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# Study on Governance Challenges for Education in Fragile Situations

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Southern Sudan  
Country Report

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## **Foreword and Acknowledgements**

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It is hoped that this analysis will be a useful contribution to the development of education in Southern Sudan in the coming years. It is also hoped that the analysis accurately reflects the views and analysis of those consulted and relevant documentation. The lead author of this report is Mr. Chris Perry, designated consultant for the Southern Sudan case study. The Study and consultancy team has been managed by Euro-Trends.

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## Glossary of Terms and Acronyms

Acronym/Term	English
AES	Alternative Education Systems
AfDB	African Development Bank
BSF	Basic Services Fund
BSWG	Budget Sector Working Group
CABIHRD	Capacity Building, Institutional and Human Resource Development in Southern Sudan Project
CANS	Civil Authority of New Sudan
CBTF	Capacity Building Trust Fund
CCSS	Coordinating Council for Southern Sudan
CFSSP	Core Fiduciary Systems Support Project
CPA	Comprehensive Peace Agreement
DFID	Department for International Development
DP	Development Partners
EC	European Commission
EFA	Education for All
EMIS	Education Management Information System
ERDF	Education Reconstruction and Development Forum
FTI	Fast Track Initiative
GER	Gross Enrolment Rate
GoNU	Government of National Unity
GoSS	Government of Southern Sudan
ICT	Information Communications Technology
IMF	International Monetary Fund
M&E	Monitoring and Evaluation
MDTF	Multi Donor Trust Fund
MIS	Management Information System
MoEST	Ministry of Education, Science and Technology
MoFEP	Ministry of Finance and Economic Planning
MTEF	Medium-Term Expenditure Framework
NER	Net Enrolment Rate
NGO	Non Governmental Organisation
ODA	Official Development Assistance
OLS	Operation Lifeline Sudan
PFM	Public Financial Management
PRS	Poverty Reduction Strategy
PSM	Public Service Management
PTA	Pupil Teachers Association
SDG	Sudanese Pounds
SMoE	State Ministry of Education
SoE	Secretariat of Education
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
USAID	United States Agency for Development
WFP	World Food Programme



# 1. Historical Perspectives: Sector Performance and Resilience

## 1.1 Analysis of Long-Term Sector Performance and Resilience

The recent history of Sudan, since gaining independence in 1956, is characterized by numerous conflicts within a repeating cycle of democratic and military rule. Just prior to gaining independence, civil war broke out between the north and south of the country and continued until 1972 when a fragile peace was reached with the signing of the Addis Ababa Peace Agreement; granting a degree of autonomy and self rule to the south.

Growing civil unrest, abrogation of the Addis Ababa agreement and the imposition of Shari'a law in the mainly non-Muslim south by the Khartoum based national Government led to further civil war in 1983. The Sudan People's Liberation Army (SPLA) became the main opposition force in the south to the Islamic Government in Khartoum and by 1989 controlled almost the entire south. A military coup in 1989 gave power to General Omar Hassan Ahmad al-Bashir who immediately cancelled all agreements with the SPLA.

The civil war continued into the 90's with divisions in the south leading to the SPLA splitting into opposing and warring factions; causing further misery and bloodshed for the people of the south. Intense and complex conflict continued into the new millennium until, after extensive negotiations, the conflict ended in January 2005 with the signing of the Comprehensive Peace Agreement (CPA). In July 2005 a Government of National Unity (GoNU) and a new Government of Southern Sudan (GoSS) were formed.

As a result of these conflicts, development indicators in Southern Sudan are amongst the lowest in the world<sup>1</sup>; over 90% of people in Southern Sudan live on less than \$1 per day. One out of six women who become pregnant will die and one in six children die before their first birthday. The under-five mortality rate remains high at 135 per 1,000 live births, despite having reduced significantly from 250 in 2001. Despite the continuing implementation of the CPA in the south, 187,000 people have been internally displaced since January 2008 as a result of ongoing tribal and armed conflict.

The socio-economic disparity between the north and the south can clearly be seen from the disproportionate access to education when compared to population shares between the regions. For example, in 1960 shortly after independence, the south had 28% of the total population but only 8% of primary services, 2% of secondary services, no technical secondary schools or universities and only 5% of university students in Khartoum were from the south.

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<sup>1</sup> Office of the UN Resident and Humanitarian Coordinator for the Sudan, January 2008

The relative peace in Sudan between 1972 and 1983 following on from the peace agreement which granted self government to southern Sudan did little to address inequities between the regions. Inadequate resource transfer resulted in a relative decline in access to social services in the south compared to the north, especially education. Over this inter-war period, the primary GER was only 12% in the south compared to 40% in the north and only 10% and 8% of primary schools and teachers in the country were in the south (compared to a population share of 28%).

Comparing education indicators at the height of the war years in 1999/2000 with pre-war figures (1980/1981) shows a surprising increase in access to education in south Sudan. For example, the number of pupils enrolled in primary school more than doubled from 143,000 to 319,000, the number of primary schools increased from 809 to around 1,500 and the primary GER increased from 12% to 30%.<sup>2</sup> Paradoxically, this improvement occurred during a period when there were limited government resources for education and a complete absence of policy guidance and central authority.

Sudan as a whole has seen little improvement in increasing access to education opportunities over the last two decades (see *Table 1*). Primary Gross Enrolment Rates (GER) remained roughly unchanged over the period 1985 – 2001 at around 51%-52%, dropping to a low of 49% in 1999 and 2000, corresponding with the conflict between north and south. Since 2001, primary and secondary GER has increased gradually, with a rapid increase experienced between 2005 and 2006, corresponding to the signing of the CPA, but has stagnated since. The UNESCO Institute for Statistics estimated that in 2000 56% of all primary school age children were not in school (around 2.9 million) and, despite recent growth in GER, continuing high levels of drop out are likely contributing to a similar number currently.

**Table 1: Selected Sudan Education Performance Indicator Trends, 1990-2006<sup>3</sup>**

Indicator	1985	1990	1995	2000	2006	Sub-Saharan Africa, 2006
Primary GER	51.6	52.3	50.1	49	66	93.8
Secondary GER	21.1	21.5	20.6	25.9	33.8	31.9
Tertiary GER	1.9	2.9	4.9	6.2	n/a	5.2
Grade 1 GIR	57.4	59.3	69	47.8	77.2	n/a
% Grade 1 Entrants Reaching Grade 5	n/a	93.8	74.2	n/a	70.5	n/a

Education indicators in Southern Sudan are amongst the lowest in the world and the vast majority of children and youth from the south have not received any formal schooling. Current education indicators in Southern Sudan are markedly worse than those for the country as a whole (see *Table 2*).<sup>4</sup> Less than 50% of all children receive 5 years of primary education and whilst 1.3 million are enrolled (GER of 32%<sup>5</sup>), it is estimated that only 1.9% will complete primary education. Only 27% of girls in Southern Sudan attend primary school and a 15 year old girl has a higher chance of dying in childbirth than repeating school. Compared to the national average of 34 primary students per

<sup>2</sup> UNESCO, 2003, Education in Southern Sudan: War, Status and Challenges of Achieving Education for All Goals

<sup>3</sup> World Bank Statistics

<sup>4</sup> Office of the UN Resident and Humanitarian Coordinator for the Sudan, January 2008

<sup>5</sup> Government of South Sudan, MoEST, 2008, Draft Education Sector Budget Plan

teacher, it is reported that there is only one teacher per 1,000 primary students in the south. Nationally, adult literacy stands at 71% for males and 52% for females. Only 8% of female adults in the south can read and write.

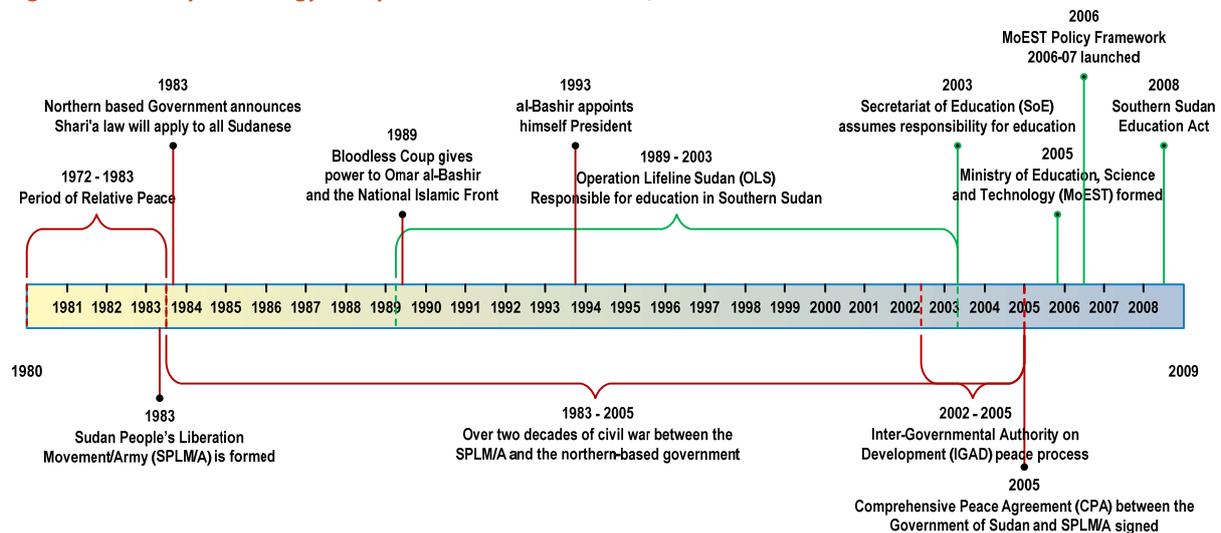
**Table 2: Selected Regional Comparative Development Indicators<sup>6</sup>**

Indicator	Southern Sudan	Darfur	Khartoum and Northern Areas	National
Chronic Hunger (% of population)	13.5%	12%	9%	11.3%
Under 5 Mortality (per 1,000 births)	134	110	104	117
% Children receiving 5 yrs of Primary Education	<50%	93%	95%	90%
Adult Literacy	15%	38%	56%	36%

## 1.2 Analysis of Factors Affecting Sector Resilience and Fragility

A chronology of key events related to the conflicts in Sudan over the last three decades and selected milestones relevant to the education sector are shown in *Figure 1*. The chronology focuses on events over the last civil war and since the signing of the CPA, but to fully understand sector resilience and fragility in Southern Sudan it is necessary to look further back, before conflict between the north and south began in 1955.

**Figure 1: Summary Chronology of Key Events in Southern Sudan, 1980 - 2008**



The drivers of sector fragility and poor sector performance in Southern Sudan are not just related to decades of civil war and conflict, but have their roots in colonial rule.<sup>7</sup> Education policies under the colonial administration differed between the Muslim north, where children were instructed in Arabic

<sup>6</sup> Office of The UN Resident And Humanitarian Coordinator For The Sudan, January 2008

<sup>7</sup> IIEP, 2005, Islands of Education: Schooling, Civil War and the Southern Sudanese (1983-2004)

with an Islamic based formal curriculum and the Christian south, where children were instructed in English in a non-uniform curricula.<sup>8</sup>

Under British colonial rule, significant effort was made to develop the economy and infrastructure of the north, whilst support to the south was mainly in the form of moral guidance through Christian missionaries. This policy resulted in a widening socio-economic gap and inherent fragility in the sector, given that education needs in the south could not be met through the limited numbers of government and missionary schools.

By the time Sudan gained independence there was a marked difference in education sector performance between the north and south, as outlined in the previous section. The policies of the northern based government in the years after independence incorporated a number of features which contributed to increased sector fragility in the south including:<sup>9</sup> a) using the education system to create a unified Sudan with Arabo-Islamism as the binding force, b) seizure of missionary schools in the south and replacement of English with Arabic as the language of instruction and c) massive under-investment in education in the south and overall inequitable allocation of resources.

Despite winning the right to self govern as part of the 1972 peace agreement, disparities in sector performance between the north and south continued to worsen throughout the 70's. This relative increase in sector fragility was due to a number of factors, including: a) inadequate resource transfer from the central government (annual actual budget disbursement to the southern regional government estimated at only 20%) and b) revival by the central government of the Arabised-Islamic education system for all schools in Sudan<sup>10</sup>.

The southern Sudanese experienced an increasing sense of frustration and injustice over these inequalities (including in the education sector) and contested notions of religious and cultural identity. This increasing civil unrest came to a head in 1983 after the central government announced that Shari'a law would apply to all Sudanese and the country returned to civil war.

Tracking access to education by comparing participation rates at the start (1983) and height (1999) of the civil war shows a surprising resilience within the sector, especially compared with the previous conflict. A number of factors contributed to this resilience, including: a) large humanitarian assistance compared with the previous war, including in response to regional famine, as a result of intense and wide spread international pressure and b) establishing a UN/NGO consortium known as Operation Lifeline Sudan (OLS) which allowed international assistance to be mobilised towards, *inter alia*, education in the south.

Another important factor contributing to education sector resilience during the civil war was the active role of the SPLA/SPLM in supporting education in liberated areas of the south. During this time the SPLA established a political wing; the SPL Movement (SPLM). The establishment of this political wing was motivated, in part, by the fact that UN relief missions and other NGOs (e.g. under

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<sup>8</sup> Women's Commission of Refugee Children and Women, From the Ground Up: Education and Livelihoods in Southern Sudan

<sup>9</sup> UNESCO, 2003, Education in Southern Sudan: War, Status and Challenges of Achieving Education for All Goals

<sup>10</sup> It is estimated that over one third of Sudanese were not Muslim – mainly located in the South.

OLS) could not engage with military groups. The SPLA/SPLM helped communities mobilize and open their own primary schools during this period. However, whilst these initiatives helped expand access to education in many communities, there have been some legacies which have been a challenge to address, including: a) proliferation of many different curricula within “islands” of liberated areas and b) viewing schools as recruiting grounds for SPLM soldiers.

However, the picture is more complex than this and over this period there were other factors which have potentially contributed to longer-term fragility in the sector, including: a) the limited efforts of NGOs to address education needs were poorly coordinated, b) from some perspectives, the OLS rapidly adopted the role of a traditional Government, effectively marginalising indigenous structures that existed or were emerging in the south, c) initiatives under OLS were mainly emergency relief with little or no development focus, d) nurturing the development of an aid dependant culture amongst some communities has affected their sense of ownership (e.g. many communities view schools as belonging to UNICEF or NGOs) and e) lack of any central policy guidance or strategic frameworks.

Since the signing of the CPA in 2005, a number of developments within the sector are beginning to contribute to increased resilience, including: a) establishment of State Ministries for Education (SMoEs) and County education offices has contributed to more effective coordination within the sector, b) the adoption of a new GoSS Aid Strategy is contributing to improved alignment and harmonisation of development partner support, c) a focus on priority budget sectors, of which education is one, is supporting joint GoSS and donor medium-term planning and budgeting and d) increased availability of reliable and comprehensive data is supporting improved targeting of education resources.

However, despite extensive efforts by GoSS and development partners as part of CPA implementation, fundamental drivers of fragility remain within the education sector and more broadly. Decades of conflict and under-investment in education has left Southern Sudan with a lack of qualified and trained teachers and learning spaces. Whilst resilience in the sector was supported by the mobilisation of volunteer teachers and recruitment of demobilised soldiers into the teaching service, the legacy was such that in 2003, up to 90% of teachers had no formal teaching qualifications and had limited educational qualifications. Unless accelerated efforts are taken to address these constraints, the current vicious cycle seen in education will continue for years to come in many areas.



## 2. Education Sector Fragility Assessment: Status and Outlook

### 2.1 Key Features of Sector Resilience and Fragility

The Government of Southern Sudan (GoSS) was only formed in 2005; from a mixture of existing civil servants, members of the SPLM, demobilised soldiers and returning diaspora. This disparate group have had the daunting task of setting up a functioning public service in a very short space of time and building institutions (often where none existed) in order to accelerate development within the region and move away from a post-conflict situation.

As indicated in the previous chapter, there is strong and growing demand for education amongst civil society and it is broadly valued as a means by which people can create opportunities for their children. The GoSS-MoEST has demonstrated leadership in the sector since its establishment in 2005. Building on the aspirations of the SPLM secretariat prior to 2005, senior ministry officials have instilled a nation building approach to education development which has provided momentum for development in the sector.

Nevertheless, there are a number of factors external to the education sector which have the potential to impact on sector fragility. For example, the overall economic situation in Southern Sudan has the potential to contribute towards either increased sector resilience *or* fragility. Southern Sudan remains highly dependent on oil revenues to fund its annual budget, with less than 2% of annual revenues generated from non-oil sources over 2005-2008. In 2009, the Ministry of Finance and Economic Planning (MoFEP) has estimated that total revenues (not including donor contributions) will be SDG 3.6 billion, of which SDG 0.2 billion (7%) will be from non-oil sources (mainly due to improved tax collection).

**Table 3: Selected Sectoral Shares of Government Spending 2006-2009 (millions of Sudanese pounds)<sup>11</sup>**

Sector	2006 Outturn	2007 Outturn	2008 Revised Budget	2008 Outturn (Provisional)	2009 Budget
Accountability	259 (7%)	71 (2%)	350 (6%)	656 (11%)	50 (1%)
Education	225 (6%)	233 (8%)	270 (5%)	290 (5%)	291 (8%)
Health	136 (4%)	67 (2%)	145 (3%)	114 (2%)	175 (5%)
Rule of Law	351 (10%)	257 (9%)	508 (9%)	515 (9%)	434 (12%)
Security	1205 (34%)	1192 (41%)	1813 (33%)	1882 (33%)	1042 (29%)
Other	1405	1116	2420	2255	1615
<b>Total</b>	<b>3582</b>	<b>2936</b>	<b>5506</b>	<b>5713</b>	<b>3606</b>

Budget predictability in Southern Sudan, like other oil producing nations, is highly dependent on increasingly volatile oil prices. This can be clearly seen in 2008, where the total approved

<sup>11</sup> Government of Southern Sudan, MoFEP, January 2009, Approved Budget 2009

Government budget was SDG 3.4 billion, but which was adjusted to SDG 5.5 billion as a result of very high oil prices.<sup>12</sup> However, a fall in oil prices or an interruption in trade due to natural disaster or conflict could have a highly negative impact and lead to increased sector fragility.

This is likely to happen in 2009 as Southern Sudan is currently experiencing an economic crisis linked to the collapse of oil prices. The 2009 GoSS budget was based on an oil price of US\$ 50 per barrel which then dropped below US\$ 40 per barrel. As a result of continued fluctuations, it is predicted that revenues for 2009 will be 40% less than indicated in the 2009 budget.<sup>13</sup> It is likely that security and salaries would be prioritised in the event of a revenue short-fall, and sectors like education and health would be cut, as is often seen during actual budget implementation compared to plans.<sup>14</sup>

As noted above, shortly after signing the CPA, the GoSS rapidly expanded the civil service to provide peace dividends to key groups and reward its supporters.<sup>15</sup> The main consequence of this approach has been over-staffing of the government workforce and a massive increase in salaries spending (see *Figure 3*), compounded by weak public financial management systems and the existence of ghost-workers.

This has a negative impact on the education sector in a number of ways, including: a) over-spending on salaries within the sector reduces the amount that could be spent on operating or capital costs within a resource envelope, b) in a situation of revenue shortfall some teachers' salaries will not be paid in full, or at all, increasing the risk of strikes or non-attendance and c) a similar inability to pay for soldiers salaries as a result of the current financial crisis is leading to protests and violence and risks further undermining security in the region.<sup>16</sup>

Donors are estimated to be contributing around SDG 1.2 billion (around US\$ 600 million) in 2009, or about 26% of total annual spending. The majority of donor funding in 2009 is expected to be directed towards infrastructure and health (see *Figure 4*). There is a potential risk to sector resilience

Figure 3: Composition of Budget, 2005-2009

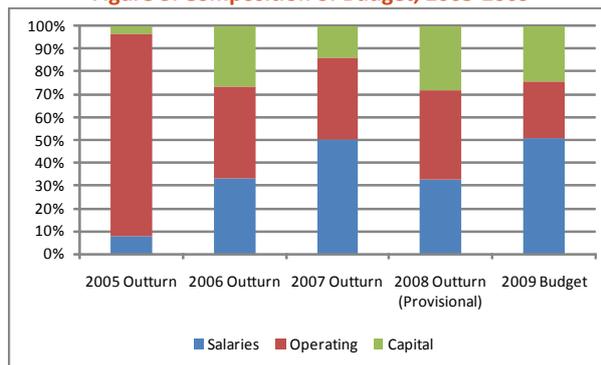
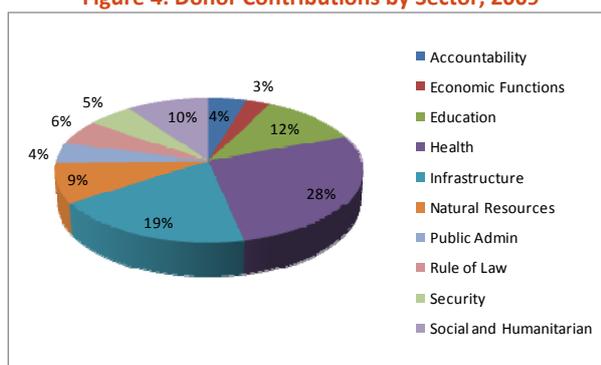


Figure 4: Donor Contributions by Sector, 2009



<sup>12</sup> However, this increase in budget allocations (made in October 2008) apparently went towards increased military spending, as indicated by a security budget increase from SDG 1 billion to SDG 1.8 billion.

<sup>13</sup> Small Arms Survey, Sudan Human Security Baseline Assessment Issue Brief: Conflicting Priorities, GoSS Security Challenges and Recent Responses, May 2009

<sup>14</sup> World Bank, December 2007, Sudan Public Expenditure Review

<sup>15</sup> DFID, 2008, Project Memorandum for the Basic Services Fund

<sup>16</sup> The Economist, April 8<sup>th</sup> 2009, Fear of Fragmentation

in the medium-term if this support results in substituting for GoSS financing of socio-economic development whilst GoSS continues to prioritise defence and security spending.

Donor allocations for education are budgeted at SDG 93 million (around US\$ 46 million) for 2009 and are projected to fall to US\$ 7.5 million by 2011 based on current commitments. This reduction of external financing of the sector, against a background of projected revenue shortfalls, increased security spending and continuing problems with salaries over-spending will further contribute to increased sector fragility in the short-term.

However, this could be mitigated to some extent by strengthening the absorptive capacity of the education sector. It is recognised that government faces significant challenges in ensuring the effectiveness and value for money of its expenditure as they continue to develop nascent public service management and PFM systems practically from scratch. Whilst there is overall commitment to strengthen these systems and continued support for doing so, progress needs to be accelerated otherwise their limitations will potentially contribute to increased fragility if education sector allocations fall.

The geography and infrastructure of Southern Sudan also pose significant challenges for education sector development. After decades of underinvestment in the South and arrested development during the conflict years, the transport, economic, financial and communications infrastructure, outside of selected urban areas (e.g. Juba) is limited. This poses specific challenges for the education sector including, a) high cost and delays to classroom construction due to the import of materials from neighbouring countries, difficulty in transporting goods and lack of suitably skilled workers, b) difficulties in transferring cash to schools contributes to the need for parental contributions and central procurement of supplies and associated difficulties in distribution and c) reduced access of schools/teachers to school supervisory and in-service training opportunities.

The current peace in Southern Sudan is fragile and security concerns remain the defining feature in the south. Despite their being evidence of sector resilience having emerged during the conflict years, a lack of security is perhaps the most important factor contributing to potential sector fragility. The CPA was designed to be a roadmap for the GNU and GoSS towards a referendum on independence for South Sudan in 2011, after elections in 2009 and a census prior to this in 2007.<sup>17</sup>

There are some concerns that a resumption of conflict along border areas between the north and south could take place as the deadline for the referendum approaches and there is evidence that GoSS has begun increasing its military expenditure (see *Table 3*). This will most likely have a negative impact on education as political engagement in, and funding for, the sector will most likely be reduced.<sup>18</sup>

## 2.2 Overall Education Fragility Status Assessment

In reviewing historical drivers of resilience and fragility in the sector alongside recent trends, the overall assessment is that there is strong political will, education authority commitment and community support for education which will contribute to sustained service management and

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<sup>17</sup> ITAD, 2009, Mid-Term Evaluation of the Joint Donor Team in Juba

<sup>18</sup> DFID, 2008, Project Memorandum for the Basic Services Fund

delivery. However, uncertainties around the political future of Sudan, border security concerns and increasing levels of local tribally based conflict point towards an increasing lack of stability within the country and an increased competition for government resources as defence and security spending is likely to increase.

In summary, the education system in Southern Sudan is characterised by: a) an increasing level of *commitment* that is potentially challenged by a worsening security situation and b) a gradually increasing level of *capacity* that is currently challenged by an economic crisis, weak fiscal discipline and the likelihood of education sector budget cuts in favour of defence and security spending. Against this background, the education sector can be characterised as being in a post-conflict/reconstruction stage with the potential to move towards arrested development depending on the governments' ability to address budget constraints and security issues.

### 2.3 Sector Fragility and Resilience Outlook, Opportunities and Risks

Despite the numerous challenges facing the education sector, it is important to remember that Southern Sudan is experiencing a window of opportunity for socio-economic development, the like of which it has never seen. As highlighted in previous sections, external factors impacting on the education sector are the largest potential drivers of fragility.

The overwhelming risk to increased sector fragility is escalation of conflict in the region, either through resumption in hostilities between the north and south or internal clan or tribal based conflict. Uncertainty about the future of the country, especially as the independence referendum nears, suggests that consideration needs to be given both to strategies that mitigate the risk of increased conflict and increase opportunities for resilience in the sector should conflict resume.

There are already extensive efforts underway to ensure implementation of the CPA remains effective and that continued peace is assured and it is beyond the scope of this study to reflect in detail on this broad and complex set of issues. However, more needs to be done to understand and address the apparent current GoSS policy of preparing for a possible military confrontation with the north, at the expense of its ability to address divisions and security issues between communities in the south.<sup>19</sup>

Development partners have an important role to play in influencing GoSS security policy, alongside supporting the provision of basic services such as education. The security situation should be monitored closely, and if there are continued signs of the country moving back towards conflict, early preparations focussed on maintaining service delivery should be made. In such an event, in order to maintain resilience in the sector, it will be important for development partners not to immediately revert to a relief driven emergency response only, but to also continue nurturing the nascent governance structures which are beginning to develop in the sector.

The other main risk to sector resilience is a significant reduction in the allocation of government funds. As a result of prioritised defence and security spending and a continuing financial crisis, there

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<sup>19</sup> Small Arms Survey, May 2009, Sudan Human Security Baseline Assessment Issue Brief: Conflicting Priorities, GoSS Security Challenges and Recent Responses

is a risk the education budget will be reduced. There is a related risk that increased donor allocations to the education sector will end up substituting for government funds in these circumstances and essentially make the GoSS decision to increase defence spending easier. Another related risk is the extent to which these funds can be effectively absorbed and used to deliver value for money, especially as MoEST has recently decided to manage procurement in the sector itself rather than allow these functions to be outsourced.

Potential opportunities that could help address projected financing challenges in the sector include: i) consideration given to general budget support as PFM reforms take hold, including using mutual undertakings or conditions linked to government spending on education and defence, ii) enforcing the GoSS aid effectiveness strategy, including reducing off-budget support to education, making external assistance more transparent and better aligned, iii) negotiating medium-term budget shares for the education sector alongside human resources efficiency gains and cost savings in capital works programmes and iv) continued dialogue with Education Ministry leadership about sector procurement and broader financial management arrangements, highlighting risks and identifying transitional arrangements which respond to MoEST goals of developing internal capacity for these functions.



## 3. Education Sector Governance Assessment: Status and Outlook

### 3.1 Context beyond the Sector

***Serious challenges remain for Public Financial Management:*** After signing the CPA, GoSS decided to abandon the PFM model (which incorporates Shari'a law) of the central government and embarked on establishing a system of PFM virtually from scratch. The MoFEP subsequently developed a new PFM act which is currently waiting to be enacted and consequently still have to use central government PFM model.<sup>20</sup>

The GoSS has made good progress in developing institutional and organisational capacity for public financial management, including formulation of a range of new acts and bills waiting for Legislative Assembly approval, including the Public Finance Bill and Procurement Act. In addition, mechanisms have been established for executive accountability, including the Southern Sudan Audit Chamber and the Anti-Corruption Commission. Budget Sector Working Groups (BSWGs) have been setup and are strengthening budget development and medium-term sector planning and are seen as a precursor to PRS and MTEF.<sup>21</sup>

Nevertheless, despite these positive recent trends, a number of challenges still remain. Fiscal discipline remains a significant challenge, with budget execution often diverging significantly from plans. The delay in adopting legislation is a major barrier in addressing this issue. A further challenge is an expanding government pay-roll due to weak administrative controls which, combined with an increase in salary scales and a financial crisis linked to oil prices, has placed the budget in extreme difficulties. Contracting out of core government functions and services has allowed the functioning of basic systems (e.g. procurement) but has not been effective at developing government capacity and serious capacity constraints remain amongst government agencies related to concepts and processes for procurement, of which the majority of government officials have little experience. These challenges continue to undermine the effectiveness and value for money of government spending.

However, there are a number of potential opportunities that can be identified. The main potential opportunity is related to improving the predictability of resources and expenditure planning through a stronger focus on improved information and accountability systems, alongside increasing parliamentary and public confidence in budget management systems. A related opportunity is the strong recognition amongst senior policy makers of the need to “right size” the public service and

<sup>20</sup> World Bank, December 2007, Sudan Public Expenditure Review

<sup>21</sup> United Nations, November 2007, Sudan Country Analysis

the availability of a range of strategic options that are currently being considered. PFM capacity is being developed and strengthened through the Accountability Budget Sector Working Group and with support from Core Fiduciary Systems Support Project (CFSSP) under the MDTF.

**Public Service Management (PSM) capacity development is a priority:** Since the signing of the CPA, GoSS has practically developed a system of government from scratch and established and staffed a structure of ministries (22 at GoSS level and 8 in each of 10 states). Staffing of the civil service has been achieved through integrating personnel from the SPLMs Civil Authority of New Sudan (CANS) and staff inherited from the older Coordinating Council for Southern Sudan (CCSS).<sup>22</sup> Key staff have received training overseas, a Civil Service Commission has been created and a Public Service Law has been drafted.

Significant challenges remain however; including the fundamental issue of Southern Sudan being a new country with no historical legacy of its own systems of public administration. CANS personnel have no experience of a functioning government and CCSS staff only have familiarity with older and defunct systems and processes. The rules and regulations currently in place governing the work of the public service have been pulled together from a variety of sources, including old regulations, examples from regional neighbours and ad hoc circulars addressing current needs.

It will not be easy to address some of the structural issues in PSM quickly, especially over-staffing. Issues related to the use of civil appointments as peace dividends and for social protection (e.g. of demobbed soldiers) are linked to the planned referendum vote and will not be seriously addressed this side of the referendum.

A number of positive developments are giving rise to potential opportunities within the area of PSM. MoEFP led support for developing an effective payroll system under the Capacity Building Trust Fund (CBTF) is beginning to have a strong positive impact on right-sizing the civil service, with Education and Health as priority sectors.

A key opportunity is the early enactment of the draft Public Service which is assessed to have large transformational potential, including at GoSS and state levels. PSM capacity is being developed and strengthened through the Public Administration Budget Sector Working Group and with support from Capacity Building, Institutional and Human Resource Development in Southern Sudan Project (CABIHRD) under the MDTF.

**Very strong focus on developing legislation within government:** The GoSS has made extensive effort in creating institutional and organizational arrangements for legislative and regulatory development<sup>23</sup>, including: a) Creation of Southern Sudan Legislative Assembly and state assemblies, b) establishment of related commissions specified in the CPA<sup>24</sup> and c) establishment of Ministry of Parliamentary Affairs, which is mandated to support the commissions.

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<sup>22</sup> World Bank, 2008, Strategic Options Paper No. 2: Public Service Reform

<sup>23</sup> United Nations, November 2007, Sudan Country Analysis

<sup>24</sup> Anti-Corruption, Human Rights, Civil Service, Audit Chamber and Employee's Justice

However, a number of significant challenges remain to be addressed if legislative development is to be accelerated. For example, there is a critical lack of knowledge and expertise of parliamentary procedures and oversight amongst assemblies and limited experience within parliamentary committees of reviewing and approving legislation. In addition, the absence of any frameworks in the South prior to the CPA has created huge demand for legislation and regulation. This combined with capacity constraints has resulted in a very slow approvals process (current backlog estimated at 300 acts) which in turn delays implementation of development plans.

Nevertheless, a number of potential opportunities also exist, including the recent establishment of a Speakers' Forum for the Southern Sudan Legislative Assembly and the State Assemblies with the main objective of promoting democratic good governance. These fora provide potential entry points for increased efforts to develop parliamentary capacity. There is also a potential opportunity to establish a transitional strategy that minimizes risks to the timely implementation of sector development plans associated with delayed legislative and regulatory approval, including a stronger focus on sectoral initiatives.

### 3.2 Actors, Interests and Incentives in the Sector

**Government of Southern Sudan:** The government has made the provision of equitable access to basic education one of the six top expenditure priorities for the period 2008 – 2011.<sup>25</sup> The one country two systems approach to governing Sudan provides a number of unique constraints for education. For example, there are implications for north-south cooperation, if Sudan is to attain FTI status (including the formulation of a national PRS).

However, recent Government policies pose potential risks to education sector development. Recent increases in GoSS military and security spending, ahead of the 2011 independence referendum, has the potential to divert resources and political engagement away from the education sector. In addition, GoSS is highly aspirational and has a tendency to focus strongly on developing a national identity through provision of infrastructure (e.g. schools) of regional standards, but which may not be as cost effective in some areas of the country.

A strongly positive sign is that Government has committed to education as a priority sector, consistent with provisions in the CPA, as evidenced by education being selected as one of the 6 GoSS expenditure priorities 2008-11 (as defined in the GOSS paper submitted to the Sudan Consortium 2008) and compulsory basic education in the draft education law.

**Ministry of Education:** The Ministry of Education, Science and Technology (MoEST) was established from the SPLM Secretariat of Education in 2005 after the signing of the CPA. The Interim Constitution of Southern Sudan established State Ministries of Education (SMoEs) and Education Offices in the subsequent administrative levels. MoEST is responsible for policy and oversight whilst SMoEs are responsible for implementation. At their establishment, MoEST and SMoEs, like the rest of the civil service and as part of a political settlement in order to provide peace dividends, were staffed with representatives of: a) existing civil service, b) SPLM, c) demobilized soldiers and d) returning diaspora.

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<sup>25</sup> GoSS MoFEP, January 2009, Approved Budget 2009

The MoEST and SMOEs face the same challenges as the rest of the GoSS: a) absence of historical legislative, regulatory or development frameworks and b) lack of knowledge or experience in a significant proportion of officials, with capacity tending to be focused at the top.

A further challenge is the lack of predictability in actual budget allocations against plans. This has the potential to undermine the effectiveness of sector plans, becoming a disincentive for medium-term planning and is beginning to have a demoralizing effect on education sector budget and planning officers. Another challenge is that capacity development is being suppressed due to staff motivation being undermined and a drift of skilled staff towards the private sector through: a) patronage, and not merit based, promotion and b) persistently reduced or delayed pay.

A number of strengths can be identified within MoEST, SMOEs and education offices which have arisen over recent years. A strong sense of nation building and the need to develop an early sense of national identity exists amongst senior decision makers. This has provided a strong incentive to develop aspirational programmes and plans and provided sense of joint purpose amongst often disparate groups of civil servants.

**Non-State Actors:** A key characteristic of civil society is a very strong voluntary commitment to getting education up and running – community mobilization was very strong during conflict years<sup>26</sup> - and community support for, and engagement in, education remains strong<sup>27</sup>. Another characteristic of the sector is that operational and capital financing of education service delivery continues to be dominated by non-state actors (e.g. UN agencies and NGOs) and operated through projects in parallel to Government interventions with no formal contractual arrangements.<sup>28</sup>

However, a number of risks or challenges associated with non-state actors remain. The highly tribal and clan based nature of Southern Sudan can lead to hostilities and conflicts at community levels which can impact negatively on participation in schools and equitable access to education. Whilst support to education from non-state actors is welcomed by SMOEs, they face considerable difficulties in planning and budgeting for education due to an absence of formal coordination mechanisms with non-state actors and limited use of medium-term plans to guide sector development.

There are a number of clear opportunities associated with non state actors. For example, the construction or rehabilitation of schools and investment in education can encourage social cohesion. Initiatives focused on school/community governance (e.g. PTA) can play an important role in conflict resolution through provision of training. There is an opportunity to build on the successes of NGO forums at state through which some NGOs work effectively. Making it a requirement for all NGOs to cooperate with this forum and strengthening its role in sector development planning could contribute to improved use of resources.

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<sup>26</sup> UNESCO, 2003, Education in southern Sudan: War, Status and Challenges of Achieving Education for All Goals

<sup>27</sup> UNICEF/MoEST, 2007, Socio-Economic and Cultural Barriers to Schooling in Southern Sudan

<sup>28</sup> Fiona Davies, 2009, Contracting Out Core Government Functions and Services in Southern Sudan

**Service Providers:** Church supported provision of education is growing strongly, with an estimated 250 schools providing education for over 100,000 pupils (around 10% of total). Churches have influence with some ethnic groups, although they do not work in all areas – particularly in Northern states when communities have stronger ties with the Muslim north. Alternative Education Systems (AES) provide education opportunities to 473,000<sup>29</sup> over aged children, youth and adults, including members of security forces who missed out as the result of the conflict.

Nevertheless, there are also a number of challenges. Confusion over Government policy on paying teachers in church schools<sup>30</sup> is potentially undermining the effectiveness of church-supported schools to operate effectively. Where church teachers are paid by government, they are often the first to have their salary stopped if budgets are constrained. AES mainly utilizes existing schools and teachers, providing teachers additional incentives. Institutional arrangements are unclear at school levels and effective utilization of resources is dependent on the support of the PTA. Recent budget constraints have resulted in AES incentives for teachers being stopped, threatening the sustainability of the programmes.

There is a potential opportunity to strengthen institutional frameworks relating to church-supported schools to: a) better differentiate between schools which should be classed as either private or government assisted and b) regularize the status of teachers. A potential opportunity exists to reorganize the management arrangements of AES to help address some of the resource constraints. The recent establishment of a security forces committee under the AES department has accelerated expansion of programmes and could be an opportunity to mobilize resources from beyond the sector in support of AES.

**Development Partners:** Donors provide significant funding to the education sector, with an estimated US\$ 46 million allocated for 2009/10 across an estimated 70 projects, with a total value of currently active projects of around US\$ 131 million. USAID is the largest single donor in the education sector, with committed project funding of around US\$ 21.5 million. Information about donor supported activities has improved significantly in recent years with the introduction of a donor project mapping exercise (only 12 education projects were reported in 2008).

A key challenge related to donor support in the education sector is the lack of stable and predictable financing, which has a negative impact on medium-term sector planning and makes it difficult to leverage increased GoSS financing for the sector. A key priority, as the GoSS and MoEST continue to strengthen their medium-term planning and budgeting frameworks and processes will be for development partners to commit to more predictable longer-term financing.

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<sup>29</sup> By comparison, in 2008 there were an estimated 1.3 million children enrolled in primary schools (about 32% of school age children).

<sup>30</sup> There is GoSS resistance to adopting a formal policy of paying all church school teachers due to the risk of being seen to finance Islamic schools. The initial position of GoSS was to leave the decision of paying church school teachers to SMOEs. As a result, some donors (e.g. UNICEF and USAID) have withdrawn financial support to teachers in church schools.

### **3.3 Sector Governance/Accountability Relations**

The draft Southern Sudan education act makes comprehensive provision for governance arrangements in the sector including, amongst other things: a) governance and management responsibilities of GoSS-MoEST, SMOEs and administrative sub-units and schools (including Governing Body and PTA), b) roles and responsibilities of development partners at national and state levels and c) resource allocation, financial management and accountability at national, state and school levels.

GoSS-MoEST has submitted an annual performance report<sup>31</sup> to the Education Committee of the Legislative assembly, focusing on budget implementation, progress towards targets in budget plans and identification of constraints in the sector and proposed strategies for addressing them. In addition, GoSS is addressing cross-government accountability reforms which are having a positive impact on the education sector. The Accountability Budget Sector is focusing on key priorities such as economic management and resource mobilization, planning and budgeting, financial management, accountability and statistics.

However, a number of significant challenges remain. There is an urgent need to approve the draft education act in order to begin addressing some key institutional relations issues in the sector. For example, the lack of clarity regarding community and government assisted schools is impacting on the performance of a significant proportion of the sector.

There is limited evidence of community and sub-national participation in policy and strategy development and medium term budget planning and a need to ensure broader participation during future sector development planning. There is also limited results orientation within sector plans and education budget sector plans at GoSS-MoEST and SMOE levels, with targets mainly focusing on sector inputs as opposed to outputs or outcomes, and progress reporting being against the provision of these inputs.

The limited focus on defining key performance indicators, setting targets developing related plans and monitoring frameworks has, to a large extent, been the result of a lack of accurate data. However, with the publication of the first ever set of comprehensive education statistics in the south in 2008, there is an excellent opportunity to support an increased results orientation in the sector.

SMoEs are critical in building community confidence through strengthened accountability mechanisms. Reforms planned under the education pay roll project, if linked to a public information campaign, including linkages with State Parliaments, provide a potential opportunity to contribute to this. A related opportunity exists to link staff remuneration policy to attendance or staff performance as part of strengthened accountability arrangements.

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<sup>31</sup> MoEST, September 2008, Report Presented to The Committee of Education, Research, Science and Technology, Southern Sudan Legislative Assembly



## 4. Main Findings: Scope and Diversity of Local and Donor Supported Initiatives

### 4.1 Summary of Findings: Local Initiatives

Prior to the establishment of the SPLM Secretariat of Education (SoE) in Rumbek in 2003, education management and service delivery was largely provided under Operation Lifeline Sudan. During this period, Southern Sudan was highly dependent on the support of NGOs and UN agencies and with little or no national policy guidance initiatives in the education sector (amongst others) tended to have a relief rather than a development focus.

Against this backdrop of weak or nonexistent state institutions of governance, a number of locally driven initiatives since the creation of the SoE have focussed on the urgent need to establish functioning structures of education governance. Key features of these efforts include: a) establishment of the Ministry of Education, Science and Technology (MoEST) in 2005 after the signing of the CPA, b) MoEST officials have been drawn from the SPLM, existing GoS civil service in the south, demobilised soldiers and returning Diaspora and c) filling senior MoEST positions was driven more by political than technical considerations.

#### Box 1: Improving Sector Coordination and Aid Effectiveness in the Education Sector<sup>32</sup>

In mid/late 2007, the MoEST issued guidelines for implementing coordination mechanisms in the education sector in order to contribute to strengthened governance in the sector. As a result of a number of discussions with development partners, and representatives from sub-national education offices, a number of coordination forums were approved over 2005 and setup in 2006, including:

**Seven Thematic working Groups**, to address thematic and cross-cutting issues as identified in sector budgeting and planning frameworks.

**Planning, Monitoring and Evaluation Working Group**, to provide an opportunity for government and donors/development partners to work more closely together. This forum will also serve as the entry point for new donors and development partners in Education. This group has subsequently been replaced by the Education Sector Budget Working Group.

**State Coordination Forums**, to bring together the County and Payam level representation to coordinate education issues in each of the 10 states.

**Southern Sudan-Central Level Coordination Forum**, to bring together representatives from the three coordination forums above into a unified forum. However, this forum has yet to be set up.

**The Education Reconstruction and Development Forum (ERDF)**, to provide an opportunity for all education sector stakeholders to network, exchange perspectives, share information and have an input to, and receive guidance on, education policy direction.

<sup>32</sup> GoSS-MoEST, 2007, Approved Coordination Mechanisms and Fora for the Education Sector

A key initiative by MoEST has been to focus on developing the capacity of State Ministries of Education. In addition to strengthened planning and coordination mechanisms recently implemented (see *Box 1*), the Ministry has initiated a programme to provide professional support to the SMOEs under a State Advisors Programme. This programme supports the provision of a senior-level State Adviser to each SMOE who work in an integrated and collaborative way with key officials to develop capacity in areas including planning and budgeting, administrative systems building, financial management, program implementation and M&E.

Unsurprisingly, in a country with little or no historical legacy of institutional frameworks, there has been a strong focus on developing legislation, including within key enabling areas which are supporting strengthened education governance (e.g. PFM, public service management). In education, the MoEST has been very active in developing institutional frameworks for education, including having drafted and submitted to the legislative assembly: a) a Southern Sudan General Education Act, b) a Southern Sudan Schools Act and c) a Southern Sudan Teaching Service Act.

Another important initiative by the Ministry of Education has been to focus on developing a motivated and committed high quality teaching force. A key challenge to achieving this objective has been persistent problems with delayed, under-payment or non-payment of salaries. A key factor contributing to this problem has been the perceived shortage of budget provision for teachers salaries due to imposed ceilings.

In an attempt to address these issues MoEST completed a nation wide head count in 2008 and is leading the Southern Sudan public service, alongside the health sector, in implementing new payroll systems and teacher management reforms (see *Box 2*) which are beginning to catalyse similar public reform initiatives in other parts of Government.<sup>33</sup> The importance of these initiatives is recognised amongst GoSS and development partners as part of broader strategies for state-building and developing the legitimacy of Government alongside the potential for efficiency gains, given the number of civil servants who are employed in the education sector.

#### **Box 2: Implementing a New Education Payroll System**

The MoEST began a teacher payroll management reform programme in March 2008 with a country wide teacher head count. The head count was implemented with support from the MoFEP managed Capacity Building Trust Fund (CBTF) and was the first step towards establishing an accurate and effective teacher payroll management system.

Armed with the results of the head count, the Ministry has been able to clean the payroll and from mid 2009 all states have begun using the new payroll system. The implementation of the system has focussed on a number of capacity development initiatives, including: a) developing a cadre of skilled analysts within the MoEST payroll unit, b) training of payroll managers within SMOEs by MoEST payroll unit staff and c) provision of ICT equipment to support the new system.

The new system is already beginning to pay dividends. It has been determined that the conditional grants used to fund the salaries budget should be funding 24,000 teachers as opposed to the currently budgeted for 33,000. It is anticipated that the identification of these 9,000 largely unclassified staff members will support rationalisation of the payroll and allow full payment of salaries to verified teachers.

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<sup>33</sup> MoEST, September 2008, Report Presented to The Committee of Education, Research, Science and Technology, Southern Sudan Legislative Assembly

## 4.2 Summary of Findings: Donor Supported Initiatives

Significant progress has been made in recent years in expanding the coverage of the annual development partner mapping exercise. In 2008, 62 projects supported by development partners were identified; up from only 12 the year before. In 2009, 70 projects will be supported by development partners with an amount of US\$ 46 million (compared to US\$ 82 million in 2008).

In recent years, the main development partners who have been working with the Ministry of Education, Science and Technology include USAID, UNICEF, MDTF, European Commission, and Japan. Other UN agencies, such as UNHCR and WFP are make substantial contributions in terms of schools building and school feeding. International NGOs and Church organisations provide project support, mainly funded by larger development partners, for education delivery at the community level.

### Box 3: Multi Donor Trust Funds (MDTFs) in Sudan

In 2005, two Multi Donor Trust Funds (MDTFs) were setup to support reconstruction and development efforts throughout Sudan with pledges amounting to over US\$ 500 million. The MDTF-National has technical secretariat based in Khartoum and is primarily concerned with providing development assistance to war-affected areas in the North. The MDTF-Southern has a technical secretariat based in the World Bank in Juba and is primarily concerned with providing capacity development support to the GoSS.

An overall objective of the MDTFs were to provide development assistance in conformity with the Paris Declaration agenda through pooling resources, reducing transaction costs and aligning support under a single unified policy framework. The MDTF-Southern has a broad portfolio including, but not limited to priority cluster areas of: Rapid Impact Emergency Project (RIEP), Capacity Building, Institutional HRs Development (CABIHRD), Core Fiduciary Systems Support and Multi Donor Education.

Support to Education under the MDTF has been programmed in two phases. The first phase had a number of project aims to be achieved over 2006-2008, including: a) construction of multi-purpose education centres and in-service training of teachers, b) provision of alternate learning programmes and life skills training aimed at social reintegration for ex-soldiers, overage learners, females and IDPs, c) rehabilitation of schools, d) MoEST capacity development for policy formulation, service management, curriculum development and learning assessment. The total contribution of the MDTF to the Education Sector Development Program for phase 1 was budgeted at US\$ 50.5 million (56% financed by MDTF donors and 44% financed by GoSS).

It is beyond the scope of this report to assess in detail the full range of donor supported initiatives, but it is helpful to focus on a number of key programmes of support. For example, there has been sustained and extensive support for education from USAID since before the signing of the CPA and USAID provided the first major programme of donor investment in the education sector with the Sudan Basic Education Programme (SBEP). This programme has a very strong focus on developing capacity within the MoEST, alongside supporting the expansion of basic services through NGO partners.

The SBEP underwent a significant realignment in 2005 as a result of USAID introducing a new Africa Education Fragile States Strategy, adopting shorter-periods of implementation and focussing more on delivering peace dividends and less on capacity development than previously. USAID remains committed to strengthening management capacity in the education sector, especially through

support to state Ministries of Education, and are the largest bilateral donor in the sector with US\$ 12.4 million budgeted under their programmes for 2009.<sup>34</sup>

Another important example is the MDTF which was intended to be used as a single aid instrument in Southern Sudan in order to facilitate aid effectiveness and support strong donor coordination and alignment (see *Box 3*). However, by 2007, almost half of the partners' development assistance was taking place outside the Fund, either on bilateral programmes (26%) or through other UN pooled funds (19%).<sup>35</sup> Only 19% of projected donor expenditure in the education sector in 2009 will be from MDTF sources (although this is a significant increase over the 6% budgeted for in 2008). There have been significant delays in implementing MDTF education plans (as of Jan 2009, education expenditure was 17% of commitments, compared to the fund total of 60%) mainly due to limited progress in facilities construction.

The MDTF is focussed on longer-term development in the sector through sustained capacity development and provision of large scale infrastructure programmes. A need was identified to provide support for service delivery whilst the transition from humanitarian operations towards the MDTF took place. As a result, DFID conceived the Basic Services Fund (BSF) in 2005 as a means to respond to these challenges (see *Box 4*). Despite being conceived as a transitional fund, the BSF was extended in 2008 and work on phase II began in early 2009; mainly in response to continuing concerns over the ability of the MDTF to deliver expected results in the sector.

**Box 4: Basic Services Fund (BSF) in Southern Sudan**

The Basic Services Fund was established by DfID in early 2006 as a transitional to support the provision of basic services until the MDTF became fully operational. Originally it was anticipated the fund would only operate for two years, though a phase II was launched in 2009, mainly due to delays associated with MDTF support.

The fund focuses on priority areas including: primary education, primary health care and basic water, sanitation, and hygiene education. GBP 17.2 million was allocated for phase 1 of the BSF, to be channelled through NGOs to support the provision of basic services in the most under-served areas of Southern Sudan.

The fund disbursed GBP 4.5 million to four NGOs (SC-UK, Caritas and the Roman Catholic Diocese of Torit (RCDoT), World Relief and the Episcopal Church of Sudan and HASS) to support: a) school construction, b) teacher training, c) textbook distribution, drilling boreholes at schools and training of PTAs and head teachers.

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<sup>34</sup> Government of Southern Sudan, MoFEP, January 2009, Approved Budget 2009

<sup>35</sup> ITAD, 2009, Mid-Term Evaluation of the Joint Donor Team in Juba, Sudan



## 5. Main Findings: Lessons Learned and Good Practice

### 5.1 Analysis of Local Initiative Good Practice: Lessons Learned

***Significant progress has been made in developing institutional and organisational arrangements in the sector from a very low baseline.*** In reviewing the experience of GoSS in building a functioning Ministry of Education, a key lesson learned has been that when building institutions immediately after the transition to post-conflict, staff appointments as part of a political settlement (rather than being purely technically driven), may provide greater dividends through nurturing organisational stability, particularly when capacity and experience is generally low.

In leading early efforts for sector development, a key lesson learned is that aspirations are critical as part of nation building (e.g. school building designs), but if development plans do not sufficiently respond to fundamental challenges (e.g. expense of imported building materials, lack of construction capacity) then consequent poor performance in plan implementation can undermine motivation. Another key lesson learned is that too much emphasis on approving legislation and regulations, including as pre-requisites for systems development, can slow the implementation of development plans, especially when legislation from various sectors is competing for limited National Assembly time.

***Human resources development should be incorporated within a broad, but prioritised, sector development strategy that includes elements of public service reform.*** A key lesson learned<sup>36</sup> has been that capacity development initiatives need to incorporate the sequenced development of both human resources and systems development. Without the required policies, procedures, processes and information systems, staff capacity cannot be fully utilised and there is a risk of undermining staff motivation.

***An early focus on information systems is essential for supporting improved sector planning and budgeting and nurturing increased levels of accountability.*** A key lesson learned is that the increased availability of information can have a catalytic effect on education management processes. For example, whilst there was resistance to the first comprehensive EMIS produced in 2008 amongst some SMoE from states where response rates had been poor, this has actually resulted in strong commitment from SMoE leadership to do better in subsequent years.

A related lesson learned is that by adopting an inclusive and user oriented approach, a harmonised approach to systems development can be nurtured from the outset. For example, the EMIS

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<sup>36</sup> Government of South Sudan, May 2008, Education Rehabilitation Program Mid-Term Review Aide-Memoire

incorporated data from Alternative Education Systems (AES) programmes, which appeared to underestimate enrolment figures from the perspective of the AES department. As a result of a collaborative review of EMIS data capture processes, the AES department will join and support EMIS staff in subsequent years, as opposed to attempting to develop their own systems (which is common elsewhere).

**Early efforts to address the legacy of peace dividends and political settlements on staffing in the sector are critical.** A key lesson learned is that, in a constrained budgetary environment with centrally imposed ceilings, over-staffing can have a broad impact on staff morale and performance as staff remuneration is adversely affected. A key lesson learned is that early and transparent efforts to rationalise the teacher force can create space in the budget and improve teacher performance through contributing to timely and full payment of salaries. A related opportunity associated with the teacher payroll system is linking salaries payment to attendance and performance.

**A strong commitment to cooperation and collaboration between all levels of Government and between Government and development partners has underpinned progress in the sector.** A key lesson learned has been the importance of setting up early and effective coordination mechanisms at all levels, for all stakeholders, including working groups and forums. A related lesson learned is that these clear mandates for these fora are essential for their effective operation, alongside meeting regularly with a clear sense of purpose. Another lesson learned is that a strategy for information sharing between various stakeholders is essential for effective planning and implementation.

## 5.2 Analysis of Donor Supported Initiative Good Practice: Lessons Learned

**It is important to maintain a mix of aid instruments and modalities, particularly in uncertain or changing environments.** Delays experienced with implementing the education rehabilitation programme under the MDTF have created significant frustration in some quarters and has undermined the effectiveness of aid in the sector. An overall lesson learned is that the design of the MDTF implementation modality did not sufficiently respond to GoSS capacity constraints in the education sector and that there is an emerging need to adopt alternative strategies, including providing more space for bilateral programmes.

Key lessons learned include: a) unifying external assistance under one instrument, whilst consistent with aid effectiveness guidelines, risks creating an aid “bottleneck” if problems with that instrument occur, b) in a post-conflict transition situation, there may be more to gain by focussing on sector partnership arrangements in support of coordination and alignment rather than attempting to reduce transaction costs through harmonisation under a single approach and c) an early focus on joint sector planning and budgeting (e.g. education sector budget working group) with broad overall policy directions may be more important than attempting to develop a comprehensive sector wide plan.

**Getting the balance right between provision of services and developing institutional and organisational capacity is not easy.** Development partner perspectives in Southern Sudan vary significantly over the relative priority of capacity development or service provision. One example of

good practice is the strong focus of the MDTF on building GoSS capacity and encouraging GoSS ownership of national development programmes.

Key lessons learned include: a) the MDTF has not been effective at delivering quick wins or peace dividends for communities and there has been limited impact on increased service delivery, b) MDTF rules and procedures have created serious obstacles to NGOs accessing MDTF funds and favour the private sector, c) NGOs have a comparative advantage of local knowledge, capacity and networks which the private sector may not have and d) other funds, including the BSF are more effectively aligned towards developing increased service delivery and improved school/community governance.

***Effective donor and NGO engagement in sector policy dialogue needs to be encouraged at the earliest opportunity.*** Key lessons learned include: a) enabling government ownership and leadership of external assistance (e.g. MDTF plans) should not come at the expense of donor engagement in policy dialogue (e.g. over appropriate construction models), b) formal channels of dialogue may not be the most effective way for development partners to engage in policy, but trusted advisers working alongside MoEST decision makers can have influence, c) the extent to which government staff have sufficient experience and knowledge of identifying and assessing alternative policies and strategies should not be assumed or underestimated and d) early, sustained and consistent support for institutional capacity development is as important as focussing on delivering peace dividends.



## 6. Country Report: Summary of Conclusions and Recommendations

### 6.1 Conclusions and Key Issues

An overarching conclusion is that current education fragility in Southern Sudan is primarily a result of decades of under-investment, marginalisation and its use as a political tool to impose a national Arab-Islamic identity. Whilst decades of civil war have arrested education development, education provision has in some areas improved during the war, though the quality of this education is debatable.

Another important conclusion in post-conflict Southern Sudan is that concepts like reconstruction and reform are not appropriate given the historical absence of institutions, systems and infrastructure and the GoSS has been faced with building governance institutions literally from scratch. A related issue has been assumptions about government capacity and the management of aid instruments like the MDTF. Whilst these approaches may have worked in fragile situations elsewhere, the unique historical legacies in Southern Sudan have provided challenges that were not sufficiently anticipated.

A related conclusion is that the extent to which levels of GoSS institutional and organisational capacity has been developed has been constrained by external assistance approaches during the civil war. Whilst the support of NGOs and UN agencies during the last civil war had a positive impact on service delivery, there was little evidence of this support contributing to development as opposed to only relief objectives, despite there being opportunities and demand to so.

A further conclusion is that the outlook for education sector (amongst others) resilience looks precarious and that the drivers of fragility are dominated by security concerns and sustainable GoSS financing. A related issue is that, despite currently experiencing a financial crisis, Southern Sudan has a relatively high revenue generating capacity, but GoSS still prioritises defence and security spending over the sectors and this trend appears to be increasing.

A related conclusion is that increasing external assistance to the education sector without changes being made to GoSS spending priorities will result in substitution and constitutes a potential moral hazard if defence spending continues to increase. A related issue is that EFA FTI support does not appear to offer any comparative advantage in South Sudan and other forms of support which provide greater opportunity for policy leverage may be more appropriate.

Another conclusion is that too much emphasis on developing legislative frameworks may be counterproductive. A key issue in Southern Sudan is the historical absence of any legal or regulatory

frameworks and the need to develop new legislative from scratch. The sheer volume of new legislation being submitted to an inexperienced Legislative Assembly has resulted in significant delays in approval. A further key issue is that, in many cases, the approval of legislation has become a rate determining step in the implementation of sector development plans.

A final conclusion is that unless there is a rapid change in school construction contracting strategies and school designs, it will take decades to build the required number of schools in Southern Sudan. A key issue is that current school designs require the import of expensive materials from neighbouring countries and that these materials must be transported to rural areas using unsealed and difficult to travel roads.

## 6.2 Key Recommendations: Improved Education Programme Planning / Design

Specific recommendations to the GoSS-MoEST in Southern Sudan include:

- i)** To consolidate recent initiatives focussed on developing staff capacity within MoEST and SMOEs (e.g. State Advisers) and also on systems development (e.g. EMIS, Teacher Payroll) within a coherent capacity development strategy and plan. A significant amount of analytical work has been done in support of institutional and organisational development and work plans exist for a number of discreet initiatives.

It would be beneficial to synthesise and further develop this material within a sector wide capacity development strategy and action plan in order to support alignment of GoSS and donor resources under a phased and sequenced approach covering structural and functional realignment, human resources development, systems development and business processes.

- ii)** To develop a set of prioritised guidelines on roles, responsibilities and procedures for use within MoEST and SMOEs relating to key functions and business processes. These guidelines would constitute a transitional arrangement until draft sector legislation is approved and sector regulations can be formulated in response which formal mandates throughout the organisation. This approach could be highly effective at enabling organisational capacity development and avoid delays associated with slow approval rates of legislation, particularly given the strong culture of collaboration within the sector and with the formal backing of senior Ministry leadership. It is anticipated that these transitional guidelines would form the basis for any eventual sector regulations.

- iii)** To formulate a set of alternative classroom designs and contracting arrangements for use in different circumstances (e.g. remote, rural, urban areas) against selection criteria including: a) effectiveness of learning space, b) design longevity, c) construction cost effectiveness, d) ease of maintenance and e) availability of various construction materials. A recent comparative study<sup>37</sup> provides a good initial analysis of these issues in Southern Sudan, which combined with a review of international experience in similar situations, could be used by education planners to develop a new school construction strategy.

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<sup>37</sup> UNICEF, May 2008, School Construction and Rehabilitation Programme Southern Sudan Sector Rapid Review

- iv)** To begin to incorporate recurrent budget allocations within the MoEST and SMOE budgets for operation of the Teacher Payroll MIS and EMIS at the earliest available opportunity, alongside a programme of continued staff and systems development within the proposed capacity development strategy and plan. Consideration should also be given to providing incentives to retain specialist staff associated with these systems as they become more mission critical. These systems have significant transformative potential in terms of supporting evidenced based policy and strategy development and sector planning and accountability.

### **6.3 Key Recommendations: Enabling Aid Effectiveness and Sector Governance**

Specific recommendations to the international education donor community in Southern Sudan include:

- i)** To pursue more opportunities for influencing sector policy and strategy. Current approaches to providing external assistance tend to be relatively passive and, whilst positively encouraging Government ownership and leadership, can result in policy or strategic choices within programme (e.g. ERF under MDTF) which are not optimal (e.g. school designs) or which are later rejected (e.g. un Washington) thus significantly slowing down planning and implementation. A potential opportunity exists to provide some long-term, consistent (though not necessarily full time) and senior consultancy support for policy and strategy development which can support senior MoEST leadership with identification of strategic options.

- ii)** To consider budget support at the earliest opportunity and reorient the MDTF as an institutional and organisational capacity development fund beside it. There are a number of opportunities associated with a move towards budget support, including strengthened policy engagement supported by the use of mutual undertakings, including around the issue of defence and security spending in the case of general multi-donor budget support. Whilst serious institutional challenges remain (e.g. no approved PFM law, no PRSP), these are rapidly beginning to be addressed and a move towards budget support is consistent with the GoSS aid strategy. A priority will be for relevant donors to conduct a scoping study at the earliest opportunity in order to assess suitability and identify and readiness initiatives that may be required.

- iii)** To increasingly align development partner resources towards capacity development for decentralisation. SMOEs have a, and are playing an increasingly, pivotal role in strengthened sector governance and increasing capacity at these levels has a strong transformative potential. A potential opportunity exists to collaborate with MoEST in developing a proposed capacity development strategy and plan (see previous section) and to use this as a framework for aligning increased support for SMOE capacity development. The current State Advisors Programme (supported by USAID) is a good example and consideration should be given to expanding this approach.

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