



FUNCTIONAL MAPPING ASSESSMENT OF SELECTED PUBLIC INSTITUTIONS OF SOUTH SUDAN AT NATIONAL LEVEL

MARCH 2020

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TABLE OF CONTENT

LISTS OF TABLES AND FIGURES	4
LIST OF FIGURES	5
ACKNOWLEDGEMENT	6
ACRONYMS	
EXECUTIVE SUMMARY	9
CHAPTER ONE	
BACKGROUND AND METHODOLOGY	14
CHAPTER TWO	
SUMMARY OF CHAPTER I AND CHAPTER IV OF R-ARCSS	23
CHAPTER THREE	
IMPLEMENTATION STATUS OF R-ARCSS	34
CHAPTER FOUR	
SELECTED PUBLIC INSTITUTIONS FOR ASSESSMENT	40
CHAPTER FIVE	
INSTITUTIONAL CAPACITY ASSESSMENT	72
CHAPTER SIX	
GENERAL CONCLUSION AND RECOMMENDATIONS	83
ANNEXES 1-6	87
REFERENCES	115



LISTS OF TABLES AND FIGURES

Table 1: Pre-transitional Activities Matrix of Chapter I	25
Table 2: Federal Affairs Ministry Staff Positions (2016 – 2020)	30
Table 3: Labor Ministry Budgets (2016 – 2020) in SSP	33
Table 4: Civil Service Commission Staffing (2016 – 2020)	36
Table 5: DDRC Staffing Position (2016 – 2020)	38
Table 6: Anti-Corruption Commission Budgets (2016 – 2020) in SSP	43
Table 7: Anti-corruption Commission Staffing (2016 – 2020)	43
Table 8: Five S's for Organizational Capacity Analysis	52
Table 9: Constraints and Challenges to Institutional Development	57
Table 10: Selected Government Institutions and Chapter 1 & IV of R- ARCSS	58



LIST OF FIGURES

Figure 1: Map of the Republic of South Sudan	6
Figure 2: Holistic Structure of RTGoNU	22
Figure 3: Federal Affairs Ministry Budgets (2016 – 2020) in SSP	30
Figure 4: Federal Affairs Ministry Staff Grades (%)	31
Figure 5: Labour Ministry Staff Grades (%)	33
Figure 6: Civil Service Commission Budgets (2016 – 2020) in SSP	35
Figure 7: Civil Service Commission Staff Grades (%)	36
Figure 8: DDRC Overall Budgets (2016 – 2020) in SSP	38
Figure 9: DDRC Staff Grades (%)	39
Figure 10: Peace Commission Budgets (2016 – 2020) in SSP	41
Figure 11: Peace Commission Staffing (2016 – 2020)	41
Figure 12: Peace Commission Staff Grades (%)	41
Figure 13: Approved positions VS occupied positions, 2016-2020	55
Figure 14: Specific Budgets Share from Overall Government Budgets (2016 – 2020)	56



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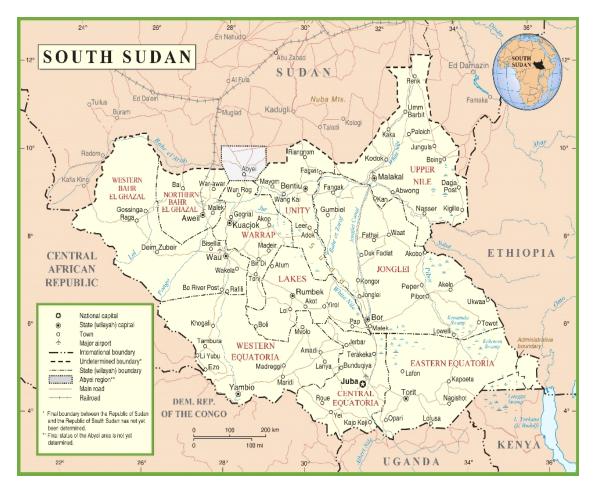


Figure 1: Map of the Republic of South Sudan



ACRONYMS

ARCSS	Agreement on the Resolution of the Conflict in the Republic of South Sudan		
AU	African Union		
СРА	Comprehensive Peace Agreement		
CSPS	Center for Strategic and Policy Studies		
CTA	Chief Technical Adviser		
IBC	Independent Boundaries Committee		
IDPs	Internally Displaced Persons		
IGAD	Inter-Governmental Authority on Development		
JMCC	Joint Military Ceasefire Commission		
JMEC	Joint Monitoring and Evaluation Commission		
NPTC	National Pre-Transitional Committee		
R-ARCSS	Revitalised Agreement on the Resolution of Conflict in the Republic of South		
	Sudan		
R-JMEC	Revitalized Joint Monitoring and Evaluation Commission		
RTGoNU	Revitalised Transitional Government of National Unity		
SPLM/A-IO	Sudan People's Liberation Movement/Army in Opposition		
TBC	Technical Boundary Committee		
TGoNU	Transitional Government of National Unity		
TNL	Transitional National Legislature		
TORs	Terms of Reference		
UN	United Nations		
UNDP	United Nations Development Programme		
UNMISS	United Nations Mission in South Sudan		
MoLPSHRD	Ministry of Labour Public Service and Human Resource Development		
MoFEP	Ministry of Finance and Economic Planning		
RATC	Regional Accountancy Training Center		
USAID	United States Agency for International Development		



EXECUTIVE SUMMARY

This study is an assessment of Transitional Government of National Unity (TGoNU) through the selected public institutions. The overall objective is to map the priority areas for implementation of Chapters I and IV of the Revitalized Transitional Government of National Unity (RTGoNU) with focuses on institutional arrangements, collaborative leadership, knowledge flow and accountability on the mandated responsibilities. The assessment identifies realistic, feasible and time-bound capacity gaps as well as strengths within the selected public institutions. It uses SWOT analysis tool for deciphering the data obtained from reviewed literature, face-to-face interviews and direct observation by the research team.

The first three sections of the assessment outline the background information on the situation of peace process in South Sudan, the assessment objectives, methodology and organization of the report. These sections elaborate on how the 2018 Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) stands as a key roadmap for peace and development through restructured coalition government for enhancement of national unity. The focus has been geared towards implementation of Chapter I on governance and IV on economy. At the top of the revitalized public institutions is the Presidency, the Council of Ministers, the National Transitional Legislature, and Judiciary. Below these are the Independent Commissions and States/Local Governments with public service bureaucracy doing the day-to-day nitty-gritty technical work in pursuit of effective governance and stable economy.

This brings in the significance of support by UNDP with emphasis on technical aspects of R-ARCSS implementation as recommended by the SURGE Mission in the proposed programmatic pitch, which would enable UNDP to support the RTGONU add critical capacity for strategic engagement on the peace process. The SURGE Mission has identified descriptively and analytically the required capacity support by the UNDP's Country Office, helping it to formulate new strategies and reinforcement mechanisms based on comparative best technical practices on governance framework—structuring, organization, transparency, accountability and related institutional



capacity enhancement for effective government functions at national and sub-national levels. This would help in conflict prevention, stabilization and peace-building with involvement of highly regarded multi-actor partners who are keen to see to it that Chapter I and IV of R-ARCSS are implemented accordingly with UNDP playing sustainable technical role.

The last three sections of the assessment present the results and findings on the available technical capacity of the selected public institutions. The focus is on the mandates, policies, institutional structures, planned budgets, financial resources, professional staffing, physical infrastructure, enabling environment, key achievements, main challenges, critical gaps and lessons learned. The following were the main findings on the skills and knowledge benchmarks to consider for building functional capacity of South Sudanese public institutions:

- Institutional Policy/Legal frameworks and Strategic Plans: Since 2012, there have not been alignment of policy/legal frameworks and strategic plans of the respective public institutions with overall Development Policy and 2040 Vision of South Sudan. The main reason revealed by the interviewed officials was lack of collaborative coordination.
- Organizational Structures and Human Resource Staffing: All the assessed selected public institutions have clear mandates, guiding principles, programmes and organizational structures—directorates, departments and units. However, most of the staff have occupied higher grades and positions of top leadership management (i.e., Directors-General, Directors and Deputy Directors). The middle professional grades of technical management have not been adequately occupied by educated, trained or appropriately qualified staff. Most of the assessed institutions have no sufficient national skilled specialists and motivated qualified professionals who are capable of functioning technically. The available staffing data were slightly above the proportional standards of the approved employment nominal rolls. The staffing gaps are wider in technical positions, which are necessary for professional implementation of the programmed plans and policies. These gaps have had negative impacts on standard performance and effective public service delivery in South Sudan.



- Physical Infrastructure, Functional Tools and Working Environment: All the assessed public institutions lacked adequate physical infrastructure to accommodate the available staff without squeezing themselves in few offices with outdated work tools/facilities or none at all. The working environment was not conducive in all the assessed public institutions due to lack of office space and poor conditions of physical infrastructure. Unavailable mobility facilities have made the operational situation more difficult for the staff, especially those at lower technical positions. Most of the staff at leadership grades have been struggling with old cars who servicing and maintenance were almost a nightmare for them, leave alone getting new cars or buses in good conditions for uninterrupted facilitated movement.
- Public Service Training Facilities and Capacity-building: The assessment found out that public service training facilities and capacity-building initiatives that have been availed for public service employees across the Country have remained unutilized despite efforts by development partners to rehabilitate or renovate them. Insecurity, outdated curricula, limited financial resources, lack of furniture and inadequate staffing were identified as major challenges facing timely utilization of these facilities with sustainable operationalization.
- Collaborative Coordination and Linkages: The assessment exposed that most of the public institutions lack proper coordination mechanisms with collaborative approach internally and with other government institutions and agencies. The support given by development partners was found to be weak and poorly defined, resulting in inadequate achievements on the identified goals of effective capacity building of civil servants.
- of financial resources and deficit liquidity: All the assessed public institutions identified lack of financial resources and deficit liquidity from the approved budgets as the main reason behind functional problems encountered in 2011 South Sudan. The allocated budgets were low and incommensurate, rarely transcending and average of 0.32% while a single institution such as Ministry of Defense and Veteran Affairs has been allowed to overspend on its overall 40% of the budgets. This financial situation and spree of misappropriation of public funds have been seen as main limiting factor for all the above-mentioned benchmarks, delaying capacity development of public institutions of the government of South Sudan.



The findings from the assessment generated the conclusion and recommendations that will make it practically possible for UNDP, International Partners, RTGONU, Parties and Stakeholders to develop technical backstopping strategies for implementing Chapter I and IV of the R-ARCSS in the interest of post-war nation-state building. These are the key recommendations:

- Parties to the agreement should demonstrate the necessary political will and enhance their
 confidence through full commitment to R-ARCSS implementation as the viable roadmap for
 restoring the security, expediting the humanitarian assistance, stabilizing the economy,
 commencing the reconciliation, pursuing justice and cementing multiparty democracy.
- RTGoNU should release the necessary funds for speedy facilitation of reforms with specific technical capacity building of public servants to do the nitty-gritty professional work for effective implementation of R-ARCSS during the transitional period, especially Chapter I on political governance and Chapter IV on economic management.
- RTGoNU and development partners should ensure that there is conducive work environment
 with availed standard infrastructure and efficient working tools/facilities for public
 institutions, so as to attract and motivate national technical specific skilled expertise to guide
 these institutions without politicization or jamming interferences by less qualified personnel.
- UNDP should avail it expertise and create strong ties with RTGoNU to facilitate the required
 technical capacity building to enable the public institutions to deliver on their mandate
 effectively with well-trained public servants in charge, starting from leadership positions and
 refocusing more on professional middle grades of technical expertise.
- UNDP should support as a priority the review and development of regulatory frameworks, public policies, professional recruitment manuals, code of business conduct, and monitoring and evaluation templates for all public institutions so as to translate practically the reforms of government institutions as stipulated in Chapter I and Chapter IV of R-ARCSS with attraction of highly qualified South Sudanese at home and from diaspora into public service.



- The UNDP, International Development Partners and RTGoNU should see to it that a specialized public service institute has been established in South Sudan to become the unified entering point for recruiting trained qualified professional public servants on tested merits with motivation for innovative performance (See Annex 5).
- UNDP, International Development Partners and RTGoNU should see to it that vocational training centres and polytechnics have been established and programmed at the national level in Juba with branches scattered in different states of South Sudan so that these can provide alternative life skills training opportunities for youth and women.
- Parties, Stakeholders, Partners and Citizens of South Sudan should exert more efforts to
 invest in build institutional social capital based on conventional approaches to post-conflict
 good governance and economic recovery, including infrastructural development and
 organizational system strengthening in accordance with relevant professional competencies
 and awarding remuneration packages.



CHAPTER ONE

BACKGROUND AND METHODOLOGY

R-ARCSS as Key Roadmap for Peace and Development



The 2018 Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) was negotiated by South Sudanese parties to the High-Level Revitalization Forum (HLRF), under mediation of Intergovernmental Authority on Development (IGAD) and as witnessed by South Sudanese stakeholders and international partners who acted as pressure group during the peace talks (Okuk, 2019). The objective was to cease the hostilities, end the war, implement the peace agreement and prepare the country for democratic elections.

The R-ARCSS mandates the Revitalized Transitional Government of National Unity (RTGoNU) to implement the R-ARCSS fully by restoring the security, facilitating the humanitarian assistance, addressing the displacements, reconciling the people, improving the economy, enforcing the transitional justice, reforming the public institutions, writing the constitution, empowering the citizens, transforming the state, building the nation, augmenting the international relations and



organizing multiparty elections at the end of transitional period (R-ARCSS, Article 1.2). The peace deal had to be phased into two, pre-transitional period of eight months with focus on security stabilization and transitional period thirty six months for implementation of all provisions as stipulated in the eight chapters and annexes (R-ARCSS, Article 1.1). However, the parties had to extend the pre-transitional period by six months (from May 22 to November 12, 2019) and again by hundred days (up to 22 February 2020) due to incompletion of key prerequisites—resolution of issue of number and boundaries of states and deployment of jointly trained unified forces of the rivalling parties (R-ARCSS, Articles 1.15, 1.16, 2.2 & Annex E).

The R-ARCSS is an ambitious comprehensive compact with potentials of transforming South Sudanese state and political economy for the welfare of the citizens, especially youth and women. Its success is linked to deep political and socio-economic reforms through transformational institutional leadership and qualified technical expertise. It is more substantive than previous peace deals, 1972 Addis Ababa Agreement and 2005 Comprehensive Peace Agreement (CPA).

1.2 Political Leadership and Economy in R-ARCSS

Chapter I of R-ARCSS puts the Presidency at the top of RTGoNU's structure. The incumbent President Salva Kiir Mayardit had to continue in office as Head of the State and Government to exercise the powers, functions and responsibilities vested upon by the Transitional Constitution of South Sudan, 2011 as amended. The Chairman of SPLM/A-IO, Dr Riek Machar Teny, had to assume the position of the First Vice President of the Republic to oversee and preside over Governance Cluster of the 12 national ministries. The ITGoNU together with the SSOA, FDs and OPP had to nominate four Vice Presents to oversee and preside over Economic, Infrastructure, Services, and Gender and Youth Clusters of 23 national miniseries respectively. The Transitional National Legislative Assembly (TNLA) had to be reconstituted and expanded from 400 to 550 members. Also the National Council of States had to be reconstituted in accordance with recommendations of the Independent Boundaries Commission (IBC), which necessitated the revert to 10 states as endorsed by the parties and IGAD's guarantors. Further, the Judiciary had to be reformed and restructured to ensure independence, separation of powers, professionalism,



capacity, infrastructure and conducive environment for its operations. The independent commissions and mechanisms had to be restructured too to support RTGoNU in specific technical areas. The sub-national governments had to be reconstituted with more devolution of powers to local authorities. The federal constitution had to be written and elections carried out at the end of transitional period for the new democratic government to take charge of the country.

Once the RTGoNU is established fully as per Chapter I on power sharing, it has to implement Chapter IV on economic management and reforms with strict technical coordination in budgeting, banking, funding, auditing and anti-corruption policies. It has to enhance professionalism, institutionalism, effectiveness, and equity in economic planning, revenues, allocations and expenditures. It has to devolve economic services with efficient checks, balances, integrity, honesty, transparency, accountability, cooperation, commitment, recovery, reconstruction, transformation, resilience, oversight, leadership and sustainability. It has to establish specific funds for uplifting the entrepreneur capacity of the citizens, especially youth and women. It has to adopt regional and international conventions on best practices so as the link the economy of South Sudan to the outside world in a more professional manner.

According to the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC), the body mandated by the IGAD to oversee and report on R-ARCSS implementation, the success of the peace process can only be possible if the parties created an enabling environment with larger free space, capacity for risks management, transparent trust building and national consensus on the federal nature of the South Sudanese state (RJMEC, 2019). The parties must build consensus and be responsive collectively with proactive oversight, best practices and solemn commitment to amicable win-win compromises on sustainable nation-state building. Both the RJMEC and International Community have been urging the parties and stakeholders to uphold the spirit and letter of R-ARCSS as an inviolable contract, ensuring that RTGoNU prioritizes effective good governance through prudent leadership. The parties have been reminded so often to safeguard and rekindle the hope of the people of South Sudan in stability, peace, security, reconciliation, reconstruction, recovery, development, justice and democracy.



1.3 Support by UNDP for Technicality of R-ARCSS

UNDP has received many requests from relevant stakeholders—National Constitutional Amendment Committee (NPTC), RJMEC, IGAD and African Union—to assist them technically and financially in order to implement the R-ARCSS in time. Capitalizing on its large network and pool of expertise, the UNDP has managed to provide some quick surgical support for incorporation of R-ARCSS into the Transitional Constitution of South Sudan, 2011 as amended. Also it has provided the necessary support for reviews of critical legislations of security and political sectors. These have been appreciated by the recipients, demonstrating that the new way of working is the optimal path for development cooperation in post-war context of transitional period.

Since its establishment in South Sudan in 2011, the UNDP has positioned itself as reliable partner and pacesetter of transformational agenda of development in environment of enduring peace. The experience has taught that early support is key and critical for shaping conceptual ideas, building relations and establishing trust. Early investment has the potential of increasing the portfolio of the UNDP in South Sudan, placing it at the forefront of facilitating leadership with partnership that is capable of influencing the transitional institutions and building their capacity for delivering the required public service professionally.

It is against this backdrop that the SURGE planning team of the UNDP was deployed from 23 January to 1 February 2019 to the Country Office to support it with articulation of engagement strategy around the time-sensitive and strategic priorities in the implementation of R-ARCSS. The SURGE Mission developed a plan that proposed a programmatic pitch to enable the UNDP builds on the existing support initiatives for the Government of South Sudan, thus, adding critical capacity for strategic engagement on the peace process. The SURGE Mission identified and described analytically the recommended capacity support by the UNDP's Country Office to RTGoNU, helping it to formulate new strategies and reinforcement mechanisms with comparative best technical practices that can be emulated in South Sudan:

 Governance framework of transparency, accountability and related institutional capacity enhancement for government functionality at national and sub-national levels with focus on Chapter I and Chapter IV of R-ARCSS.



• Conflict prevention, stabilization and peace-building dimensions with highly regarded multi-actor partnership for economic recovery and resilience where UNDP has played a key technical leadership role in South Sudan.

1.4 Assessment Objectives, Deliverables, Scope and Audience

The overall purpose of the mapping assessment as per the Terms of Reference (TORs) is to identify the programs and activities of government institutions within Chapter I and Chapter IV of R-ARCSS. The assessment focuses primarily on the following specific objectives:

- Ascertaining the functionality of Government of South Sudan in terms of organizational setup and structures, powers and responsibilities, administration and financial systems, available technical skills and trained human resource, external relations and activities coordination, the required support for effective implementation of R-ARCSS (e.g., institutional arrangements, professional capacity and accountability).
- Developing engagement and support strategy for the UNDP, based on the assessment findings and recommendations for implementation of Chapter I and Chapter IV of R-ARCSS by the selected government ministries, commissions and agencies.
- Designing realistic, feasible and time-bound capacity surge strategies and actions points for the implementation of Chapters I and IV with the Government.

The main deliverables encompass the inception report detailing the understanding of the assessment tasks—design, methodology, scope of work, plan of action, and time frame, questionnaire template for data collection, analysis tool for each data source and the measures by which each question was assessed. The draft report had to review and build on the capacity surge strategy that was developed by the UNDP South Sudan's Country Office. The CSPS assessment team had to organize a validating workshop for deliberations on the draft report with participation of the relevant stakeholders and institutions that were selected for the assessment. A Final assessment report, containing organizational institutional development roadmap and action plan, had to be submitted to UNDP with publishable quality. The report had to present clear instruments and procedures for institutional capacity development based on the identified



gaps and needs. The scope of the assessment had to be limited to data collection, analysis and recommendation for generating the relevant information and reliable knowledge for:

- Preparing inception report, covering the background, objectives, methodological approach, work plan and deliverables for presentation at inception meeting of CSPS team with UNDP's CTA Peace-building Unit.
- Developing the relevant tools for conducting the mapping and functional assessment of the targeted R-ARCSS institutions and mechanisms.
- Carrying out a gap analysis of the structures, mandate, personnel and funding of the targeted R-ARCSS institutions and mechanisms with the view to develop their capacity.
- Analysing the capacity of the targeted R-ARCSS institutions and mechanisms, including gender inclusion mainstreaming.
- Providing recommendations on a framework to address the capacity gaps.
- Prepared concept note, strategic paper, technical notes and policy papers.
- Preparing the presentation on functionality assessment of TGoNU and sharing it with government stakeholders and development partners.
- Provided policy advice for UNDP's South Sudan Country Office.
- Performing other duties as requested by the UNDP's Resident Representative.

The main audience of the assessment is the UNDP's Country Office in South Sudan, especially the Democracy and Governance Team who will use the findings and recommendations to determine and prioritize the areas for support of RTGoNU and stakeholders who are responsible for implementing the activities stipulated in Chapters I and IV of the R-ARCSS. The assessment knowledge will provide an opportunity for sharing lessons learned with all the interested parties.

1.5 Assessment Methodology

Due to limitation in time and urgency of implementation of R-ARCSS through the newly established RTGONU, the assessment design had to focus on seven (7) government institutions, purposely selected as stipulated in the TORs.

- **Ministries:** Ministry of Federal Affairs; Ministry of Justice and Constitutional Affairs (N.B: the research team got delayed to do the assessment and had to forgo this ministry); and Ministry of Labour, Public Service and Human Resources Development.
- **Commissions:** Civil Service Commission; Disarmament, Demobilization and Reintegration, Commission; and Anti-Corruption Commission; and Peace Commission.



The assessment adopted a participatory mixed approach to ensure active involvement of all stakeholders such as UNDP staff, public servants, political parties and civil society activists, among others. Primary assessment methods included, though not limited to the following:

- Documents, reports and literature review: An in-depth desk study was conducted to
 understand the background and context of the assessment. The desk review included
 peace agreement documents, published and unpublished reports by IGAD mediation and
 RJMEC, annual budget books, analytical books on peace agreements in South Sudan,
 among other relevant literature.
- Primary Sourcing of Data and Information: Institutional assessment was conducted, using designed scientific tool for administering the institutional checklists questions for quantification of government agencies that are connected with implementation of chapters I and chapter IV of R-ARCSS. The collected data focused on organizational setup/structures, functions and responsibilities, administrative and financial systems, professional skills and competence, trained human resource and technical staff support, external relations and coordination of activities for effective delivery of services.
- **SWOT Analysis:** Deliberative meetings were held with staff from the selected institutions and agencies to identify strengths, weaknesses, opportunities and threats with gap analysis of the situation. The analysis provided in-depth qualitative information to enhance understanding of Chapter I and Chapter IV of R-ARCSS. Participatory approach was used to encourage the participants to freely discuss and share their views and opinions on issues related to assessment scope of analysis.
- Face-to-Face Interviews: These were administered to purposely selected individuals and government officials who are knowledgeable on the functions of their respective institutions and the R-ARCSS provisions. This was to enhance a better interactive understanding of the dynamics, contexts and content of Chapter I and Chapter IV with the required obligations by the parties, RTGoNU and interested groups.
- **Key Informant Interviews:** Were administered to targeted group(s), mainly the signatories to the R-ARCSS, senior government officials, IGAD officials and civil society



activists. These interviews provided broader picture and information on issues related to Chapter I and Chapter IV of R-ARCSS. Also they covered opinions, challenges to the agreement implementation and the way forward.

Observations: These were conducted for focus on the work facilities and operational
environment of the selected government institutions such as building structures,
electricity, stationaries, computers, desks, mobility vehicles, among others.

The collected data through the above-mentioned methods were collated, triangulated and analysed based on key assessment activities and deliverables in the TORs and the Matrix to:

- Ensure that requirements of TORs are met, relating assessment activities and deliverables to the objectives and guidelines.
- Demonstrate triangulation of data, using document review, stakeholder interviews,
 SWORT/ Gap Analysis, key informants meetings and observations.
- Provide the basis for the list of questions that the assessment team went out to find answers for in the final report.

Timescale and Data Analysis: As envisaged in the TORs Annex 1, the assessment covered the period from 14 February to 30 March 2020. However, the timing of the assessment slipped and the inception report took place a week later, 21 February 2020. This delay allowed the review of available documents and consultations among assessment team and stakeholders. The assessment team consisted of lead consultant, two researchers, data analyst and backstopping expert. SPSS and Microsoft Excel were used for quantification of data. SWOT and Gap Analyses were utilized during the study.

Quality assurance: these mechanisms were envisaged for quality assurance of the assessment on functionality of government institutions for R-ARCSS implementation:

- Triangulation of data and findings through the use of range of methods as detailed above.
- Engagement of UNDP staff in order to check quality assurance at all stages of the assessment, working closely with the CSPS during the time of planning, inception meeting, data collection, report drafting and validation for final report.



- Observing research ethics by the assessment team as guided by principles of:
 - No harm to participants.
 - Respect for cultural norms.
 - Inclusive access and participation of women as well as socially excluded groups.
 - Voluntary participation without external pressure.
 - Confidentiality of information provided and identity of participants.

Assessment Strengths and Limitations

- **Strengths:** The main strength of the assessment was the application of several tools for data sourcing with reliable access to information for each deliverable and activity, including direct participant observation. This triangulation enhances the validity of the findings and knowledge building from the mapped functionality of government institutions in preparations for R-ARCSS implementation.
- Limitations: Lack of sufficient data and cooperation from some government officials hindered access to the required information on time. The emergence of Covid-19 caused inconveniences. The findings were restricted due to issues of confidentiality and mistrust on what the data will be used for. Certain informants did not disclose information or provided false information. However, CSPS assessment team had used appropriate research detective skills to overcome all these challenges and produce a quality report in time.



CHAPTER TWO

SAMMARY CHAPTER I AND CHAPTER IV OF R-ARCSS

2.1 Composition of RTGoNU and Effective Governance

The R-ARCSS provides for establishment of Revitalized Government of National Unity (RTGoNU), comprising representatives of the parties—55% for ITGoNU and 45% shared by the other parties (i.e., 27% for SPLM/A-IO, 10% for SSO

A, 8% for OPP/FDs). These signatory parties have to commit themselves to the peace process by being:

- Mindful to uphold the Transitional Constitution of the Republic of South Sudan (TCRSS, 2011 as amended) for the pursuit of peace, justice, unity, equality, human rights and rule of law based on the will of the people.
- Regretful of the untold human suffering caused to the citizens by the senseless civil war, a situation that deserves compensation through sustainable peace and development.
- Cognizance for sovereignty, territorial integrity, and devolution of more powers and resources to lower levels of government, and as a prelude to realization of historical demand for popular federalism.
- Solemnly committed to R-ARCSS implementation as well as Khartoum Declaration of Agreements on Security, Governance and Economy (R-ARCSS, Preamble).

The RTGoNU has to run the official public affairs of South Sudan in accordance with the supremacy of R-ARCSS and existing laws. It has to pick up its mandate from where the ITGoNU and National Pre-Transitional Committee (NPTC) had stopped—planning, budgeting and supervision of R-ARCSS tasks with funding from the Ministry of Finance and Economic Planning (MoFP) through the Bank of South Sudan (BSS) with supplements by international partners (R-ARCSS, Article 1.4). The National Constitutional Amendment Committee (NCAC) has to incorporate R-ARCSS into Transitional Constitution of South Sudan (TCRSS), 2011 as amended, and apply the same procedures in reviewing SPLA Act, National Security Service Act, Police



Service Act, Prison Service Act, Wildlife Service Act and Fire Brigade Service Act, among other critical laws. It has to receive the lists of nominees of respective parties to transitional legislature and then submit these to the President of the Republic for endorsement. It has to continue reviewing other legislations immediately within 12 months during transitional period—NGOs Act, Political Parties Act, Elections Act, Anti-Corruption Act, Auditing Act, Petroleum Act, Mining Act and BSS Act, etc. It has to ensure that conducive atmosphere is set for writing citizens-centered federal constitution for South Sudan with lean government and more resources devolved to states/local governments (R-ARCSS, Article 1.18).

Other mandatory preparatory mechanisms for establishment of RTGoNU were the Technical Boundary Committee (TBC) and Independent Boundaries Commission (IBC) supported by IGAD, AU, Troika and other members of international community. The TBC and IBC had to consult with the people of South Sudan, relevant authorities and experts. They had to present their respective final fact-based reports with recommendations on the settlement of issue of demarcation of local boundaries as they stood on 1 January 1956 at the time of independence of the Sudan when Anglo-Egyptian Condominium Rule came to an end. They had to recommend the appropriate number of states at sub-national level based on clear criteria—population size, social cohesion, geographical surveys and economic viability. The IGAD and the parties had to act on these recommendations before the end pre-transitional period so as to form RTGoNU horizontally and vertically for transitional period. Any objection by a tribe on the issue of local boundaries had to be settled by Permanent Court of Arbitration (PCA) in The Hague with binding award to be implemented without delay (R-ARCSS, Articles1.15 & Annex E).

2.1.1 Presidency

The RTGoNU has to have its national seat in Juba with Presidency at the top of the structure to ensure effective governance during the transitional period. The incumbent President Salva Kiir Mayardit has to continue in office as Head of the State and Government to exercise these powers, functions and responsibilities collegially (R-ARCSS, Article 1.6):

Be the Commander-in-Chief of all unified Armed and Organized Forces in South Sudan.



- Chair the Council of Ministers, National Security Council, National Defense Council, Board of Economic and Financial Management Authority, and other R-ARCSS institutions as prescribed by the law.
- Supervise RTGoNU and direct institutional reforms.
- Preserve, protect and represent sovereignty and territorial integrity of South Sudan.
- Appoint, swear-in and relieve executive post-holders, including First Vice President, 4 Vice
 Presidents and Presidential Advisers; 35 National Ministers and their 10 Deputies;
 Undersecretaries, Ambassadors and Senior Diplomats; and heads of Commissions, Parastatals and all Independent Institutions.
- Commission, fire or retire officials and officers in public sector (civil and military).
- Convene and adjourn the Transitional Legislature in consultation with the Speaker, First Vice
 President, and 4 Vice Presidents.
- Initiate the preparation for RTGoNU annual budget.
- Supervise the conduct of foreign policy and assent to treaties and international agreements as ratified by Transitional Legislature.
- Write and receive credentials of diplomatic representatives of South Sudan to foreign countries, regional and international organizations and vice versa respectively.
- Confer national honors such as decorations and medals in accordance with the law.
- Confirm death sentences and award pardons or amnesties in accordance with the law.
- Declare State of Emergency or War after consultations with Speaker, First Vice President, and
 4 Vice Presidents in accordance with the law.
- Perform any other function as may be prescribed by R-ARCSS and the Law.

In absence of the President, the First Vice President has to be the Acting President; and if both were absent, the President has to delegate one of the Vice Presidents to Act. If the post of the President falls vacant, the replacement has to be nominated within 48 hours by top leadership body of TGoNU represented as such in HLRF and R-ARCSS (R-ARCSS, Article1.6.5).

The Chairman of SPLM/A-IO Dr Riek Machar Teny has to assume the position of the First Vice President of the Republic to oversee Governance Cluster of 12 national ministries—*Presidential*



Affairs; Cabinet Affairs (with Deputy); Foreign Affairs and International Cooperation (with Deputy); Defense and Veterans Affairs (with Deputy); Interior (with Deputy); Peace Building; Justice and Constitutional Affairs (with Deputy); National Security; Parliamentary Affairs; Information, Communication Technology and Postal Services (with Deputy); Federal Affairs; and East African Community Affairs (R-ARCSS, Articles 1.7 &1.10.2). He has to serve as Deputy Chair of National Security Council, Deputy Chair of National Defense Council, Deputy Chair of Board of Economic and Financial Management Authority, and Deputy Chair of other institutions. He can be delegated for other assignments by the President of the Republic. He has to collaborate and consult with the President and Vice Presidents in spirit of understanding and collegiality when discharging his functions and responsibilities. In the event of temporary absence, he has to delegate any of Vice Presidents to act on his behalf. If his post falls vacant, the replacement has to be nominated within 48 hours by top leadership body of SPLM/A-IO represented as such per HLRF and R-ARCSS, and with the new First Vice President serving in that office until the end of transitional period (R-ARCSS, Articles 1.5, 1.7 & 1.9.6.1).

The ITGoNU has to nominate the Vice President for Economic Cluster of 11 national ministries—Finance and Planning (with Deputy); Petroleum; Mining; Agriculture and Food Security (with Deputy); Livestock and Fisheries; Trade and Industry; Environment and Forestry; Water Resources and Irrigation; Land, Housing and Urban Development; Wildlife Conservation and Tourism; and Investment. Also the ITGoNU has to nominate the Vice President to oversee Infrastructure Cluster of 3 national ministries—Energy and Dams; Transport; and Roads and Bridges. The SSOA has to nominate the Vice President for Service Cluster of 5 national ministries—Higher Education, Science and Technology; General Education and Instruction (with Deputy); Health; Public Service and Human Resources Development; and Labor. The FDs have to nominate a female Vice President to oversee Gender and Youth Cluster of 4 national ministries—Gender, Child and Social Welfare; Humanitarian Affairs and Disaster Management; Culture, Museums and National Heritage; and Youth and Sport. In addition of chairing and presiding over their respective ministerial clusters, the Vice Presidents have to supervise the work of national independent commissions and transitional institutions. They have to serve as members of National Security Council, National Defense Council, Board of Economic and Financial Management Authority,



among others. They have to perform other duties as delegated by the President or the First Vice President (R-ARCSS, Articles 1.5, 1.8., 1.10.3 - 6 & 1.10).

The Vice Presidents shall be equal in ranks with no hierarchy or precedents except for occasional protocol purposes, nature of assignment and extent of the responsibility accorded to any of them. In case of vacancy of any of the offices of the Vice Presidents, the replacements has to be nominated within 48 hours by top leadership body of the parties that authorized them as such per HLRF and R-ARCSS. Any replaced Vice President has to serve in that office until the end of transitional period (R-ARCSS, Articles 1.5, 1.8 & 1.9).

The Presidency has to operate in a spirit of collaborative collegiality with continuous consultations for understanding and consensus in decision-making, including appointments of constitutional and judicial office holders as well as state governors; appointment of those charged with the responsibility of running independent commissions and committees; and initiation of the necessary legislations. Failure to reach a consensus, especially on substantive matters of R-ARCSS implementation, 4 votes of the 6 leaders shall determine the final decision by the Presidency provided that one of them has to be either the President or the First Vice President on the majority side. In case of a tie-in vote, the matter shall be decided by the Council of Ministers finally with 2/3 (67%) majority of the votes, provided that 6 of 23 ministers on the quorum had to be from opposition (R-ARCSS, Articles 1.8, 1.9 & 1.10).

2.1.2 Council of Ministers and Independent Commissions

Alongside the Presidency at the top level, there has to be Council of Ministers comprising six leaders of the Presidency and thirty five ministers—20 ITGoNU, 9 SPLM/A-IO, 3 SSOA, 2 FDs and 1 OPP. From these 35% has to be women (i.e., 12 ministers with no less than 3 deputies). Minister of Youth and Sports has to be below 40 years old. However, any party may replace its nominated minister or deputy minister by notifying the President of the Republic to take action within fourteen days. The new minister has to serve in office until the end of transitional period (R-ARCSS, Articles 1.3, 1.4, 1.10 & 1.13).

The Council of Ministers has to initiate legislations for regulating the processes of institutional reforms of public sector with inclusive governance and national reconciliation. It has to develop



public policies and programs at the national level as well as at the appropriate sub-national levels. It has to allocate resources and manage them within the framework of the approved national budgets. It has to handle all government functions, including capacity building of the employees. Alongside the ministries, the commissions and specialized institutions have to be restructured and reconstituted at national level under supervision by the executive and with the mandate to facilitate reforms. These bodies have to work independently and accountably as their appointees operate concurrently with other public institutions (R-ARCSS, Articles 1.10, 1.12 & 1.19).

2.1.3 National Legislature

Transitional National Legislative Assembly (TNLA) has to be reconstituted and expanded from 400 to 550 members—332 from Incumbent TGoNU, 128 from SPLM/A-IO, 50 from SSOA, 30 from OPP and 10 from FDs. The Speaker and Woman Deputy has to be nominated by ITGoNU. The other two Deputies have to be nominated by SPLM/A-IO and OPP respectively. Also National Council of States has to be reconstituted in accordance with recommendations of the IBC as endorsed by the parties. Its Speaker has to be nominated by SPLM/A-IO with Woman Deputy nominated by ITGoNU and another Deputy by SSOA. These nominations have to be nationally inclusive and regionally balanced (i.e., Bahr el Ghazal, Upper Nile and Equatoria). The legislature has to take decisions by consensus or 2/3 majority, except on routine matters that shall only require simple majority vote. It has to provide oversight to the executive in accordance with R-ARCSS, the Amended Transitional Constitution and enacted legislations for supporting peace and reforms of the public sector (R-ARCSS, Articles 1.14 & 1.15.23).

2.1.4 Judiciary

The Judiciary of South Sudan has to be reformed and restructured with ensured independence and separation of powers. Its capacity has to be enhanced for professional performance in conducive environment and appropriate infrastructure at national, states and local levels. It has to be guided by the reviewed Judiciary Act, Conduct of Business Regulations and related policies. Judicial Reform Committee (JRC) has to be established and chaired by eminent independent jurists. It has to study and make recommendations on reforms of justice system, including



reconstitution of Judicial Service Commission (JSC) and establishment of Constitutional Court (R-ARCSS, Article 1.17).

2.1.5 States and the Local Governments

The powers of RTGoNU has to be devolved to the reconstituted executive and legislative branches of states governments and their local units, based on the agreed responsibility sharing ratios and relative prominence of each party therein—55% ITGoNU, 27% SPLM/A-IO, 10% SSOA and 08% OPP with FDs selecting 3 ministers in states of their choice deducted from OPP's ratio. This formula has to be applied for selection of state governors, ministers, speakers, commissioners, legislators and councilors (R-ARCSS, Articles 1.15.17 & Annex E & 1.16).

2.2 General Democratic Elections

National Elections Commission (NEC) has to be reconstituted concurrently with Political Parties Council (PPC). The NEC has to embark on electoral mandate—capacity-building, civic education, voter outreach programs, design of procedures for voter registration, publishing of voter registry, procurement of electoral materials, accreditation of elections monitors as well as national and international observers, transportation, polling, tallying, counting and announcement of elections results. It has to address complaints and settle electoral disputes in accordance with the law so that the outcome reflects the true will of the people. The RTGoNU has to seek support from UN, AU and other regional and international partners to assist the NEC with electoral management, including reconstruction, repatriation, resettlement, rehabilitation and reintegration of the returning IDPs and refugees. Population census and household survey have to be considered though not conditionally. Some security forces had to be deployed for protection at least 6 months before conduct of democratic elections (R-ARCSS, Article 1.20).

Figure 2: Holistic Structure of RTGoNU



2.3 Management of Economic Resources and Funds

Once the RTGoNU is established, it has to reform economic institutions with strict legal and technical coordination in banking, financing, procurement, payroll systems, auditing and anti-corruption policies. It shall manage the economy with professionalism, institutionalism, efficiency, effectiveness, planning, budgeting, allocation, sharing, devolution, equity, expenditure, services, checks, consent, integrity, transparency, cooperation, commitment, recovery, reconstruction, transformation, resilience, service, oversight, accountability, leadership and sustainability (R-ARCSS, Articles 4.1 & 4.12).

The Ministry of Finance and Planning (MoFP) has to carry out its key roles with spirit of partnership, coordination and accountability. It has to review and implement the Strategic Economic Development Roadmap with resilience, ensure that all public financial and budgetary commitments entered into by the RTGoNU are pursued transparently and competitively in accordance with the domestic laws and international norms, act on national budgets to disburse funds with priorities, and use comprehensive data on aid flows to the states and all other public sectors (R-ARCSS, Article 4.3).

The Bank of South Sudan (BSS) has to be restructured and reformed to operate independently in rendering efficient and effective monetary services—formulating monetary policy, promoting price stability, issuing currency, regulating financial sector, etc. It has to have a competent and appropriately qualified Governor. All oil revenues from surface rentals, training fees and bonuses have to be remitted to Oil Stabilization Account and Future Generations Fund in BSS for safeguard against price volatility and financial regressions, and where withdrawals shall only be authorized in accordance with the reviewed law and approved procedures of management of public finance (R-ARCSS, Articles, 4.2, 4.8 & 4.13).

Economic and Financial Management Authority (EFMA) has to be established with Board (BEFMA), Secretariat and Advisory Committee comprising World Bank, IMF, AfDB, COMESA, PTA Bank, UNECA, UNDP and three major donors. The BEFMA has to exercise oversight on oil/petroleum concessions and contracts; ensure that budgetary discipline is observed on income and expenditures of government, including bridging the gaps in monetary and fiscal policies on



revenues, payments, expenditure, savings, assets, procurements, exchange, services, concessions, contracts, licenses, borrowing, debt, deficits and arrears; and reports regularly to BEFMA and RJMEC, including crediting of contributions of development and humanitarian partners for stabilizing the economy of South Sudan through New Deal Compact of aid flows across the country (R-ARCSS, Articles, 4.13, 4.14, 4.16).

The RTGoNU has to review the Anti–Corruption Commission Act and reconstitute the Anti-corruption Commission with independent powers to protect public property, investigate and prosecute cases of corruption, combat administrative malpractices in public institutions, and promote ethical standards with predictable auditing evidences. It has to collaborate with public prosecutions units and the police. Also the National Audit Chamber Act had to be reviewed and the National Audit Chamber reconstituted to carry out its functions independently without political interference. These two bodies have to adopt regional and international conventions and principles of prudent economic management, combat corruption and related malpractices, protect public properties, promote ethical standards, persecute culprits and return misappropriated public good to legitimate owners or to the government. Capacity of media, civil society, women, youth and religious leaders has to be built for robust public awareness and policy advocacy against all forms of corruption. Educational curricula have to be designed to incorporate anti-corruption and respect for public property. Corrupt officials have to be investigated, prosecuted, tried, convicted and barred from holding public offices at any level of government (R-ARCSS, Articles 4.4, 4.5 & 4.10).

Revenues and Economic Empowerment

The available revenues from oil and non-oil resources have to be used to finance R-ARCSS implementation and RTGoNU with help of resourceful experts and international development partners. Compensation for environmental damages of indigenous livelihoods, building of physical infrastructure, attraction of investments and transformation of government institutions have to be funded from these revenues. The National Revenue Authority (NRA) has to be mandated to collect, administer and enforce laws of taxation and revenues. There has to be better living standards for the citizens, especially youth and women. New institutions have to be



established to enhance the economy and public service delivery—Public Procurement and Asset Disposal Authority; Salaries and Remuneration Commission; Environmental Management Authority; Research and Development Centers: Natural Disasters, Strategic Studies and Scientific Research; Health Care Support Fund; and Students Support Fund (R-ARCSS, Articles 4.6, 4.8, 4.9, 4.10, 4.11 & 4.15).

The local content and national competence (e.g., training engineers, transforming and empowering national oil companies like NilePet and NPGC) have to be developed for maximum gains from domestication of international standards of oil and natural resource economy. The RTGoNU had to initiate in-depth debate on national land policy, necessitating the review of Land Act and addressing issue of land grabbing and related malpractices. It has to build consensus on tenure, utilization, regulation and management of lands based on reforms with mapping of prime economic utility zones. It has to establish independent Registry of lands at all levels of government and issue title deeds. It has to empower Land Commission to provide technical expertise for maximum land development, legislations, policies and resolution of related conflicts based on incorporated customary law with application of local mediation heritage. The RTGoNU has to come up with comprehensive policy for management of Nile and other water resources for developmental objectives and investment. It has to initiate policies, strategies and programs for management of agriculture, livestock, wildlife, tourism and fisheries sectors with safeguards of natural environment and ecosystem (R-ARCSS, Articles 4.8 & 4.9).

2.3.2 Distributive Entrepreneurship

There has to be efficient and equitable distribution of wealth for empowerment of the citizens and enhancement of their welfare, including disbursement of 2% and 3% share for oil producing states and communities respectively, through Fiscal and Financial Allocation Monitoring Commission (FFAMC). Employment status in oil sector has to be reviewed to ensure indigenization, fairness and merits, with priority accorded to the qualified nationals and local communities (R-ARCSS, Articles 4.8 & 4.11).

The RTGoNU has to build entrepreneurship capacity of local, national, private associations through efficient access to subsidized financial credits for enhancing Micro, Small and Medium Enterprises—Enterprise Development Fund with marketing skills and technology for



development of least advantaged citizens. Youth Enterprise Development Fund (YEDF) and Women Enterprise Development Fund (WEDF) have to be established alongside Social Security Fund (SSF), ensuring that these funds are utilized effectively for inclusive economic growth of South Sudan and welfare of all its citizens. The recommendations of Private Sector Development Strategy (developed jointly between the South Sudan Business Forum and Ministry of Trade and Industry have to considered with priority accorded to productive sectors—farms, dairies, poultries, supply companies, general trading, construction associations and trade unions, among others, in rural areas and poor urban centers (R-ARCSS, Article 4.15).



CHAPTER THREE

IMPLEMENTATION STATUS OF R-ARCSS

3.1 Implementation Status of R-ARCSS

The implementation of R-ARCSS has scored some milestones with significant progress compared to the 2015 Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS). These included the ratification of the peace agreement by the Transitional National Legislature, the Liberation Council of SPLM/A-IO and the respective leadership organs of SSOA, OPP and FDs. A number of political detainees and prisoners of war were released and some forces reported to cantonment areas for registration, screening, joint training and deployment (Oola & Moffett, 2019). Several confidence-building measures took place, which brought all the senior leadership of the parties together. Joint visits by commanders of the armed forces took place on the ground with facilitation by the United Nation Mission in South Sudan (UNMISS). RJMEC reprinted 100,000 copies of R-ARCSS with summarized version translated to five local languages for wider dissemination and publicity through media outlets (RJMEC, 2019).

Key institutions and mechanisms like Joint Defense Board (JDB); Joint Military Ceasefire Commission (JMCC); Joint Technical Security Committee (JTSC), Strategic Defence and Security Review Board (DSRB); Disarmament, Demobilization and Reintegration Commission (DDRC); National Pre-Transitional Committee (NPTC); National Constitution Amendment Committee (NCAC); Technical Boundary Committee (TBC), Independent Boundaries Commission (IBC) Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM); and Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) were formed and operationalized to embark on their mandate despite the lack of funding for their activities. The Transitional Constitution of South Sudan, 2011 as amended was passed by the Transitional Legislature and signed into law by the President of the Republic before the end of extended pre-transitional period. However, Out of 63 pre-transitional activities only 34 (54%) were completed. Many other key pending tasks of security arrangements, like unification of the necessary forces, were transferred to the transitional period with no significant steps taken to



complete these (RJMEC, 2020). A senior member of SPLM/A-IO in Juba disclosed this in an interview conducted with him in March 2020 by CSPS researcher.

Table 1: Pre-transitional Activities Matrix of Chapter I

Chapter 1: Transitional Government of National Unity					
Activity	Implementation Status				
	Fully	Partially	Not Implemented		
	Implemented	Implemented			
TGoNU functions as per the	Х				
Transitional Constitution of Republic					
of South Sudan, 2011, amended.					
Ratification of R-ARCSS by National	Х				
Legislature					
Agreement disseminated across South		X (on-going)			
Sudan.					
Nomination of candidates to Council	Х				
of Ministers					
Formation of Government		X (on-going)			
Process of national reconciliation and		X (on-going)			
healing began.					
National of Pre–Transitional	Х				
Committee					
Technical Boundary Committee and	Х				
Independent Boundary Commission					
Referendum Commission on Number			х		
and Boundaries of States					
National Constitutional Amendment	Х				
Committee					

Source: Assessment Team's Data, 2020.



3.2 Obstacles to Implementation of R-ARCSS

Despite progress in implementation of key aspects of R-ARCSS, the collected assessment data and the literature review had identified the following obstacles to peace process (Tombe, 2019):

- Unwillingness of parties to implement R-ARCSS in good faith: One of the most frustrating
 phenomena in South Sudan's conflict history has been the unwillingness of parties to peace
 agreements to implement what they agreed upon in good faith. This attitude has not
 changed. The parties have been implementing the R-ARCSS partially and selectively for
 obvious political reasons of struggle over power and resources in the country.
- Lack of urgency, determination, political will and commitment: Another potential hurdle is
 the apparent lack of urgency, determination, political will and political commitment in
 implementing even the less complicated aspects of the peace deal.
- Deep-seated mistrust and suspicion between and among the parties: Another obstacle to the implementation of R-ARCSS has been the deep-seated mistrust and suspicion between and among the parties. Such antagonism are unavoidably understood, especially given the prolonged rivalry that has manifestations in the experienced horrendous and unpalatable inter-communal clashes of the respective followers of those parties across South Sudan.
- Failure to address some of the root causes of the recurrent conflict: Related to the previous challenge is the failure of R-ARCSS to address some of the root causes of the conflict in South Sudan as noted in the 2014 Report of the African Union Commission of Inquiry on South Sudan (AUCISS). This includes lack of solid democratic institutions and continued conflation of personal, ethnic and national interests exacerbated by inequitable distribution of resources. Transitional Institutions and Mechanisms in Chapter I as well as Resource, Economic and Financial Management in Chapter IV of R-ARCSS seek to address some of the root causes of the conflict but to no avail so far.



- Abuse and manipulation of state institutions: Abuse and manipulation of state institutions, as well as the perpetuation of patronage networks across all institutions and regions for political capital, especially security sector organs, remains one of the conflict drivers. Regardless of this phenomenon, R-ARCSS' Article 1.6 on powers, functions and responsibilities of the President gives carte blanche to the incumbent President without serious accountability and checks provided through Article 1.9 on "collegial collaboration in decision-making and continuous consultations" for effective governance.
- Delay of transitional justice, reconciliation and national healing: Whilst the establishment of the Commission for Truth, Reconciliation and Healing (CTRH) is a sound initiative meant to collectively promote and facilitate truth-telling, restorative and rehabilitative justice, reconciliation and national healing, the leaders are not comfortable to see the Hybrid Court of South Sudan (HCSS) as well as the Compensation and Reparation Authority (CRA) becoming real with prospects of addressing culpabilities of the civil war.

Other obstacles includes lack of proper coordination and cooperation due to capacity gaps, dysfunctional institutions and recurrent disagreements within the parties to R-ARCSS with threats posed on the peace process by the holdout groups (non-signatories).

3.3 Key Enablers to Success of R-ARCSS

The assessment data and literature review identified the following as the key enablers of R-ARCSS implementation during the pre-transitional period as well as the transitional period:

- **Content and substance:** R-ARCSS represents a solid pact as it provides requisite procedural, substantive and institutional components of a sustainable peace agreement.
- Inclusivity and Representation: The R-ARCSS peace pact is politically inclusive and representative, unlike the ARCSS. This remains the necessary condition for its successful implementation despite continuous opposition to by some politicians and armed groups. This should be commended as a basis for continuous engagement with non-signatory parties.



- R-ARCSS in addition to regional and international attention accorded to its legitimacy. There seems to be consensus that this peace pact is acceptable at large and worth supporting though international community appears sceptical, understandably, given the historical trend of violations of previous peace deals.
- Justice and Peace-building: Implementation of the R-ARCSS provisions relating to the
 establishment of the CTRH, HCSS and the CRA is expected to promote justice, unity,
 reconciliation and address impunity. This will enable the achievement on the goals and
 objectives of peace-building process.
- The IGAD as Guarantor and International Pressure: The IGAD and other international guarantors will determine the success of the R-ARCSS despite hurdles of implementation tasks. It is necessary to recognize and anticipate that there are parties and individuals that are ready to undermine the R-ARCSS through covert and overt means in Defence of their constituent interests, power and ideologies. The ability of IGAD and the pressure by the international community to intervene effectively to contain the peace spoilers will be critical in facilitating the smooth implementation of the peace pact.

3.4 Key Implementation Developments in R-ARCSS

On 22 February 2020, the Transitional Government of National Unity (RTGoNU) was established partially at the level of Presidency, marking the start of 36-month transitional period so as to move towards the final journey towards general elections at the end of transitional period. First Vice President Dr. Riek Machar, Vice President Dr. James Wani Igga, Vice President Mr. Taban Deng Gai, Vice President Mr. Hussein Abdelbagi and Vice President Mrs Nyandeng Garang were appointed and sworn in to their respective offices with pledge to work with the President of the Republic, Salva Kiir Mayardit, who said:

"This action signifies the end to the war. Peace has come, and it has come to stay...For the people of South Sudan, I want to assure you that we will work together to end your long suffering".



According to the terms of the R-ARCSS, 12 May 2019 marked the end of the eight-month pretransitional period and the start of the 36-month transitional period with elections to be held 60 days before the end of the transitional period. The deadline for the end of the pre-transitional period was extended for a second time until 22 February so that critical outstanding pre-transitional tasks could be completed. These included cantonment, screening, training and deployment of joint necessary unified armed forces as well as the agreement on the number and boundaries of states. Though the necessary unification of forces remains pending, the parties were able to reach a compromise on 15 February to reduce the number of states from 32 to 10 on the basis of which they have to form the unity government at sub-national level. Also they appointed the 35 national ministers and 10 deputy ministers with due consideration to 35% of women representation and youth nominations, including the Minister of Youth and Sports.



CHAPTER FOUR

SELECTED PUBLIC INSTITUTIONS FOR ASSESSMENT

4.1 Ministry of Federal Affairs

Federal system of government is acknowledged in the preamble of R-ARCSS to be a popular demand of the people of the Republic of South Sudan. Moreover, the parties reaffirmed their commitment that a federal and democratic system of governance shall reflect the national character of South Sudan and ensures unity in diversity. The parameters of constitution-making process have been designed for establishing a lean federal government to run South Sudan in post-transitional period (USSSAP, 2019).

In line with popularity of federalism, the Transitional Government of South Sudan established the Ministry of Federal Affairs as part of the August 2015 peace agreement. Since then the Ministry has been mandated to prepare and lead the implementation of federal system of government, ensuring that this is enshrined constitutionally. The Ministry has to ensure that effective management of federal framework is established and maintained sustainably with transparency and accountability based on appropriate legal framework, organizational structure, institutional mechanisms at all levels of government as per the strategic plan that was developed in 2017 to enhance this mission.

4.1.1 Structure and Institutional Arrangement

The organogram of the Ministry of Federal Affairs puts the Minister at the top of the institution, assisted by Undersecretary who is responsible for the institutional technical functions through Directors-General under whom Directors and junior staff operate. The main Directorates and Departments are those for Administration and Finance; Federal Affairs; Planning and Programmes; Policy, Training and Research; and States and Intergovernmental Linkages.

4.1.2 Financial Budgets



Similar to other government institutions, the Ministry of Federal Affairs receives annual budgets from Ministry of Finance to facilitate the delivery on the mandate of introduction of federalism in an environment of peace, stability and development. However, for over four years (2016 – 2020) since its establishment, the allocated budget for the Ministry has been less than 1% from the overall government budget and covering mostly the salaries (Figure 3) according to the staff interviewed by CSPS team. The released funds by the Ministry of Finance was less than the approved funds (45.5%). This situation has disabled the planned activities of the Ministry of Federal Affairs to be conducted as required by ARCSS.

Figure 3: Federal Affairs Ministry Budgets (2016 – 2020) in SSP

4.1.3 Staffing Capacity

Since its establishment from 2016 to 2020, the Ministry of Federal Affairs only employed an average of 103 workforce (Table 2) out of which 70% were in the range of grade 7 to 16 (technical and junior support staff), followed by those in leadership grades 1 to 4 (24%) and administrative professionals in grade 5 to 6 (6%). Concentration of workforce in technical staff and junior professional grades shows good indication of proper posting (Figure 3).

Table 2: Federal Affairs Ministry Staff Positions (2016 – 2020)

Financial Year	Staff Positions		
	Approved	Occupied	
2016/2017	96	96	
2017/2018	79	79	
2018/2019	139	139	
2019/2020	97	97	



Average	103	103

Source: Assessment Team, 2020

Figure 4: Federal Affairs Ministry Staff Grades (%)

4.1.4 SWOT Analysis

The SWOT (Strengths, Weaknesses, Opportunities and Strengths) Analysis with the staff of the Ministry of Federal Affairs resulted into the following:

Strengths

- Establishment of Ministry of Federal Affairs within the ARCSS framework with extension in the R-ARCSS.
- Significant staff capacity; beneficial relationships with local, regional and international development partners; and long standing local political support.

Weaknesses

- Lack of financial resources.
- Limited, low and unclear understanding of federal system of governance.
- Donor dependency.
- Limited office space and mobility.
- Inadequate trained human resources.

Opportunities

- Restoration of peace and stability based on popular demand of the citizens.
- Emerging new political dispensation guided by federal constitutionality.



- Comparative lessons from best practices of federal systems of government internationally.
- Willingness of regional and international organizations as well as developmental partners to support federal system of government in South Sudan.
- High predisposition by the parties to adopt federal system of government.

Threats

- Persistent socio-economic and political instability.
- Donor exclusive focus on humanitarian support.
- Expiry of the transitional period.
- Budgetary allocation deficits.

The Ministry of Federal Affairs has been planning for following activities for supporting the implementation of Chapters I and Chapter IV of R-ARCSS in terms of human resource, infrastructure, capital, equipment and capacity building, among others:

- Training and development of the capacities of the staff on federal system of government.
- Awareness campaign for federalism all over the country.
- Organization of comparative study tours to other federal countries.
- Creation of sufficient office space and good working environment.
- Allocation of adequate budget for implementation federal activities.
- Acquisition of necessary office equipment and logistical support.
- Hiring of consultants to develop federal bill, draft regulations and review the strategic plan on implementation of federal system of government in South Sudan.
- Developing monitoring, evaluation and policy framework on federalism.



- Producing quarterly journal on federal governance and people's participation.
- Requesting from partners and stakeholders to support the key activities on federation by facilitating the mobility and work incentives.
- Organizing monthly radio/TV talk shows and debates on federalism.

The following are the identified areas where the UNDP and other Development Partners can support the Ministry of Federal Affairs in implementing Chapter I and Chapter IV of R-ARCSS in terms of human resource, infrastructure, capital, equipment and training, among others:

- Funding to facilitate the activities on the mandate of promoting federal system of government, including development of federal bills, regulations, code of conduct and strategic plans.
- Enhancing comparative federalism through support for selected tour to federal countries like Switzerland, Nigeria, Ethiopia, Germany, India, United States, etc.
- Supporting the establishment of federal centres across South Sudan.
- Facilitating smooth transition from decentralized system to federal system of government.
- Training government officials on federal system, fiscal federalism, public financial management, wealth sharing processes, auditing and accountability mechanisms.

4.2 Ministry of Labour, Public Service and Human Resource Development

The mandate of Ministry of Labour, Public Service and Human Resource Development is to provide policy guidance, regulatory framework and develop institutional human resources capacity for effective delivery of services to the public. The Ministry has legal framework, organogram and strategic plan developed in January 2006 and reviewed in July 2011, immediately after independence. The developed mandate, legal frameworks and strategic plans are clear, followed and fully implemented. These were reported in all the meetings and interviews held by CSPS research team with staff of the Ministry.



4.2.1 Structure and Institutional Arrangement

The organogram of the Ministry of Labour, Public Service and Human Resource Development puts the Minister at the top of the institution together with the Deputy Minister who are assisted technically by the Undersecretary through the Directors-General under whom the Directors and junior staff operate. The main Directorates and Departments are those of Administration and Finance; Occupational Health and Safety; Labour and Industrial Relations; Vocational Training; Recruitment Board; Records Management; Policy, Planning and Budget; Management Services; Human Resources Development and Human Resource Management and Pensions.

4.2.2 Financial Budgets

Over the four years, the Ministry's budget have represented 0.05% of the overall government budget (Table 3). According to documents reviewed, the Ministry of Finance and Economic Planning released 76.1% of the approved budgets over 4 years to the Ministry.

Table 3: Labor Ministry Budgets (2016 – 2020) in SSP

Budget Year	2016/2017	2017/2018	2018/2019	2019/2020	Overall
Overall Budget	38,074,035,03 6	46,276,830,96 7	80,451,118,38 9	208,155,265,5 45	37295724993 7
Approve d	57,148,464	54,545,569	5 9,924,288	60,246,199	189,046,930
Received	23,100,124	31,354,821	40,123,500	49,288,820	143,838,365
Deficit	34,048,440	23,190748	19800788	10957379	93,568,441

Source: Assessment Team, 2020



4.2.3 Staffing Capacity

For Over four years (2016-2020), the Ministry has been having an average of 505 approved positions, compared to 493 occupied positions for the three levels (leadership, middle and lower). No vacant positions were recorded during the assessment. Further, the assessment shows that 40 % of the staff are junior, 29% are in middle leadership level and 24% are in assistant leadership positions. Only 6% of the staff are in leadership position, including planning and management of the Ministry (Figure 4).

Figure 5: Labour Ministry Staff Grades (%)

4.2.4 Coordination and Collaboration

The assessment found high inter-unit cooperation and collaboration amongst the heads of department and staff of the Ministry. Most heads of department in the Ministry are competent and able to frame, manage and interpret analysis of internal and external dynamics and situations. This was revealed in all meetings and interviews by CSPS team with key staff of the Ministry.

4.2.5 SWOT Analysis

Strengths

- Well-established directorates responsible for all civil services.
- Well-developed strategic plan (2013 2023) of the Ministry.
- The Ministry has successfully conducted head-count in all national institutions. The
 ministry has the record of how many skilled and non-skilled personnel in the national
 workforce have been existing or non-existing.
- Availability of skilled and committed human resources.
- Availability of laws, regulations and policies.



Weaknesses

- Most of the staff have not been trained to acquire the most needed skills to effectively and efficiently deliver on their mandates.
- Lack of working tools and facilities such as laptops, photocopying machines and printers.
- Lack of office space, office furniture and other needed equipment for function in conducive environment.
- Lack of established department to coordinate between the Ministry and partners.
- Limited specialized trained staff in technical fields.
- Prefabs offices are worn-out.
- Lack of funds to implement the Ministry's plans and execute the programs.
- Low turn-out of the skilled staff due to low salaries.

Opportunities

- Support from the international development partners for the improvement of human resource capital in the ministry.
- Partnerships and collaboration with neighbouring countries and international and national development partners.

Threats

- Political interferences, nepotism and tribalism in the civil service.
- Limited budget that hampers civil service strategic plans, work plans, etc.
- Resumption of conflict can prevent Ministry project activities.
- Low allocation of funds by the national government.



The following are the identified areas where the UNDP and other Development Partners can support the Ministry of Labour, Public Service and Human Resource Development in implementing Chapter I and Chapter IV of R-ARCSS in terms of human, infrastructure, capital, equipment and training, among others:

- Continue to fund and facilitate the programs and activities that have proven to strengthen performance capacity of civil servants with attraction of new recruits.
- Build a public service institute with branches in capitals of the main states of the three main regions of South Sudan, including polytechnics and vocational training centres.
- Attach highly qualified and experienced civil servants with specific skills of expertise to highest offices of the government, including the Presidency and Council of Ministers as well as General Secretariats of States governments across the country.

4.3 Civil Service Commission

The Civil Service Commission has the mandate to advise government institutions on labour and human resource best practices; formulate and execute laws and regulations related to public employment and employees; plan, monitor, record and evaluate performance of public institutions; promote democratic principles and values to ensure meritocratic equity in the public service, strengthen the capacity of public servants; hear and address the grievances of public servants and create networking coordination and collaboration with partners.

4.3.1 Structure and Institutional Arrangement

The Civil Service Commission is structured into two directorates that are responsible for day-to-day activities under the overall leadership of Chairperson, Deputy Chairperson and Members of the Commission appointed by the President of the Republic. The Directorates of the Commission carry out day-to-day activities and are tied together technically into Administration and Finance, Monitoring and Evaluation, Research and Planning, and Recruitment and grievances.

4.3.2 Financial Budgets



The annual prepared budget is to allow the Commission to fulfill its advisory mandate, oversight, appellate and support for implementation of public service programmes and management of its resources in accordance with law and regulations.

The Commission's budget for over four years (2016 – 2020) represent only 0.01 % of the overall government budget. In most cases, the approved budget is not released fully by the Ministry of Finance and Economic Planning. For example, in 2015/16 budget, the Commission received only 1,609,965 SSP with deficits of 8,619,184 (50%) from the approved budget.

4.3.3 Staffing Capacity

Table 4 presents the Commission's staffing over the period of four years (2016 - 2020). On average, the approved positions are 74 compared to 75 filled positions, almost similar to the approved positions for employment.

Table 4: Civil Service Commission Staffing (2016 – 2020)

Financial Year	Staff Positions			
	Approved	Filled		
2016/2017	72	72		
2017/2018	72	72		
2018/2019	76	76		
2019/2020	76	79		
Average	74	75		

Source: Assessment Team, 2020

In terms of staff grades (Figure 7), the assessment shows that two-third (60%) of the staff grades are in the range of 7 to 14 (middle and lower grades), 33 % in the range of 1 to 4 (higher grades



of leadership and administration) while only 7 % are in the range of 5 to 6 grade (professional and technical grades).

4.3.4 Coordination and Collaboration

Documentation of information and coordination are performed through cell telephones to disseminate letters. Other coordination and collaboration were through Department of Research and Planning at the level of Director and senior staff. The Commission has internal partnership with Anti-Corruption Commission; Ministry of Labour, Public Services and Human Resources Development; Public Grievances Chamber and Employees Justice Chamber. Also the Commission has external partnership with Tanzanian Public Service Commission and other counterparts. However, the CSPS team were told that the international partnership have been put on hold.

4.3.4 SWOT Analysis

Strengths

- The strength exists with its board members and the staff despite the fact that the current situation is not favorable to them.
- Renting office accommodation and permanent building for daily operations.
- Staff capabilities to implement legal framework, strategic plan, policies and regulations.

Weaknesses

- Understaffing of qualified officials.
- Lack of mobility to help the staff attend to their regular duties.
- Lack of motivation to encourage the staff to operate effectively.
- Lack of electricity.
- Lack of office equipment and facilities like computers, chairs, tables and cupboard.



Opportunities

- Peace and stability provided by the peace agreement.
- Donors support to develop human resources and technical capacity of the staff.

Threats

- Low budget allocated to the Commission by national government.
- Effect of inflation on local currency in the country, which had made it difficult for the Commission to pay the rent.
- Irregular payments of salaries by the Government.
- Rent payment delayed by the Ministry of Finance.

The following are the identified areas where the UNDP and other Development Partners can support the Civil Service Commission in implementing Chapter I and Chapter IV of R-ARCSS in terms of human resource, infrastructure, capital, equipment and training, among others:

- Development of human resources through technical trainings, workshops, seminars, symposiums, conferences and engagement in professional forums.
- Financial, infrastructure and equipment support so that the Commission could get stable to operate in permanent building without being disturbed for delays in rental payments.

4.4 Disarmament, Demobilization and Reintegration Commission

The Disarmament, Demobilization and Reintegration Commission of South Sudan (DDRC) is mandated to disarm, demobilize and reintegrate ex-combatants in a sustainable manner. It has legal framework, organogram and strategic plan documents developed in 2007 and reviewed in 2019 after the signing of the R-ARCSS. According to staff interviewed by the CSPS team, the mandate and guiding principles are clear to staff in all units though the plans have not been fully executed since the establishment of the Commission in 2005.



4.4.1 Structure and Institutional Arrangement

The DDRC is composed of Chairperson, Deputy Chairperson, Secretary-General and Members appointed by the President of the Republic. The Directorates of the Commission carry out the day-to-day activities and are tied together technically into Administration and Finance, States Administration, DDR Programmes and Reintegration.

4.4.2 Financial Budgets

The DDRC yearly budgets aimed at facilitating the operations and programmes, including payment of staff salaries, maintenance of equipment and buildings, supply of fuel, mobility for activities and coordination with the supportive partners at domestic and international levels. Over the four financial years (2016 - 2020), the Commission's budget share from overall government budget has been 0.03%. Out of the approve budget, less than 50% was released by the Ministry of Finance and Planning only for covering staff salaries (Figure 8).

Table 5: DDRC Staffing Position (2016 – 2020)

Year	Staffing		
	Approved	Occupied	
2016/2017	327	330	
2017/2018	330	330	
2018/2019	335	335	
2019/2020	340	340	
Average	333	334	

Source: Assessment Team, 2020



For over four years on average (Table 5), the Commission's staffing approved in the budget were 333 while physically available staff were 334 (almost equal numbers). Job description for staff were not developed, only staff appointment letters considered as provisional job description for the meantime. Most heads of departments in the Commission are competent and able to manage, coordinate and implement commission mandate and plans.

4.4.3 Staffing Capacity

As shown in Figure 9, almost two-third of the employees grades are in junior category, 29 % in administrative category, while those in leadership and assistants are 12%.

4.4.4 Coordination and Collaboration

The DDRC has high inter-unit cooperation and collaboration amongst heads of departments and staffs at the national level. However, the assessment by CSPS team revealed that, the Commission offices at states level have not been reconstituted and are dysfunctional.

4.4.5 SWOT Analysis

Strengths

- Existence of institutional memories.
- Availability of blueprints of previous DDRC.
- Representation from all parties to the R-ARCSS
- Existence of programmes implementation tools such as Information Counselling and Referral Systems (ICRS) Database, Monitoring and Evaluation Framework.
- Existence of trained staff.

Weaknesses

- Lack of funds for DDR program.
- Inadequate trained and skilful employees.
- Negative impression on the current DDR program created by the past DDR programs.



- Scepticism and mistrust from warring parties and those already in service.
- Ambiguities in treatment of freedom fighters of South Sudan after independence.
- Lack of data base on magnitude of armaments among local communities.

Opportunities

- African Union silencing the guns by 2020 programs and overall 2063 Agenda.
- R-ARCSS implementation and inclusion of DDR in security sector reforms.

Threats

- Slow process of R-ARCSS implementation.
- Lack of funds for implementation of DDR programs.
- Insecurity due to guns and poor economic situation.
- Poor or low salaries from the Ministry of Labour, Public Service and Human Resources
 Development due to current inflation.
- Lack of political will to support the DDR programs.
- Lack of cooperation by the armed communities and individuals.

The following are the identified areas where the UNDP and other Development Partners can support the DDRC in implementing Chapter I and Chapter IV of R-ARCSS in terms of human, infrastructure, capital, equipment and training, among others:

- Construction of DDR state offices, providing office equipment such as computers, printers and photocopying machines and other management systems such as ICRS database.
- Training of staff, both skilled and non-skilled personnel.
- Support in payment of staff remunerations of highly skilled personnel that DDRC cannot afford to pay due to financial inflation.



- Support in constructing Transit Facility Centres for extra temporary trainings.
- Support for the study tours for five managers and state focal points so that they could mobilize resources for implementation of DDRC programs.
- Development and strengthening of financial systems, remunerations and salaries to attract highly specialized human resource and skilled labour force.

4.5 Peace Commission

Peace Commission has been entrusted to promote sustainable peace through collaborative institutional framework of reconciliation between the state and non-state actors and also among communities of South Sudan so that they could heal from wounds of war.

4.5.1 Structure and Institutional Arrangement

The Peace Commission is composed of Chairperson, Deputy Chairperson and Members appointed by the President of the Republic of South Sudan. Its Directorates are tied together technically into Administration and Finance, State Offices, Peace-building and Conflict Mitigation, Information and Public Relations, and Planning and Research.

4.5.2 Financial Budgets

The Commission prepares annual budgets aimed at sustaining and catering for staff salaries, operating cost and peace-building activities, including peace conferences and related programmes across the country. Over the four financial years (2016 – 2020), the Commission's budget share from overall government budget has been 0.05% and the physically received funds has been 40% (Figure 10). The fund received from Ministry of Finance only covered staff salaries.

4.5.3 Staffing Capacity

On average of over four financial years (2016 - 2020), the approved staffing in the budgets have been 137 and the filled positions have been 136 (Figure 11). The approved positions and filled positions have been almost equal during three financial years, while 2017/2018 has experienced drop in both approved and the filled positions.



Figure 12 shows that about 41% of staff grades have been in junior grades, followed by those in leadership grades (31%) and in administration grades (16%). Staff in the leadership assistant grades ranked low (12%).

4.5.4 SWOT Analysis

Strengths

- The Commission was established by law as only nationally mandated institution to articulate a national reconciliation and peace-building agenda.
- Unparalleled presence of the Commission throughout the country.
- It is the only national institution that can bridge local and national peace-building process.
- It is mandated to provide advisory service to government and has access to broker and influence policies at high level of political dialogue.
- It has strong local, regional and international partnership with diverse actors.

Weaknesses

- Weak human and institutional capacities.
- Lack of funds for implementing the planned programs and creating incentives for staff.
- Its operational systems require overhauling.

Opportunities

- Formation of RTOGNU and the reform agenda of the peace agreement.
- R-ARCSS for uplifting the Commission to become a Ministry of Peace-building.
- Support to the truth, reconciliation and healing Commission.
- Multiplicity of peace-building actors and strong national call for coordination.



- Increasing consensus that peace-building should be locally owned and driven.
- Formation of the South Sudan peace-building coordination network.

Threats

- Continuous polarization of society with shrined political space.
- Proliferation of uncoordinated action and competition among peace building actors.
- Absence of national peace-building policy with articulated vision and coherence.
- Inadequate funding and staffing, leading to failure to implement its strategic objectives.
- Lack of cohesiveness in RTOGNU.

The following are the identified areas where the UNDP and other Development Partners can support the Peace Commission in implementing Chapter I and Chapter IV of R-ARCSS in terms of human resource, infrastructure, capital, equipment and training, among others:

- Recruitment of qualified staff in order to address the issue of understaffing and employment capability in the Commission.
- Trainings to build capacity of staff and partners involved in R-ARCSS implementation,
 including organizing space for dialogue by the parties to the conflict.
- Establishment of appropriate operational environment with sufficient work facilities like vehicles, computers, office equipment, stable power supply and internet.
- Development of a working culture that encourages leadership innovation, discipline
 and teamwork with continuous meeting with peace actors to plan and coordinate
 activities for joint implementation of peace programs like mediation of conflicts
 arising from land disputes.
- Avail the finances required in the budgets for supporting operations during the implementation of reconciliation peace-building programmes.



4.6 Anti-Corruption Commission

The Anti-Corruption Commission is autonomous and impartial public institution established under Section 147 of the Interim Constitution of Southern Sudan, 2005, read together with Section 6 of Southern Sudan Anti-Corruption Act, 2009. The Commission has a mandate to prevent, combat and eliminate all forms of corruption, economic crimes and administrative malpractices so as to promote good governance and rule of law.

4.6.1 Structure and Institutional Arrangement

The Anti-corruption Commission is composed of Chairperson, Deputy Chairperson and Members appointed by the President of the Republic. Its Directorates are tied together technically into Administration and Finance, Corruption Prevention and Education, Investigation and Asset Tracing, State Coordination, and Prosecution and Asset Recovery.

4.6.2 Financial Budgets

The Commission's annual budgets are aimed at sustaining and catering for staff salaries, operating cost and anti-corruption measures taken. Over four years, the Commission's share from the overall government budget has only been 0.023%. This limited budget was covering only salaries of the employees and some scanty operation cost.

Table 6: Anti-Corruption Commission Budgets (2016 – 2020) in SSP

Budget Year	2016/2017	2017/2018	2018/2019	2019/2020	Overall
Overall Budget	38,074,035,0 36	46,276,830,9 67	80,451,118,3 89	208,155,265,5 45	3729572499 37
Commissio n Budget	20,496,647	19,090,328	24,507,754	22,754,768	86849497

Source: Assessment Team, 2020



4.6.3 Staffing Capacity

In terms of staffing over four years (2016 – 2020) on average, the Commission has 199 approved positions compared to 115 (61%) filled positions (Table 7).

Table 7: Anti-corruption Commission Staffing (2016 – 2020)

Financial Year	Staffing			
	Approved	Occupied		
2016/2017	166	138	28	
2017/2018	195	95	100	
2018/2019	199	118	81	
2019/2020	199	110	89	
Average	190	115	61%	

Source: Assessment Team, 2020.

4.6.4 Reforms Initiatives by Anti-corruption Commission

Over the last few years, South Sudan has tried to curb the growth of corruption in public institutions. Although these efforts have been inadequate to fully address the problem, it is worth mentioning that South Sudan has professed some commitment in the fight against this destructive vice. Some of the government efforts to fight corruption so far include:

- President's declaration of zero tolerance on corruption.
- Establishment of Anti-Corruption Commission.
- Passage of the Southern Sudan Anti-Corruption Commission Act, 2009.
- Public Financial Management and Accountability Act, 2011.



- Petroleum Act.
- Petroleum Revenue Management Act, 2013.
- South Sudan Penal Code Act, 2008.
- Audit Chamber Act, 2011.

4.7 National Legislative Assembly

The Legal Affairs Committee in the Transitional Legislative Assembly has a general legal framework, organogram and strategic plan that was developed in 2006 and reviewed in 2011 when South Sudan got its independence.

4.7.1 Structure and Institutional Arrangement

The Legal Affairs Committee is headed by a Chairperson, Deputy Chairperson, Members appointed by the Speaker, secretaries and other support staff. It functions in accordance with the National Legislative Assembly Conduct of Business Regulations 2011 as amended in 2013 to study the presented legislative bills for endorsement.

4.7.2 SWOT Analysis

Strengths

- Strong support from the Members of Parliaments and the entire Transitional Government of the Republic of South Sudan.
- Capacity to have respected oversight on executive government institutions, summon the
 ministers and leading officials in public institutions and impeach them if they defy or have
 gone against the law flagrantly.
- Vetting the nominated ministers before they take oath of office whereby some of the nominated ministers could rejected to assume government offices.



Weaknesses

- Lack of sufficient funds, making it difficult for the Members of Parliament to visit their constituencies and brief their people on government policies.
- Lack of trained support staff and specialists in different policy areas attached to different offices of parliamentary committees, Chief whips and Leaders of Caucuses.
- Limited office space, furniture, equipment and work facilities with conducive operational environment for discharging keen legislative and oversight duty.

Opportunities

- Access to and links with parliamentary committees in IGAD and East African Community such as Kenya, Tanzania, Rwanda and Uganda.
- Capacity and willingness to learn and improve the performance with support from international partners.
- Exchange of external visits, which offers committee members with best practices to emulate for improvement of parliamentary representation, legislation and oversight.

Threats

- Political interferences by the executive, which weakens the committee and the entire legislative assembly when it comes to election of strong speakers.
- Political instability and lack of freedom of expression.
- Media censorship and intimidation by security agents.
- Inadequate capacity and lack of willingness of the executive not understanding the true meaning of a checking and a balancing parliament to exercise of power.



4.8 Public Service Training Facilities

With the implementation of 2005 Comprehensive Peace Agreement (CPA), the Government of Southern Sudan had a lot of challenges of establishing a vibrant hybrid civil service composing the staff who were employed under the former Council of Coordination of South Sudan (CCSS) and Civil Authority of New Sudan (CANS). It meant an amalgamation of civil servants from various backgrounds across the capacity spectrum, some with extensive knowledge and experience while others were straight from the military fighting fields with very limited experience and more others who fall somewhere in the middle. To address this situation, it was felt that old in-service training Centers that existed should be revived, expanded and strengthened to support the capacity development of the new public service sector. Establishing a centralized public service institute under Ministry of Public Service, Labor and Human Resource Development (MoPSLHRD) was seen as right avenue for coordinating the trainings for professional public servants of South Sudan, using the available below facilities while preparing for new ones.

School of Public Service (SPS)

This school was established in November 2014 as part of University of Juba with the mission to spearhead capacity development of public administration following 2011 Council of Ministers Resolution to establish an Institute of Public Administration in the Country. Partnerships between University of Juba and development partners have enabled a smooth transition for the SPS to the newly constructed university campus in Customs area. The USAID's SUCCESS Project, run by Democracy International provided scholarships, which covered tuition fees and academic materials for students working with civil society/NGOs in the pilot year of the Master Program in 2016. The school has expressed openness to partnerships with other training institutions inside the country that share a complementary vision in supporting public administration capacity development such as the Human Resource Training Center (HRTC) of MoLPSHRD.

The SPS offers two-year master program in public service and plans to roll out certificate courses and other customized courses over time, including undergraduate programs. Majority of full-time staff at the SPS are South Sudanese with vast experience in public policy and administration. As



of 2016 there has been eight faculty members and three administrative staff. It is currently undergoing international accreditation process to enhance linkages with other well-established public service schools in other countries. This includes study exchange trips to Kenya, Ethiopia, among other countries, with support to the visiting scholars so as to promote visibility of SPS in the world. Within South Sudan, the SPS hopes to create avenues for financial aid, endowments, and funding for students.

• SWOT Analysis"

Strengths

- Public institution established as part of Public University.
- Focus on long term training (2 years master program).
- Possesses Board of Trustees that provides oversight and strategic direction.
- Has qualified and trained academic and administrative staff.
- Offers certificate courses and other customized courses.
- Ability to mobilize resources for its students.
- Program designed for professionals already employed by the public sector, NGOs, development partners, or the private sector.
- Courses administered through seminars, group work, case studies, and plenary.
- Classes have limited students (not more than 33 students each).
- Staff have vast experience in public policy and administration.
- Majority of full-time staff are South Sudanese.
- Located within University of Juba campus with facilities such as solar sources of power,
 internet, computerized library, lecture halls, staffing and buildings.

Weaknesses

- Limited funding from the government and local donors.
- Based in Juba University only with no branches in other public universities and States.



Opportunities

- Linked to well-recognized international universities including Harvard, Oxford, Stanford, and Syracuse (Maxwell).
- Study trips to the region such as Kenya, Ethiopia, among others.
- Plans to create avenues for financial aid, endowments and funding for students.
- External support/ funding from aid and development partners such as USAID.
- Benefited from partnerships of the University of Juba with development partners.
- Partnerships with other training institutions inside the country that share a complementary vision in supporting public administration capacity development such as HRTC of the MoLPSHRD.

Threats

- Limited funding from government.
- Donors reluctant for funding public sector.
- Insecurity and political instability in the Country.
- Not a priority in the agenda of the government.
- Suggestions on what the UNDP could consider for supporting SPS as linked to MoLPSHRD:
 - Training materials, office stationaries, computers and furniture.
 - Mobility facilities such as cars, motorbike and bicycles.
 - Modern development updates and training policy modelling.
 - Training need assessment and skills audit for the nationals and diaspora.
 - Building a compound well-equipped with professional tools.
 - Evaluating the idea of bringing trainers from neighbouring Countries.

4.8.2 Human Resource Training Center (HRTC)

HRTC is an in-service training facility established by MoLPSHRD between 2009 and 2013 in Juba as an avenue for coordinating ad hoc training for public servants who were absorbed by Government of Southern Sudan from CCSS and CANS. Between 2005 and 2013, the MoLPSHRD



received support for many development projects with links to states—Skills for South Sudan, LICUS, CABIHRD-World Bank, AfDB, MDTF and CBTF. Capacity Building Trust Fund (CBTF) has supported HRTC to develop the 2012 Master Program Curriculum for public servants in South Sudan with coordinating mechanisms of training across the country.

Initial courses in HRTC have been offered by professional trainers from Kenya School of Government based on Memorandum of Understanding (MoU) it signed with MoPSLHRD. Other line Ministries have made efforts to train their staff there. For examples, Ministry of Health has made significant efforts to identify capacity gaps, mobilize funds and seek training in HRTC though with minimal success. The HRTC is currently under the leadership of Director General for Human Resource Development in the Ministry of Labour. However, its facilities were looted following the July 2016 conflict with the available infrastructure left in dilapidated situation.

• SWOT Analysis:

Strengths

- Accumulation of experiences, including training curriculum and related documents.
- Centralized training institute under the MoPSLHRD.
- Sizable number of civil servants who are capable of running HRTC at different levels.

Weaknesses

- Offers only short-term training courses.
- Limited budget.
- Tutors/trainers coming from outside the Country.
- Limited trainers/tutors.
- Materials taught not well adapted to context of South Sudan.
- Destroyed building and looted facilities.
- Lack of mobility facilities.

Opportunities

- External financial support.
- External tutors/consultants support.



- Strong partnerships with other public service training facilities such as GATC.
- Available but neglected well-trained national trainees for public service

Threats

- Greater reliance on external support for funding and trainers.
- Dependence on development partners for support.
- Insecurity and confusions from many changes in number and structures of government at national and sub-national levels.

4.8.3 Government Accountancy Training Center (GATC)

The GATC was established in 1978 as a Regional Accountancy Training Center (RATC) to support the administrative and developmental needs of the then regional government of Southern Sudan, focusing on trainings of accountants and public finance professionals in government departments and agencies as well as other public enterprises and parastatals. The GATC had regional-centric training curriculum for students who completed secondary school and were qualified to join civil service at various government institutions. However, RATC was halted by the second civil war, which broke out in 1983 between SPLM/A and Government of Sudan.

The GATC was revived later following the signing of the 2005 CPA under Ministry of Finance and Economic Planning (MoFEP). It is located in Juba within easy reach from Ministries Complex. It has learning facilities consisting of five classrooms, one large conference hall, and a computer laboratory. Its infrastructure was renovated and refurbished to commence its functions as the Public Finance Management Capacity Development institution for training civil servants in the areas of Accountancy and public finance management. However, the facilities of the Center remain in need of further rehabilitation and equipment with modern tools.

According to GATC Director, most of the participants have been from the states and the criteria were set by development partners who funded the training. The GATC strategic direction or interests were not given due consideration. All trainings are supposed to be free of charge for civil servants and the departments where they are employed. However, MoFEP does not provide fund for running the Center except allowing the use of the available facilities free of charge,



including fuel and sanitation. Development partners have been the ones covering the rest of the training costs for the participants.

Currently, the GATC operates on limited scale due to shortage of staff and running costs. While initial trainings were short-term and exclusively delivered by external consultants, a second round of support (funded by the CBTF) focused on ambitious professional accountancy training in ACCA and Chartered Institute of Purchasing and Supplies (CIPS). The Results were poor, as the recruited trainees lacked the prerequisites to cope with the designed professionalization on-the-job hours where there were no ACCA accountants available to provide mentoring service.

• SWOT Analysis:

Strengths

- Long history in training.
- Directorate within the MoFEP.
- Located centrally in Juba.
- Learning facilities, five classrooms, one large conference hall and a computer laboratory.
- Students from different backgrounds and diverse parts of South Sudan.

Weaknesses

- Governance structure at GATC remains inadequate due to an undefined and complex arrangement with the MoFEP, including organizational structure and recruitment of qualified staff to run the Center professionally.
- Channels of communication between the MoFEP and the Center are not clear as far as aspects critical for GATC effective operations are concerned.
- The Staff who have been employed to run the Center have no experience in designing curriculum or training.
- Short duration courses based on externally designed curricula administered by external consultants/tutors, while parts of courses focused on very ambitious professional accountancy training in ACCA and CIPS.



- Enrolled students lack pre-requisites to succeed in meeting the standards of the training as they who lack translation into Arabic language.
- Difficulty in professionalization on-the-job as there are no ACCA accountants to provide the required mentoring expertise.
- MoFEP does not provide sufficient budget for operating the Center and does not consider this as a priority, given the scarce resources from the Government.

Threats

- Relying on development partners for funding and supporting the Center
- Low pay for national tutors.
- Making trainees to paying training fees against the policies of the Center.
- Restriction of the Center by MoFEP to engage directly with the international development partners and donors and create independent partnerships.
- Insecurity and conflict that disrupted and slowed down the process of reviving the Center.

4.8.4 English Language Training

English is the official language as well as the medium of instruction from Primary 4 and above. Windle Trust is a primary English language-training provider in the country. It has not only provided trainings to teachers but also to government officials with funding from Global Partnership for Education and improvement of teaching and learning of English language.

• SWOT Analysis:

Strengths

- Long years in South Sudan with acquired local context and experiences.
- Linked to external training institutions.
- Offers training in English Language to government ministries.
- Operates under an internationally recognized framework, describing six levels of language ability from A1 for beginners up to C2 for those who have mastered the language.



Weaknesses

- Limited budget from government.
- Restricted funding from international donors.

Opportunities

- Financial support from donors such as CBTF and USAID.
- External linkages with other training institutions.
- External funding.
- Partnership with other English training facilities outside the Country.
- Curriculum linked to English teaching and learning renowned institutions.

Threats

- Long-term of insecurity and conflict in the Country.
- Donors and international economic embargo on South Sudan.

4.8.5 Vocational Skills Training Centers

Various vocational training Centers were established in some States through support from Capacity Building Training Funds from the donors. This includes Eastern Equatoria, Western Equatoria, Jonglei, Warrap and Western Bahr el Ghazal. The established Centers were under the MoFEP, MoPSLHRD, and Local Government Board. However, the civil war and insecurity has paralyzed these centers from functioning as some of them got destroyed. The available curriculum is outdated. Financial resources has been limited or unveiled by MoFEP. There has inadequate staffing. Renovation, furniture and working tools/facilities are direly needed if these training centers have to be revived during the transitional period.

• SWOT Analysis:

Strengths

- Donors support.
- Past accumulated experience and institutional memories.



Weaknesses

- Lack of qualified teaching staff/ tutors.
- Low government salaries.
- Focus on short-term trainings.
- Outdated curricula.
- Insufficient/inadequate budget.
- Few classrooms with furniture, computers, chairs and desks.
- Lack of independent budget.
- Lack of permanent sources of power.
- Limited means of mobility.

Opportunities

- Partnership with external training institutions.
- Demands by R-ARCSS for technical expertise.

Threats

- Drop of oil prices.
- Delays in the security arrangements and return of civilians to their homes.
- Economic sanctions.



CHAPTER FIVE

INSTITUTIONAL CAPACITY ASSESSMENT

5.1 Policy and Enabling Environment

Activities related to implementation of the R-ARCSS require legislation for effective delivery of services. The SWOT Analysis of the selected public institutions examined the existence of legal frameworks and strategic plans to regulate the operations with support by development partners such as UNDP and World Bank since 2012. However, these were not aligned with an overall development policy and strategic plan as passed by the legislature. Thus, the available disjointed legal frameworks and strategic plans of the respected public institutions were weak and either partially enacted or never at all by the parliament. The main reason revealed by the interviewed officials was lack of coordination, finance, facilitation and qualified human resource that is motivated to do this work technically.

5.2 Structured Institutional and Organizational Analysis

Understanding institutional and organizational structures, and how they work are critical to identifying the way in which they influence processes of change through the government. As presented in Table 8 below, Five S's (Skills, Systems, Structures, Symbioses and Synthesis) tool was applied during the mapping exercise for assessment of the selected public institutions.

Table 8: Five S's for Organizational Capacity Analysis

No	Meaning	Examples: Managerial	Examples: Technical
	Individual/workforce	Skills, training and/or	Skills, training and/or
	level competency-	certification in:	certification in:
	strengthening	Leadership	Information
SKILLS	activities that	Strategic thinking	management.
	improve staff		



	norformanco	•	Organizational	•	Macrosconomic
	performance		Organizational		Macroeconomic
	according to		management		analysis/reporting.
	specified job	•	Relationship	•	Budget
	requirements.		management.		analysis/reporting.
	Organizational level	•	Human resource	•	Standard operating
	capabilities-		systems.		procedures.
	strengthening	•	Financial	•	Technical guidelines.
	activities that		management	•	Training manuals.
SYSTEMS	improve the		systems.		
	performance of	•	Information flow		
	internal systems and		processes.		
	processes leading to	•	Workflow		
	sustained ability to		processes.		
	adapt and continue				
	developing over				
	time.				
STRUCTURE	Activities that	•	Organizational restru	ctur	ing.
	improve authority,	Change management.			
	accountability and				
	role demarcation				
	Activities that	•	Policies and standards	s ali	gnment across State
	improve		agencies.		
SYMBIOSIS	collaboration and	•	Presidential/cabinet of	ver	sight.
	oversight	•	Inter-ministerial coor	dina	ition (crucial but difficult
	effectiveness, and	even in the more. developed countries).			ped countries).
	encourage win-win				
	solutions.				
	Activities that	•	Agencies that support	org	ganizational interaction.
	promote coherence,	 Strategic partnership processes. 			
			0 - p		



SYNTHESIS	and improve the	 Centre/States Government coordination.
	external	Government/Development Partner
	environment in	coordination.
	which organizations	Government/Private sector coordination.
	and individuals	 Government/Civil society coordination.
	function.	

The results showed that all the assessed selected public institutions have mandates and guiding principles, which are clear to the staff at all levels. Organizational structures are in place too with directorates, departments and units but all of them lacked qualified and skilled specialists to deliver on the mandate, responsibilities and programmes with standard performance. The staffing gaps are found in technical positions, which are necessary for professional implementation of the programmed plans and policies. These gaps have negative impacts on effective service delivery through public institutions in South Sudan.

• Institutional Leadership

Institutional leadership is a critical component of good governance with organizational performance in public institutions. This is necessary for effective implementation of R-ARCSS, which is crucial for enhancement of variable management capacity of public servants. Professional leadership focuses on integrating the key roles played through various human resource management, including planning, selections, recruitment, training, assignment, performance, ethics, monitoring, evaluation and continuous development of public service.

Given these ideals, the institutional assessment of government of South Sudan shows that heads of departments are competent, well-trained and able to frame their mandates and responsibilities with articulate capacity in mastering the vision, mission, value framework and policies of their institutions. They have the capacity to implement the strategic and operational objectives of their institutions. The assessment shows that the public institutions have competent workforce capable of translating visions, missions and values of their institutions strategically based on operational objectives and actions. Many staff members were found possessing



appropriate skills that could enable them to perform accordingly on their assignments. However, the biggest obstacles were lack of finance and work tools and facilities for performing on their institutional mandate effectively and efficiently. Facilities such as cars, buses, computers and electricity are not made available those public institutions. Most of the occupied positions in the structure were at leadership and top management levels (Ministers, Deputy Ministers, Undersecretaries, Directors-General, Directors and Assistant Directors) while the middle professional positions that relate to management, coordination of technical work were found to be inadequate occupied with well-placed professional.

• Knowledge and Information

Knowledge and information are referred to as creation, absorption and diffusion of information and expertise towards solutions. In this case there should be systems and capacity for disseminating knowledge and accurate information about R-ARCSS and the necessity of its implementation without delays. Expertise on this may not just be at the individual level but also at the organizational level. In this regard, the assessment revealed that three-quarters of government institutions lack knowledge and information on R-ARCSS and relations of this to their respective public institutions. Staff training that were conducted by development partners were found wanting and inappropriate to assist effectively in bridging this knowledge and information gaps on peace process and state-building in short or long terms.

• Professional Accountability

Accountability is another area assessed by the CSPS research team. It is based on mutual understanding of each other's roles and exists when two or more parties adhere to rules that govern their interactions. It allows organisations to monitor, learn, self-regulate and adjust their behaviour with those to whom they are accountable. Hence, in the context of R-ARCSS and the existing bottlenecks the issues of coordination of exercise of institutional power has been a big challenge in public institutions of South Sudan. The Staff interviewed revealed that there is limitation of competent personnel able to monitor and measure financial and operational performance of staff and institutions for accountability. There is no updated manuals for prescribing institutional standards and operating procedures for accountability on core functions



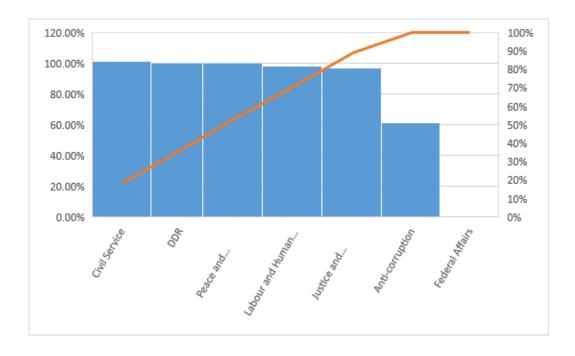
of respective public institutions from, starting with assessment and moving through planning, quality management, monitoring, evaluation and improvement in cycle of delivery of service.

5.3 Neglected Human Resource Development

Development of human resource is essential for ensuring effective planning, implementation, monitoring and evaluation of sustainable programmes of any institution. The assessment indicated that, on average, current staffing (occupied positions) were almost equal with planned staffing in the selected public institution like Ministry of Federal Affairs.

However, Commissions such as Civil Service, DDR, and Peace and Reconciliation were found overstaffed while Anti-Corruption Commission ranked low (Figure 12). The over-staffing was mainly due to absence of employment outside government institutions in addition to lack of following government rules and regulations of employment. Most of those employed outside standards of recruitment were found to have limited experience and low level of education.

In terms of intensity of staffing, Ministry of Labour, Public Service and Human Development and Peace Commission were found to have more employees compared to other selected assessed public institutions.





5.4 Poor Infrastructure and Dysfunctional Facilities

Regarding infrastructural facilities such as buildings and equipment, the assessment revealed that most institutions have permanent constructed buildings that are in good conditions. Limited office spaces, furniture and equipment such as desks, chairs, cabinets, photocopiers, computers, printers and scanners were available but with poor quality or bad conditions that required maintenance or replacement. This has affected proper functioning of office work in those institutions. Internet and Radio-Call facilities for communication were limited and sometimes not available, making the intra and inter communication and coordination in the different government institutions very difficult and inefficient. Electricity was provided from generators in all institutions and with few hours for operation per day, depending on fuel availability. Transportation facilities such as cars, buses and motor bikes were limited with most of them found grounded or operating unreliably due to limited funds for maintenance and repair. Most of means of transportation were provided by international organisations and partners.

5.5 Deficits of Financial Resources

As indicated in Figure 13, budgets allocation by government (budget expenditure for service delivery) for the selected assessed public institutions was shown to be low and insufficient, not commensurate with the contribution of the agencies to overall government performance. On average, the allocated budgets was 0.32% while one institution such as Ministry of Defence has spent 40% of overall government budgets.

Insufficient financial resources allocated to the institutions have forced them to cut down important programmes on training, recruitment, equipping and construction or mention a few of these only. This has affected the overall institutional performance negatively although limited attempts were made by some international partners to cover the budgetary deficits indirectly. The assessment revealed that the allocated funds by donors were mostly given insufficiently for short-term projects, especially the ones earmarked for humanitarian emergencies as a priority to long-term developmental programmes.



5.6 Ineffective Coordination and Collaboration

Institutional arrangements and coordination mechanisms to address issues such as mandates, functions, coordination, collaboration, partnership and reporting were poorly developed. All the assessed selected government institutions have ineffective monitoring and evaluation system to provide evidence on successful results from the implemented programmes and conducted activities. These limitations have been exacerbated by gaps in information sharing among and between public institutions and with the supportive development partners. Further, the assessment revealed that coordination with other government agencies and stakeholders was weak, poorly defined and with inadequate funding and staffing. The existing coordination through the Council of Ministers' weekly meeting, inter-ministerial clusters, annual coordination meetings, information sharing and joint reporting, have all not been conducted satisfactorily due to limitation of technical experts in public institutions.

5.7 Unutilized Public Service Training Facilities

Government of South Sudan over the past years had established, rehabilitated and renovated training facilities for building capacities of public service employees across the Country. These facilities were funded by donors and are under the Ministry of Finance and Economic Planning, MoPSLHRD and Local Government Board. However, recurrent insecurity, outdated curriculum, limited financial resources, lack of furniture and inadequate staffing were identified as the major challenges facing the established training Centers.

5.8 Summary of Constraints and Challenges to Institutional Development

Table 9: Constraints and Challenges to Institutional Development

Category	Constraints/ Challenges				
Policy constraints	Outdated policy frameworks and strategic plans, laws and regulations not repealed or reviewed to match new realities.				



Organizational Structure	Large number of staff at leadership grades employed without				
	structure or job descriptions followed or written.				
Human resource	Irrational employment of sufficient human resource without				
	strategy on professional and technical growth within the available				
	institutional structure for proportional occupation, high gender				
	inequality in staffing, insufficient number of trained and qualified				
	personnel who can perform effectively on the assigned tasks, and				
	high rate of turn-over among staff due to low payment.				
Infrastructure	Poor infrastructure, lack of proper office equipment, inadequate				
	office furniture, dysfunctional computers, redundant internet				
	facility, and limited transport facilities.				
Budget constraints	Insufficient allocated budget, less and untimely release of				
	allocated budget, lack of priorities in spending.				

Source: Assessment Team, 2020

5.9 Summary of SWOT Analysis Results

Table 10: Selected Government Institutions and Chapter 1 & IV of R- ARCSS

Strengths	Weaknesses
Collaboration within and among	Limited availability of qualified and experienced
the directorates.	professionals and technical specialists.
Collaboration with some regional	Lack of job motivation in terms of financial
and international organisations.	remuneration, promotion and training.
Existence of qualified and	Weak English language among Arabic graduates,
experienced work force.	which affects official communication.
Commitment of those in	Inadequate transport facilities such as motor
leadership position to create jobs	vehicles and motorbikes.
and develop the institutions	Lack of funds to support human resource and
Spirit of harmony and teamwork.	infrastructure development.



Opportunities	Threats
Support from international	Dependence on external partners for funding
partners.	the capacity building programmes.
Funding and assistance through	Lack of infrastructures and facilities.
bilateral and multilateral	Decline in oil prices that affect budget
development partners.	allocations.
Collaboration with other sisterly	Destructive competition over power and control
government institutions.	of scarce revenues.
	•

Source: Assessment Team, 2020

5.10 Skills, Knowledge Gaps and Lessons Learned

- Institutional Policy/Legal frameworks and Strategic Plans: Since 2012, there have not been alignment of policy/legal frameworks and strategic plans of the respective public institutions with overall Development Policy and 2040 Vision of South Sudan. The main reason revealed by the interviewed officials was lack of collaborative coordination.
- Organizational Structures and Human Resource Staffing: All the assessed selected public institutions have clear mandates, guiding principles, programmes and organizational structures—directorates, departments and units. However, most of the staff have occupied higher grades and positions of top leadership management (i.e., Directors-General, Directors and Deputy Directors). The middle professional grades of technical management have not been adequately occupied by educated, trained and appropriately qualified staff. Most of the assessed institutions have no sufficient national skilled specialists and motivated qualified professionals who are capable of functioning technically. The available staffing data were slightly above the proportional standards of the approved employment nominal rolls. The staffing gaps are wider in technical positions, which are necessary for professional implementation of the programmed plans and policies. These gaps have had negative impacts on standard performance and effective public service delivery in South Sudan.



- Physical Infrastructure, Functional Tools and Working Environment: All the assessed public institutions lacked adequate physical infrastructure to accommodate the available staff without squeezing themselves in few offices with outdated work tools/facilities or none at all. The working environment was not conducive in all the assessed public institutions due to lack of office space and poor conditions of physical infrastructure. Unavailable mobility facilities have made the operational situation more difficult for the staff, especially those at lower technical positions. Most of the staff at leadership grades have been struggling with old cars who servicing and maintenance were almost a nightmare for them, leave alone getting new cars or buses in good conditions for uninterrupted facilitated movement.
- Public Service Training Facilities and Capacity-building: The assessment found out that public service training facilities and capacity-building initiatives that have been availed for public service employees across the Country have remained unutilized despite efforts by development partners to rehabilitation or renovate them. Insecurity, outdated curricula, limited financial resources, lack of furniture and inadequate staffing were identified as major challenges facing timely utilization of these facilities with sustainable operationalization.
- Collaborative Coordination and Linkages: The assuagement exposed that most of the public
 institutions lack proper coordination mechanisms with collaborative approach internally and
 with other government institutions and agencies. The support given by development partners
 was found to be weak and poorly defined, resulting in inadequate achievements on the
 identified goals of effective capacity building of civil servants.
- Financial Resources and Budgets Liquidity: All the assessed public institutions identified lack of financial resources and deficit liquidity from the approved budgets as the main reason behind functional problems encountered in 2011 South Sudan. The allocated budgets were low and incommensurate, rarely transcending and average of 0.32% while a single institution such as Ministry of Defense and Veteran Affairs has been allowed to overspend on its overall 40% of the budgets. This financial situation and spree of misappropriation of public funds



have been seen as main limiting factor for all the above-mentioned benchmarks, delaying capacity development of public institutions of the government of South Sudan.





CHAPTER SIX

GENERAL CONCLUSION AND RECOMMENDATIONS

6.1 General Conclusion

Since the signing of the R-ARCSS in 2018, significant progress has been made in its implementation, compared to the 2015 ARCSS, which got paralyzed immediately after the TGoNU was established partially at national level. With R-ARCSS, all the require institutions and mechanisms for the pre-transition period have been established or reconstituted to commence the implementation phase and move the peace-building process forward with the NPTC and the Office of the IGAD Special Envoy for South Sudan jointly facilitating the leaders of the main opposition parties to return to Juba and start building confidence with leaders of ITGONU and other signatories to the peace agreement.

The parties were able to meet the extended deadline for the formation of RTGoNU partially in accordance with the incorporated R-ARCSS into the Transitional Constitution of South Sudan, 2011 as amended. They have started with the Presidency and the Council of Ministers, and are still negotiating to form the government at the levels of the respective 10 states and 3 Administrative Areas, which were adopted after the revert from 32 states. Also the parties are expected to complete the nomination of 550 members of the reconstituted Transitional Legislative Assembly with presentation of the list to the NCAC for endorsement. They have to reconstitute the National Council of States too and embark on reform of the Judiciary and other institutions of the public sector of South Sudan, including the civil and the military.

It is within this context that the mapping assessment of functionality of the selected public institutions was conducted to provide a clear view on the technical support needed for these institutions in regard to implementation of Chapter I and IV of the R-ARCSS. The assessment revealed that there is a big national technical gap in the public institutions due to lack of professional capacity with absence of technical specialists in the directorates and other bureaucratic units of public service. The gaps were created by overemployment of less qualified civil servants due to destructive politicization, low salaries with delayed remunerations, lack of



operational tools and facilities, poor working environment and reluctance of international development partners to assist the government directly.

However, the assessment revealed the readiness of public institutions to be assisted technically by the international partners so that the professional capacity of the public servants is built accordingly and enhanced technically to improve their professional performance on implementation of Chapter I and IV of R-ARCSS. It will be a futile undertaking to expect reforms in the public sector in South Sudan without building the technical capacity attaching motivated professional specialists in the key institutions of the RTGoNU, starting from the national level and extending the practical experience to sub-national and local level of government as required for the devolution of powers and resources for welfare of the citizens.

6.2 General Recommendations

Acknowledging the results from the SWOT Analysis regarding the assessment of the selected public institutions, the following recommendations are worth considering for practical and successful implementation of Chapter I and IV of R-ARCSS to ensure effective governance for common good of the people and government of South Sudan:

The findings from the assessment generated the conclusion and recommendations that will make it practically possible for UNDP, International Partners, RTGONU, Parties and Stakeholders to develop technical backstopping strategies for implementing Chapter I and IV of the R-ARCSS in the interest of post-war nation-state building. These are the key recommendations:

- Parties to the agreement should demonstrate the necessary political will and enhance their confidence through full commitment to R-ARCSS implementation as the viable roadmap for restoring the security, expediting the humanitarian assistance, stabilizing the economy, commencing the reconciliation, pursuing justice and cementing multiparty democracy.
- RTGoNU should release the necessary funds for speedy facilitation of reforms with specific technical capacity building of public servants to do the nitty-gritty professional work for



effective implementation of R-ARCSS during the transitional period, especially Chapter I on political governance and Chapter IV on economic management.

- RTGoNU and development partners should ensure that there is conducive work environment
 with availed standard infrastructure and efficient working tools/facilities for public
 institutions, so as to attract and motivate national technical specific skilled expertise to guide
 these institutions without politicization or jamming interferences by less qualified personnel.
- UNDP should avail it expertise and create strong ties with RTGoNU to facilitate the required technical capacity building to enable the public institutions to deliver on their mandate effectively with well-trained public servants in charge, starting from leadership positions and refocusing more on professional middle grades of technical expertise.
- UNDP should support as a priority the review and development of regulatory frameworks, public policies, professional recruitment manuals, code of business conduct, and monitoring and evaluation templates for all public institutions so as to translate practically the reforms of government institutions as stipulated in Chapter I and Chapter IV of R-ARCSS with attraction of highly qualified South Sudanese at home and from diaspora into public service.
- The UNDP, International Development Partners and RTGoNU should see to it that a specialized public service institute has been established in South Sudan to become the unified entering point for recruiting trained qualified professional public servants on tested merits with motivation for innovative performance.
- UNDP, International Development Partners and RTGoNU should see to it that vocational training centres and polytechnics have been established and programmed at the national



level in Juba with branches scattered in different states of South Sudan so that these can provide alternative life skills training opportunities for youth and women.

- Parties, Stakeholders, Partners and Citizens of South Sudan should exert more efforts to invest in build institutional social capital based on conventional approaches to post-conflict good governance and economic recovery, including infrastructural development and organizational system strengthening in accordance with relevant professional competencies and awarding remuneration packages.
- UNDP and other development partners to support the trainings for specific skills and technical capacity-building programs for the civil servants of RTGONU, including the following:
 - Rehabilitation and renovation of current facilities, including furnishing them.
 - Capacity development of national tutors through scholarships specific skills internships.
 - Updating curriculums of the training centers, including libraries and laboratories.
 - Developing policy frameworks, strategic plans, and organigrams of government institutions and training centers.
 - Providing mobility facilities such as cars, bicycles and motor boats.
 - Providing communication facilities such as internets services.
- UNDP and MoPSLHRD to design recruitment criteria for attracting South Sudanese with special skill expertise (see Annex 5) within the country and in Diaspora, giving priority to those who have been trained properly in the past but got neglected or marginalized due to politicization of the public service institutions, and attaching them to different public institutions under joint supervision by UNPD and the Ministerial Clusters as chaired by the First Vice President and the Four Vice Presidents respectively.





ANNEXES 1-6

ANNEX 1: TERMS OF REFERENCES (TORs)

Request for Proposal: National NGONGO to conduct mapping/functional assessment of selected

institutions within chapters I and IV of R-ARCSS.

Programme Unit: Democratic Governance and Stabilization (DGSU).

Duration: 30 days

Project Locations: Juba,

Project Title: Governance and Economic Management Support

Project Background

On 12th September 2018, the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) was signed in Addis Ababa to provide a road map for peace through reform, political transformation, security, development and national reconciliation. The R-ARCSS will be implemented in two phases: (i) Pre-Transition (8 months from the signing) and Transition (36 months). In May 2019 the parties agreed to extend the Pre-Transition period by six months due to delay in the implementation of key millstones, including the formation of a unified security force and the issue of boundaries and states. The R-ARCSS is much more than a power sharing deal and has the potential of transforming South Sudan's political economy. It is a compact for deep political and socio-economic reform. In fact, the economic reform package called for by the R-ARCSS is much broader and deeper than those contained in the previous agreement, e.g., the scope of Chapter IV relating to resource, economic and financial management arrangement has been expanded by 50% (from 8 to 16 paragraphs).

According to the Revitalized Joint Monitoring and Evaluation Commission (R-JMEC), the direction of movement on R-ARCSS implementation thus far is positive. However, successful implementation is not contingent only on the aspirational nature of the content but rather the creation of an enabling environment and management of risks associated with implementation of issues such as trust building, transparency around the implementation process, consensus building on the nature of the state (federal versus central), security sector reform, demilitarization, demobilization and integration, allocation of oil revenue, governance architecture and public service reform, constitution-making, and elections.

Investing in the implementation of the R-ARCSS has the potential of showcasing the success of UNDP's signature solutions and demonstrating that the New Way of Working is the optimal path for development



cooperation in a protracted and complex humanitarian context like South Sudan. UNDP received a lot of requests for support, especially technical, from relevant stakeholders like NPTC, JMEC, AU and IGAD. Capitalizing on our large network of expertise and access to the implementation process, UNDP has provided some quick and surgical support (e.g., support to align the R-ARCSS to the constitution) which has been much appreciated. By getting out quickly to support the R-ARCSS, UNDP is positioning itself as the partner of choice and the pacesetter of the transformation agenda in South Sudan. Such experience has taught that early support is critical in shaping ideas and concept, building relations and establishing trust. Moreover, early investment has the potential of increasing UNDP's portfolio, placing us at the forefront of facilitating and leadership of the partnership to influence the transitional institutions and actors.

It is against this backdrop that a SURGE planning team was deployed to the South Sudan Country Office (CO) from 23 January to 1 February 2019. The purpose of the SURGE planning mission was to support the CO with articulating a UNDP engagement strategy around the time-sensitive and strategic priorities in the implementation of R-ARCSS. The SURGE Mission develop a plan that proposes a programmatic pitch for UNDP positioning that builds on existing support already being provided by the Country Office, thus reinforcing and scaling up ongoing programmes and adding critical capacity needs for UNDP's strategic engagement in South Sudan following the new peace agreement. This SURGE plan describes the required capacity support to the UNDP Country Office in South Sudan to help formulate new strategic areas and help reinforce existing best-practice areas into a coherent programmatic offer in support of R-ARCSS implementation, with the specific aim to (i) implement a governance framework of transparency and accountability and related institutional capacity and government functionality at national and subnational levels (Chapters I and IV of R-ARCSS), especially with respect to public financial management and economic transformation, and the restructuring and reconstitution of existing Commissions and Institutions (ii) reinforce the conflict prevention and stabilization dimensions of the highly regarded multiactor Partnership for Recovery and Resilience where UNDP has played a key leadership role, (iii) support private sector development, and (iv) be prepared to facilitate cross-border developments in the Abyei region.

Objectives and Outputs

Per the R-ARCSS, the R-TGoNU will have the President as Head of State and Government and five clusters coordinated by Vice Presidents. The Governance Cluster will be under the First Vice President whilst the Economic; Service; Infrastructure; and Gender & Youth clusters will each be under a Vice President.



However, the planned mapping/functional assessment will focus on the following institutions: Ministry of Federal Affairs; Truth Reconciliation & Healing; Compensation and Reparation Authority; Ministries of Public Service, and Human Resources Development; Salary and Remuneration Commission; Demobilization & Disarmament Commission; South Sudan Peace and Reconciliation Commission;

The objectives of the consultancy are to:

- Conduct a mapping of priority activities and institutions within chapters I and IV of R-ARCSS: The
 assessment, among other things, focuses on organizational setup/structure; functions and
 responsibilities; administrative and financial systems; skills required; external relations and
 coordination of activities; human resource requirements; and training needs of technical and
 support staff required to effectively implement the R-ARCSS. The Assessment will involve 38 (22
 Governance; 12 Economic; and 4 Service cluster) Ministries, Departments and Agencies (MDAs).
- Develop an engagement/support strategy: Based on the rapid functional assessment findings and recommendations, identify and develop realistic, feasible and time-bound capacity surge strategies and actions for the implementation of chapters I and IV with the Government.
- Under the overall supervision of the CTA peacebuilding, the NGO will perform the following substantive duties and responsibilities:
 - Prepare an inception report, covering the background, objectives, methodological approach,
 work plan and deliverables for presentation at inception meeting;
 - Develop tools to conduct mapping/functional assessment of the targeted R-ARCSS institutions and mechanisms;
 - Carry out a gap analysis of the structures, mandate, personnel and funding of targeted R-ARCSS institutions and mechanisms with the view to develop their capacity;
 - Carry out an analysis on the capacity of the targeted R-ARCSS institutions and mechanisms to mainstream gender;
 - Provide recommendations on a framework to address the capacity gaps;
 - Prepare Concept Note, Strategic Paper, Technical Notes and Policy Papers;
 - Prepare presentation and share with government stake holders and development partners;



- Provide policy advice for UNDP South Sudan Country Office;
- Perform other duties as requested by the Resident Representative (RR).

The deliverables of the assessment are:

- Inception report: The NGO/think tank will prepare an inception report which details the NGO/think tank' understanding of the consultancy and how the assessment will be conducted. The report will be presented to the reference group at an inception meeting. This is to ensure that the NGO/think tank and the key stakeholders (participant institutions and UNDP) have a shared understanding of the functional assessment. The inception report will include the assessment design, methodology, sample questions, data sources and collection analysis tool for each data source and the measure by which each question will be evaluated. The report will include the scope of work, plan of action, and time frame. The methodology must include clear instruments and procedures for institutional capacity development based on identified needs and gaps. 5 days after starting the functional assessment process including activities indicated in table 1 below.
- Workshop to present findings and draft mapping/functional assessment report: The consultant will prepare a draft functional assessment report which will be presented at a validation workshop to be attended by UNDP, relevant stakeholders and participating institutions. The findings and a draft assessment report and capacity surge strategy will be subjected to review and comments. 15 days after the completion of the inception report including activities indicated in table 1 below.
- <u>Final mapping/functional assessment report:</u> A Final report containing an organizational/institutional development roadmap and action plan will be submitted to UNDP in publishable quality. **10 days after the completion of the validation of draft report** including activities indicated in table 1 below

ANNEX 2: TABLE 1 ON SUMMARY OF THE DELIVERABLES WITH CORRESPONDING DATES:

• Inception report: The NGO/think tank will prepare an inception report which details the NGO/think tank' understanding of the consultancy and how the assessment will be conducted. The report will be presented to the reference group at an inception meeting. This is to ensure that the NGO and the key stakeholders (participant institutions and UNDP) have a shared understanding of the functional assessment. The inception report will include the assessment design, methodology, sample questions, data sources and collection analysis tool for each data



source and the measure by which each question will be evaluated. The report will include the scope of work, plan of action, and time frame. The methodology must include clear instruments and procedures for institutional capacity development based on identified needs and gaps. **7 days after starting** the functional assessment process including activities indicated in table 1 below.

- Workshop to present findings and draft mapping/functional assessment report: The consultant will prepare a draft functional assessment report which will be presented at a validation workshop to be attended by UNDP, relevant stakeholders and participating institutions. The findings and a draft assessment report and capacity surge strategy will be subjected to review and comments.

 15 days after the completion of the inception report including activities indicated in table 1 below.
- Final mapping/functional assessment report: A Final report containing an organizational/institutional development roadmap and action plan will be submitted to UNDP in publishable quality. 13 days after the completion of the validation of draft report including activities indicated in table 1 below. Table 1 below provides summary of the deliverable with corresponding days:

S/N.	Activity	Deliverable	Duty Station	Days allocated
1	Document review, assessment design, methodology and detailed work plan.	Inception Report	In-country	5 days
2	Inception meeting initial briefing with reference group.			
3	Stakeholder consultations in targeted R-ARCSS institutions and mechanisms.	Draft Report	In-country	15 days
4	Preliminary data analysis, debriefing and presentation of draft mapping/functional assessment report			



	5	Validation meeting with			
		reference group.			
	6	Final data analysis,	Final report containing an	In-country	
		finalization of	organizational/institutional		10 days
		mapping/functional	development roadmap for		
		assessment Report (analysis,	the implementation of the		
		strategy and action plan)	R-ARCSS		
		incorporating additions and			
		comments provided by all			
		stakeholders and submission			
		to UNDP.			
-					
	Total number of working days				30 days

ANNEX 3: SUPPORT STRATEGY BASED ON ASSESSMENT FINDINGS AND RECOMMENDATIONS

Recommendations	Implementing Agency	Duration
Genera Recommendations		
Demonstration of full commitment to R-ARCSS and its	Parties to agreement,	Long term
subsequent implementation in letter and spirit as	Mediators, Grantors,	
provided for in the preamble and articles of R-ARCSS.	Troika, IGAD, AU	
Demonstration of "political will" by releasing the	TGoNU	Long term
necessary funds to facilitate the implementation during		
the transitional period.		
Provision of conducive environment for dissemination of	TGoNU, Parties to	Long term
R-ARCSS to all people of South Sudan internally and	agreement, Mediators,	
externally.	Grantors, Troika, IGAD, AU	
Provision of vehicles and funds to facilitate coordination	TGoNU, International	Short term
and implementation of activities.	community, Regional	
	Blocks	



Develop strong ties with partners and UN Agencies	TGoNU, Parties to	Long term
including UNDP on issues related to training & capacity	agreement, partners	
building, financial support for comparative tour to		
federal countries.		
The two principals should have very good understanding in resolving outstanding issues.	SPLM-IG/ SPLM-IO	Long term
Continuous engagement of all stakeholders to the peace agreement such as other parties who have not signed and participated in the revitalized agreement, women groups and civil society members.	TGoNU, Parties to agreement, Mediators, Grantors, Troika, IGAD, AU	Short term
Disseminate peace agreement contents to the civil population in South Sudan and refugee camps	TGoNU, Parties to agreement, Civil Society Organisations	Long term
UNDP and Other development partners		
Development of federal laws & regulation, facilitate	UNDP and Other	Long term
study tour & establishment of federal centre.	development partners	
Training, office furniture including office equipment such	UNDP and Other	Long term
as computers, printers, photocopiers among other office	development partners	
essential needs, mobility and stationaries to enable the		
ministries commissions and Transitional Legislative		
Assembly deliver efficiency and effective service to nation.		
Development of policies, regulations and programmes, in order to provide public services in a professional and transparent manner.	UNDP and Other development partners	Long term
Invest in Building Institutional and Social Capital Conventional approaches to post-conflict economic	UNDP and Other development partners	Long term



recovery tend to emphasize macroeconomic stability at		
the expense of economic infrastructure.		
Capacity development of government institutions at organizational level.	UNDP and Other development partners	Long term

ANNEX 4: ACTION PLAN PRIORITIES ON CHAPTERS I AND IV OF R-ARCSS

Action for Chapter 1: Transitional Government of National Unity

Recommended Support by UNDP and Other Partners:

- Capacity building of staff in relevant government institutions.
- Update legal frameworks and strategic plans.
- Government institutions programmes and projects related to the agreement.
- Communication and mobility facilities.
- Institutional budget to cover staff incentives.
- Awareness and sensitization campaigns for the provisions of the agreement.
- Research and studies on federal system of rule.
- Workshops, meetings and seminars.
- Office equipment, furniture, stationeries, internets and computers.
- Information and data collection.
- Dialogue and peace building initiatives.
- Institutional coordination and collaboration within and outside institutions

Follow-up	unf	inished	TGoNU	(Presidency,	During Transitional	Peace and stability in
activities	during	Pre-	Council of	Ministers,	Period	the country.
Transitional Period		Assembly, Na	ational Pre–		Confidence among	
			Transitional Co	ommittee)		principal parties
Reconstitute power–sharing		sharing	TGoNU, Partie	s to the	During transitional	Peace and stability in
arrangement among Parties		agreement, Grantors,		period	the country.	
at state	and	local	Mediators, Observers			Confidence among
government levels			(Regional Block	k,		principal parties
		International c	communities)			
Review Judiciary Act		TGoNU, Minist	ry of Justice,	During transitional	Independent judiciary	
neview sadicially rec		Judicial Reform	า	period	of South Sudan	



Draft and complete Constitutional Amendment Bill. Review and complete national security legislations.	Committee, Constitutional Court Transitional Government of National Unity (Justice, legislatures, Ministry of Security.	Enacted within one year of start of Transitional period.	subscribed to principle of separation of powers and supremacy of rule of law. Constitutional Amendment Bill drafted and completed, national security legislations reviewed and completed.
Establish three Commissions (Truth, National Healing and Reconciliation; Hybrid Court; and Compensation and Reparation Authority). Restructure and reconstitute 20 institutions and commissions at national level	TGoNU (Justice, legislatures,	During the Transitional Period During Transitional Period	Societies of South Sudan moves from conflict to peaceful environment Independent and accountability ensured.
Review Political Parties Act to produce a draft bill. Reconstitute impartial and competent National Elections Commission Publish voter's register.	TGoNU, NCAC, African Union; UN; National, regional and international elections observers.	60 days before end of Transitional Period Six months prior to elections	Free, open and democratic registration of political parties ensured. National, regional and international elections observers invited.
Chapter IV: Resource, Econom Establish Economic and Financial Management Authority	RTGoNU (Economic Cluster), Ministry of Petroleum, Legislatures	Within four months of Transitional Period	Oversight of economic and public financial management effective and transparency and



			accountability in oil sector ensured.
Institutional Reforms: Bank of South Sudan and Ministry of Finance and Economic Planning	RTGoNU, Ministry of Finance and Planning, BoSS	During Transitional Period	Monetary policy formulated, price stability promoted, currency issued, and financial sector regulated. Strategic Economic Development Roadmap to achieve sustainable and resilient national economy reviewed and implemented.
Review Anti–Corruption Commission Act 2009	RTGoNU (Ministry of Justice, Legislatures)	Within five months of transition period	Public property protected; cases of corruption investigated and prosecuted; administrative malpractices in public institutions combated, ethical standards promoted; misappropriated funds and assets returned and recovered.
Review National Audit Chamber Act 2011.	RTGoNU (Presidency)	Within three (3) months of Transitional Period	National Audit Chamber guaranteed independence.
Establish new institutions:	RTGoNU	Immediately upon commencement of Transitional Period	New established institutions operationalized and active



Public Procurement and			
Asset Disposal			
Authority.			
• Salaries and			
Remuneration			
Commission.			
Environmental			
Management Authority.			
Management Authority.			
• Research and			
Development Centres:			
Natural Disasters,			
Strategic Studies and			
Scientific Research.			
Health Care Support			
Fund.			
Students Support Fund.			
Review Banking Act 2010,	RTGoNU, Legislatures	During Transitional	National Legislations
Public Finance Management,		Period	improved and enacted
Accountability Act 2011, and			
Petroleum Revenue Act			
2012.			
2012.			
Implement provisions of	RTGoNU, Ministry of	Within six months of	All loans and contracts
Petroleum Revenue	Petroleum, NRA	Transitional Period	guaranteed against oil
Management Act 2012.			identified, checked and
0			recorded for purposes of
			transparency and
			-
			accountability.
Review current national land	RTGoNU, Legislatures	Within twelve months	Consensus over land
policy and Land Act 2008.		of Transitional Period	policy & administration
policy and Land Act 2006.			achieved. An
			independent registry of



	Т	T	
			lands for issuance of
			title deeds at all levels
			of government
			established; Land
			Commissions at
			different levels of
			government
			empowered to reflect
			customary laws and
			practices, & local
			heritage.
Develop comprehensive	RTGoNU, Ministry of	During Transitional	Policies, strategies and
policy for use and	Irrigation and Water	Period	programs for
management of South	Resources		management and
Sudan's water bodies,			development of
including the Nile.			agriculture, livestock,
including the Mic.			wildlife, tourism and
			fisheries initiated.
Develop comprehensive	RTGoNU, Ministry of	During Transitional	Preservation,
policies and legal and	Environment	Period	conservation and
institutional frameworks.			sustainable use of
mstrational frameworks.			environment promoted.
Establish effective,	RTGoNU, Ministry of	During Transitional	National, state and local
transparent and accountable	Finance and Economic	Period	governments
management of oil and non-	Planning, National		empowered by their
oil revenues.	Revenue Authority		respective constitutions
On revenues.			and laws to collect
			revenue and establish
			institutions for that
			purpose.
Work out woalth sharing and	RTGoNU, Ministry of	Within three months	Allocation of nationally
Work out wealth sharing and revenue allocation.	Finance and Economic	of commencement of	collected funds to
revenue anocation.	Planning, Fiscal and	Transitional Period	States and counties are
	_		



	Financial Allocation		transparent and
	Monitoring Commission.		ensured.
Undertake numerous activities regarding public expenditure, including: • Effective public procurement and payroll systems. • Effective payroll cleansing. • Adopting strict measures to control borrowing.		Within three months of commencement of Transitional Period	
public debt.			
 Establishing a mechanism for safeguarding public assets. Reviewing the implementation of Public Financial Management and Accountability Act 2011. 			
Borrowing A State government may borrow with approval of the State Legislative Assembly and in consultation with the national government.	RTGoNU, National Ministry of Finance and Planning and the BoSS, Legislatures.	During Transitional Period	External financial viability and debt sustainability maintained



Reform South Sudan's	RTGoNU, Ministry of	During Transitional	Transparent and
existing economic and public	Finance and Economic	Period	accountable public
sector financial management	Planning		financial management
institutions.			of oil and non–oil
			revenues; exchange
			rate; budgetary
			processes;
			procurement;
			management of payroll;
			public concessions;
			borrowing; debt and
			regulatory agencies
			ensured.
Enterprise Development	RTGoNU, National	During Transitional	Private Sector
Funds:	Ministries of Finance and	Period	Development Strategy
	Economic Planning and		implemented; Youth
Capacity building of existing	Agriculture and BoSS		and Women Enterprise
local, national, sectoral or			Development Fund
private sector associations,			established; Micro–
and develop micro, small and			finance institutions,
medium enterprises among			Social Security Fund, &
rural populations and the			subsidized credit and
urban poor, such as farmers'			capacity building for
associations or dairy			vulnerable members of
producers' associations.			society established.



ANNEX 5: PROPOSED RECRUITMENT CRITERIA FOR SPECIAL SKILLS EXPERTS (SSEs)

Annex 5a: SSEs for Ministry of Federal Affairs

Agency	Recommended	Key Functions	Competencies/Experiences
	SSE		
Ministry of Federal Affairs	 Federal Affairs Governance System Technical Adviser Policy Analyst 	 Prepare and lead the implementation of the Federal System of Governance and develop a transition management strategy to ensure smooth transition from decentralization to federal system. Ensure establishment and maintain effective management of Federal framework. Build capacity of the staff on issues of Federal System of rule. Strengthen and manage strategic partnership with other countries with long experience in federal system of governance. 	 Federal system of governance. Capacity building of public sector civil servants. Policy framework and strategic plan. Public-partnership/relations. Capacity to mobilize resources for the ministry. Mapping ministries capacity gap in staffing training programs on feral issues, human resource development and financial management.



- Prepare Federal
 Affairs policy and legal framework papers.
- Identify critical policies completed and not completed.
- Strengthen the existing Policy unit.
- Establish the system of federalism network among the States.
- Analyze and disseminate peace, stability and development dividend of federalism in RSS
- studies Carry character of fiscal federalism which being determine by: who, how, how much and what for (type of federal system be applied in RSS) i.e for revenue seizing, sharing and spending among the three levels of governments to determine economic efficiency in federal



Coordination and Data Management Specialist	system as being applied in other federation. Draw regional and international networking to acquire career development on federal system studies with forum of federation, house of federation, house of federation, IDEA for knowledge and information sharing Develop AIMS and explore the options of using it as a tool for tracking, reporting and informed decision-making. Initiate data gathering and reporting mechanisms for development partners as well as government. Establish AIMS at states levels. Training to members of traditional authority, youth and women groups on	 Design and management of Federal Affairs tracking systems. Evidence-based communications management. Organizational learning and knowledge sharing.
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	development issues	
	for self-reliance.	

Annex 5b: SSEs for Ministry of Labour, Public Service and Human Resource Development

Agency	Recommended SSE	Key Functions	Competencies/Experiences
Ministry of Labour, Public Service and Human Resources Development	 Public Service Technical Adviser Human Resources Development Technical Adviser Planning Specialist Pension Scheme Specialist National Health Specialist. 	To support the Ministry in: Development of policy guidance, regulatory framework and institutional human resource capacity development. Building capacity/training of Civil Servants. Developing training manual and job descriptions. Establishing Public Service training centers and polytechnics across the Country. Capacity building of training center tutors. Development of training policy. Developing selection criteria for staff to be trained.	In-depth knowledge in: Labour and Public Service policies and regulations development. Public Service training manual and curriculum development. Policy framework & strategic plans. Public-partnership/public relations. Capacity to mobilize resources for the ministry. Pension scheme. Training facilitation skills. Technical capacity of analysing critical documents.



	•	Planning and policy design. Records and payroll management. Pension and health insurance management. Establishing credible systems to run the ministry. Updating/ revisiting existing training capacity development documents such as curriculum, training policy.		
Coordination and Data Management Specialist	•	Revise and update AIMS and explore options of using AIMS as a tool for tracking, reporting & informed decision-making. Improve data gathering and reporting mechanisms for development partners as well as government agencies. Decentralize AIMS to sub-national levels/ states.	•	Design and management of Labour and Public Service and human Resources Development tracking systems. Evidence-based communications management. Organizational learning and knowledge sharing. Coordination/ collaboration and partnership.

	• Establishing	
	coordinating unit	

Annex 5c: SSEs for Civil Service Commission

Agency	Recommended SSE	Key Functions	Competencies/Experiences
Civil Service Commission	Adviser on Civil Service	 Advising government institutions on labour and human resource best practices. Formulating and executing laws and regulations related to public employment and employees. Planning monitoring, recording and evaluating performance of public institutions. Promoting democratic principles and values to ensure meritocratic equity in the public service. Strengthen the capacity of public servants. Hearing and addressing the grievances of public servants and create networking coordination 	Persons from the civil service knowledgeable in: Civil service laws and regulations. Legal matters. Planning and monitoring.



	and collaboration with partners. • Developing human resources through training, workshops, seminars, conferences, etc • Building administrative systems. • Mobilizing financial resources.
Development Coordination and Data Management Specialist	 Revise and update AIMS and explore options of using AIMS as a tool for tracking, reporting & inform decision-making. Improve data gathering and reporting mechanisms for development partners as well as government. Design and management of Labour and Public Service and human Resources Development tracking systems. Evidence-based communications management. Organizational learning and knowledge sharing.

Annex 5d: SSEs for Peace Commission

Agency	Recommended	Key Functions	Competencies/Experiences
	SSE		

Peace Commission	Adviser on Peace-building and conflict resolutions.	 Promoting sustainable peace through collaborative institutional framework between the state and non-state actors and among communities of South Sudan. Building capacity of state and non-state actors on peace and conflict resolutions. Mobilization of resources through fundraising exercise. Developing guidelines 	 Persons knowledgeable in: Peace building and conflict resolutions. Civil society organisations affairs. Traditional authorities practices (dialogues).
	Development Coordination and Data Management Specialist	 Revise and update AIMS and explore options of using AIMS as a tool for tracking, reporting & inform decision-making. Improve data gathering and reporting mechanisms for development partners as well as government. Decentralize AIMS to sub-national levels. Strengthening monitoring and 	 Design and management of Labour and Public Service and human Resources Development tracking systems. Evidence-based communications management. Organizational learning and knowledge sharing. Experienced in sustainable peace building with examples of different countries in Africa and abroad. Expert gained effective capacities in different field more specifically



	evaluation department	projects implementation in Public
	in the implementation	institution.
	of the intended projects	
	within the commission.	
	 Coordinate effective 	
	training in different	
	capacity as provided by	
	international	
	development partners	
	(UNDP).	

Annex 5e: SSE for DDR Commission

Agency	Recommended SSE	Key Functions	Competencies/Experiences



DDR Commission	Adviser on DDR issues. Competent Legal Adviser Adviser on Military Affairs	Advice the Commission on matters related to DDR in a sustainable manner. Support the Commission in: Designing new programmes and projects. Financial matters. Capacity building of excombatants to acquire new skills and knowledge. Financial mobilization. Creation of awareness among the excombatants. Establishing database on the DDR programmes and activities. Establishing coordination and communication with States and Counties. Connection with donors' agencies in the area. Building a strong financial system.	 Persons knowledgeable in: Military affairs. Programming and project designing. Financial mobilization (Fundraising exercises). DDR Process. Capacity building.
	Coordination and Data Management Specialist		Design and management of Labour and Public Service and human Resources Development tracking systems.



tracking, reporting & inform decision-making.	Evidence-based communications management.
 Improve data gathering and reporting mechanisms for development partners as well as government. 	Organizational learning and knowledge sharing.
 Decentralize AIMS to sub- national levels. 	

Annex 5f: SSEs for National Legislative Assembly (Legal Affairs Committee)

	Recommended SSE	Key Functions	Competencies/Experiences
National Legislative Assembly (Legal Affairs Committee)	Legal Affairs Adviser	Advise the Committee on legal matters of the TNLA. Support the Committee in: Drafting of the legislative bills for endorsement. Reviewing existing legislative bills. Reviewing of the existing legal framework and strategic plans. Capacity building of legal members of parliament,	Persons knowledgeable in: Legal issues. Legislature matters such as Assembly business.
	Coordination and Data Management Specialist	 Revise and update AIMS and explore options of using AIMS as a tool for tracking, reporting & inform decision-making. Improve data gathering and reporting mechanisms for development partners as well as government. Decentralize AIMS to sub-national levels. 	 Design and management of Labour and Public Service and human Resources Development tracking systems. Evidence-based communications management. Organizational learning and knowledge sharing.



Annex 5g: SSEs for School of Public Service

Agency	Recommended SSE	Key Functions	Competencies/Experiences
School of Public Service, University of Juba	Public policy and administration Specialist. Public Service Specialist Public Management specialist	 Support the School in: Spearheading capacity development in public management. Update/ revise school curricula. Constructing school campus. Mobilizing resources. Establishing partnerships with other training institutions inside and outside the country that share the common purpose. Developing international accreditation process to enhance linkages with other schools. Creating avenues for financial aid, endowments, and funding for students. 	 In-depth knowledge in: Public policy and management. Capacity development. Capacity building of public sector civil servants. Ability to mobilize resources for the Ministry. Academic and administrative skills. Curricula development (short, medium and long-term).



Annex 5h: SSEs for Human Resource Training Center

Human Resource Training Center, Ministry of Labour, Public Service and Human Resource Development. Resource Development. Resource Competencies/Experiences Support the School in: - Coordinating public service training programs in the Country. - Mobilizing resources for activities. - Developing of a Master Degree Program in Public Service. - Capacity building of trainers and trainers of trainees.	Human Public Specialist Training Human Res		Support the School in:	In-depth knowledge in:
Resource Training Center, Ministry of Labour, Public Service and Human Resource Development. Public Service Specialist - Coordinating public service training programs in the Country. Mobilizing resources for activities. - Developing of a Master Degree Program in Public Service. - Capacity building of trainers and trainers - Developing capacities of tutors. - Developing of a Mobilization of resources. - Developing capacities of tutors. - Developing of a Mobilization of resources. - Developing of a Mobilization of resources. - Developing curricula.	Resource Specialist Training Human Res	Service		
 Lobbying for scholarships. Developing teaching materials adapted to 	Ministry of Labour, Public Service and Human Resource	sources	programs in the Country. Mobilizing resources for activities. Developing of a Master Degree Program in Public Service. Capacity building of trainers and trainers of trainees. Lobbying for scholarships.	 management. Developing capacities of tutors. Capacity building of public sector civil servants. Mobilization of resources.

Annex 5 i: SSEs for Government Accountancy Training Center

Agency	Recommended SSE	Key Functions	Competencies/Experiences
Government Accountancy Training Center, Ministry of Finance and Economic Planning	Accountancy and Public Finance Specialist	 Support the School in: Training accountants and public finance professionals. Curricula design and development. Lobbying resources for renovation, rehabilitation and equipment. Building capacities of tutors in professional 	 In-depth knowledge in: Accountancy and Public Finance. Public policy and management. Capacity development of tutors. Capacity to mobilize resources. Public relations and partnerships.



		accountancy to mentoring.		(ACCA) rovide			
	•	Mobilization resources fo activities.		of Center			
	•	Developing materials in I	lin	e with			

Annex 5j: SSEs for Vocational Skills Training Centers

Agency	Recommended SSE	Key Functions	Competencies/Experiences		
Agency Vocational Skills Training Centers in the States	Recommended SSE Accountancy and Public Finance Specialist Public Service Specialist Human Resources Specialist Local Government Specialist	 Support the Centers in: Training accountants and public finance professionals. . Curricula design and development. Training of clerks. Lobbying for resources for renovation and equipment. 	Competencies/Experiences In-depth knowledge in: Accountancy and Public Finance. Public service regulations and policies. Capacity building of public sector civil servants. Mobilizing resources. Public relations and partnerships skills.		
		 Developing training manuals and policies. Capacity building of tutors to provide mentoring. Developing teaching materials adapted to the Country context. 			



ANNEX 6: LIST OF PEOPLE INTERVIEWED

Name		Agency	Contact
•	James Akol,	Director of Admin and Finance,	
		Ministry of Public Service and	
		Human Resources Development	
•	Wilson Lual Lual,	Executive Director, DDR	
		Commission	
•	Hon. Dr. Martin Elia	Minister of Cabinet Affairs for IG	
	Lomoro,		
•	Hon. Deng Tiel,	Chairperson of Legal Affairs,	
	_	Transitional National Legislative	
		Assembly.	
		Undersecretary, Ministry of	0917102037/0921260003
•	Abdalla Hassan Famai	Federal Affairs	
	Adidi.		
		Director General of	0925043218
		Administration & Finance,	
•	Wilson Nagib Lamodi	Ministry of Federal Affairs	
			000500500
	Localem Amello I vienzus	Executive Director, Civil Service	0925796700
•	Jocelyn Apolla Lyenwa	Commission	
•	Tohy Montinio Ollyho	Director General, Civil Service	0922283499
•	Toby Martirio Olluho	Commission	0922283499
		Acting DG for Administration and	
		Finance, Civil Service	
James Taban Abel		Commission	
	Turing Turin 11001	Acting Director of Research, Civil	0922997828
Mary Gideon Jagu		Service Commission	0,22,7,020
•	Hon. Chuol Rambang	Chairperson, Peace Commission	0925728643
	Luoth	•	
•	Majier Manyiel Malou	Director of Administration &	0925536076
	Achol	Finance	
•	Hon. Gatwech Lam	SPLM-IO	0928846622
L	Gatti Gatti	·- ·	



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