacity building goals: 'Aid has undermined rather than strengthened our governance… We need to make sure that aid builds our capacity as a government, rather than undermining it. We need to make sure that aid strengthens our systems, instead of replacing them' (Garang 2011). The issue of ownership was explicitly addressed by then-Minister of Finance, H.E. Kosti Manibe: 'The only way you can drive is from the driver's seat, not from the back seat—and this is what we want to tell our friends' (Garang 2011).

Echoing the 'just enough governance' approach, the chair of the g7+, Timor-Leste's Minister of Finance H.E. Emilia Pires, emphasized the importance of clarifying the sequencing of development strategies in a post-conflict or fragile state. Whereas in a non-fragile developing state, it might be possible for competing aid agendas to be pursued simultaneously, the issue of sequencing becomes important in areas challenged by conflict, insecurity, and national or social fragmentation: 'Fragile states need first to end conflict, build their nation, before trying to end poverty '(Garang 2011). In Juba, the g7+ members articulated key principles and resolved to introduce a 'New Deal for Aid Effectiveness'—written and owned by the g7+ fragile states consortium, and unveiled at the Busan conference.

New deal for engagement in fragile states—2011

Notable as one of the first global development policy documents drafted by a group such as the g7+, the New Deal for Engagement in Fragile States is the g7+ response to the Paris Declaration. The document outlines key peace building and state-building goals (PSGs), articulates specific new ways for shaping donor-government engagement, and endorses several commitments that have the power to strengthen trust and achieve improved results in fragile-state contexts. Importantly, the New Deal calls for context-based needs assessments, goal-setting, and evaluation processes.

In short, the New Deal is a re-articulation of aid effectiveness from the fragile state perspective. Each fragile state should develop its own PSGs, based on its own contextual needs and challenges. Evaluation should be done based on two sets of indicators: 'shared/common' indicators, which can be used internationally and nationally, and 'country-level' indicators that are specific to that country's particular context. These are noble principles; the goal of the PSGs is to understand the current situation in order to design a customized solution. The New Deal declares that, while previous efforts to improve development effectiveness are laudatory,

> ' …results and value for money have been modest. Transitioning out of fragility is long, political work that requires country leadership and ownership. Processes of political dialogue have often failed due to lack of trust, inclusiveness, and leadership. International partners can often bypass national interests and actors, providing aid in overly technocratic ways that underestimate the importance of harmonizing with the national and local context, and support short-term results at the expense of medium- to long-term sustainable results brought about by building capacity and systems' (Garang 2011).

Of course, the New Deal is merely the end of an evolution started in 2005 by the Paris Declaration—basing itself also on the FSPs (2007), the Kinshasa Statement (2008), the Accra Agenda for Action (2008), the Dili Declaration and consecutive g7+ statements (2010-2011), the Cairo Conference on Capacity Development (February 2011), the Addis Ababa Meeting on Peace building and State-building (September 2011), the Monrovia Roadmap (2011), and the work undertaken by 'the Dialogue' working groups. Further and future statements, roadmaps, and declarations are sure to come.

As stressed throughout this case study, policy documents are only as good as the paper on which they are written. But the New Deal is significant, if only because it was created and owned by the g7+. Throughout history, the developed countries have traditionally set the development agenda, and as such, the New Deal represents the emergence of a new voice in the development arena. The g7+ was intentionally set up as the inverse of groups like the OECD and the G20; the aid recipients become the aspirant policymakers of aid. Thus, the g7+ ministerial summit—held in Juba, rather than a place like Paris—can be seen as a sort of postmodern Bretton Woods (just as the name of the document semantically harkens back to Franklin Delano Roosevelt's post-Depression re-engineering of the American economy). Instead of the US and Britain designing post-WWII reconstruction, it was the voice of the broken states declaiming their own needs and priorities. As such, the New Deal begins by earnestly clearing a new space, declaring that prior declarations didn't work: 'We, the members of the international dialogue on peace building and state-building… believe that a new development architecture and new ways of working, better tailored to the situation and challenges of fragile contexts, are necessary to build peaceful states and societies' (International Dialogue on Peacebuilding and Statebuilding 2011).

South Sudan's involvement in the framing of the New Deal is important because, as mentioned, the new country was simultaneously involved in writing their first official nationally-owned development plan, the SSDP. The new strategy was designed as a response to the various failures of orthodoxy, outlined in this case study. The new South Sudanese-owned strategy for development effectiveness directly coincided with the emerging new international ideas on aid effectiveness in fragile states. The New Deal and the g7+ were crucial factors in this indigenous process of strategy-setting, and serve to reinforce and legitimize GoSS's revised strategy over the plans, produced during the interim period.

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