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Living hand to mouth: protection funding and coordination in South Sudan

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Introduction

This paper explores the inter-connections between funding and coordination for the protection sector, employing a case study approach from South Sudan, where the author worked between 2005 and 2009. After describing the coordination arrangements in place under humanitarian reform initiatives, I contrast the rhetoric of protection coordination policies against my experience of how protection coordination worked in practice; recognising the added complexity of working in an integrated Department of Peace Keeping Operations (DPKO) mission. I will then detail the various mechanisms available to fund protection projects in the case of Sudan where the cluster system has been implemented at country level.

The case study draws on funding data from the annual UN and Partners Work Plan for Sudan, and presents insights as to how members of the South Sudan protection sector were successful in obtaining funding through this channel. By doing this, I expand the notion of protection sector actors further than those who consider funding from the perspective of UNHCR only.¹ I also make some preliminary observations about the challenges of developing quantitative outcomes in a sector that I would posit, is geared more towards qualitative outputs. Overall the approach I take in this paper is inspired by the work of scholars such as Harrell-Bond, who encourage a more reflective and critical approach towards refugee protection. It also attempts to bring into the frame the role played by practitioners as advocates for the protection sector.

Refugee protection operates simultaneously at the global and regional levels, and in its practical application in complex micro-settings around the world.² Much of the responsibility for defining protection and articulating response frameworks, lies with the Inter-Agency Standing Committee (IASC) Protection Cluster Working Group; a body of UN and non-UN agencies. They have defined protection as “all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights law, international humanitarian law and refugee law.”³

Since 2005 a ‘cluster’ system has been in place to oversee the operation of all sectors which are, in addition to protection, camp coordination and management, early recovery, education, emergency shelter, emergency telecommunications, food security, health, logistics, nutrition, and water and sanitation. Cross-cutting issues relevant to all sectors are age, environment, gender, HIV/AIDS and mental health and psycho-social support. The five key aims of the cluster system are: the development of global capacity for timely and effective responses, predictable leadership, sufficient response capacity, partnership, strengthened accountability, and improved strategic field-level coordination and prioritisation.⁴ Several evaluations of the

¹ Raimo Vayrynen, ‘Funding Dilemmas in Refugee Assistance: Political Interests and Institutional Reforms in UNHCR’, *International Migration Review* 35:1 (2001): 143; Beth Elise Whitaker ‘Funding the International Refugee Regime: Implications for Protection in Tanzania’, *Paper presented at the 2004 International Studies Association Conference*, Quebec, Canada.

² Alexander Betts, *Protection by Persuasion: International Cooperation in the Refugee Regime* (Cornell University Press: New York, 2009).

³ Inter-Agency Standing Committee (IASC), *Principals Meeting - Cluster Working Group on Protection Progress Report*, 12 December 2005, www.idp-key-resources.org/documents/2005/d04278/000.pdf (accessed 12 June 2011).

⁴ One Response, ‘Cluster Approach’, <http://oneresponse.info/Coordination/ClusterApproach/Pages/Cluster%20Approach.aspx> (accessed 22 June 2011).

cluster system have been conducted, and it is beyond the scope of this paper to further discuss the cluster system specifically, except as it relates to protection.⁵

Clusters should provide a level of consistency and predictability in who leads humanitarian operations globally. At country level their aim is “to strengthen humanitarian response by demanding high standards of predictability, accountability and partnership in all sectors or areas of activity. It is about achieving more strategic responses and better prioritization of available resources by clarifying the division of labour among organizations, better defining the roles and responsibilities of humanitarian organizations within the sectors”.⁶ To carry out these aims, sectoral working groups meet regularly at country and regional levels. As I will demonstrate through the case study of South Sudan, even when roles and responsibilities are clear, there is potential for clusters to develop further guidance on obtaining agreement on outcomes and ensuring they align with government priorities.

Under the cluster system the UNHCR is the designated global cluster lead for protection cooperating with the Office of the High Commissioner for Human Rights (OHCHR) and United Nations Children's Fund (UNICEF). Specific cluster lead agencies and cluster coordinators are designated at country level. Supporting the cluster system at country level is the Humanitarian Country Team (HCT) under the direction of the Humanitarian Coordinator (HC), who is supported by the UN Office for the Coordination of Humanitarian Affairs (OCHA).

Sectoral working groups with sectoral leads, report to the HC, providing oversight of their day-to-day functioning. A further ‘carrot’ to encourage coordination through the cluster system has been the introduction of pooled funds, such as the Central Emergency Response Fund (CERF), Emergency Response Fund (ERF) and, in the case of Sudan, the Common Humanitarian Fund (CHF).

Allocations from pooled funds are determined through a common appeals process (CAP) which in Sudan was called the UN and Partners Work Plan for Sudan. Another layer to this coordination cake has come from the introduction of integrated missions. Integrated missions result in UN agencies providing humanitarian assistance working alongside a DPKO mission with a peace keeping mandate, in the same country.

Given UN coordination structures, this may mean in practice that the HC also acts as the Deputy Special Representative of the Secretary General (DSRSG) with responsibility for the civilian component of a DPKO mission. A fuller exploration of the civilian-military issues this raises are discussed elsewhere and remain a topic of active discussion in the humanitarian community.⁷

⁵ See for example Abby Stoddard et al, *Cluster Approach Evaluation - Final Draft* (OCHA Evaluation and Studies Section, November 2007); ‘Cluster Evaluations Phase I and II’, 2007. <http://onerresponse.info/Coordination/ClusterApproach/Pages/Cluster%20Evaluation%20Phase%20I.aspx> (accessed 22 June 2011)

⁶ IASC, ‘Guidance note on Using the Cluster Approach to Strengthen Humanitarian Response (November 2006), 2.

⁷ Espen Barth Eide et al, *Independent Study for the Expanded UN ECHA Core Group* (May 2005) available from reliefweb.int

South Sudan

South Sudan has had a long history of humanitarian intervention, organised under the umbrella of Operation Lifeline Sudan (OLS) throughout its decades-long civil war.⁸ So, at the signing of the Comprehensive Peace Agreement (CPA) in 2005 there was a general understanding that the international community would be vital partners in peace. However a large proportion of that international community, especially senior management, was not actually based inside South Sudan – at the time called the ‘Southern Sector’. This was due to two reasons, firstly the conditions of the civil war with frequent bombings and unpredictable fighting had meant that most UN operations were based out of Lokichoggio in North-West Kenya, although many I/NGOs remained in Sudan throughout the war.

Secondly, at the cessation of hostilities prior to signature of the CPA, there had been no agreement by the Sudan People’s Liberation Army/Movement (SPLA/M) as to the site of the capital for South Sudan. Juba, which is now the capital of South Sudan, was an inaccessible garrison town tightly controlled by the Government of Sudan’s Armed Forces (SAF). Rumbek, now the capital of Lakes State, provided easier access for the humanitarian community which had a sizeable presence there.

Although tension had increased in Juba following the death of John Garang, leader of the SPLM/A in July 2005, the UN HC moved back there⁹ in late-2005 after it was made clear that it would be the capital of South Sudan. A fuller exploration of the issues raised by the return of UN/NGOs to South Sudan has been undertaken elsewhere.¹⁰ It is beyond the scope of this paper to consider in depth the additional coordination and management challenges posed by the CPA, namely having two systems in one country.

Referred to locally as ‘one country-two systems’; this meant having to ensure working relationships with both the Government of National Unity (GoNU) and Government of South Sudan (GoSS) in Sudan. In practice amongst the UN/INGO community there were some agencies with a head office in Khartoum and sub-office in Juba, others with two ‘head’ offices in both Khartoum and Juba, others with head offices in Juba only, or even head offices in Nairobi. Reporting and communication relationships therefore varied considerably from agency to agency.

After the cessation of hostilities between North and South, coordination and planning needed to take a new direction post-CPA and so in 2005, the UN and World Bank completed a year-long assessment of post-conflict needs in Sudan across eight thematic areas (institutional development, rule of law, economic policy, productive sectors, basic social services, infrastructure, livelihoods and social protection and information and media) and several cross-cutting issues (environment, HIV/AIDS, conflict, human rights and gender) in partnership with the Government of Sudan, SPLM, donors and other multilateral organisations. The resulting Sudan Joint Assessment Mission (JAM) set out a costed framework for action, incorporating the Millennium Development Goals (MDGs), aligned with CPA time lines.¹¹

While the JAM was a major achievement signifying much effort, ongoing coordination was required in order for its goals to be realised, as was constant fundraising for the costly task of post-conflict (re)construction¹². At the same time, the UN and IASC had been investing

⁸ For a more detailed review of OLS see, Ataul Karim et al, *OLS: Operation Lifeline: A Review*, (University of Birmingham (July 1996).

heavily in its Humanitarian Reform agenda and it was critical for this to be rolled-out in such a high-profile location as Sudan, in practice even if it was not in name.

Donors were also actively engaged in supporting humanitarian reform initiatives, with the UK Department for International Development (DFID) funding Sector Support & Coordination Advisers in South Sudan for three clusters. Although sectoral working groups were established in South Sudan, the vagueness between sectors and clusters in operational contexts highlighted by others was replicated in this context, and hence I shall refer to sectors and clusters interchangeably in this paper.¹³

Coordination in the protection sector

Despite UNOCHA's best efforts to capture the importance of coordination through the slogan 'coordination saves lives', asking busy UN and I/NGO staff to spend part of their time at coordination meetings can be a difficult request. Perhaps this is because the link between coordination and saving lives hasn't quite been explicitly made clear or, as several evaluations of the cluster system illustrate, lengthy coordination meetings can be frustrating. If coordination was understood as "not so much about deciding who does what and when, it has more to do with the exercise of leadership and, in particular, the ability to set the agenda and define the working environment", then its relative importance might be more widely recognised.¹⁴

It was into this complex context that, in late 2005 in South Sudan, UNOCHA embarked on an ambitious protection coordination program utilising seconded staff to work as Protection Officers. It was stressed this would be a temporary measure as the integrated DPKO mission, the UN Mission in Sudan (UNMIS), had protection staff coming on board as part of their civilian component who would take over coordination responsibilities. UNMIS did go on to take over sector lead responsibilities jointly with UNHCR in late 2006.

UNOCHA Protection Officers were deployed to nine of the ten states in South Sudan with one covering Juba¹⁵. Working jointly with UNHCR, UNOCHA Protection officers held Protection Working Group (PWG) meetings, monitored and reported protection incidents, and maintained information about protection stakeholders; some of which are regular tasks of

⁹ I use the phrase 'moved back' because during earlier periods of peace the UN had maintained a considerable presence in Juba, including having built offices and accommodation which have subsequently undergone renovation.

¹⁰ Mark Duffield, "Risk-Management and the Fortified Aid Compound: Everyday Life in Post-Interventionary Society." *Journal of Intervention and Statebuilding*, 4, 4, (2010) pp453-474.

¹¹ UN/World Bank, *Sudan Joint Assessment Mission* (2005),

<http://www.unsudanig.org/docs/Joint%20Assessment%20Mission%20%28JAM%29%20Volume%20I.pdf> (accessed 12 June 2011). The CPA was signed on 9 January 2005 and set out a six month pre-Interim Period followed by a six-year Interim Period from 2005-2011, during which time a number of key milestones were to take place including a census, elections and referendum.

¹² Arguably in many parts of Southern Sudan, where no development had taken place or sites deliberately left under-developed, the post-conflict priority was construction and not re-construction.

¹³ Sue Graves et al, 'Lost in translation: Managing coordination and leadership reform in the humanitarian system', *Humanitarian Policy Group Brief*, no. 27 (July 2007), <http://www.enonline.net/pool/files/ife/27-managing-coordination-leadership-reform-humanitarian-system.pdf> (accessed 15 June 2011); see also IASC, *Guidance note on using the cluster approach to Strengthen humanitarian response*, 24 November 2006.

¹⁴ Mark Duffield et al, *Evaluation of UNHCR's returnee reintegration programme in Southern Sudan* (UNHCR Policy Development and Evaluation Service, September 2008), 35.

¹⁵ Juba is also the capital of Central Equatoria State, which had its own PWG.

cluster leads. The absence of strong UNHCR leadership at this stage was a significant feature of protection coordination in South Sudan. It could be explained by UNHCR, like most other UN agencies at the time, having to meet the demands of scaling-up to move 'back' into South Sudan. Additionally, as an evaluation of their operation noted, UNHCR had to concentrate on refugee return corridors in border areas and reintegration coordination.¹⁶

Over time, UNHCR did assume PWG co-chair responsibilities with UNMIS but as the 2008 evaluation of its operation noted, there was scope for UNHCR to be a stronger leader in the protection sector had it devoted more time and resources towards ensuring a consistent role.¹⁷ Along with many other UN and NGO actors in South Sudan, UNHCR was also grappling with the realities of an integrated mission, which remains an area for further research and policy guidance.

The PWG was also responsible for compiling input for the annual UN & Partners Work Plan and the mid-year and end-year reviews of the Work Plan. The inter-relationship between working groups and planning documents raises two questions: firstly, do working groups have all the 'key humanitarian partners' around the table and secondly, what is the purpose and value of a common appeals document. I would assert that this is where the lack of a common understanding can lead to some confusion.

On PWG membership, there were early efforts to include the South Sudan Relief and Rehabilitation Commission (SSRRC), as the key government partner for refugees, return and reintegration. With the GoSS in its infancy, it proved difficult to bring in a broader range of protection actors from the government. Within the protection sector this raised a number of suggestions as to how to include government partners without compromising on the space for frank and confidential discussions. On reflection, perhaps this could have been matched by strategic leadership to promote government engagement.

Another group of potential PWG members were local NGOs and civil society organisations. There is a body of research that acknowledges the critical role that civil society can and does play in post-conflict reconstruction and recovery, and in a region as big as South Sudan civil society organisations and local NGOs were key sources of information and acted as implementing partners for many INGOs.¹⁸ But bringing them into centralised planning mechanisms required support and assistance, especially in Juba, which was a problem that the NGO community tried to address through its NGO Forum to varying degrees of success.

While members of the PWG were cognisant of the value and necessity of supporting civil society organisations and local NGOs, this did not always translate into concrete strategies for working with them as equal partners in the working group process.¹⁹ From a review of the UN & Partners Sudan Work Plan, it is apparent that involvement was dominated by UN agencies, with uneven participation across sectors by INGOs and, less frequently, local NGOs. As the author has discussed elsewhere, this is due to the twin problems of NGOs not taking responsibility for strategic engagement and UN processes being slow and

¹⁶ Duffield et al, 11-12

¹⁷ Duffield et al, 33-4

¹⁸ Paul Harvey, 'Rehabilitation in complex political emergencies: is rebuilding civil society the answer?' *Disasters* 22:3 (2008): 200-217

¹⁹ See also Wendy Fenton, *Funding Mechanisms in Southern Sudan: NGO Perspectives*, Report for the NGO Forum (2008), which notes that 'Southern Sudanese NGOs spoken to are also concerned about what they perceive as an un-equal partnership with INGOs', 17.

cumbersome.²⁰ Both issues were acknowledged in South Sudan and, to the credit of all partners, addressed through the adoption of NGO co-sector leads and improvements by UNDP Administration.

From the 2008 Work Plan there is evidence of overall increased INGO and local NGO involvement in submitting projects. For the protection sector, the common appeal process, tied to the CHF and ERF, did prove to be of benefit as Table 1 indicates. Such results are indicative of strong cooperation between PWG members and advocacy for protection funding as a whole. This may be due to the fact that many PWG members had long histories of working together during OLS and in other countries in the region. Mid-year and end-year reviews of the Work Plan showed the outcomes of funding included more protection training, local community-based protection monitoring, improvements for vulnerable children and protection activities linked to return and reintegration.

Through the common appeals process and the drafting of the Work Plan, sectors had to set targets and indicators against each planned objective, including priorities for each objective. Then UN/NGO PWG partners would submit specific projects against these objectives with the view of providing a comprehensive picture of the protection sector work and associated funding needs.

Given the high staff-turnover inherent in humanitarian contexts, considerable time was devoted to training PWG members and reaching consensus on targets and indicators but in a sector such as protection, quantitative targets may be inadequate in capturing the full extent of work being carried out. Sectors such as health or water and sanitation operate on the basis of quantitative targets for many of their interventions and placing their targets alongside protection in one document can result in vastly contrasting scenarios.

For instance, the 2008 Work Plan²¹ protection objective “to promote a protective environment for refugees, asylum seekers and IDPs and durable solutions” had the indicator of “number of states covered by protection monitoring of IDPs and returnees and a reduction in cases of forced relocation or involuntary return”. The target for that year was having all ten states covered by protection monitoring with less than three cases of forced relocation or involuntary return being reported. Whereas the water and sanitation sector objective to “increase access to improved sanitation facilities” had an end of year target to “increase in the number of people with access to improved sanitation facilities” by 250,000 people.

Certainly setting out indicators and targets furthers transparency in humanitarian action however greater advocacy could be done at IASC-PWG level to recognise the inherently qualitative nature of protection work. Indicators could also be recommended at this level and provided as annexes to existing operational guidelines, without imposing fixed targets, in order to be flexible to local conditions. It is also important to note that setting targets and indicators are meaningless if there is no commitment to subsequent monitoring and evaluation. As was noted earlier, there was a sector-wide mid-year and end-year review for the Work Plan along with individual agency-based evaluations. Systematic sector-wide evaluation tools may be another mechanism to improve transparency and accountability at the local level.

²⁰ Wendy Fenton and Melissa Phillips, ‘Funding mechanisms in Southern Sudan: NGO perspectives’, *Humanitarian Exchange Magazine*, Issue 42 (2009), <http://www.odihpn.org/report.asp?id=2999> (accessed 14 June 2011)

²¹ All information taken from the UN and Partners Work Plan for Sudan, 2005-2008, <http://www.unsudanig.org/workplan/workplan.php> (accessed 10 June 2011)

**TABLE 1:
Protection Sector extracts - UN & Partners Work Plan for Sudan,
South Sudan, 2005-2008²²**

Year	Protection sector objectives	Total amount requested by protection sector	Work plan contributions received <u>Protection sector</u> South Sudan	Work plan contributions received <u>All sectors</u> Sudan / South Sudan
2005	<ul style="list-style-type: none"> • Safe return and protection of children • Removal/release of children armed forces • Promotion of human rights 	\$12,829,060	45%	40% / 25%
2006	<ul style="list-style-type: none"> • Mechanisms to support returns • Community based protection institutions • Care and protection of vulnerable children • Promote compliance on UN Code of Conduct • To support human rights standards (with Governance/Rule of Law sector) 	\$21,663,767	47%	70% / 62%
2007	<ul style="list-style-type: none"> • Mechanisms to support returns • Facilitate a protection response for civilians • Care and protection of vulnerable children • Strengthen compliance on UN Code of Conduct/reporting human rights violations • To support human rights standards (with Governance/Rule of Law sector) 	\$15,445,575	66%	70% / 69%
2008	<ul style="list-style-type: none"> • Facilitate a protection response for civilians • Improve capacity of authorities to promote and protect human rights standards • Protection of children protection, child rights • Prevention of gender based violence • To promote a protective environment for refugees, asylum seekers and IDPs 	\$23,661,577	41%	58% / 54%

²² All figures taken from the UN & Partners Sudan Work Plan, <http://www.unsudanig.org/workplan/workplan.php>

Despite the lack of quantitative outcomes, in 2008 the protection sector in South Sudan obtained more funding through the Work Plan than the water and sanitation sector, although the latter may have already received funding from other sources such as the ERF. Yet this result could be explained by the fact that donors were able to see the activities of the protection sector for themselves, with a large number based permanently in Juba. For instance the Joint Donor Team representing Canada, Denmark, Netherlands, Norway, Sweden and the UK had a large full-time staff, including sector experts, who had a good knowledge of the needs and priorities in South Sudan obtained through close links with the UN, NGOs and GoSS. This presents another added advantage of coordination - donor advocacy.

As UNHCR found in its South Sudan operations evaluation an “unpredictable funding base ... significantly constrained operational planning”, tying funding to coordination makes coordination vitally important.²³ It also means that sector leads must show strong leadership in representing the needs of the whole sector and lobbying for them with donors, as well as promoting the results of monitoring and evaluation exercises as noted earlier.

One advantage of an UNMIS Protection co-sector lead is that they might have more time to devote to this aspect of sector leadership. But their success is predicated on collaboration with UNHCR Protection staff and other PWG members providing detailed, specialist knowledge of field protection, protection issues and interventions.

As a non-operational sector lead, UNMIS can be a neutral participant in funding prioritisation. Yet the centralised nature of so much donor advocacy and coordination, Fenton warns, further disadvantages local NGOs and agencies based outside of Juba who might not be present to defend their project submissions.²⁴ Even when information on pooled funds is available, more work can be done locally in educating PWG members about the new aid architecture and providing guidance on their policies and timeframes.

Some of the practical issues of involving government stakeholders in the protection sector and PWGs have been discussed above. But in 2006, those sectors not closely involved with government counterparts found themselves on the back-foot when the GoSS introduced Budget Sector Working Groups (BSWG) for its planning and budget preparation.

As a paper by Davies and Smith explains, this system was steered by the Ministry of Finance with every GoSS institution part of a BSWG that was chaired by a GoSS representative with a donor co-Chair.²⁵ The Ministry of Finance provided planning guidance and training, but it was the BSWG’s responsibility to prepare a Budget Sector Plan against which GoSS budgetary allocations were made.

Emphasising government leadership of the process, Davies and Smith note, “planning was GoSS-led from outset, ensuring coordination across Government and encouraging donors to align themselves to the Government system rather than operating in tandem to it”.²⁶ Of the ten budget sectors, most relevant protection institutions were assigned to the Social and Humanitarian Affairs BSWG, although the Ministry of Legal Affairs and Constitutional Development was part of the Rule of Law Budget Sector.

²³ Duffield, et al, 2

²⁴ Fenton, 13

²⁵ Fiona Davies and Gregory Smith, ‘Planning and Budgeting in Southern Sudan: starting from scratch’ , *ODI Briefing Paper*, No 65, (October 2010)

²⁶ Davies and Smith, 3

One cannot emphasise enough the importance of the BSWG process for UN and NGOs, both as a tool to build relationships and influence government priorities, but also to assist with building capacity of the GoSS to plan and coordinate. Participation in the BSWG also furthered Work Plan outcomes. For instance I would argue that for the protection sector to meet its 2008 Work Plan target ‘promoting a protective environment for refugees, asylum seekers and IDPs’ highlighted earlier, it was essential to be advocating that government spending within the Social and Humanitarian Affairs BSWG be prioritised for return and reintegration projects. Thus building networks between UN/NGO sectors, budget sectors and key government authorities and institutions was a primary task of sector leads that was not prioritised by all UN sector leads.

While there are differences between humanitarian/early recovery planning carried out by the UN and Partners in the Work Plan, and budget coordination and planning undertaken by GoSS, there was significant potential for parallel systems to develop. Future instructions for cluster leads should be developed to support government planning and budgeting processes specifically and government engagement more generally.

Conclusion

By investigating the protection sector using the case study of South Sudan, this paper highlights some realities of humanitarian reform at field level; particularly the growing interdependence between planning, coordination and funding. For the architects of humanitarian reform this may not come as a surprise given their intentions to improve predictability, accountability and partnership at all levels.

Amongst humanitarian organisations in South Sudan, civil society organisations and local NGOs in the protection sector required additional supports to meet the changing demands that come with humanitarian reform. Such supports might include information about these reforms, capacity building to meet coordination and planning requirements and funding to be in Juba when meetings occur.

With so many donors locally based, being present in Juba takes on additional value for promotion and advocacy of PWG activities by protection actors. Yet in South Sudan the inter-connectedness between planning, coordination and funding was also replicated at government level through its Budget Sector Working Groups. In order to avoid parallel processes and support institutions in their sector, members of the PWG required the knowledge of who to engage with within the GoSS, how to do this, and relevant budgetary timeframes. Furthering government planning and budget allocation objectives in turn assisted with meeting outcomes of the UN and Partners Work Plan.

Overall, members of the protection sector achieved considerable success in cooperation, protection advocacy and funding through the common appeals process. This allowed for the implementation of essential protection activities that improved the situation for South Sudanese, especially returnees and internally displaced persons. If the protection sector in South Sudan is a microcosm of multiple issues faced in post-conflict contexts, there is reason to be optimistic about how protection stakeholders are responding to changes in their working environment including with the new aid architecture and integrated DPKO missions.

While protection must ultimately be carried out a local level, there are new demands emerging from the humanitarian reform agenda, such as the drafting of work plan objectives,

targets and indicators, where some guidance globally from the IASC-PWG and cluster leads would no doubt be welcome.

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