



Report No: ACS13610

# Republic of South Sudan

## SS-Governance Review for South Sudan

### Improving Human Resource Management for Strengthened Service Delivery

2015

Governance Global Practice (GG013)

AFRICA



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# South Sudan:

## Improving Human Resource Management for Strengthened Service Delivery



**2015**

Governance Global Practice



## Contents

Executive Summary.....	1
1. Motivation, Scope, and Limitations of the Note.....	7
1.1 Conceptual underpinnings.....	7
2. The Country Context and Dynamics.....	10
2.1 Challenge of state-building.....	10
2.2 Overall government effectiveness and governance challenges.....	13
3. Three Problems: A High Wage Bill, Eroding Pay Levels, and Limited Qualifications.....	18
3.1 Fiscal cost: wage bill trends in South Sudan.....	18
3.2 Trends in public service pay.....	21
3.3 Data on the qualifications of staff.....	25
4. The ‘Downstream’ Situation of Service Delivery.....	28
4.1 The status of service delivery provision and allocation of staff.....	28
4.2 The development of nonpublic service delivery.....	34
5. Origins, Evolution, and Reform Efforts of the Public Service in South Sudan.....	37
5.1 Historical legacies and structural conditions.....	37
5.2 The evolution of the public service 2004–2013.....	41
5.3 Links between public service and challenge of DDR in South Sudan.....	46
5.4 Reform efforts from 2007 to 2012.....	48
5.5 Progress made on institutional development and legal provisions.....	55
5.6 Donor support for civil service capacity building and reforms.....	58
5.7 Austerity and renewed conflict – 2012 to 2015.....	64
6. Experience of Other Countries.....	67
7. Summary of Key Issues and Suggested Steps Going Forward.....	70
Annex 1: Overview of Public Sector Evolution in South Sudan, 2004–2015.....	85
Annex 2: Domains of the State and External Interventions.....	87
Annex 3: Postconflict Trajectories.....	88
Annex 4: Summary of Recommendations from the 2004–05 Joint Assessment Mission for Institutional Development/Public Service and Governance.....	89
References.....	93

## Acronyms

ASI	Adam Smith International
CANS	Civil Authority of New Sudan
CBS	Central Bureau of Statistics
CBTF	Capacity Building Trust Fund
CCSS	Coordinating Council for Southern States
CPA	Comprehensive Peace Agreement
CPIA	Country Policy and Institutional Assessment
CSC	Civil Service Commission
DDR	Disarmament, Demobilization, and Reintegration
DFID	U.K. Department for International Development
EMIS	Education Management Information System
FBO	Faith-based Organization
GDP	Gross Domestic Product
GOSS	Government of South Sudan
HRM	Human Resource Management
HRMIS	Human Resource Management Information System
IGAD	Intergovernmental Authority on Development
IMF	International Monetary Fund
JAM	Joint Assessment Mission
MDAs	Ministries, Departments and Agencies
MDG	Millennium Development Goal
MDTF	Multi-Donor Trust Fund
MOFEP	Ministry of Finance and Economic Planning
MOH	Ministry of Health
MOLPSHRD	Ministry of Labor, Public Service and Human Resource Development
NGO	Nongovernmental Organization
NSCSE	New Sudan Centre for Statistics and Evaluation
PFM	Public Financial Management
SPLA	Sudan People's Liberation Army
SSEPS	South Sudan Electronic Payroll System
UNDP	United Nations Development Programme
USAID	U.S. Agency for International Development
WDR	World Development Report
WGI	Worldwide Governance Indicators

This report was prepared as one of two outputs under the 2015 South Sudan Governance Review (P148524). The team working on this report was led by Verena Fritz (Sr Public Sector Specialist) and included Museme Munira Issa (Public Sector Specialist), and Rachel Ort (Consultant). Excellent administrative support was provided by Dorothy Akikoli (Program Assistant). Background notes were developed under the leadership of Sanjeev Ahluwalia (Sr Public Sector Specialist), with inputs from Jana Orac (Consultant).

The team would like to thank the peer reviewers, Jurgen Blum (Sr Public Sector Specialist) and Phil Keefer (Principle Economic Adviser, IADB), as well as Peter Lilford (Consultant) and others from the Budget Strengthening Initiative team working on South Sudan, who provided generous comments and ideas. Management guidance was provided by Bella Bird (Country Director), Preeti Arora (Country Program Coordinator), Nicola Pontara (Country Manager), Pablo Fajnzylber (Practice Manager), George Larbi (Practice Manager), and Guenter Heidenhof (Practice Manager).

The team wishes to thank the leadership and staff of the Ministry of Labor, Public Service and Human Resource Development in South Sudan for supporting the development and finalization of this report, in particular Mrs. Sunday Jaden, Director General for Administration and Finance and Mrs. Therezine Filbert, Director for Human Resource Development. The team is also grateful to the Ebony Center, and its head, Dr. Lual Deng, for hosting a Development Partnership Forum discussion of the draft report in May 2014, and to the participants of this discussion, as well as to all interlocutors who provided their time and insights which have enabled the development of this report.

The report is based on information available at the time it was completed in June 2015.

## Executive Summary

**This note focuses on the development of a civilian public service in South Sudan.** At the outset, it highlights the key problems that have motivated the need for more detailed analysis: a large public wage bill, low government effectiveness, and limited service delivery. Low qualifications on the one hand and a declining purchasing power of the public sector pay on the other are related challenges.

**The conceptual chapter provides a framework for considering the issues, their root causes, and possible ways forward.** It points out that a key risk for fragile and conflict-affected states is remaining ‘trapped’ in a low-level equilibrium, unable to converge on greater state capabilities and resilience. That said, a number of recent postconflict countries have managed to make continued incremental progress. Even in successful cases, however, reaching greater levels of public sector capabilities typically takes one to four decades.

**Section 2 sets out a brief summary of wider country dynamics that shape the environment for public sector reforms in South Sudan.** The prospects for state-building are affected by structural factors, institutional legacies, and the arrangements and dynamics between stakeholders. With regard to all three of these, South Sudan faces several hurdles. This includes the lack of experience of *statehood* (as an independent state) and limited prior stateness (provision of goods and services through the state) combined with oil wealth, competing identities rather than a clear sense of nationhood, and significant localized violence that has compelled a process of co-optation through the distributions of rents, including access to public employment. Furthermore, as has been pointed out by Mampilly (2011, 2012) and others, the transformation of governance from military leadership during a protracted conflict to state building has been challenging; and the renewed conflict from December 2013 to August 2015 highlights a dynamic between stakeholders that hinders moving toward more resilient institutions.

**Three interrelated issues are explored in section 3—the large overall public sector wage bill, declining levels of individual pay, and the qualifications of civil servants.** The large wage bill in South Sudan is primarily due to large employment in the security sector (military and organized forces) relative to other countries, as well as relative to the size of the civilian public work force. Large public employment in security functions crowds out resources for civilian parts of the public service, where numbers employed still remain well below what is required to meet Millennium Development Goal (MDG) targets. The purchasing power of public sector wages has been left to erode since 2007 to make the wage bill fiscally manageable—even in the context of relatively ample revenue flows due to high oil prices up to 2014. An initial survey of public sector staff (civilian and organized forces) undertaken in 2005/06 indicated extremely low average qualifications, with over 40 percent having only (some) primary education. More recent surveys, covering narrower samples mainly from the civilian public service (education, state-level public servants), indicate slightly higher levels of education and qualifications and possibly a gradual process of improving qualifications.

**Service delivery started from a low level in the early 2000s and has expanded since then, as is typical for most countries in postconflict periods, as reflected in section 4.**<sup>1</sup> In particular, there has been an expansion in basic indicators such as immunization and primary school gross enrolment. However, key education and health outcomes such as primary completion rates and maternal mortality are still far below regional averages. A sharp decline in immunization rates in 2013 highlights the continued fragility of even basic delivery. There are some indications that private sector offerings of service provision are growing, while the sectoral and geographic spread and overall accessibility of private service provision, especially for poorer citizens, remains uncertain. Generally, service delivery functions and key service delivery categories such as teachers, nurses, and doctors are strongly understaffed relative to what is needed to achieve the MDGs and to match the levels of regional comparator countries (such as Liberia or Ghana).

**Furthermore, a significant share of the civil service, and even more so of the organized forces, are managed by subnational levels in South Sudan.** About 60 percent of civil servants and 80 percent of organized forces are employed at subnational levels. While the national government sets overall employment conditions such as pay and allowances and undertakes overall and sector-specific monitoring, hiring and management authority over such staff is located at the subnational level. To date, this has mainly meant state governments, while efforts are underway to devolve this authority further to the county levels. At the same time, it is important to note that while subnational transfers are substantial, most of these are used for salary payments—in particular, payments for police, wildlife, prison forces, and fire brigades. Intergovernmental relations are covered in greater depth in the second Governance Review note (World Bank 2015a).

**Section 5 traces the evolution of public service in South Sudan, including the support from development partners over the past decade.** The formation of the public service started with good intentions and lessons learned from the experience of other Sub-Saharan countries that have gone through periods of expanded but increasingly underpaid, poorly qualified, and poorly motivated public services. Awareness of these issues was shared between government leaders and development partners providing support during the period following the 2005 Comprehensive Peace Agreement (CPA) period. However, these insights were subsequently overtaken by the pressure to employ, which was seen as necessary for generating buy-in for the new state from various groups. While this note focuses on the civilian rather than the security sector, it provides brief coverage of the latter, highlighting that there was only minimal disarmament, demobilization, and reintegration (DDR) and that, in parallel, new security recruitment took place as additional rebel groups were continuously integrated into the regular army and/or the organized forces.

**Relative to these challenges, some notable if incremental progress was made between 2007 and late 2013 with regard to developing a pay and grading system, establishing legal and institutional foundations, reducing the number of ghost and excess unskilled staff, and establishing a payroll system and controls.** It is likely that there was also progress in improving language skills, and possibly overall qualifications, but in the absence of a repeat of the public service survey, this is not

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<sup>1</sup> Recent conflict has eroded some but not all of the gains made between 2005 and 2013.

comprehensively documented. This progress has been driven by committed reform entrepreneurs within the government and by staff believing in the need for a more rule-bound government to build a new nation and a new state, enabled by at least some, albeit volatile, political backing.

**Development partners have supported the process of developing, strengthening, and reforming public service through a range of support**, mainly provided by the U.S. Agency for International Development (USAID), United Nations Development Programme (UNDP), U.K. Department for International Development (DfID), and the World Bank, as well as a consortium of bilateral donors through the Capacity Building Trust Fund (CBTF) (2004–2014). Key challenges have been the relative fragmentation of these efforts between different projects; issues with the effectiveness of capacity building due to the widespread use of technical assistants, the short duration of courses for national staff, and lack of institutionalization of curricula; and insufficient emphasis on tracking the outputs and impacts from these efforts.

**There has been no systematic documentation of overall progress on capacity building—an issue that is not unique to South Sudan.** Anecdotal evidence is contradictory—emphasizing that not only has training been too short term and that trainees have had uneven prior qualifications, but also that some individual staff and departments may gradually be strengthening their ability to handle assigned tasks. In the health and education sectors, training facilities and opportunities have been created, but are still short of a more systematic approach and assured long-term funding.

**The austerity period since early 2012, renewed conflict from 2013–2015, and the steep decline in oil prices since late 2014 and the resulting decline in revenue have affected the implementation of reforms and threaten to undermine earlier gains.** It is also important to note, however, that some efforts have continued despite the extended crisis period. The crisis also highlights that ethnic divisions can intensify rapidly and will be an important issue to consider going forward when efforts at rebuilding and strengthening public service resume.

The note concludes with a set of nine recommendations—three targeting broader considerations and six targeting specific ways in which efforts at strengthening public service can be continued and improved.

*The three broader considerations:*

- (a) *Highlighting the need to balance the fiscal costs associated with a renewed political settlement with those needed for reconstruction and development*

Some challenging choices will need to be made about pressures for (additional) employment associated with a new political settlement, in particular in the armed and organized forces, and the need to retain sufficient funding for expanding service delivery and infrastructure development. These choices are more critical due to (a) the current lower oil price compared to 2008–11 and the resulting downward

pressure on revenue and (b) the fact that oil production is expected to decline, and possibly quite steeply in the next 5–10 years.<sup>2</sup>

*(b) Considerations about the representation of groups in public service*

The 2013-2015 conflict has deepened divisions among a number of different groups in South Sudan, while also highlighting that the perception of unfairness with regard to inclusion in the new state contributed toward the nation's vulnerability to conflict. The note suggests considering the Nigerian example of explicit inclusion of groups, while maintaining requirements (i) to meet qualifications for a given position, (ii) for performing once a person is in the civil service, and (iii) for a commitment to serving all citizens equally.

*(c) Approaching DDR and strengthening the security sector within an overall civilian state*

An immediate step that should be taken after a political settlement is reached is a review of the status of the armed and organized forces, including the number of staff, overall staff composition, and cost. Professionalizing both the army and the police and other organized forces will be important to improve the security situation in the country and also for enabling disarmament. Individuals and groups will understandably be reluctant to disarm until the government credibly protects the security of all citizens and this is likely to pose a crucial challenge—which potentially the international community can help to address. Various options could be considered for compensating staff of those forces, while equity and fairness will be important.

Five recommendations specific to continuing public service reforms are as follows:

*Issues related to reforming the civilian public service and service delivery*

*(d) Setting the policy direction and road map for improving public sector performance*

Strategic guidance and a demand for improved public sector performance needs to come from the apex of the government. This will motivate the public sector to hire the right staff and ensure that staff can and will perform.

*(e) Including private service provision into policy considerations*

Given the limited fiscal and human resources, and immense development need, the government will not be able to provide all services to all citizens in the next five to ten years. At the same time, private provision of certain services has emerged, which has reached a considerable scale, while largely being low cost. The government should seek to take stock of such private sector provision, understanding where it is strong and where there are gaps (in provision, affordability, or rules of operation) and taking this into account when developing policies and making budget allocation decisions.

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<sup>2</sup> From a production *potential* of 290,000 barrels per day as of 2014 to around 170,000 barrels per day by 2020, and then declining further unless new production potential is found and developed. *Actual* production was lower in 2014 due to the conflict; but in any case, the fiscal space will shrink significantly in less than a decade unless new production is developed.

*(f) Restarting incremental progress with strengthening human resource management (HRM) systems*

As set out in the note, incremental progress has been made with establishing HRM systems despite a very challenging environment between 2007 and 2013, and elements of these efforts have continued despite an increasingly difficult environment in 2014. These efforts should be taken forward on a larger scale again, as soon as possible. This includes developing a pension system, the South Sudan Electronic Payroll System (SSEPS), and the Human Resource Management Information System (HRMIS); strengthening procedures for hiring; and possibly also agreeing on the limits for the number of staff in nonprofessional grades or the allocation of the share of the payroll allocated to such grades.

*(g) Facilitating HRM and managing pay for frontline service delivery*

Efforts at bringing more funding and functions to the local (that is, county and *payam*) levels are under way; and these can bring important benefits with regard to creating better conditions for frontline staff. They should be accompanied by measures to ensure accountability and oversight to guard against renewed emergence of ghost workers or hiring and promotion of unqualified staff. Making frontline pay sufficiently attractive is important, but should be considered as a coherent package.

*(h) Capacity building: Strengthening the supply, monitoring, and incentives*

Capacity building is high priority for the government and considerable support has been provided by development partners, with mixed and uncertain results to date. The supply can be strengthened and better institutionalized. Stronger monitoring should be used to capture who is being trained in what and with what subsequent use. Moreover, incentives to send the right staff to the right training can be strengthened.

*(i) Strengthening the coordination and effectiveness of development partner support*

Information sharing around capacity building has been limited to date. The CBTF has served as a partial hub for these efforts but has now closed. Development partners can make important contributions with regard to analytic work. The government may want to consider establishing a regular high-level dialogue on public sector strengthening and capacity building and to ask development partners to invest more in regular monitoring and reporting.

Overall, the note deliberately does not recommend a complete overhaul of the public service as is sometimes suggested in public debate in South Sudan by those keen to see greater reform progress. As section 6 on the experience of other countries sets out, a complete overhaul is very rare because the political cost is high and complete overhaul entails a high cost with regard to resistance and disruption of activities. Rather, the note suggests seeking to persevere with further incremental improvements and strengthening, which can achieve considerable progress over three to five years. How much progress can actually be realized depends on having sufficient signaling from the top, the quality of reform 'entrepreneurship' from those in key positions, and the commitment and dedication of wider ranges of

staff across different levels of Government, as well as the quality of support being provided by development partners and the government's ability to use this support well.

## 1. Motivation, Scope, and Limitations of the Note

The main purpose of this policy note is to analyze key issues related to (a) the wage bill, (b) wider issues of how the public service in South Sudan has evolved, and (c) implications for further reform efforts. The large size of the wage bill has been a key concern in the country and also specifically for the Bank with regard to fiscal sustainability and good fiscal management. At the same time, reforming and strengthening the public service is seen as a crucial component of state-building. Various efforts have been made to better manage the wage bill and to improve the public service, but these have been at best partially successful over the decade since the 2005 Comprehensive Peace Agreement.

The intended purpose is to provide inputs to the debate in and about South Sudan—within the government and among the development partners, civil society, and public—about strengthening the public service and managing the wage bill as a part of fiscal management. The note seeks to identify the key problems that need to be addressed as well as the constraints and opportunities that influence the feasibility and robustness of possible solutions. The note, therefore, revisits the efforts at reform and public sector strengthening made to date, so as to draw implications for reforms going forward. The note also has an immediate link to the Bank’s operational engagement as a new operation on *Institutional Development and Capacity Building* is under preparation with government counterparts, including the Ministry of Labor, Public Service and Human Resource Development (MoLPSHRD), the Ministry of Finance and Economic Planning (MOFEP), and others.<sup>3</sup>

At the outset, it is important to note some key limitations of what this policy note covers. While it touches upon the security sector, it does not cover security sector issues and possible reform approaches in depth. Furthermore, the note recognizes that there are important linkages between public sector employment and the wider labor market (job opportunities, skills and qualifications, and so on). However, these linkages are not considered in detail, given that an analysis of the private sector labor market lies outside this note’s scope. Furthermore, the analysis touches upon issues of corruption in the public sector, but does not address this dimension in depth.

The note draws on earlier work and recommendations, including in particular those set out in the report *Strengthening Good Governance for Development Outcomes in Southern Sudan* (World Bank 2010). It builds on analysis that was originally developed in FY13 and on a case study on South Sudan’s public service, which was developed for a comparative analysis on *Rebuilding Public Service Delivery in Post-Conflict Countries* (2013).

### 1.1 Conceptual underpinnings

Conceptually, the note is based on the thinking about state-building and postconflict dynamics that have considerably evolved over the past decade, based on the experience of a range of countries entering postconflict phases during the 1990s and 2000s across all six regions in which the Bank Group operates

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<sup>3</sup> The composition and resulting abbreviations for key ministries has changed several times since their initial creation in 2005. After merging several ministries during the cabinet reshuffle in 2013, ministries were separated again in 2014.

(Latin America and the Caribbean, Europe and Central Asia, East Asia and Pacific, Middle East and North Africa, South Asia, and Africa). One key contribution has been the *2011 World Development Report (WDR) on Conflict, Security, and Development*. The 2011 WDR underlines the fundamental importance of institutions and sets out that the process of institutional transformation is inevitably lengthy.

As shown by the WDR background paper developed by Pritchett and de Weijer (2010), *fast and successful* institutional transformations take between 10 and 40 years. *Average actual* trajectories of fragile states, however, were so slow that except for basic political stability, transformations toward reaching thresholds of state effectiveness would not be achieved within the next 100 years (see table 1). The latter finding may be unduly *pessimistic* as it includes countries with declining and stagnating governance and countries in conflict. Prospects are likely to be relatively better for postconflict countries (as a subgroup of fragile states)—*so long as they can establish stability, avoid a relapse back into conflict, and actively seek public sector improvements*.

**Table 1. Scenarios for Improvements in State Capability**

ICRG indicator	Indicator level	Threshold	Years to threshold at pace of			
	Current actual fragile situations		Recent average, fragile situations	Average, non-fragile all countries	Fastest 20	Fastest over the threshold
Bureaucratic Quality	1.0	2.5	Infinity	116.1	19.9	12.0
Corruption	1.8	3.5	Infinity	Infinity	27.4	14.3
Military in Politics	1.9	4.0	Infinity	103.4	16.6	10.3

Source: Pritchett and de Weijer (2010) based on International Country Risk Guide (ICRG) data.

A further conceptual distinction is between the *constitutive domains* of the state—the political settlement at the core, the closely related security and public administration apparatuses, and lawmaking process (that is, the process for deciding on the rules of the game)—and the *output domains* of the state, which include economic management, delivery of public infrastructure and services, and the establishment and functioning of a justice system (Fritz and Rocha Menocal 2007; see Figure 17 in annex 2).

Development partners have traditionally engaged strongly in the output domains—both during initial periods of humanitarian support and when shifting toward regular development cooperation—and tend to define these as the key ‘functions’ of the state (Institute for State Effectiveness 2014; Ghani, Lockhart, and Carnahan 2005). Engagement on constitutive domains has been carried out through international, bilateral military, or diplomatic support, especially with regard to the political settlement and security dimension.

Over the past decade, the engagement of development partners in public administration strengthening and reform in postconflict countries has grown, typically subdivided into three main areas: public financial management, public employment reforms, and support to decentralization. Among these three

areas, public employment reforms have tended to attract less intellectual attention and empirical lesson learning than the other two, with some increased efforts emerging recently (Srivastava, Blum, and Ferreiro-Rodriguez, forthcoming). The broad notion of ‘capacity development’ cuts across these areas and the output domains (see also UNDP 2012, 2013).

Furthermore, a key challenge is that while within a state the parts of the constitutive core are closely related (public administration, political settlement, and security), support from the international community for these areas is typically distributed across different agencies and departments with few points of contact. Security sector reform has been increasingly recognized as an important aspect of state-building, with the overall aim of establishing civilian control over the military (Huntington 1957) and reducing the likelihood of renewed (internal) conflict (Schnabel and Ehrhart 2005). This dimension of state-building has been very challenging in South Sudan, with limited traction achieved despite external support and some internal reform advocates and efforts.

An additional key challenge that donors struggle with is how to support building service delivery capabilities and core public and policy management capacity in parallel, when both domains are extremely weak and typically affected by various dysfunctionalities. This challenge has given rise to intense debates over the need to use country systems and to avoid ‘doing harm’ (OECD 2010). As is discussed in section 2.2, there are no simple solutions to this challenge, though the issue needs to be kept in mind as part of the efforts made by multiple stakeholders and for an extended period of time. The discussion also extends beyond fragile states. Generally, there is an increasing focus on the need to connect support for service delivery and for building core public administration and public financial management. The learning process about how this can best be done is ongoing (World Bank 2012a).

Furthermore, when considering the public sector and public sector employment, several terminological distinctions are important (Figure 1):

- (a) Public service typically comprises two or three broad categories: military personnel, civilian personnel, and potentially other special categories such as ‘organized forces’ in South Sudan.
- (b) Within the civilian personnel category, some staff on the government’s payroll are considered civil servants, while others are considered to be public sector employees. The extent of the core civil service varies from country to country and is influenced by administrative traditions. Who is considered a ‘civil servant’ may depend on the level of government (for example, only national/federal-level staff) and the functions of public employees—for example, teachers and university professors may be considered civil servants, public employees, or may have a special status.<sup>4</sup>

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<sup>4</sup> In many Anglophone African countries, teachers are considered permanent civil servants (see Mulkeen 2010, chapter 9); this differs from the United Kingdom’s system where they are public sector employees. Mulkeen also notes that the use of teachers on term contracts is more widespread in Francophone than in Anglophone Africa.

As is discussed in section 5.5, in South Sudan, currently federal and subnational civilian staff—whether they are core staff or engaged in frontline service delivery—are in principle considered civil servants, though the legal and regulatory provisions specifying their status are not explicit.<sup>5</sup>

**Figure 1. Groups within the Overall Public Sector/Public Sector Wage Bill**



## 2. The Country Context and Dynamics

The country context and how it evolves has important implications for how human resources overall can be managed and for the feasibility of reforms. This section provides a brief summary of key dynamics that are relevant for public service management.

### 2.1 Challenge of state-building

South Sudan emerged from a protracted civil war and a history of relative isolation. Its eventual separation from Sudan was externally supported at a diplomatic level by the United States in particular. Relative to other countries that have been newly established over the past 20 years, the level of ‘stateness’ was particularly low in South Sudan at the outset, combining no history of statehood, limited prior levels of state-organized service delivery or promotion of economic development (for example, compared to the new states that were established in the Europe and Central Asia region), and limited territorial connectivity. The main institutional reference points for many educated South Sudanese are those of Sudan, combined with a mixture of backgrounds mainly in neighboring Anglophone countries. As is discussed further in chapter 3, since the beginning of the state-building effort in 2004/05, South Sudan has been influenced by ‘international best practices’ and U.S. models.

The country gained independence with a comparatively high per capita income, because of the immediate availability of revenue from oil (see Table 2). In 2011, per capita gross domestic product (GDP) in South Sudan was more than 10 times greater compared to the Democratic Republic of Congo or

<sup>5</sup> The 2011 Civil Service Act states in para 5, “With the exception of the categories of Government, civil servants, officials and employees of the institutions listed under Section 6 below of this Act, all Government civil servants, officials and employees are subject to the application of the provisions of this Act.” It then lists five explicit exemptions from the act: (a) Constitutional Post-holders and Southern Sudan Legislative Institutions; (b) the Judiciary; (c) all Legal Counsels; (d) the SPLA; and (e) Police, Prison, Fire, Civil Defense, and Wildlife Services.

Liberia at the outset of their respective postconflict periods, and considerably higher than that of Timor-Leste, another recent resource-rich postconflict country. Thus, in principle, the country has an opportunity to afford a functioning public sector and a substantial degree of service delivery to citizens. However, comparative data also indicates that literacy rates in South Sudan were lower than in any other recent postconflict situation. Moreover, despite the relatively high current GDP per capita levels, the country has many characteristics of a least developed country, given the constrained infrastructure, significant challenges with food security, and related characteristics. Furthermore, South Sudan has experienced rather extreme levels of economic and fiscal volatility in recent years, with per capita GDP dropping by 50 percent between 2011 and 2012 (to US\$943 per capita) due to the stoppage of oil production for 15 months (from January 2012 to April 2013).

**Table 2. GDP Per Capita and Literacy Rates, South Sudan and Selected Postconflict Countries**

	<b>GDP per capita at year of independence or peace (current US\$)</b>	<b>GDP per capita most recent year available (current US\$)</b>	<b>% of adult population literacy at peace/independence</b>	<b>Literacy rate (most recent)</b>
South Sudan	1,844 (2011)*	1,045 (2013)	27 (2010)**	n.a.
<i>Other resource-rich countries in the region</i>				
Angola	839.5 (2002)	5,783 (2013)	67.4 (2001)	70.4 (2011)
Democratic Republic of Congo	111 (2003)	484 (2013)	67.2 (2001)	61.2 (2007)
<i>For comparison: non-resource rich, resource-rich other region (Timor-Leste), postconflict middle income (Kosovo)</i>				
Sierra Leone	276 (2002)	679 (2013)	34.8 (2002)	43.3 (2011)
Liberia	131 (2003)	454 (2013)	54.8 (2004)	42.9 (2007)
Timor-Leste	474	1,105 (2012)	37.6 (2001)	58.3 (2010)
Kosovo	1,087 (1999) peace 3,302 (2008) independence	3,877 (2013)	n.a. (close to 100%)	n.a. (close to 100)

Source: World Development Indicators database;

Note: \* The earliest estimate of per capita income for South Sudan is for 2008, at a level of US\$1,674. The adult literacy rate is based on an earlier household survey and reflects the situation in the mid-2000s.

However, the economy and the fiscal situation have been extremely dependent on natural resources. Revenue from oil production has accounted for around 98 percent of total government revenue under regular oil production (240,000 barrels per day). When oil production stopped in 2012, the government had to adopt stringent austerity measures and began to rapidly accumulate debt. In 2013, oil production resumed, but then suffered again due to the outbreak of conflict in late 2013 and consequently reduced production; and since late 2014, from the rapid decline in oil prices.<sup>6</sup> Moreover, from 2020, reserves and production are expected to decline significantly unless new discoveries are made and developed.

<sup>6</sup> Due to this fiscal volatility, debt continued to accumulate.

Furthermore, the state-building dynamic coincides with challenging starting conditions for nation building, given the high level of ethnic-linguistic diversity on the one hand and low literacy rates on the other hand. South Sudan has around 60 different ethnic and linguistic groups in a total population of around 10 million.<sup>7</sup> Increasing literacy has typically supported nation-building due to its effect of standardizing one or two main languages.<sup>8</sup> Ethnic and linguistic diversity has also been high in Timor-Leste, another recently independent state, but much lower, for example, in Kosovo with 92 percent of the population belonging to one group. Internally, South Sudan is not affected by a major religious cleavage (for example, between Christians and Muslims) as most groups hold Christian, animist, or syncretic—that is, mixed—beliefs. However, the cultural norms and practices among a number of groups have evolved in ways that promote local-level conflicts due to cattle raiding.<sup>9</sup> Even before the outbreak of a major renewed conflict in late 2013, the country experienced continuous more localized violence and up to 100,000 people were internally displaced.

The country's leadership had to undergo a transformation from rebel and military leadership to leading a government with responsibility for all policy areas (Mampilly 2011). With independence, the immediate effect of a unifying common goal and common adversary reduced, even if tense relations with Sudan remained. Sudden relative oil wealth that accompanied independence has offered one way of addressing this challenging state- and nation-building situation through co-optation of potentially violent groups (and in particular, the elites). The experience of South Sudan is almost ideal-typical of such co-optation as conceptualized by North et al. (2013). This has primarily led to an increasing number of military staff as well as staff in the 'organized forces' and associated leadership positions.

However, the approach has come under increasing strain since 2012. The government decided to stop oil production due to a dispute over the cost of oil transit through Sudan, resulting in a sudden implosion of revenue. The fiscal situation has remained strained since then; while oil production resumed in May 2013, the government had accumulated significant short-term debt over 14–15 months, most of which needed to be repaid or rolled over.

Moreover, recurrent spending on the security sector—the military and the organized forces—resulting from the process of co-optation has crowded out other spending. Combined with a significant level of rent seeking and corruption, this has increasingly led to disenchantment—among citizens at large as well as the elites—with the 'peace' and 'independence' dividends. Individuals within the government have been aware of this challenge and have considered ways of reforming the SPLA and seeking a smaller and more professional security force. However, up until the outbreak of the internal conflict in late 2013, such considerations continued to be dominated by the need to co-opt additional groups.

Two constitutions have been adopted to date (in 2005 and 2011), both of which have been considered as temporary/transitional, and a definitive constitution remains to be agreed. The 2011 transitional

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<sup>7</sup> Some of the large ethnic groups are further divided internally, mainly between those subgroups residing in different areas of the country.

<sup>8</sup> The loss of traditional languages spoken by smaller groups is the downside of these processes. Currently, 17 languages in South Sudan are at risk of being no longer spoken or transferred to the next generation.

<sup>9</sup> Cattle is the main store of wealth; and dozens of cattle have to be paid as a dowry or bride price.

constitution postulates a ‘Decentralized System of Governance’ in Part 3, chapter III and in Part 11.<sup>10</sup> Part 9 sets out the basic provisions for the civil service and paragraph 139 (n) gives the subnational levels of the government the right to appoint and manage their civil servants in line with the standards set out in the constitution and relevant laws. The constitution establishes a presidential system of government with a wide scope of appointment powers allocated to the president.

These country conditions affect the pursuit of public service strengthening in South Sudan. On the one hand, there is awareness of the importance of a qualified and well-functioning public service. On the other hand, there are only rudimentary experience and few institutional templates and building blocks for having a public service; and the experience that does exist was gained during the decades of governance by Sudan—itsself a country considered as having rather poor and ineffective governance. This is combined with the multiple pressures to accommodate and co-opt—to employ those who fought during the long north-south war as well as current rebel groups, and to offer at least some tangible benefits to various ethnic groups through public sector employment. As section 5 describes, despite these multiple challenges, some progress has been made with regard to gradually organizing a recognizable public service. Country drivers are such that it will remain challenging to continue this process; and there are continued major risks related to the recurrence of conflict and crowding out of civilian public service by the high cost of security sector spending.

## 2.2 Overall government effectiveness and governance challenges

As discussed in section 1, the purpose of this note is not to provide an overall analysis of governance challenges affecting the public sector in South Sudan. However, it is crucial to briefly map out some of the key governance issues at play, as these are a part of the conditions under which civil service reform efforts must take place, and addressing these challenges is part of the object of such reform efforts.

Available indicators for the immediate post-independence period show that the overall quality of public sector management in South Sudan is among the lowest in the Africa region. Table 3 and Figure 2 show the Country Policy and Institutional Assessment (CPIA) comparisons and selected Worldwide Governance Indicators (WGI) for South Sudan compared to the Sub-Saharan Africa region.

In principle, low government effectiveness is to be expected in an early postconflict situation, and as Figure 2 indicates, there was some early positive development of initial improvements in governance (between the rating for 2011 and 2012). Figure 3 captures the evolution of governance indicators for Liberia and Rwanda. As shown, in five-year increments, both countries made significant gains. The case of Liberia, which started from a very low point, is similar to that of South Sudan when it was included in the WGI index for the first time in 2011.<sup>11</sup> The risk, as described in the previous section, is a postconflict country getting trapped in a low-level equilibrium, either because progress toward greater state

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<sup>10</sup> A separate policy note being developed covers the evolutions and options for intergovernmental relations in greater detail.

<sup>11</sup> The postconflict starting year in Liberia is 2003; for Rwanda it is 1995, before the start of the Worldwide Governance Indicators.

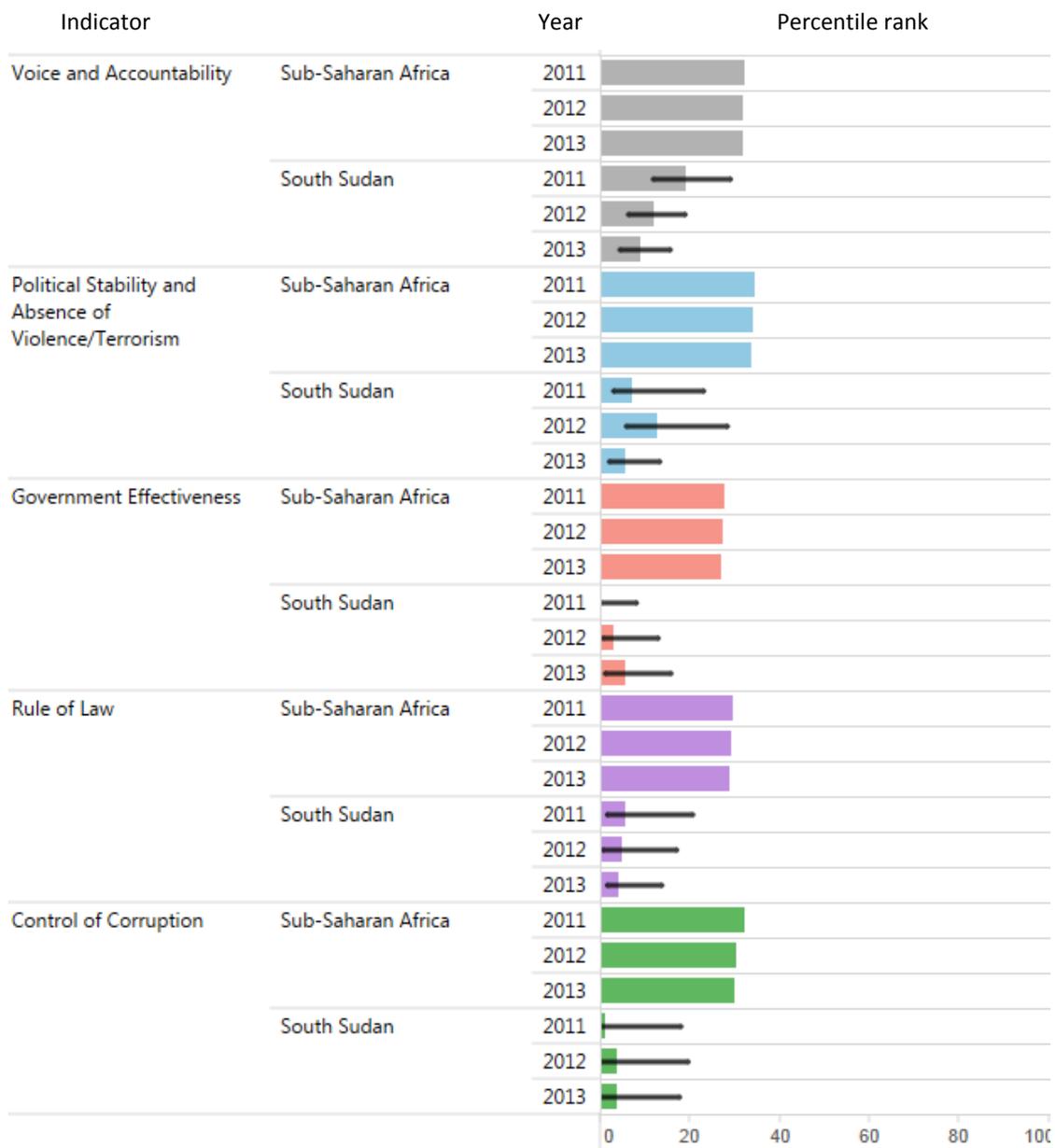
resilience is stymied altogether or because periods of incremental progress are followed by periods of substantial backsliding.

**Table 3. CPIA 2012 and 2013**

	Quality of public administration		Transparency, accountability and corruption in the public sector		Average for section D of the CPIA*		Overall average CPIA	
	2012	2013	2012	2013	2012	2013	2012	2013
South Sudan	2.0	2.0	2.0	2.0	2.0	2.0	2.1	2.1
Sub-Saharan Africa regional average	2.9	–	2.8	–	3.0	–	3.2	3.2
Top performers (Botswana, Cabo Verde)	4.0	–	4.5	–	4.2	4.1	4.0	–
Worst performer (Equatorial Guinea)	2.0	–	1.0	–	1.6	–	2.2	–

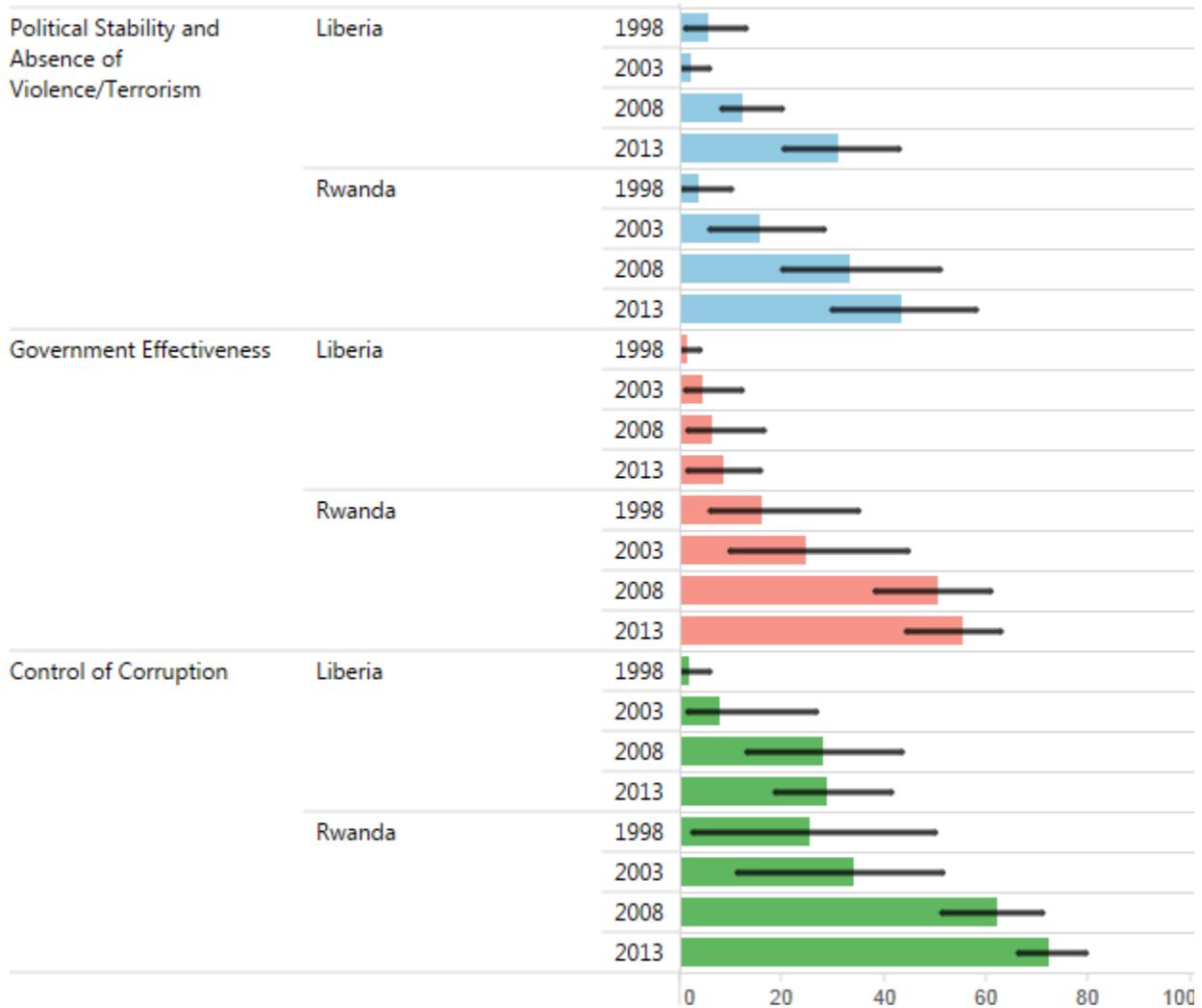
*Source:* World Bank CPIA tables for 2012 and 2013; Botswana is no longer included as of 2013. \* Section D covers public sector management and institutions.

**Figure 2. Worldwide Governance Indicators for South Sudan Compared to Regional Averages**



Source: [www.govindicators.org](http://www.govindicators.org).

**Figure 3. The Evolution of Governance Indicators for Liberia and Rwanda**



Source: [www.govindicators.org](http://www.govindicators.org).

**According to international indicators, South Sudan is one of the five most corrupt countries in the world as of 2014.** Several conflict- and violence-affected countries (Afghanistan, Iraq, Syrian Arab Republic, Haiti, and Somalia) are near or at the bottom of international comparisons on corruption. A particular challenge in South Sudan has been that the scale of funds being managed by the government accelerated rapidly from 2005 onwards, with a peak of SSP 10 billion (US\$3.3 billion at the official exchange rate) reached in 2011/12.<sup>12</sup>

**Public opinion surveys within South Sudan suggest worsening levels of corruption and a growing degree of public discontent,** mixed with considerable approval for the government and the SPLM based on the achievement of independence. In spring 2013, nearly 60 percent of the respondents to a

<sup>12</sup> The official exchange rate between South Sudanese pound and the U.S. dollar has been 3:1 from 2011 until December 2015.

countrywide survey answered that government corruption had worsened over the past year (29 percent ‘worsened’; 30 percent ‘much worsened’) (USAID, ORB International, and IRI 2013, 14).

The most publicly visible scandal to date has been a purchasing scheme for grain. In 2008/09, South Sudan procured grain for its National Grain Reserves; but, allegedly, a significant share of deliveries were signed off but not actually received, while other grain was delivered but not paid for, and further deliveries were damaged en route with affected companies claiming compensation. In addition, funding was provided for grain stores and was disbursed without actual building of the stores. According to public reports, the overall losses to the government amounted to US\$2 billion, which is almost equivalent to the total government revenue for 2008.<sup>13</sup> Investigations carried on until 2012, but without any convictions being made. It is also not entirely clear whether the main blame falls on private parties swindling an inexperienced and weak government, or whether there was collusion within the public sector and among multiple branches of the government (that is, among the MOFEP and state governors signing off on the receipt of grain).

**Overall, in particular for 2005–2011, there is a sense of impunity within the public sector.** It is important to note that structures and processes meant to counteract corruption were just being created during this period. The South Sudan Anti-Corruption Commission was initially established in 2006, but a dedicated Anti-Corruption Law was adopted only in 2009, among other things making it responsible for the collection of asset declarations.<sup>14</sup> Similarly, a National Audit Chamber was established in the mid-2000s, but a dedicated Audit Chamber Act was passed only in 2011. The capacity of both institutions remained relatively weak and limited, particularly with regard to eventual government and judicial follow-up. Access to information has remained limited and so far is not underpinned by specific legislation. It is conceivable that, over time, institutions of accountability would become stronger and gradually reduce impunity; however, this process was interrupted by the conflict that broke out in late 2013.

**From a political economy perspective, large-scale corruption constitutes a way to share rents with a view to managing peace among potentially violent groups** (North et al. 2013). However, the risk of an ‘escalating’ strategy of this kind is that it (a) becomes fiscally unsustainable given its scale and (b) ultimately undermines state resilience by generating more discontent among citizens. With respect to public sector performance, rampant elite rent-seeking can replicate a culture of impunity and nonperformance and/or breed cynicism at the lower levels. A more durable approach would require scaling back the elite rent-seeking combined with a wider distribution of benefits to citizens.

**With regard to public service reforms, a context of impunity is likely to make it more difficult to establish internal discipline,** in particular if internal cohesion is also limited, as indicated in section 5.2.

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<sup>13</sup> However, it is important to note that other reports cite a much smaller, if still substantial, figure of US\$34 million that was embezzled (U4 2013). In May 2012, President Kiir circulated a letter to 75 current and former government officials, asking them to return a total of US\$4 billion—which is, in total, more than the annual budget of 2011/12.

<sup>14</sup>

[http://www.iaaca.org/AntiCorruptionAuthorities/ByCountriesandRegions/S/Sudan/201202/t20120215\\_805325.shtml](http://www.iaaca.org/AntiCorruptionAuthorities/ByCountriesandRegions/S/Sudan/201202/t20120215_805325.shtml).

Contrary to initial thinking about the relationship between corruption and public sector capacity, the relationship is not one-to-one, that is, considerable capacity and a process of civil service strengthening *can* exist alongside a substantial degree of corruption, as is the case in several East Asian countries (see, for example, Burns 2007). However, successful cases in East Asia have combined an emphasis on meritocracy and performance with the presence of intermediate levels of corruption. Where corruption tends to be very high (such as currently in South Sudan) and incentives and accountability for performance are (very) limited, opportunities for strengthening the public service are significantly constrained.

### 3. Three Problems: A High Wage Bill, Eroding Pay Levels, and Limited Qualifications

A key observed problem regarding public service in South Sudan has been the (overly) large wage bill, which has amounted to between 35 and 60 percent of total public expenditures in recent years, the wide range being due to the extraordinary fiscal and economic volatility that South Sudan has experienced (World Bank 2010, 2013). Section 3.1 disaggregates the particular drivers of the high wage bill. It shows that the crucial issue is the large security sector related employment, including the army as well as the four organized forces. Wage levels are broadly in line with regional comparators, and the share of civilian public servants is at the low end. Sections 3.2 and 3.3 then describe two additional challenges facing South Sudan's civil service. These are (a) gradually eroding pay levels and (b) the limited qualifications of staff.

#### 3.1 Fiscal cost: wage bill trends in South Sudan

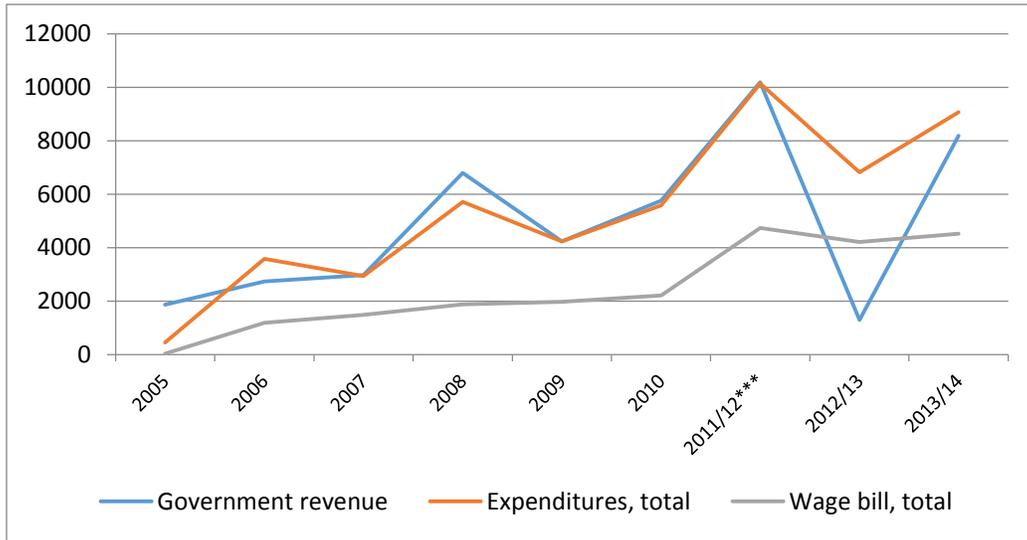
The overall fiscal situation (revenues and expenditures) and the share of salaries in total expenditures are reflected in Figure 4(a) and 4(b). The lower line in figure 4(b) shows the approximate share of *civilian* salary expenditures as part of the total, indicating its relatively limited share (from 2008 to 2012/13 only). As the figures reflect, from 2005 to 2013, South Sudan experienced a high level of fiscal volatility. The overall upward trend in revenue from 2005 to 2011/12 has enabled the government to expand the wage bill. The high level of volatility and dependency on revenue from natural resources also imply that there is uncertainty about what constitutes a sustainably affordable wage bill for the country in the medium to longer term. Uncertainties about the trajectory of oil revenues beyond 2020 contribute to this challenge. In 2013/14, the wage bill as a share of total expenditures declined from a peak of nearly 62 percent for the previous year to 50 percent, because of the resumption of oil production—even with lower-than-expected production due to the renewed conflict. However, due to the rising security expenditures, the wage bill became difficult to finance already at the end of FY2013–14;<sup>15</sup> and the subsequent drop in oil prices means that the government is increasingly unable to pay all salaries in full and on time and to fund any operational or capital expenditures.

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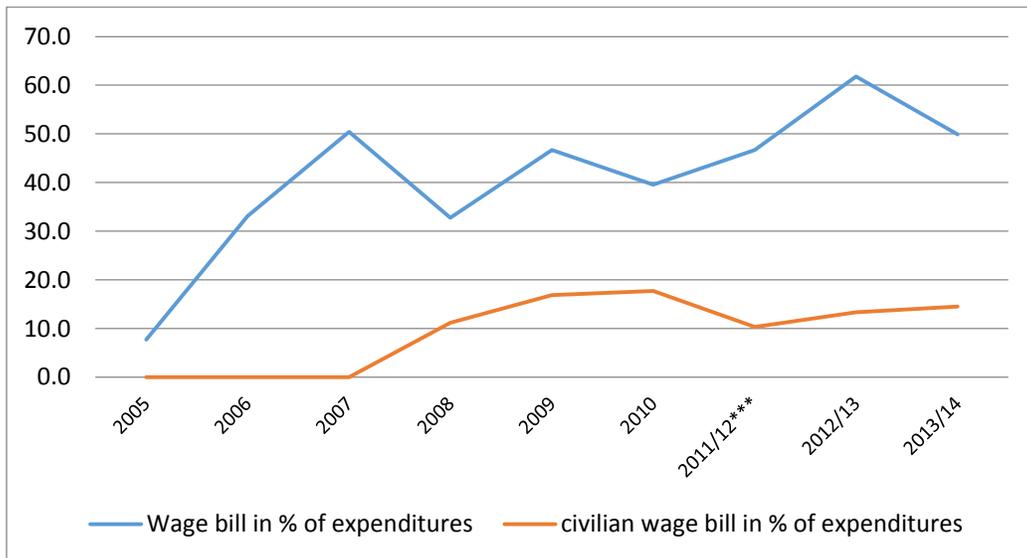
<sup>15</sup> See 2014–15 First Quarter Macro-Fiscal Report.

**Figure 4(a) and Figure 4(b). Total Revenue and Expenditure and Salary Spending 2005–2014**

**4a: million Sudanese/South Sudanese Pounds**



**4b: Wage Bill in % of Total Expenditures**



*Sources:* GoSS budget books, various years, outturn data.

*Note:* Civilian share of salaries can be calculated only from 2008 onwards; wages at subnational levels are only disaggregated in budget plans, but not in outturns before 2014, and hence the red line in figure 4(b) is approximate.

As shown in Table 4, the size of the overall share of publicly paid staff relative to the population corresponds to or is slightly below regional and global figures; while the wage bill has absorbed a higher

share of expenditures than the regional average for the past six years.<sup>16</sup> As discussed further in section 6, rapidly increasing public sector wage bills have also been present in other postconflict countries. Crucially, in South Sudan, within this overall employment and wage bill envelope, the *civilian* share of the public service is well below the average for Sub-Saharan African countries. Civilian public sector employment is close to the level of Rwanda, which is considered as an exemplary performer with regard to having created a lean and effective civil service over the past 15 years (Hausman 2011; GSDRC 2009). In South Sudan, at the national level, wages to *civilian* staff have accounted for only 24 percent of the total wage bill on average between 2006 and 2013; and at the subnational level, they account for about 30 percent of conditional salary transfers.<sup>17</sup> The balance are salaries for the military (in particular at the national level) and for staff in the four organized forces (especially at the subnational level—also see World Bank 2015a).

As will be discussed in section 3.2, while the size of the *civilian* public service is therefore not a key problem during the initial periods of rapid hiring, there was limited regard for ensuring that staff are qualified and motivated to deliver services. Subsequently, efforts have been made to recalibrate and screen staff for qualifications. This process has been challenging and is ongoing.

**Table 4. Public Sector Employment and Wage Bill**

	<b>Total public sector employment as of 2013/14</b>	<b>Share of public sector employment/population</b>	<b>Wage bill in % of total public expenditures</b>
<b>South Sudan total</b>	399,000	3.5*	44.8% (average 2006–2014)
- <b>Armed forces</b>	239,000	2.1*	25.8% FY2013/14
- <b>Organized forces</b>	94,000	0.8*	9.6% FY2013/14
- <b>Civilian**</b>	66,000	0.6*	14.5% FY2013/14
<b>Average Sub-Saharan Africa</b>	n.a.	3.8 (of which 3.2 civilian)	33.4% (average 2000–2008)
<b>Rwanda</b>	94,047 (civilian only)	0.8 (civilian only)	13% (total defense and civilian) 10% (civilian)

Sources: For Rwanda: <http://www.mifotra.gov.rw/fileadmin/templates/downloads/IMPLIMENTATION.pdf> and International Monetary Fund (IMF) Country Report 13/372.

For Sub-Saharan Africa: IMF 2010; figures refer to 'General Government'.

Note: \* Assuming a total population of 11.3 million (according to World Development Indicators) for South Sudan for 2013.

\*\* Civilian public servants include those at the national and at subnational levels.

In sum, the wage bill and how to manage it remains a cause of concern—albeit potentially manageable at full rates of oil production at least in the short term. Crucially, a high share of the wage bill is

<sup>16</sup> With regard to staff numbers, the figures in the national budget may slightly underestimate the actual numbers employed at the subnational level (such as volunteer teachers) and also within the military. For the military, staffing estimates before December 2013 varied between 204,000 according to the budget and 270,000.

<sup>17</sup> There are some additional informal wage payments, probably mostly to civilian staff made at the subnational levels, for example, for 'voluntary teachers' (see also section 2.2); but these do not fundamentally alter the balance.

absorbed by the security forces (military and organized forces) rather than the civil service, with the latter accounting only for about 20 percent of total public sector employment by numbers of staff and for 20–25 percent of the total wage bill. Existing indicators assess the effectiveness of the government as very low—implying that there are limited benefits relative to the resources spent, which is likely to be due to the combination of high military and security wage expenditures relative to civilian wage expenditures, as well as weaknesses within the civilian public service itself. It is important to note that there are as yet too few data points available to allow an assessment of trends over time, so as to judge whether there is any indication of ‘catching up’ toward a higher level of performance. Also, given the recurrence of conflict, standard indicators showed growing divergence for 2013 and 2014.<sup>18</sup> The following two subsections further discuss the two specific issues: trends in public sector pay and data on the qualification of staff. Section 4 addresses the issue of trends in service delivery. The latter further explores the issue of staffing of key service delivery areas.

### 3.2 Trends in public service pay

Public service pay in South Sudan was revised relatively early on in line with recommendations from international consultants. While basic pay levels have been kept constant in nominal terms for a number of years, there has been considerable volatility in the value of take-home pay for public employees due to (a) inflation eroding the value of pay and (b) the granting of substantial housing allowances in 2009 to civil servants (and in 2011 to army and organized forces staff) and their subsequent partial withdrawal in 2012 due to the austerity measures adopted. Furthermore, key frontline service delivery staff have been offered rather low levels of pay.

**At the outset, in 2005, South Sudan inherited the pay scales of the government of Sudan, which were relatively compressed (ranging from US\$55–300 equivalent) and had a large number of allowances (39).** With inputs from external advisers,<sup>19</sup> these pay scales were revised and decompressed and the number of allowances was reduced to three from 2007 onwards. At the same time, overall salaries were increased. From 2006/07, a revised pay scale was implemented ranging from grade 17—SSP 208/US\$104 (plus SSP 25/US\$12.50 in allowances)—to grade 1—SSP 2,100/US\$1,050 (plus SSP 400/US\$200 in allowances), the highest regular grade, thus instituting a measure of wage decompression which is a standard recommendation.

Comparing different countries, the average *level* of civilian public sector compensation in South Sudan was broadly in line with regional public sector salaries in the late 2000s, if we take into account that GDP is particularly volatile (Table 5). It must be noted that public sector compensation is very challenging to compare reliably across countries, given that benefits beyond the core salary can be significant (allowances, in kind benefits, and so on). Comparability crucially depends on how the ‘average’ salary is defined and on the exchange rates/conversions to estimate purchasing power across countries, and also

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<sup>18</sup> Indicators for 2015 will become available in the second half of 2016, and are likely to continue reflecting divergence.

<sup>19</sup> World Bank/Adam Smith International (ASI) and CBTF.

that the availability of alternative employment and earnings opportunities varies.<sup>20</sup> Rwanda, which has a very lean public service, has a higher relative level of compensation compared to South Sudan; but as noted above, its total wage bill is smaller relative to total spending due to strictly limited staff numbers and much smaller spending on military salaries.

**Table 5. Public Service Salary to GDP Per Capita Comparison (Various Years)**

Country	Average salary per public service employee per year in US\$	GDP per capita current US\$	Ratio wage/GDP per capita
South Sudan (GDP, 2011)	3,082*	1,858	1.66
South Sudan (GNI, 2011)		984	3.13
Kenya	4,065	770	5.28
Malawi	997	290	3.44
Mozambique	2,303	370	6.22
Rwanda	2,805	410	6.84
Tanzania	1,999	440	4.54
Uganda	1,820	420	4.33
Zambia	3,855	920	4.19

Source: Estimates by Theodore Valentine, Bank consultant, 2013; government of South Sudan (GOSS): Budget Document 2011; World Bank database 2010.

Note: GNI = Gross national income.

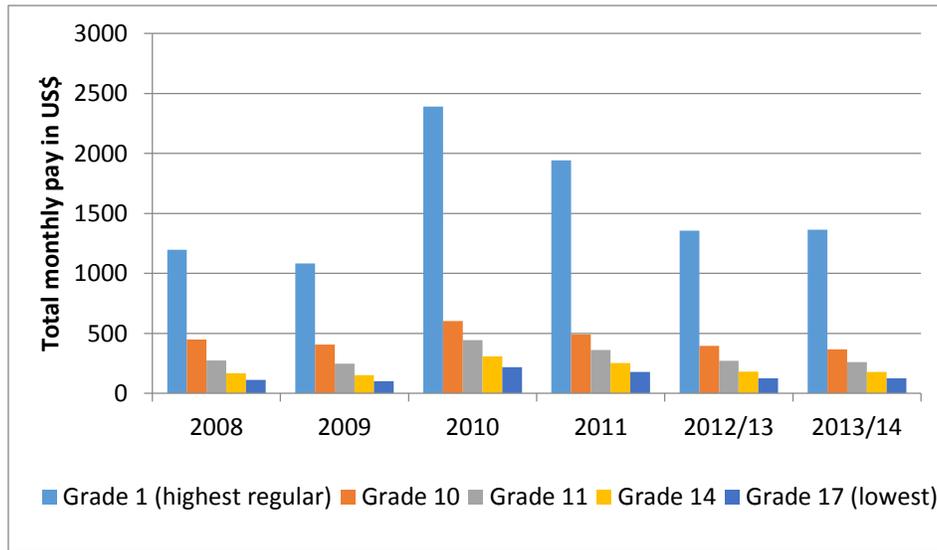
\*Grade 11 base salary (SSP 533 per month) at the 2008 exchange rate. At an exchange rate of SSP 3 per US\$1, the value drops to US\$2,132.

Though initially broadly in line with regional salaries, subsequently, basic pay in South Sudan has been kept at the same *nominal* level between 2007 and 2014, and was not adjusted for inflation in those years. The regular monthly allowances were likewise kept at unchanged levels between 2007 and 2013/14. Thus, inflation and depreciation against the U.S. dollar continuously eroded the purchasing power of wages (see Figure 6). By 2014, the U.S. dollar equivalent of grade 17 basic pay had been eroded to US\$60, and at grade 1 to US\$603.<sup>21</sup>

<sup>20</sup> Therefore, table 5 should be considered a 'crude' approximation to attempt some comparison. Clements et al. (2010) arrive at a lower ratio of public sector compensation to average GDP per capita: 1.3 for Africa (based on a sample of three countries) and of 1.9 for low-income countries. Wages in South Sudan would correspond to this range.

<sup>21</sup> At an unofficial exchange rate of SSP 3.48 to US\$1. Market rates were above SSP 4/US\$1 for 2013.

**Figure 5. Monthly Total Pay in US\$ for National-level Public Sector Staff Receiving Monthly and Housing Allowances**

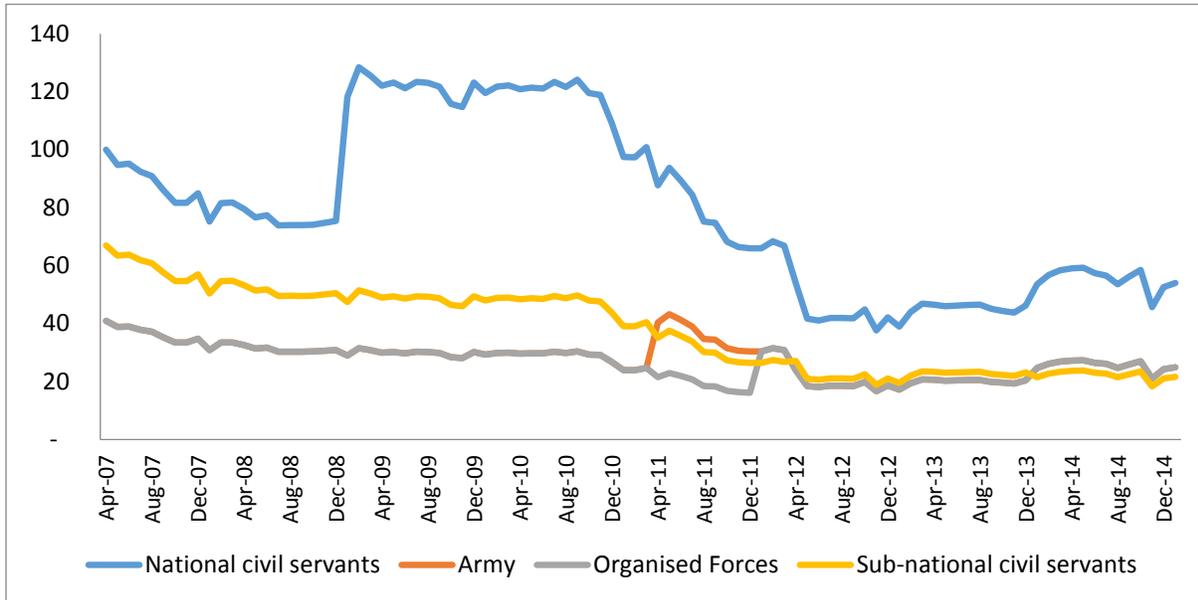


Source: Budgets for various years.

Note: Total pay includes monthly and housing allowances. Conversion into US\$1 at SSP 2.09 for 2008, SSP 2.31 for 2009, SSP 2.3 for 2010, SSP 2.83 for 2011, SSP 2.95 for 2012/13, and SSP 3.48 for 2013/14 (official average rates).

Figure 6 shows the trend in the erosion of the value of salaries and the temporary boosts received through allowances by main public employment categories. As the chart indicates, average salaries for these groups have differed between employment categories from the outset. From late 2008 onwards, the government introduced significant allowances, especially for housing, to shore up the purchasing power of salaries—while presumably allowing for greater flexibility relative to the option of increasing base salaries. Allowances were reduced to 50 percent from April 2012 to December 2013 during the initial austerity period and were increased to 100 percent from January 2014 onwards. The main housing allowance has been given to national civil servants and then subsequently to the armed forces and the organized forces, but not to subnational civil servants.

Figure 6. Estimates of Wage Trends Adjusted for Inflation 2007–2014



Source: Calculations by Peter Lilford, based on budget date and inflation estimates. Up to January 2009, all salaries follow the same trend, then different groups successively receive allowances, increasing the value of their pay.

Frontline service delivery staff, and in particular teachers, receive relatively low levels of pay, and hence are particularly affected by a significant decline in purchasing power.<sup>22</sup> According to the Bank’s 2012 analysis of the education sector, most primary school teachers were paid according to salary grades 15 or 16, that is, the equivalent of unskilled or semiskilled workers (World Bank 2012b, 115);<sup>23</sup> while the main grade used subsequently shifted to grade 14. According to the report, the average monthly salary for primary school teachers has been SSP 411 (US\$137 at a 3:1 exchange rate)—with substantial differences between states (World Bank 2012b, 102). In the health sector, reliance on development partners and nongovernmental organizations (NGOs) has been higher compared to the education sector (Downie 2012) and the share of nongovernment paid staff is higher relative to government paid staff (Booz and Company 2010).<sup>24</sup> NGOs have also topped up the pay of qualified health sector staff. Discussions between the government, development partners, and NGOs over pay levels in the sector have been contentious. An ‘infection allowance’ was newly introduced for primary health care workers (that is, at subnational levels) for the 2014–15 budget to begin reducing the disparity in pay between government-employed and NGO-employed health workers at the local levels.

<sup>22</sup> Low pay for teachers may be justified for those with low or lacking qualifications and on the ground that there are few alternative income opportunities for many employed in the sector. However, rapid declines in purchasing power are likely to have a demotivating and distracting effect, given that staff then have to focus more on coping strategies.

<sup>23</sup> Based on 2010 EMIS data.

<sup>24</sup> In 2010, the share was about 11,000 government paid staff to an estimated 6,000 nongovernment paid staff in the health sector, with some overlap of staff working both in government and in nongovernment roles and some government staff receiving top-ups.

**With regard to working conditions beyond pay, the key problems are related to state- and county-level frontline service delivery staff.** Incentivizing qualified, health, and similar staff to work in rural and remote locations is a challenge in most countries. In South Sudan, added challenges include particularly limited infrastructure, and especially for county-level staff, a lack of adequate housing and access to services such as health care and schools for their families. Security concerns also affect the allocation of frontline service delivery staff and appear to reduce staff mobility across locations.<sup>25</sup>

The erosion in the value of wages suggests some ‘effort’ by the government to limit the wage bill by letting the value of salaries and allowances erode in the face of expanding numbers of overall staff on public payroll. While this may have been necessary to an extent, it is a trend that also entails risks principally that of replicating a poorly paid and demotivated public service that has been present in a number of Sub-Saharan African countries; compounded by the fact that in South Sudan, public employment is concentrated in the security rather than the civil sectors. In addition, wage volatility and erosion is likely to generate discontent and resentment.

### 3.3 Data on the qualifications of staff

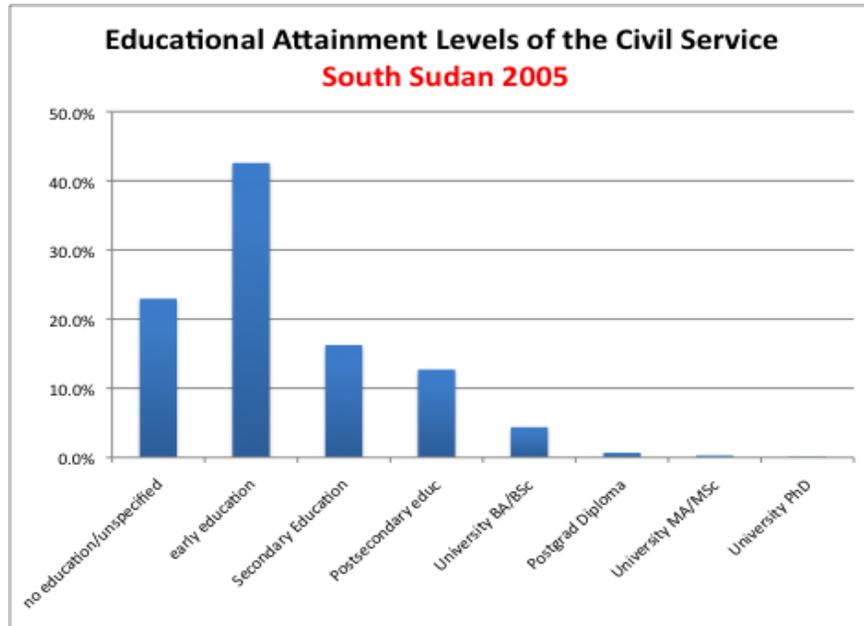
Staff qualifications are a key bottleneck in South Sudan. As has been pointed out by existing comparative studies (World Bank 2012c), developing public sector capacity in a postconflict setting has typically been facilitated in middle-income countries that have significant pools of qualified citizens to draw from, such as Kosovo and West Bank and Gaza. The task of building public sector capacity is more challenging in low-income countries and countries with overall low human development.

According to an early 2005 survey of public servants (including civilian civil servants and organized forces), 65 percent had no/unspecified or only early education and a further 15 percent had completed secondary school (see Figure 7). Only 20 percent of those employed in the public service had any form of post-secondary education. No similar comprehensive census of the public service has been undertaken since 2005, and as an HRMIS is still under development, aggregate administrative data on qualification is not yet readily available.

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<sup>25</sup> (ODI 2012 <http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/7716.pdf>) – any material with statistics from Ministry of Education?; IOM Village Assessment Survey 2013 -- <http://southsudan.iom.int/wp-content/uploads/2013/06/IOM-Village-Assessment-Survey-Report-2013.pdf>).

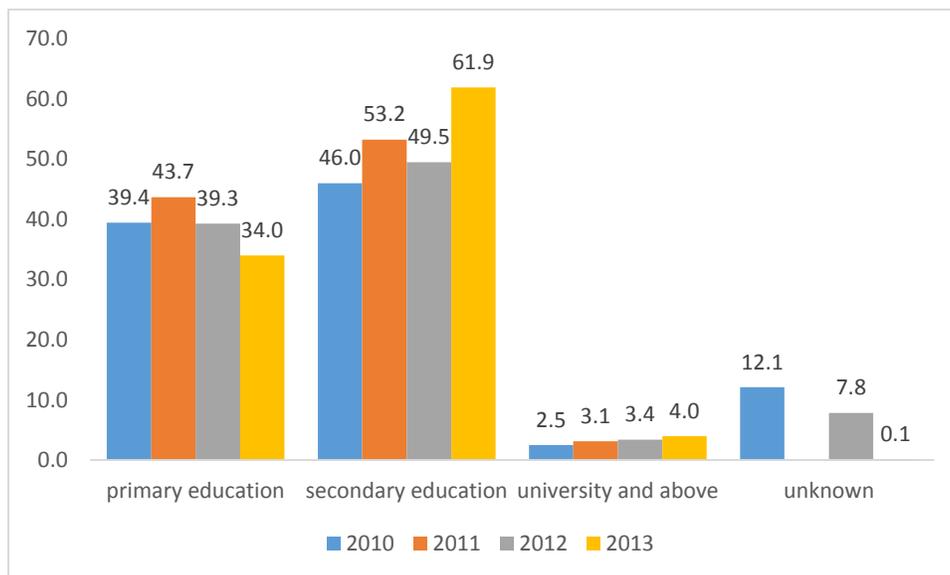
Figure 7. Educational Level of Public Servants, 2005



Source: Public service survey 2005.

There are some indications that qualifications are relatively higher in the civilian public service than in the organized forces (and the military) and are gradually rising. According to government statistics, by 2013, the level of qualification of primary and secondary teachers was considerably higher compared to this early data, with almost 62 percent of all primary teachers having completed secondary school and the share of unspecified falling to near zero (Figure 8). Among the much smaller group of secondary teachers, more than half (57 percent) are reported to have completed university-level education or above.

Figure 8. Primary School Teachers by Academic Qualification, 2010–2013



Source: EMIS.

A 2012/13 survey of public service staff in grades 12 and above showed that for the three states covered (Northern Bahr El Ghazal, Jonglei, and Western Equatoria), on average 30 percent were secondary school graduates, 21 percent had completed high school, 29 percent held a diploma, and close to 14 percent held a further degree (such as a master's) (PALAMA 2013).

As section 5 will explore in greater detail, South Sudan has faced not only a challenge of a relatively limited pool of educated citizens, but also the fact that many have received education in various locations. This means that educational quality and content is also varied, and can be more challenging to verify. The low-level and highly varied qualifications of staff has rendered efforts by development partners toward capacity building more challenging, since staff working in certain positions (such as accountants) may have widely varying levels of prior training. It also makes a significant reliance on technical assistants in certain key positions more tempting and challenging to phase out.

**To be able to address the issue of qualifications more broadly, both the government and development partners need better and continuously updated information about the qualification of staff in various posts.** However, as discussed further in section 5, there has been considerable resistance within the public sector against a deliberate screening of public servants, and to an extent even against capturing qualifications of each public servant in an HRMIS.<sup>26</sup>

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<sup>26</sup> A key reason for resistance to such screening is the fact that significant numbers of initially hired civil servants did not have the requisite formal qualifications for their positions; as well as other forms of mismanagement of staffing numbers and resistance from managers at various levels against greater central oversight.

## 4. The ‘Downstream’ Situation of Service Delivery

As set out in section 1.1, there is a growing sense that it is important to focus on the linkages between (re)building capabilities for public service delivery and developing the core capabilities of the state in postconflict situations.<sup>27</sup> This is also linked to a wider recognition that the identification of ‘the problem’ with upstream public service composition, cost, and management needs to be informed by considerations about how well or how poorly a country or a subnational entity is performing with regard to downstream service delivery—which improved overall public sector management is expected to enhance (World Bank 2012c).<sup>28</sup>

From a state-building perspective, it is crucial to consider how the output domains, that is, the delivery of social services, justice, economic management and so on, are linked to the core of the state and its fiscal and administrative capabilities. This touches upon the question about the ‘role of the state’ and about whether and which frontline service delivery functions should be undertaken by the public sector directly (and by government employed staff) versus being outsourced or contracted in some form. One branch of this debate focuses specifically on fragile and postconflict countries (OECD 2011). Because state-organized service delivery may be particularly challenged in such settings, outsourcing/contracting has been suggested as a potential solution. The rest of this section explores both the status of public service delivery provision in South Sudan and the issues around it and the potential for private delivery of services.

### 4.1 The status of service delivery provision and allocation of staff

**Service delivery in South Sudan started from a very low level in the early 2000s and available data suggest some expansion since then.** The low starting levels are seen to be the result of neglect both by the Sudanese government and by the SPLA in territories under their respective control, as well as of the north-south conflict. Significant gains in basic service delivery indicators, as observed in South Sudan since 2005, are typical of postconflict countries, especially those engaging with the international community. However, there is a challenge of attribution for these gains, since services are provided both by the government as well as through (I)NGOs and faith-based organizations (FBOs). For the two social service sectors with the highest levels of public sector employment—education and health—the government has become the main provider of education services, while in the health sector, direct donor-funded provision has remained more prevalent.

**Data on service delivery for South Sudan is still limited and mainly captures basic quantitative aspects of service delivery** (that is, what share of primary school children are enrolled in school, but not whether they receive an adequate education). Yet there are many important links between the quality

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<sup>27</sup> There are a growing number of studies on specific aspects of service delivery in South Sudan, which section 4 draws on selectively. The intention here is to hone in on the link between the wage bill, the composition, and quality of the public sector, and current service delivery results.

<sup>28</sup> This is expected to guard against the risk of ‘reform for reform’s sake’ in the public sector and an overly strong emphasis on the adoption of specific systems, mechanisms, or procedures, with uncertain benefits for actual government performance. Furthermore, the trends in service delivery can also provide indications about trends in public sector performance—which can be difficult to discern when looking only at upstream aspects.

of public service and the quality of service delivery outputs (for example, adequately trained teachers, nurses, midwives, and doctors are likely to provide better education and health care than those with minimal or no training). Thus, it is not easy to draw clear linkages between this limited output data and upstream issues of public service composition and management. However, it is worth considering the information that is available to better gauge the current situation.<sup>29</sup>

With regard to the education sector, the primary school gross enrolment rate for 2010 was reported at 69 percent, indicating an expansion of about 50 percent since 2003 (table 6), rising further to 86 percent by 2011. However, the *net* primary enrolment rate and the primary *completion* rates remained far lower, at 44 percent and only 10 percent, respectively, for South Sudan in 2010 (see table 7), with a continuation of major gender disparities. Still, progress is being made in expanding literacy relative to its low initial level of 27 percent in 2005. According to the Bank's 2012 sector assessment, at the primary level, about 4 percent of students attended private schools, 8 percent attended community schools, and 1 percent attended NGO-run schools, while 87 percent attended government or government-supported schools (World Bank 2012b, 30). This data, drawn from government databases, may underestimate a parallel growth of private sector provision at least in major urban centers, as is discussed in section 4.2; which may mean that the de facto expansion of basic education is even greater.

**Table 6. Primary School Gross Enrolment Rates**

	1994	1997	2000	2002	2003	2005	2008	2010	2011	2012
South Sudan			21	–	20#		–	69##	86	–
Afghanistan	42	–	19	64	86	90	95	97	97	104
Cambodia	98*	90	106	125	128	130	126	127	126	124
Congo, Dem. Rep.	68	–	–	60	–	–	93	102.7	105	111
Liberia	–	–	112	–	–	–	96	–	102	–
Sierra Leone	–	–	70	–	–	–	–	–	128	132
Tajikistan	90	93	97	98	100	101	102	102	100	100
Tanzania	69	68	68	89	96	105	111	102	–	93
Timor-Leste	–	–	–	117	111	97	103	117	125	–
Uganda	67	115	131	138	138	123	123	121	110	–

Note: Postconflict starting years are marked in grey.

\* Figure closest to postconflict starting date (1991).

# According to Joint Assessment Mission (JAM) 2005 (vol 1, p. 19).

## According to UNICEF 2011.

<sup>29</sup> For example, on the education sector, statistics on enrolment figures, teachers, and classrooms are available on <http://www.southsudanemis.org/>.

**Table 7. Primary Completion Rates - South Sudan, Sudan, and Sub-Saharan Africa 2010/11**

Country/Region	Primary Completion Rate
South Sudan (2010/11)	10 (26% for grade 6 and 8% for grade 8)*
Sudan (2010)	52
Sub-Saharan Africa (WDI 2011)	62

Source: <http://www.imf.org/external/pubs/ft/survey/so/2011/car071811a.htm>, table 2.

Note: \* World Bank (2012b); according to the report, about 70 percent of those originally enrolled complete grade 4, after this, continuation drops steeply.

The Bank's 2012 report on the Education Sector in South Sudan notes: "Since April 2005, when the Joint Assessment Mission for Sudan prepared a framework that described the capacity building necessary in South Sudan to provide adequate services and improve progress toward the Millennium Development Goals, the GOSS has made remarkable progress in building institutions and improving service delivery, including in education." (World Bank 2012b, xiv).

School enrolment is estimated to have grown from 0.7 million children at the signing of the CPA in 2005 to 1.4 million children by 2009<sup>30</sup> and 1.42 million as of 2012 (1.366 million primary and 56,000 secondary). For FY2012/13, 29,466 staff were on the payroll of the Ministry of General Education at the subnational levels. Assuming that three-quarters of employees actually work as teachers and that enrolment had expanded further to 1.8 million, this implies a student to teacher ratio of around 80:1. This indicates the scale of the challenge of adequately staffing frontline delivery of services. In addition to regular teachers, many schools employ 'voluntary' teachers who are hired by local communities and school principals. These 'volunteer teachers' receive whatever pay can be made available, while expecting eventual regularization. Recent EMIS data show about 7,000 volunteer teachers.<sup>31</sup> Therefore, the de facto teacher-student ratio is estimated to be closer to 50:1 (World Bank 2012b, 6—based on 2009 data); however, as noted and reflected in Table 6, enrolment should still be expected to grow further over the coming years. Furthermore, there is considerable variation across states: teacher-student ratios range from 88:1 in Jonglei to 33:1 in Eastern Equatoria, according to government statistics for 2012.<sup>32</sup>

**As the example of the education sector illustrates, a significant expansion of public sector employment and of fiscal resources for wage and nonwage expenditures will be needed to pursue key sector goals, such as universal primary education (MDG 2).** Teachers are typically offered a starting salary of SSP 320 per month (~ US\$91 as of 2013 at grade 14 of the public sector pay scale).<sup>33</sup> As part of the discussions on how to strengthen subnational service delivery, it has been suggested that up to around 10,000 teachers should be considered for being moved to higher grade levels, or should be brought onto the public sector payroll (from being 'volunteer' teachers). Furthermore, the Ministry of Education with support from donors has initiated programs to improve the qualifications of existing teachers; and about 2,500 students were enrolled in public and private teacher preparation classes in

<sup>30</sup> World Bank (2012b, 3).

<sup>31</sup> Dom (2013).

<sup>32</sup> See <http://www.southsudanemis.org/>.

<sup>33</sup> Based on an assessment by the Joint Donor Team. The education sector report shows concentration of pay for primary school teachers at grades 13, 15, and 16.

2009. However, the 27 government-funded Teacher Training Institutes remain underfunded (Dom 2013).

The health sector in South Sudan is also at an early stage of development as reflected in the basic indicators shown in Table 8. According to the 2005 Joint Assessment Mission (JAM) Report, South Sudan had less than 1 physician per 100,000 people, that is, less than 100 physicians for the entire country (JAM 2005, vol. 1, 19) at the time. By the end of the decade, the ratio rose to about 1.5 doctors and 2 nurses per 100,000 people—which remains extremely low by regional standards (see Table 10; MoH 2012, 11). As noted, current health care provision is bolstered by significant engagement of development partners in the sector. In 2014, the government and development partners initiated a strategy for harmonizing the pay scales for health sector workers (among donor-funded NGOs and between these and government-funded staff).

**Table 8. Indicators of Health Status, South Sudan**

Indicator	South Sudan	Regional Level Averages	Indicator Key
Maternal Mortality Rate	<b>2,054</b>	210	Deaths per 100,000 live births
Infant Mortality Rate	<b>102</b>	33	Deaths per 1,000 live births
U5 Mortality Rate	<b>135</b>	43	Deaths per 1,000 live births
Total Fertility Rate	<b>6.7</b>	2.9	Births per women
First Antenatal Visit	<b>48%</b>	78%	Visit during pregnancy
Institutional Deliveries	<b>13.6</b>	65	Deliveries attended at Health Facilities
Skilled Birth Attendance	<b>10%</b>	76	All deliveries attended by skilled Human Resources for Health (HRH)
DTP3 Coverage (routine)	<b>71 (routine)</b>	89	% of children vaccinated
Access to Health Care (%)	<b>0.2 (&lt; 25%)</b>	n.a.	Visit per person/year

Source: MOH 2012.

As table 9 reflects, measles immunization rates rapidly increased in South Sudan in 2010/11, in line with increases observed in other postconflict countries.<sup>34</sup> However, this was followed by a precipitous and highly unusual decline in 2013, reflecting the continuing extreme fragility of the system.

**Table 9. Measles Immunization, % of Children of Age 12–23 Months**

	1994	1997	1999	2002	2003	2005	2008	2010	2011	2012	2013
South Sudan	--	--	--	--	--	--	--	20.6#	62	52	30
Afghanistan	40	38	31	35	39	50	59	62	65	68	75
Cambodia	50*	50	63	52	65	79	89	93	93	93	90
Congo, Dem. Rep.	39	20	15	42	49	61	64	74	74	73	73
Liberia	--	--	69	52	47	63	64	64	71	80	74

<sup>34</sup> Given the types of situations of postconflict countries, figures may not be exactly accurate and are frequently subject to some degree of later revisions. However, the trends for most of the postconflict countries appear relatively stable; for South Sudan, the reported figure for 2012 is also 62 percent.

	1994	1997	1999	2002	2003	2005	2008	2010	2011	2012	2013
Sierra Leone	–	–	62	62	73	71	73	80	80	84	83
Tajikistan	73	84	79	89	91	85	86	94	98	94	92
Tanzania	79	73	72	89	97	91	88	92	93	97	99
Timor-Leste	–	–	–	56	55	48	73	66	62	73	70
Uganda	59	54	55	62	64	68	70	73	75	82	82

Note: Postconflict starting years are marked in grey.

\* Figure closest to postconflict starting date (1991).

# According to UNICEF (2011), based on South Sudan Household Survey 2010.

Overall, improvements in the health sector are seen as having been limited, according to household surveys.<sup>35</sup> Furthermore, according to World Health Organization data, as of 2011, about 60 percent of total expenditure on health was privately paid for, while the government contributed about 40 percent of total expenditure on health—up from a level of 30 percent government and 70 percent private expenditure in 2008–10.<sup>36</sup>

**Given the continuing understaffing of the education and health sectors relative to the goals set out in the South Sudan Development Plan and similar documents, the GoSS and related state governments face the pressure of additional hiring in these sectors.** For example, for the education sector, the South Sudan Development Plan targets increasing the number of qualified primary school teachers from 26,658 to 50,060; and for the health sector, it targets expanding the share of the population with access to (public) health care from 13 to 40 percent. As the South Sudan Development Plan was intended to cover the period 2011–2013, further expansions were sought beyond these goals. Such increases are in line with staffing levels for such services in other countries: for example, Rwanda with a population of 11.5 million, currently employs 57,000 teachers and intends to increase this number further. Public sector staffing remains particularly scarce in the health sector when comparing South Sudan to other countries in the region, as reflected in table 10, while for police staffing the reverse applies. Expanding staffing with appropriately qualified and motivated staff, therefore, also remains an important concern.

**Table 10. Staffing for Different Key Service Delivery Areas Per 100,000 Population**

	Doctors	Nurses	Police
South Sudan	1.5	2	> 450
Liberia	7.5	30	108
Ghana	7.1	90	94
Kenya	9.5	80	81

Sources: For comparator countries, United Nations Office for Drug Control and Crime Prevention (police); WHO (doctors); and World Development Indicators/World Bank for nurses (includes midwives).

**As discussed above, security-related parts of the public sector, such as the police, account for a high share of the overall wage bill.** As Table 11 indicates, staffing in the four so-called ‘organized forces’—police, wildlife guards, prisons, and fire brigades—has exceeded staff allocation for health and education

<sup>35</sup> See [http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2011/11/21/000001843\\_20111122101822/Rendered/PDF/Project0Inform0cument0Concept0Stage.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2011/11/21/000001843_20111122101822/Rendered/PDF/Project0Inform0cument0Concept0Stage.pdf).

<sup>36</sup> See <http://apps.who.int/gho/data/node.country.country-SSD>.

services both at the national level and subnational level payroll. Furthermore, for these functions, staffing levels relative to the population exceed those seen in other countries. According to the United Nations Office for Drug Control and Crime Prevention, the global average police staffing per 100,000 inhabitants was 300 in 2006.<sup>37</sup> In South Sudan, the current ratio is 450–550 police officers per 100,000 inhabitants. Moreover, comparator countries in the region have far smaller police forces, with 81 and 94 police officers per 100,000 people in Kenya and Ghana, respectively, 108 in Liberia, and 205 in Nigeria. In Afghanistan—which faces postconflict challenges quite similar to those present in South Sudan—the ratio is 400 per 100,000. As discussed in section 5.5, these organized forces are governed by specific legislation, which allows them to be merged with the SPLA if the president deems this to be necessary and hence serve as a form of ‘reserve army’.<sup>38</sup>

**Table 11. Break Down of Public Sector Staff by Central and State Levels and Key Sectors**

	Fiscal Year	Education	Health	Total Social Service Delivery	Wildlife Conservation and Tourism	Police	Prison	Fire Brigade	Total Security and Fire Services
No. of central-level staff	<b>2012–13</b>	1,647	2,911	4,558	2,237	17,948	1,782	903	22,870
	<b>2014–15</b>	5,481	2,611	8,092	2,035	13,985	1,725	916	18,661
No. of subnational staff on payroll	<b>2012–13</b>	29,466	9,461	38,927	13,606	32,475	19,168	4,551	69,800
	<b>2014–15</b>	28,309	9,461	37,770	16,105	32,864	21,167	5,578	75,714

Source: Government budget of South Sudan for 2012/13 and 2014/15.

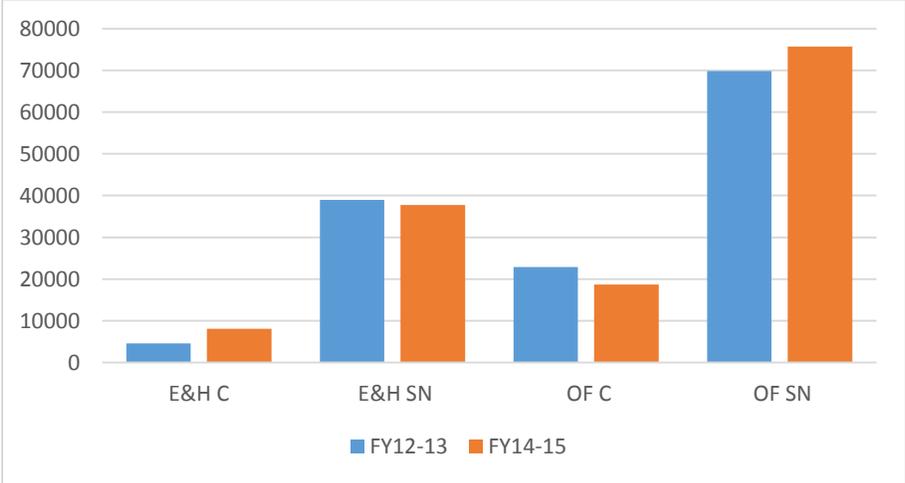
For civilian staff, the break down between national-level staff and subnational staff is about 40 to 60; while for the organized forces, the break down is about 20 to 80. Armed forces are considered national, even if de facto their main loyalty lies with particular commanders and communities. The central government has some control with regard to setting conditions for subnational staff and monitoring through payroll reports and sector-specific systems for education and health; however, hiring and management authority has rested with state governments and is intended to be devolved further to the county levels. Furthermore, as Figure 9 shows, while both service delivery staff and organized forces staff have grown slightly in total between FY2012–13 and FY2014–15, at the subnational levels where

<sup>37</sup> [https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ\\_Sessions/CCPCJ\\_19/A-CONF213-03/A-CONF213-3\\_E.pdf](https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_19/A-CONF213-03/A-CONF213-3_E.pdf).

<sup>38</sup> During the 2013–14 crisis, parts of the organized forces in the conflict-affected states were merged with the SPLA, while other parts defected to the rebel side.

'frontline' service delivery is located, education and health staff numbers have slightly declined while organized forces have grown further.

**Figure 9. Changes in Service Delivery versus Organized Forces Staff 2012/13 to 2014/15**



Note: E&H C = Education and health at the national level; E&H SN = Education and health at the subnational level; OF C = Organized forces at the national level; OF SN = Organized forces at the subnational level.

Additional hiring into service delivery functions will have the following cost implications: at current pay levels, for example, hiring an additional 10,000 teachers (at grade 14) will add an extra payroll cost of SSP 3.2 million per month or SSP 38.4 million per year—equivalent to about 1 percent of the total existing wage bill and representing a 32 percent increase of the planned education sector budget for 2013/14. If pay was increased to grade 11 (SSP 533 per month) and a full 25,000 teachers were hired, the relative increase will be about SSP 13.3 million per month or SSP 160 million per year—adding about 4 percent to the current wage bill (and some further resources if pay for all teachers was to rise to this level or beyond). A key constraint that South Sudan has been experiencing since 2012 is high fiscal volatility, which makes it challenging to clearly establish the limits to overall affordability of the wage bill. Under the scenario of US\$60–70 per barrel and associated constrained revenues, expanding employment in service delivery functions will require trade-offs with employment in the armed or organized forces. A possible alternative or complementary way of expanding services such as health and education is through non-state provision, which is addressed next.

**4.2 The development of nonpublic service delivery**

While globally the *public* delivery of services has grown since the emergence of such systems in the 19th century, this has always been mixed with nonpublic delivery in various forms. The mix of service provision is partially a consequence of policy choices by governments, and partially results from necessity and preferences of individuals and households, for example, the emergence of private schools if there is a lack of (good enough) public options in certain areas or use of private health specialists when public clinics are absent or of poor quality.

While some developed countries operate primarily tax-funded public health schemes (notably the United Kingdom’s National Health Service), in others, health care services are (primarily) provided by

nonpublic sector staff and institutions, including private doctors and nonprofit as well as for profit organizations running hospitals (see for example, CGD 2009). These privately provided health care services can be paid for (a) purely privately and out of pocket by patients, (b) through private/optional insurance, or (c) through mandatory health insurance programs, which require employers and employees to make contributions typically combined with a low-cost public insurance for pensioners and those who are not working.

In low- and low middle-income countries, there is typically some mix of public, donor, and private funding, while the overall funds available are often very scarce especially for any more complex treatments. According to Vujicic, Ohiri, and Sparkes (2009), in Sub-Saharan Africa, around 80 percent of treatments for typical conditions (fever, respiratory infection, diarrhea, child births) are provided through the public sector. Alongside this, the private sector often also plays a significant role (CGD 2009). Regulation or pooled funding such as that provided through insurance schemes is usually scarce, not least due to the fact that formal employment is very limited in most Sub-Saharan Africa countries and that most jobs are either in the informal sector or in subsistence agriculture. Hence, insurance payments through employers are not a relevant option for large parts of the population.

Basic education (typically primary and secondary) tends to be provided publicly across most countries—although in many countries, private provision has also grown (for example, see Titeca and de Herdt 2011 on the Democratic Republic of Congo). Overall, an important issue is that while private provision can be an option, it must somehow be funded and purely individual funding will be regressive. Also, for private provision to function well on a large scale, substantial regulation and oversight are required, for example, with regard to exams.

**‘Contracting out’ is a further option for the delivery of services, which presumes public or quasi-public funding (that is, government funds or aid) and private sector or NGO-based delivery.** As the OECD Handbook (2011) on *Contracting out government functions and services in post-conflict and fragile situations* emphasizes, there is no standard optimal approach. The main assumption is that contracting out can help bridge service delivery gaps while the core capabilities of the state are still weak and emerging, with a significant share of funding being provided by donors. If appropriate and done well, it can assist countries to develop their sovereignty and their ability to set policy and perform regulatory functions. However, if not done right, it can risk undermining the process of developing state capabilities (and legitimacy). Furthermore, reliance on donor funding and contracting out the use of these funds exposes service delivery more to risks of aid volatility, which can be particularly high for fragile states.

This note takes no particular view as to which approach is preferable. However, in any scenario, the government has a role to play with regard to providing a regulatory framework, setting standards, and linking various parts of the service delivery system (for example, through referral systems, exams that allows students to transition from primary to secondary and tertiary education, and so on). Also, the government is typically expected to play a role in ensuring that poorer people and those outside formal employment also have at least some basic access to service provision, an expectation that has been reinforced by the adoption of the MDGs. To be viable, ‘contracting out’ or ‘in’ requires fiscal resources to be available. A few governments have experimented with giving citizens cash benefits for privately

purchasing services, which again requires fiscal resources for such benefit payments to be available. The default option is a more purely private and faith-based provision, which was the global historical norm before the 19th century.

Apart from the policy choices involved, it can be important for governments to have good information about the extent to which services are being delivered privately—and possibly also gauge their relative cost and the level of access/affordability for different income groups.

**A recent study of schools in urban and peri-urban areas in and around Juba found that current private provision of learning may be more widespread than captured in government records** (Longfield and Tooley 2013). Around Juba, it found that 61 percent of primary age pupils attending a school were doing so at a private institution, versus 39 at public institutions. At the secondary level, the distribution was found to be 50-50 between private schools and public schools. The number of schools was found to have grown rapidly since 2007, in particular private proprietor and church run schools. This rapid growth may make it difficult for the government to reliably capture which schools exist where.

The performance of the nongovernment schools appears to be similar or better to government-run schools with regard to the ability of pupils based on standard tests, while teacher pay was found to be slightly lower in nongovernment schools compared to those run by the government—with the median salary of government teachers reported to be SSP 600 per month compared to SSP 500 median pay per month across the various types of nongovernment schools (with considerable variation among nongovernment schools). For government schools, base salaries as well as full allowances seem to have been counted. It should also be noted that Central Equatoria, where Juba is located, has one of the highest average pay levels for public sector teachers compared to other states.

Regarding affordability and access, private schools charge fees, but a large number are considered as ‘affordable for the poor’ (Longfield and Tooley 2013), charging either SSP 240 or less per child per year (defined as ultra-low cost) or between SSP 240–450 per year (defined as ‘low cost’). Furthermore, a significant number of nongovernment schools have sprung up in locations away from the center of Juba where new peri-urban areas have grown. Attending such schools typically involves lower transport costs/efforts than taking children to more centrally located government schools.

**The issue remains that relying entirely on nongovernment service provision across multiple sectors—education, health care, access to clean water and sewage, and possibly also security—might imply a significant cost on many households, including the poor and near poor.** This may be especially the case if relying on private provision of services is not offset by cash transfers from the government or a similar mechanism to make services affordable. There are also equity concerns—for example, if many parents would like to enroll their children in government schools but cannot get a space or find that government-funded institutions are too far away. Distance to public service delivery is typically of greatest concern for families that are poorer and have settled more recently in urban areas.

**At the same time, the government and development partners should take the potential for non-state provision seriously.** If there are many (recently established) nongovernment schools that the government is not aware of, progress toward expanding basic education may be greater than

government statistics currently reflect. In the longer term, developing some degree of government oversight and regulation may be helpful—while being mindful of the risk of poorly designed or implemented regulation that stifles rather than supports nongovernment service provision.<sup>39</sup> Also, when deciding which services to invest in, the government may want to consider which services are more readily provided by the private sector and at a reasonable cost. For example, certain health care services are likely to cost more than most individuals or families will be able to afford and there will also be limits on what the government is able to routinely fund. The implications of these considerations are discussed further in section 7, providing suggested steps forward.

## 5. Origins, Evolution, and Reform Efforts of the Public Service in South Sudan

**This section considers a number of the underlying drivers of public service configuration and performance in South Sudan.** It sets out in particular (a) the historical legacies, (b) initial postconflict evolution, (c) the institutional responsibilities and legal provisions that emerged (mainly during the CPA period between 2005 and 2011), (d) governance challenges, (e) reform efforts, (f) donor support for civil service capacity building and support, and (g) the most recent period marked by austerity in 2012–2013 and 2013-15 civil conflict. Annex 1 provides a one-page summary overview of key events in the development of the public service in South Sudan.

### 5.1 Historical legacies and structural conditions

The evolution of the public administration in South Sudan including pre-CPA legacies are covered in several existing documents (World Bank 2010, chapter 1 B; Young 2012; AfDB 2011). The legacies and post-CPA evolution of the public service are closely tied to the political and conflict legacies of southern Sudan.

**Three historical legacies are particularly relevant in terms of influencing the context for how the public sector developed up to and since independence. The first is the history of separate but linked development of northern and southern Sudan.** From the late 19th century to the mid-20th century, the separation put in place during the British-Egyptian colonial period and was followed by the deliberate ‘slow development’ approach put in place for the southern areas of Sudan. This contributed to a legacy of overall limited social and economic modernization. The Arabization period following independence in 1956 saw a limited but growing number of southern Sudanese trained in Khartoum. Post-CPA/independence, a significant number of public servants continue to be more fluent in Arabic than in English. Over the past decade the ‘language shift’ from Arabic to English as the official language has been a major challenge, especially at subnational levels and in the northern states of South Sudan. Furthermore, public administration structures in Sudan have been relatively ‘unmodernized’, and a number of legal provisions were initially inherited by southern Sudan from Khartoum. These include some institutional patterns originating in practices copied from the Soviet Union during the 1960s when

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<sup>39</sup> Private education facilities may require less oversight than public facilities, as the short route of accountability between parents and the service provider should be more effective.

Soviet influence in Sudan was significant. Furthermore, some observers point out that certain patterns of governance (and governance problems) in South Sudan resemble those found in Sudan.<sup>40</sup> Since 2005, many rules and organizations have been replaced by entirely new provisions modeled on ‘international best practices’; in a trend resembling that of Kosovo, for example, which sought a clear break from Yugoslav institutional models after separation from Serbia. However, the fit, coherence, and effective anchoring of such imported institutions typically poses a challenge.

**The second historical legacy is the prolonged period of conflict from the 1950s to the early 2000s and the resulting very limited development of government infrastructure and service delivery throughout the territory.** The north-south conflict disrupted the expansion of service delivery that occurred in many countries during these decades. Conflict has affected the area of South Sudan nearly continuously since the mid-1950s. The first Sudanese Civil War stretched from 1955 to 1972 (carried by the Anyanya I movement and ended by the Addis Ababa Agreement of 1972) and the second period of war started in 1983, though some fighting had already restarted from 1975 onwards. Moreover, while the war against the central government in Khartoum united various groups and individuals, there were also numerous splits within the South Sudanese side during the civil war period, that is, the Sudan People’s Democratic Front, Sudan People’s Liberation Movement-United, and others.

Combined with the pre-1956 ‘slow development approach’ continuous conflict has left southern Sudan with one of the lowest literacy rates worldwide (27 percent of over 15-year-olds) in the early 2000s, as well as with few transport links and no public utilities (such as a rudimentary power grid or sewage systems). Services came to be mainly provided by NGOs and FBOs, especially outside the ‘garrison towns’ held by the government of Sudan (mainly Juba, Wau, and Malakal). A related effect has been that different from many other African countries, southern Sudan did not experience an overextension of the public sector followed by a debt crisis and structural adjustment. Hence, there is less of a history of tension with development partners over the public sector, but also not a first-hand experience with the havoc that over-indebtedness can cause.

**A third historical legacy is the fact that due to the prolonged conflict, many South Sudanese lived for periods of time in exile in a range of countries,** including neighboring countries (Uganda, Kenya, Ethiopia), as well as further afield in Europe and North America, and other African countries (Botswana, South Africa, and so on). As a consequence, current government officials have been exposed to and trained in a variety of administrative, political, and cultural environments; and South Sudan is influenced by a variety of administrative traditions; including some modeling based on the British system (for example, undersecretaries play a central role in ministries), a lingering influence of the Arabization period, but also inspirations from various other Anglophone countries, and more recently from international ‘best practice’ approaches.

**In addition to these historical legacies, there are three important structural drivers that shape the context in which the public sector and public sector employment specifically have developed.** The first is a fundamental condition of militarization and conflict, which have continued into the post-CPA period.

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<sup>40</sup> For the post-independence period, most available international indices rank the two countries fairly similar to each other on various dimensions of governance.

According to Mampilly (2011, 2012) and others, the military arm of the liberation movement, that is, the SPLA, continues to dominate over the civilian structures. Emerging out of the SPLA, the SPLM has become the predominant or even hegemonic army/party since 2005/11. In the 2010 elections, the SPLM won about 90 percent of the seats in the legislative assembly. Furthermore, despite a peace agreement and independence, internal and external threats to security have continued. Local conflicts have occurred on a near continuous basis between 2005 and 2013; and in late 2013, large parts of the country became embroiled in civil conflict after the breakdown of the initial political settlement; a peace agreement was signed in August 2015, followed by drawn out implementation.

**The high degree of continued militarization sets South Sudan apart from other postconflict countries in Sub-Saharan Africa such as Liberia and Sierra Leone, where the military was more discredited and where civilian control became more clearly established in the recent postconflict periods.** There are greater parallels possibly with the Democratic Republic of Congo and with Afghanistan (see Figure 18 in annex 3). The SPLA/SPLM initially enjoyed a substantial degree of legitimacy due to its role in winning independence for South Sudan. Anecdotal evidence, including discussions in the news media, suggests that this legitimacy had begun to erode by mid-2013—two years into independence—given widely perceived poor management of government. Available public opinion surveys, however, show only a limited decline in support for the president, and more strongly for the national legislature, but not for the SPLA between fall 2011 and spring 2013 (USAID, IRI, and Pechter Polls 2011; USAID, ORB International, and IRI 2013).

**A second important driver is the pattern of ethnic heterogeneity of the country.** Sixty-four ethnic groups are officially recognized. The largest group are the Dinka (about one-third of the population), followed by the Nuer (about one-sixth). Both groups are part of the Nilotic language family and traditionally engage in cattle herding. Other larger groups include Azande, Bari, Shilluk, Murle, Toposa, and Arabs. A range of small ethnic groups (many with less than 100,000 people) accounts for about 15 percent of the population.<sup>41</sup> Population numbers of ethnic groups have been contested. A 1996 study noted that ethnic cleavages strongly influenced and hindered the development of the southern regional government during the inter-war period (1972–83) (Tvedt 1996). The issue of ethnic cleavages and competition, as well as how to find a sustainable solution to these in the post-independence period has been raised by Jok (2011, 2014). Public opinion surveys showed a gradual decrease of respondents identifying themselves as predominantly ‘South Sudanese’ versus those in parallel or primarily identifying with a specific tribe between 2011 and 2013 (USAID, ORB International, and IRI 2013, 68), while the national identity remained nonetheless still substantial (42 identifying only as South Sudanese and 24 identifying as more South Sudanese than their respective tribe).

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<sup>41</sup> Figures are taken from:

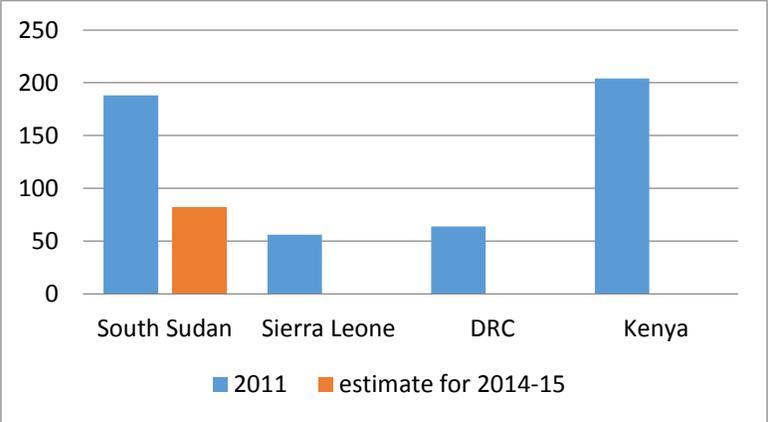
[http://www.google.com/imgres?imgurl=http://gulf2000.columbia.edu/images/maps/South\\_Sudan\\_Ethnic\\_Ig.jpg&imgrefurl=http://gulf2000.columbia.edu/maps.shtml&h=2100&w=3005&sz=3378&tbnid=yGm-TC\\_LHjxG0M:&tbnh=95&tbnw=136&zoom=1&usq=\\_\\_YCVzkkAQhZKny401prizpyUgun0=&docid=5YCjfhMj-iyu8M&sa=X&ei=3ER5UoCVO83IsASuh4HQBw&ved=0CDEQ9QEwAw](http://www.google.com/imgres?imgurl=http://gulf2000.columbia.edu/images/maps/South_Sudan_Ethnic_Ig.jpg&imgrefurl=http://gulf2000.columbia.edu/maps.shtml&h=2100&w=3005&sz=3378&tbnid=yGm-TC_LHjxG0M:&tbnh=95&tbnw=136&zoom=1&usq=__YCVzkkAQhZKny401prizpyUgun0=&docid=5YCjfhMj-iyu8M&sa=X&ei=3ER5UoCVO83IsASuh4HQBw&ved=0CDEQ9QEwAw). Note that total and specific population figures for South Sudan are as yet subject to considerable uncertainty.

The population density is low—with 17.2 people per km<sup>2</sup>; and water resources as well as land are relatively abundant on average, but with significant regional variation. However, population density has grown substantially over the past two decades (up from 8.4 people per km<sup>2</sup> in 1994), and internal displacement as well as the influx of returnees has created greater potential for conflict over land and related rights (grazing, access to water sources); and this has been difficult to manage in a context of weak institutions.

**As noted in section 2.1, a third important factor is the relative natural resource wealth of the South Sudan, along with a high degree of fiscal volatility.** Table 2 above reflects the relatively high per capita income resulting from this resource wealth in a comparative perspective. Figure 4(a) (in section 3.1) indicates the overall growth of revenue for the period 2005–2013/4, but also the repeated drops in revenue from previous peaks (in 2008–09 due to the global financial crisis and then in 2012/13 due to the oil shutdown). In 2014/15, revenue is expected to be much lower than anticipated due to the decline in oil prices—with the associated uncertainty about further price developments.

In 2011, South Sudan had an approximate level of *per capita government revenues* of about US\$166 (using net oil revenue and the official average exchange rate of SSP 2.83:US\$1).<sup>42</sup> This is nearly three times the government revenue of Sierra Leone in the same year (about US\$56), two-and-a-half times the level of government revenue of the Democratic Republic of Congo (US\$63.7), and approximately the level of Kenya (see Figure 10). Moreover, revenue surged further between mid-2011 and the oil shutdown in early 2012, taking potential annual revenue per capita closer to US\$300 (see also World Bank 2013). For 2014–15, per capita revenue is likely to be in the range of US\$80 per capita if the oil price remains around US\$60 per barrel; and production remains constrained but does not cease.<sup>43</sup>

**Figure 10. Comparative Levels of Government Revenue Per Capita**



Source: South Sudan Budget Book for 2012/2013 for 2011 and World Bank (2015b); other countries: IMF.

Due to the decision to stop oil production to bargain for a more advantageous agreement over revenue sharing with Sudan, actual revenue then declined dramatically in 2012–2013; but the government

<sup>42</sup> Annual revenue for 2011 was SSP 4.9 billion.  
<sup>43</sup> Based on estimates set out in World Bank (2015b), assuming total oil production of 59 million barrels for FY2014–15.

initially retained ample access short-term borrowing.<sup>44</sup> It is this fiscal space that has made it possible to expand public sector employment, and in particular the security side of it (that is, the army and organized forces).<sup>45</sup> The fiscal dynamics emerging since late 2014 put likely revenue levels in per capita terms closer to those of Sierra Leone and the Democratic Republic of Congo. The immediate implication is that this makes the wage bill entirely unsustainable, at the same time as peace negotiations created pressures to add additional (security) staff to the payroll. The fiscal dynamics will also shape the options for and pressures on the government going forward (see section 7 for recommendations).

## 5.2 The evolution of the public service 2004–2013

**Planning for an autonomous or possibly independent South Sudan began in the early 2000s when a peace agreement began to be on the horizon.** During this period, the then SPLA leader John Garang led the discussions on behalf of the SPLM. In September 2003, the Economic Commission of the SPLM organized a three-week retreat to prepare for the rebuilding of southern Sudan, joined by Garang for part of the time. It was followed by further work by a core group of SPLM thinkers from late 2003 to April 2004, and resulted in an *SPLM Strategic Framework from War to Peace Transition* (eventually published in August 2004) (Deng 2013).

With regard to institution building and the development of an effective public administration, the framework set out the following:

“From the perspectives of the SPLM, the central problem of Sudan would be tackled through a comprehensive development strategy that is based on a system of participatory democracy and robust institutions of governance. Moreover, participatory democracy and good governance rely on the establishment of a broad-based civil authority, such as the Civil Authority of New Sudan (CANS), transformed into the Government of Southern Sudan (GOSS) and Governments of Nuba Mountains, Blue Nile and Abyei, which derive their legitimacy from People’s Liberation Congresses and Councils at the Boma, *Payam*, County, Regional, and National levels. However, a comprehensive strategy and an effective civil authority presuppose an enabling institutional environment, which would, among other things, ensure a sustained culture of peace within and among the various communities of the country.

The urgent task before the SPLM-LC [Leadership Council] with respect to this element is how to reform the SPLM institutions of resistance to those of participatory governance, so that they are responsive to the challenges of peace and rebuilding in the postconflict environment. The institutional arrangement shown above together with the proposed system of administration of justice (that is, judiciary and associated rule of law enforcement agencies/organs) would demand the establishment of an efficient cabinet supported by a robust public service with competent technical skills. In this regard, capacity development and /or enhancement would be required at all levels of government.”

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<sup>44</sup> South Sudan is nonetheless much poorer in existing infrastructure than, for example, Kenya (for example, roads, school buildings, and so on.) which all will need to be constructed from government funds and external support over the coming decades.

<sup>45</sup> As earlier noted by the World Bank (2010, 16–17), “probably as a result of the euphoria associated with the CPA and the rhetoric of GOSS being among the richest governments in Sub-Saharan Africa the magnitude of the challenge that faced this young government was underestimated [...]. Experience has shown that the competing demands on the budget for various non-productive though arguably critical needs leaves very little space for investment and service delivery.”

However, the framework also includes reference to a key factor that subsequently became a fundamental challenge for developing a capable public service.

“The second Cluster will be chaired by a senior member of the SPLM-LC and membership of ten other members of the Leadership Council, and it consists of five Transition Teams: 3, 4, 6, 7 and 9. These five teams are to assist the SPLM leadership in five broad areas of activities: (i) the transformation of the present SPLM-CANS structures of guerilla movement into the Government of Southern Sudan (GOSS) and State Governments of the Nuba Mountains and Blue Nile and the autonomous Abyei Executive Council (AEC) of the Ngok Dinka; (ii) the prioritization and building up of physical transport infrastructure, (iii) organizing and transforming the current SPLM law enforcement agencies into those of the emerging GOSS and Governments of Nuba Mountains and Blue Nile States and Abyei Area; (iv) *mobilization of human and financial resources and planning and budgeting for postconflict economic recovery and re-construction*; (v) the formulation of policies and monitoring of implementation of policy decisions and focal point for the international community and donor funding. Each of these five areas of activities will be headed by an SPLM Leadership Council member under the overall supervision of the Cluster 2 Chairman.

The third Cluster will be chaired by a senior member of the SPLM-LC and membership of four other members of the Leadership council and it consists of two Transition Teams: 5 and 8. Team 8 is for organizing the office of the SPLM Chairman and transforming it into the office of the President of the GOSS (eventually in Juba) and office of the 1st Vice President of the Republic (eventually in Khartoum) and how these two offices shall be coordinated. Team 5 is for organizing the military elements referred to in the Security Arrangements Agreement of September 2003. *The task of Team 5 will focus encampment and screening of SPLA forces as to those who will remain in the SPLA standing armed forces, those who will go into the Joint Integrated Units (JIUs), those who will go into the Police, Prisons, Firefighters and Wildlife services and those who will undergo disarmament, demobilization and reintegration (DDR) into civil service.*” (emphasis added)

Thus, while there was a clearly stated commitment to establishing an effective government that would deliver goods and services to citizens, there was also an agreement from the start to bring a significant number of SPLA forces onto the public sector payroll.

**While the ethnic composition of the public service is an important underlying issue in South Sudan, it is only to a limited extent being addressed explicitly.** There is a provision in the 2011 Civil Service Law stipulating ‘geographic balance’ as one of the criteria to be used in recruitment (see box 1).<sup>46</sup> The main concern has been a public perception that the government came to be dominated by the largest ethnic group (the Dinka) (Jok 2011); while various groups are seen to have formed patronage networks to access government employment across levels of government (Cook and Moro 2012, 6). As will be discussed further below, there is no readily available ‘good practice’ approach to this issue. Even an empirical mapping of actual current practices across countries is challenging due to the fact that data on the ethnic identity of public sector staff is usually not officially collected (see for example, Protsyk and Sachariew 2008). At the same time, a growing body of research indicates that perceptions of inter-group inequality and unfairness increase risks for conflict (Stewart 2008; Cederman, Gleditsch, and Buhaug 2013).

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<sup>46</sup> See also AFDB political economy study 2011: p. 16

As the CPA began to concretize, development partners and the government of Sudan (including representatives of southern Sudan) launched an initial development aid planning exercise, the JAM organized in 2004–2005 and coordinated on the partner side by the Bank and the United Nations.<sup>47</sup> The emerging plan was first approved by the government. It was then presented at a donor conference in Oslo in April 2005, at which US\$4.5 billion were pledged for southern Sudan’s reconstruction. The report set out eight clusters, of which Capacity Building and Institutional Development was the first (including public service, local government and service delivery, decentralization, Public Financial Management (PFM), and procurement; the second cluster comprised governance and the rule of law). The main recommendations from the report on institutional development are reflected in annex 1. However, the JAM report never achieved the ability to provide binding guidance on government allocation of funds or for the efforts of development partners.

GOSS ministers were appointed in late October 2005; and by the end of 2005, 22 ministries were functional. In 2007, a further ministry was added (Ministry for Presidential Affairs). The configuration of ministries has evolved since then, most notably with the restructuring of government in mid-2013 and again in early 2014. In parallel, a major and rapid expansion of the public service took place, which began to undermine some of the initial good intentions.

**A survey of the public service was undertaken in 2005** (including the organized forces—police, prison, wildlife, and fire) through a Coordination and Verification Committee, headed by Deng Chuol Malang, and supported by the Bank, the CBTF, and USAID. The survey covered over 60,000 public servants at the time. While now outdated given the changes in staff numbers, it is worth reviewing some of the headline figures from the survey as they reflect some of the key challenges faced in building an effective public service in South Sudan. Moreover, since 2005, resistance to systematic data collection on the public service increased.

**Key issues highlighted by the survey include the following:** (a) overall low educational levels in the public service (42.5 percent of respondents only had early education, and another 23 percent chose ‘no education/unspecified’; see Figure 7 in section 3.3); (b) a linguistic divide, with only about one-third of respondents indicating having a good or excellent proficiency in English, the new main administrative language of southern Sudan (most others were proficient in Arabic, and some only in local languages)<sup>48</sup> (see table 12); and (c) concentration of staff in a small number of counties: 80 percent of staff was concentrated in 31 out of 122 counties; (d) the organized forces accounted already for 27.2 percent of the entire public service, education for 21 percent, and health for 9 percent; and (e) a low female to male ratio—of those respondents providing their gender, 19.2 percent were female; the ratio was lower for CANS than for the Coordinating Council for Southern States (CCSS) staff (14.4 to 24.7 percent) and lower at higher ranks (professional and super scale) with 16.6 percent (GOSS 2006).

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<sup>47</sup> Earlier JAMs had been organized for Liberia and for Iraq. See [http://www.c-r.org/sites/c-r.org/files/accord18\\_13Planningforreconstruction\\_2006\\_ENG.pdf](http://www.c-r.org/sites/c-r.org/files/accord18_13Planningforreconstruction_2006_ENG.pdf).

<sup>48</sup> The core skills training, discussed in particular focused on addressing this divide and provided English language training for civil servants in five states—Eastern Equatoria, Jonglei, Western Bahr el Ghazal, Western Equatoria, and Warrap.

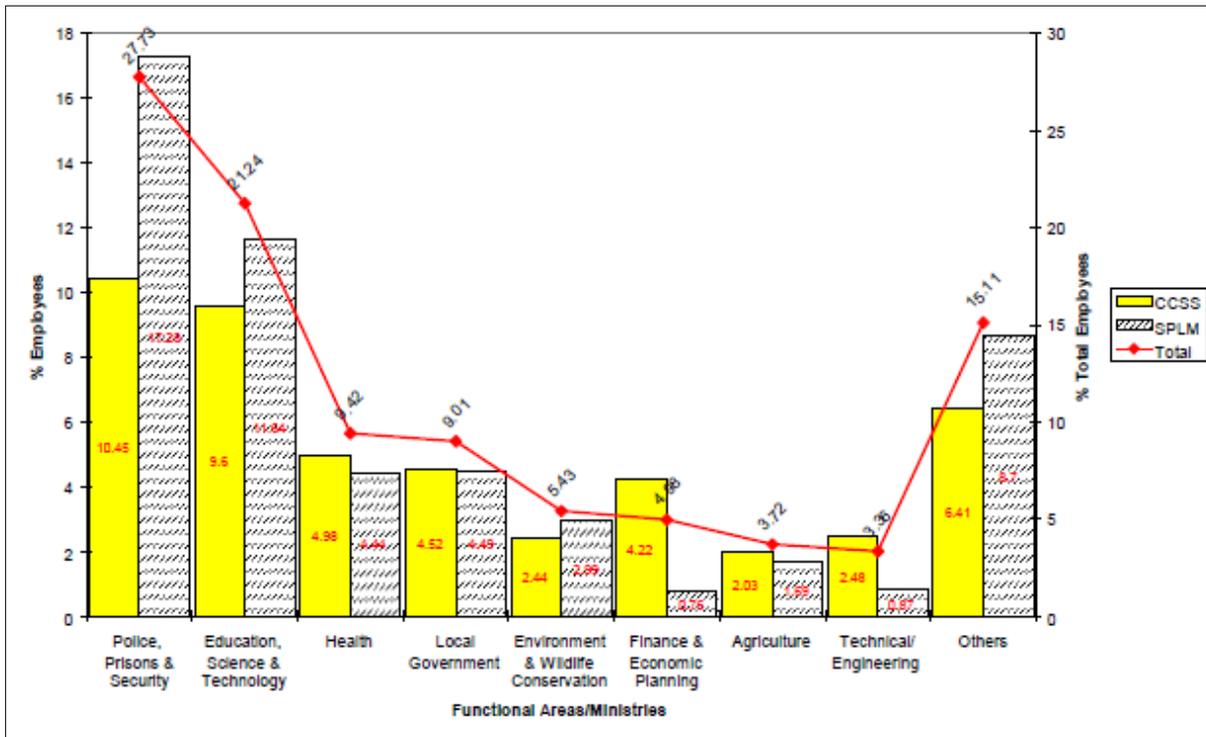
**Table 12. English Language Proficiency as of 2005, State By State**

State	No Knowledge		Fair		Good		Excellent		% Write Good or Excellent
	Speak	Write	Speak	Write	Speak	Write	Speak	Write	
<b>Central Level</b>	164	270	160	131	409	371	368	329	63.6
<b>Central Equatoria</b>	2,922	4,105	3,119	2,553	4,506	4,028	2,139	2,000	47.5
<b>Eastern Equatoria</b>	1,263	1,724	1,452	1,243	2,019	1,838	920	849	47.5
<b>Jonglei</b>	1,977	2,255	725	640	1,224	1,067	470	434	34.1
<b>Lakes</b>	3,489	4,117	931	700	1,154	955	795	597	24.4
<b>Northern Bahr-el-Ghazal</b>	2,756	3,235	1,576	1,343	1,168	949	129	102	18.7
<b>Unity</b>	1,093	1,442	820	640	982	854	370	329	36.2
<b>Upper Nile</b>	1,279	1,932	2,579	2,299	2,163	1,842	482	430	34.9
<b>Warrap</b>	3,518	3,925	564	464	1,380	1,184	700	589	28.8
<b>Western Bahr el Ghazal</b>	2,059	2,234	745	668	818	759	362	323	27.2
<b>Western Equatoria</b>	1,140	1,560	1,629	1,422	2,391	2,242	601	537	48.2
<b>Unspecified</b>	252	302	143	117	158	142	109	95	36.1
<b>Totals</b>	21,748	26,831	14,283	12,089	17,963	15,860	7,077	6,285	

Source: Report on the Survey of Serving Public Service Personnel in Southern Sudan (2006).

Among functional areas, the organized forces and education had a higher number of staff who had come from the CANS/SPLM, while staff working on finance and economic planning functions came mostly from the CCSS (that is, the Khartoum-run public administration for southern states at the time) (84.7 percent of this category) (Figure 11).

Figure 11. Staff Coming from CCSS versus SPLM across Nine Functional Areas

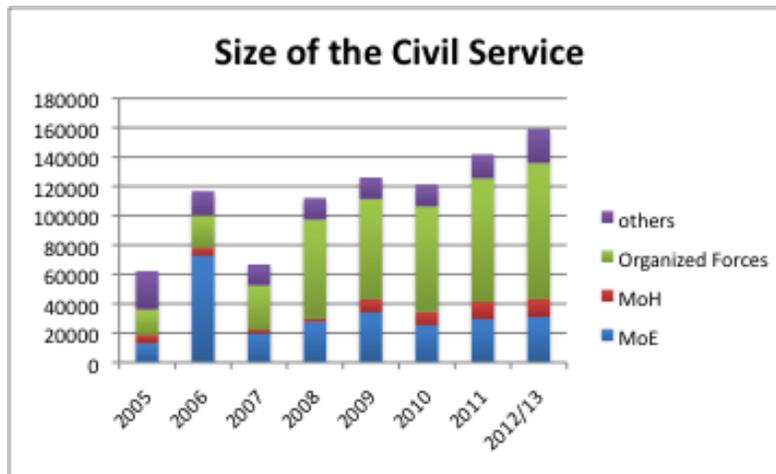


Source: Report on the Survey of Serving Public Service Personnel in Southern Sudan (2006).

The vast majority of public servants at the time (54,040 out of 62,172 respondents) were not specified by grades. There were 1,460 staff in the highest grades (1–5) at the time, out of which 387 served in the organized forces (police, prisons, wildlife), versus 371 in education, science, and technology, and 109 in the local government. The survey also included a detailed age profile of the public service and included estimated retirement cohorts for the coming years.

**From 2005 onwards, a very rapid expansion of the public service took place.** In particular, the organized forces (police, prison, and wildlife services) expanded significantly between 2006 and 2008 as shown in Figure 12. The growth then slowed between 2008 and 2010 (in the context of stagnating fiscal revenue), but resumed in 2011, the year of independence.

Figure 12. Size of the Public Service in South Sudan 2005–2013



Source: Case study on South Sudan, based on budget books from various years.

**A further distortion in the public service was the emergence of ghost employees on a large scale.** Because hiring was decentralized, in particular with regard to hiring of skilled and unskilled workers (grades 17–11), many officials added the names of relatives to the public sector payroll.

*“Just in Jonglei state, we found 14,000 ghosts; in the police, 31,000 ghosts... and so on. They even included the names of their cows and bulls of the payroll!! ... It was not just ghost workers, but also ghost institutions that did not exist at all, such as fake hospitals, a fake public service institute with 1,000 staff on the payroll... We had no files of the civil servants, not even for the MoLPS staff!”* (Interview with a former top official at MoLPSHRD; reported in Ferreiro Rodriguez 2013)

**Parallel to the expansion of the civil service and the organized forces, the SPLA also rapidly grew in numbers during this period.** In 2005, the numerical strength of the SPLA was estimated at 40,000 (Small Arms Survey 2011)<sup>49</sup>. Based on the post-CPA Juba declaration, Other Armed Groups were merged with the SPLA, and by 2006, its estimated size was 80,000; swelling to 140,000 by 2010 through a period of recruitment, and 210,000 as of November 2011. As of 2013, the number stood at about 195,000 (budget figures) (see also Norad 2010, annex 5; Rands 2010).<sup>50</sup>

### 5.3 Links between public service and challenge of DDR in South Sudan

**As is analyzed elsewhere, South Sudan has not pursued an effective DDR strategy—rather, it has pursued a strategy of ‘parking’ ex-combatants in the organized forces and of integrating rebel groups into the new nation’s armed forces** (Small Arms Survey 2011; Rand 2010; Baas 2012). By mid-2011, only 13 percent of the target ‘case load’ of ex-combatants had entered the DDR process (Small Arms Survey

<sup>49</sup> However, this figure was contested and the SPLA itself had initially given an estimate of 300,000 various combatants in South Sudan.

<sup>50</sup> Based on information received from Lydia Stone, personal communication. Small Arms Survey "Failures and Opportunities: Rethinking DDR in South Sudan" for the 40,000 figure; Small Arms Survey "SPLA Transformation 2006–2010" for the 140,000 figure. Some estimates have suggested as many as 270,000 staff in the army for 2013, that is, before the outbreak of the crisis and mass defections.

2011). For each of the organized forces (police, fire, prison guards, and wildlife guards) there is an explicit provision built into their relevant law that they can be merged back into the SPLA if and when needed (see box 1). There appear to have been two security-related rationales: (a) a perceived continued security threat from the north and (b) a perceived security threat within South Sudan, if a large number of soldiers were demobilized without a clear perspective. As pointed out in section 2.1, there has been a significant and continuous pressure to accommodate various groups, and this has favored an expansion of the military and organized forces, rather than DDR.

**Inclusion in the SPLA and in the public service (civilian and organized forces) has been used to bring potentially violent groups into the ‘big tent’.** This started with the South Sudan Defense Force in 2006 (Baas 2012). Salary payments to soldiers started in 2005–06 making it attractive for combatants to remain in the military (and respectively, made demobilization less attractive). The policy of integrating rebel groups continued throughout 2012 and 2013, essentially until the outbreak of conflict in mid-December 2013—and despite the hiring freeze and austerity measures in place at the time.

**According to public records, five armed groups were amnestied and integrated into the armed forces in 2012, and a further eight in 2013.** In each of these instances, the groups were allocated a certain number of top and rank and file positions, mainly in the army, but also in the police forces and the civil service. For example, the South Sudan Liberation Army (SSLA) was given: “army position[s] of one lieutenant general, five major generals, six brigadier generals and the remaining ranks from colonel up to NCOs shall be arranged based upon the strength of [the] forces of [the] SSLA;” as well as one presidential adviser positions, two ambassadorships, and furthermore advisory and ministerial positions in the respective state governments (Upper Nile and Unity State).<sup>51</sup>

**Disarmament and a reduction and restructuring of the military and the organized forces will therefore continue to pose a fundamental and difficult-to-resolve challenge in the years ahead.** These issues will pose an even more significant challenge following the end of the 2013-2015 civil conflict. The pressure is likely to be to include yet more groups. To do so may be necessary from a ‘negative peace’ perspective (that is, bringing an end to violence), but will come at a high cost from a fiscal perspective and in terms of building longer-term resilience. With low oil prices, the trade-offs between additional salary spending on the security sector and other spending—on service delivery and on capital expenditures—are further sharpening. In addition, imbalances among ethnic groups cannot simply be addressed through accommodation. Providing a ‘social safety net through employment in security sectors’ will continue to be perceived as unfair by underrepresented groups, in particular when it comes at the cost of continued underfunding of service delivery.

**Furthermore, disarmament is likely to be met by resistance due to the deepened distrust between various groups.** In the years since independence, citizens in South Sudan have experienced both localized conflicts and larger-scale conflict, particularly in the three northeastern states (Jonglei, Unity, and Upper Nile). Both types of conflict are likely to generate substantial fear of being attacked, and of not being sufficiently protected by the state, in particular if the state is not seen as impartial. Thus, both

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<sup>51</sup> <http://reliefweb.int/report/south-sudan-republic/south-sudan-integrates-former-rebels-regular-army>.

at the local/smaller-scale group level, and at the level of larger political alliances, reluctance and possibly resistance to being disarmed is likely. While some recent small-scale DDR efforts have continued and the capacity of the DDR Commission at the national level has been developed, the prospect for a larger-scale effort is likely to be very challenging and to require both social reconciliation on the one hand, and a more credible protection of citizens by the state on the other hand. For the latter, progress with professionalizing the police—the single largest of the four organized forces—will be crucial.

**Overall, initially formulated good intentions of developing an effective public service have been undermined in practice over the past decade.** The expansion of public employment has been used to accommodate numerous groups—but this ultimately contributes to the public sector being seen as unfair and self-serving. The following subsections (5.4 and 5.5) map the institutional responsibilities and legal provisions that emerged over this period, as well as the governance challenges that are seen to affect the public sector. Sections 5.6 and 5.7 then track the reform efforts made and the support provided by development partners.

#### 5.4 Reform efforts from 2007 to 2012

**While the overall development of the public sector in South Sudan has been far from ideal, it is important to acknowledge that reform efforts have been repeatedly initiated along the way.** In a broad sense, these reform efforts have had limited success to date (see also Larson, Ajak, and Pritchett 2013), while both the direction and speed of ‘travel’ (relative to comparative parameters as discussed in section 1) has been volatile. However, some particular reform efforts have resulted in actual changes, such as the reform of the pay and grading scale discussed in the preceding section. Furthermore, a review of reform efforts provides an important reminder that the knowledge of what a better public sector system would look like is actually quite present in South Sudan (and as already highlighted in the context of the initial pre-CPA discussions about the public sector). The problem is therefore rather one of making progress feasible, and of conflicting incentives.

This section summarizes key reform efforts made during the period 2007 to 2013. Table 13 lists the key office holders in the MoLPSHRD and the Civil Service Commission (CSC) who have been involved in these efforts. The subsequent section then discusses the efforts made at supporting the development of a capable public sector by development partners.

**An initial push for public sector reforms was made in 2008 during the early stage of Minister Awut’s tenure as minister of Labor and Public Service.** This push for reforms had been supported by the Bank (with ASI as the implementing partner). In September 2007, the MOFEP had requested ASI to provide a rapid assessment of rightsizing options; as there were growing problems with wage bill arrears due to excessively rapid hiring since 2005 and fiscal constraints. Box 2 summarizes the propositions made at the time. However, as reflected in Figure 4(a) (section 3.1), between 2007 and 2008, fiscal revenues for southern Sudan accelerated, thus taking the immediate edge off the problem of a growing public sector wage bill. This lessened the pressure to proceed with the proposals made.

**Table 13. Key Office Holders in the MoLPSHRD and CSC**

Name	Time in post	Background
<b>Ministers of Labor, Public Service, and Human Resource Development</b>		
Ngor Kolong Ngor	August 2013	Lawyer; from Northern Bahr el Ghazal Previously with the Ministry of Justice First appointment as minister
Kwong Danhier Gatluak (acting)	2011–2013	Deputy minister during Mme Awut’s tenure, announced as minister of MoLPSHRD in July 2013 but then appointed as minister of Transport in early August 2013.
Deng Acuil Awut	July 2007 to October 2011 (resigned)	First minister making a serious effort to reform the civil service; resigned in October 2011; reappointed as minister of Gender and Social Welfare in August 2013
David Deng Athorbei	October 2005 to July 2007	Subsequently minister of Transport and Roads (July 2007), Minister of Finance (2009-2010), Minister of Dams and Electricity (July 2011-2015), and again Minister of Finance (since January 2015)  Had initial discussions with the National Legislative Assembly (NLA) about the appropriate size of the public service
<b>Heads of the CSC</b>		
Philister Baya Lawiri	Since 2010 to now	Previously member of the Sudan National Electoral Commission; also chairperson for Southern Women Solidarity for Peace and Development <a href="http://www.inclusivesecurity.org/network-bio/philister-baya-lawiri/">http://www.inclusivesecurity.org/network-bio/philister-baya-lawiri/</a>
Deng Chuol Malang	Ca. 2008 when the commission was established	Previously head of the Coordination and Verification Committee that lead the public service personnel survey in late 2005 (published in 2006)

**Box 1. Rapid Assessment of Retrenchment Options (Fall 2007)**

The ASI *Rapid Assessment of Retrenchment Options* makes the following recommendations for a phased downsizing and retrenchment program:

- Establish a cut-off date, preferably before end 2007, for reintegration into SLPA, organized forces, GOSS, and state civil services.
- Impose recruitment freeze across all payroll, with possible exceptions for teachers, health workers, priority technical positions, and key vacancies. Any new recruits must fit within nominal rolls set for 2008 budget.
- Complete payroll cleansing by building on the MOFEP and MoLPSHRD current efforts, with pay parades and comparing payroll across ministries and states, to eliminate duplication.
- Capture payroll data in a simple off-the-shelf computerized system, such as EXCEL.
- Dismiss illegal hires, duplicate names without termination benefits.
- Begin procuring an all government-integrated payroll and HR records system.
- Remove/retire under/over age.
- Establish maximum numbers for unclassified staff for ministries. Workshare until excess is eliminated.

- Avoid voluntary retirement schemes (adverse selection).
- Proceed in a sequenced manner for GOSS civil service, organized forces, states determining desired staffing levels, via reviews of mandate/function/organizational structure/staffing, and drawing up job descriptions. Staff to reapply on a competitive, merit-based selection process, using primarily competency testing, not qualifications.
- Retrenchment package for those not selected.
- Communication of rightsizing program to all stakeholders.
- Continue using other avenues of exit—resignation, dismissal for incompetence, dishonesty, inappropriate conduct, normal retirement.
- Develop a pensions policy for GOSS, crediting years of service in CANS, SPLM, and SLP and paying benefits through budget.
- Continue with SPLA DDR program, providing it with additional resources.
- Consider a welfare system for deserving cases: physically handicapped, widows, and so on.
- Discourage SPLA from sending further excess personnel to organized forces, GOSS, and states.
- Obtain donor support.

Source: Stevens 2008.

The commitment to an effective public sector can be found in a number of government documents, speeches, and announcements. As reflected in a document ‘Guidelines for the Public Service Reform Management Structures.’<sup>52</sup>

“[A] Public Service Reform Programme for the Government of Southern Sudan was launched by the His Excellency the President during the 6<sup>th</sup> Governors’ Forum, which took place from 29<sup>th</sup> September to 2<sup>nd</sup> October 2008. The President articulated in his speech during the launch that the focus of the *Government of Southern Sudan should be to become the model of the models of the world in terms of its level of efficiency and effectiveness in customer oriented service delivery* [emphasis added], which could only happen through an effectively managed public service reform programme. Public Service Reform, as a strategy, focuses on creating result oriented public service organizations through the review and streamlining of public service structures, processes, policies, and legal framework that underpin the functioning of government. The output of this should be a government system that is efficient, effective result oriented and customer focused and which is capable of steering the nation to the desired model of the models status.”

Furthermore, the Capacity Building Unit in the MoLPSHRD pursued the development of a national curriculum for training across the civil service with support from DfID in 2008. However, the effort at developing a comprehensive approach to training was ultimately unsuccessful and perhaps overly ambitious at the time (USAID 2010). A key challenge was the fact that efforts between the MoLPSHRD, various line ministries, and various donors were not coordinated.

Subsequently, the president declared 2009 to be the ‘Year of Decentralization’ and the ‘Year of Public Service Reform’ (World Bank 2010, 5). To pursue the implementation, a cabinet committee and sub-committee on reforms were formed at the time. The main result of these initiatives was the progress made with regard to developing and adopting relevant legislation (the Local Government Act in 2009 and the Civil Service Act in 2011).

<sup>52</sup> Available at: <http://www.goss.org/>.

**Furthermore, efforts to reduce ghost workers were made and the central ministries (MOFEP and MoLPSHRD) were gradually able to implement a system of ‘nominal rolls’, that is, staff ceilings based on available budgetary resources on line ministries and agencies.** Efforts to reduce ghost workers and excessive unclassified workers were made in 2008–09, focusing on the education sector and subsequently the health sector (Booz and Company 2010)<sup>53</sup> in early 2010,<sup>54</sup> April 2011, and again in April 2013.<sup>55</sup> In August 2013, the GOSS announced that around 10,000 ghost workers had been identified in the police alone—equivalent to 20 percent of all police force staff for that year—with a further 16,000 forces being investigated.<sup>56</sup> The 2011 Civil Service Act requires Ministries, Departments and Agencies (MDAs) to adopt establishment structures that set out the number and levels of posts assigned to each department of an MDA. Beyond this, each MDA then receives a nominal roll which reflects the actual allocation of positions that can be funded for a given fiscal year. However, the system only applies to the core civilian parts of the public sector, not the organized forces, or the army; and there are still implementation gaps across MDAs.

**A renewed push for civil service reform was made in 2011, that is, shortly after independence, during the final stretch of the tenure of Minister Awut as minister of Labor and Public Service.** The minister publicly stated at the time that more than 60 percent of office holders were unqualified and unproductive. On October 4, 2011, “President Salva Kiir ordered the civil service to weed out employees who did not have the skills, qualifications, or experience for the job they were in. Education certificates from Sudan, South Sudan and internationally will be checked as part of the process. Kiir said the process should involve all levels of government from the national government in Juba, to the ten state governments of South Sudan as well as at county level.”<sup>57</sup> However, going against the interests of a very large share of the existing public service at once proved to be politically costly, and the effort failed. On October 30, Minister Awut resigned from the office that she had held since July 2007—reportedly under pressure from other ministers. Thus, the attempt to undertake a systematic effort at ensuring that staff had adequate educational qualifications failed.

**It is important to keep in mind that these efforts at public service reforms took place against a wider context of difficult state-building progress.** For example, in summer and fall 2011, a number of attacks on the government took place in Warrap and in Unity State, carried out by various militia groups.<sup>58</sup> One justification for the attacks was accusation of ‘Dinka dominance’ in the state apparatus of South Sudan.

**Nonetheless, there were a few areas in which incremental and more incentive-compatible reforms progressed.** These included the establishment of an electronic payroll system, at least some reductions

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<sup>53</sup> <http://pachodo.org/latest-news-articles/pachodo-english-articles/561-south-sudan-targets-costly-gghostq-workers>.

<sup>54</sup> <http://sudantribune.com/spip.php?article33958>.

<sup>55</sup> <http://allafrica.com/stories/201305061411.html>.

<sup>56</sup> <http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/12694/More-Than-10000-Ghost-Names-Unearthed-In-Police-Service.aspx>.

<sup>57</sup> [http://www.sudantribune.com/spip.php?iframe&page=imprimable&id\\_article=40340](http://www.sudantribune.com/spip.php?iframe&page=imprimable&id_article=40340). See also ASI (2008).

<sup>58</sup> See, for example, <http://www.cnn.com/2011/10/30/world/africa/south-sudan-attack/>.

in the number of nonexistent staff ('ghost workers') from the payroll, as noted above, and some initial progress toward establishing a pension system for civil servants.

**In 2011 and 2012, the MoLPSHRD developed two strategy documents, (a) a Strategic Plan 2012–2016, and (b) a Medium Term Capacity Development Strategy for 2011–2013.** The strategic plan was anchored in the South Sudan Vision 2040, likewise developed in 2011–2012, and the 2011–2013 South Sudan Development Plan. As the three overarching goals, the ministry set out:

- (a) A competent, committed and accountable public service
- (b) A public service with high standards of administration and management that enhances quality
- (c) service delivery
- (d) Decent and productive work environment that promotes social justice, inclusion, skills development, human dignity, and employment creation

With regard to public service development specifically, the MoLPSHRD set out 17 specific goals, seeking to assert its authority over how public servants would be managed at least at the national level.

- (a) Determining, in collaboration with relevant government ministries and institutions, organizational and structural changes needed to improve the efficiency, effectiveness, and affordability of the public service.
- (b) Initiating, developing, implementing, and reviewing of civil service reform programs in the Republic of South Sudan public service institutions.
- (c) Undertaking and overseeing the appointment, conditions of service, promotions, discipline, and termination of service personnel of the national government.
- (d) Creating and maintaining a human resource database of the national government public service.
- (e) Developing and managing the Republic of South Sudan public service payroll.
- (f) Developing policy and standard practices for records management in the public service.
- (g) Initiating the formulation, review, and implementation of national government public service and pension laws and regulations.
- (h) Exercising oversight responsibility over the management of the public service pension funds and the social insurance scheme.
- (i) Ensuring the participation of women in the public service to the mandatory level stipulated in the transitional constitution of South Sudan.
- (j) Providing technical assistance and other support to the states and local governments to enhance the performance of their public services.

- (k) Preparing and approving the proposed personnel budgets (works pay, salaries, and allowances) of all ministries and public institutions of the GoSS.
- (l) Developing and executing a human resource development strategy for the South Sudan public service.
- (m) Conducting training needs assessments in the national public service institutions and developing and executing appropriate interventions through training and capacity development programs.
- (n) Managing and coordinating public service training and capacity development programs and activities to assure quality, timeliness, effectiveness, and efficiency in the delivery and utilization of training funds.
- (o) Installing performance management systems in the civil service.
- (p) Establishing a public service Management Development Institute and overseeing its management.
- (q) Establishing a credible Recruitment Board and overseeing its operations.

The 2012–13 austerity period—which then continued into 2014 to 2016 due to the eruption of conflict and the drop in revenue from oil—put the implementation of these rather ambitious plans on hold. Specific reform efforts that nonetheless progressed during this period included mainly those directly supported by development partners: the establishment of an electronic payroll system, some initial steps toward developing an HRMIS, and efforts toward establishing a pension system. However, the latter two were also beset by various difficulties.

**The regularization of public sector employment began to be further addressed with the establishment of the SSEPS.** Development of the SSEPS started in 2010.<sup>59</sup> In principle, it is intended to cover the entire public service at national and state levels, including both the civil service and organized forces. By March 2012, over 300 government institutions at the national and state levels were included in the payroll system, covering about 150,000 public servants and the processing of their monthly payroll.<sup>60</sup> However, the enforcement of limits on nominal rolls still remains limited, for organized forces in particular, but also for the civilian public service at subnational levels. Furthermore, during the 2013–14 crisis, the payment of salary via this regular system was suspended for two months, and payments were made via a ‘Crisis Management Committee’ and sub-committees, which sought to verify which staff members were still in their place of service. Also, delays in the actual payment of salaries emerged. However, salary payments via the Crisis Management Committee were widely criticized as (more) open to abuse,

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<sup>59</sup> Currently, the system functioning in most MDAs and at the subnational levels is the so-called SSEPS I which is a basic, Excel-based system. The government is seeking to develop a more advanced system that will register further information and provide stronger controls (‘SSEPS II’).

<sup>60</sup> <http://www.acdi-cida.gc.ca/cidaweb%5Ccipo.nsf/projEn/A034576001>. On the execution side, the system was initially implemented by Booz and Company (April 2010–August 2011), then Charlie Goldsmith (August 2011–June 2012), and subsequently by HTSPE (June 2012–January 2014).

and the government decided to revert to regular channels from March 2014 onwards. Delays in salary payments were reduced back to one month by June.

**In addition, work on an HRMIS, led by the MoLPSHRD and funded through the CBTF, commenced in mid-2012, building on initial efforts funded by USAID in 2009–10.** The HRMIS is expected to establish and then maintain a database of public sector employees (civilian and organized forces) and to automate core HR functions, including recruitment, organization structure, employee profiles, training, appointments, leave, attendance, transfers, promotions, performance appraisals, payroll, succession planning, and retirement. However, it has been challenging to collect the necessary data from public servants. Therefore, the SSEPS rather than the HRMIS has remained the main instrument of recording and monitoring basic information about civil servants to date. Furthermore, both systems, the SSEPS<sup>61</sup> and HRMIS, remained dependent on continuous support from development partners. This proved problematic as the CBTF was scheduled to close in early 2014, and de facto closed early when the conflict erupted in late 2013; while expected new donor support was simultaneously put on hold or suspended. On the positive side, the basic version of SSEPS continued to function at least partially during the crisis period, with around half of all MDAs at the national and state levels continuing to submit their payroll through this system.

**A third component was the establishment of a pension system.** In principle, this is a consensual reform as multiple stakeholders stand to gain: those above the pension age who are still working gain access to a pension, those currently employed face an opening up of promotion opportunities, as well as to a more secure future prospect for their own pensions. However, in practice it has been difficult to make progress, and it will eventually entail a further substantial fiscal cost. An inter-ministerial working group to develop the system was formed in 2011. A *Pension Act* was promulgated in September 2013, and already in 2012, an initial agreement was reached between Sudan and South Sudan with regard to the responsibilities for pension payments.<sup>62</sup> However, the adoption of a *Civil Service Pension Scheme Bill* remained pending. A key challenge is the expected costs of establishing a pension system, which in principle would also entail paying back pensions. A seven-member board for the pension fund was established in early 2014 despite the ongoing crisis.

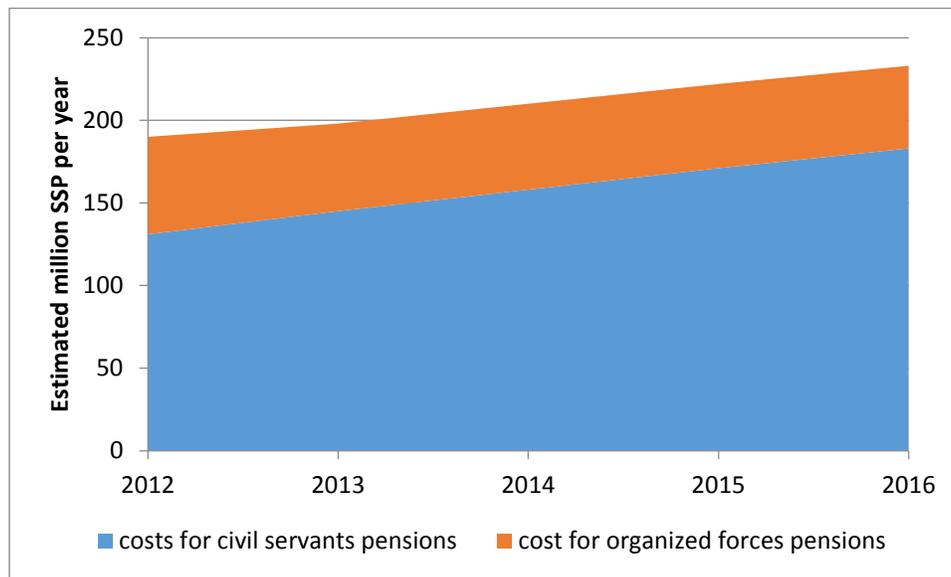
**Funding the pension scheme will pose an initial significant challenge especially in the context of other demands for spending discussed in this note.** There are two sources of problems: one, while the GoSS made pension deductions from public sector salaries, the funds were converted into current expenditures rather than being accumulated in a dedicated fund, as this has not yet been established. Second, following Sudanese rules, the pension bill foresees a right for those entering the pension age to draw one-third of their total pension up front. The expected ongoing cost for paying monthly pensions is estimated to be around SSP 200 million per year, as reflected in Figure 13 according to a report that was prepared on behalf of MoLPSHRD in late 2011, equivalent to about 5.7 percent of the total wage bill for FY2013/14.

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<sup>61</sup> The basic operation of SSEPS I continued, but the expected rollout of the upgraded SSEPS II stopped.

<sup>62</sup> See [http://www.sudantribune.com/IMG/pdf/agreement\\_on\\_post\\_service\\_benefits\\_sudan\\_south\\_s0001-2.pdf](http://www.sudantribune.com/IMG/pdf/agreement_on_post_service_benefits_sudan_south_s0001-2.pdf).

**Figure 13. Estimated Costs of establishing a Pension System for Public Servants 2012–2016**



Source: MoLPSHRD 2011.

## 5.5 Progress made on institutional development and legal provisions

Progress with institutional development and legal provisions governing the civil service has been made, in parallel to processes of establishing systems and processes as outlined in the preceding sections. Establishing a legal framework in 2011 was an important step forward. However, many challenges also remain; including better enforcement of standards and norms at subnational levels.

A national-level ministry with responsibility for the civil service was established together with the initial set of ministries in 2005; while the development of a legal framework for the public service was slower to emerge. The three key institutions with responsibilities for the civilian public service are the MoLPSHRD,<sup>63</sup> the Ministry of Cabinet Affairs where the head of the civil service is located, and the CSC, which has a rather limited role in South Sudan. The ministry structure is replicated at the state level.

- At the national level, the **MoLPSHRD** has been one of the core ministries from the beginning of the state-building period. It is mainly assigned a broad framework setting role and a role with regards to capacity development and training.
  - The ministry has 10 departments (those involved in public service management in italics): 1. Administration and Finance, 2. *Human Resource Management*, 3. *Human Resource Development*, 4. Labor and Industrial Relations, 5. Vocational Training Centre, 6. Occupation Health and Safety, 7. *Policy, Planning and Budget*, 8. *Pension*, 9. *Record Management*, 10. *Recruitment Board*.
  - As of 2013, the MoLPSHRD had a total ministry staff of about 470 (September 2013 budget).

<sup>63</sup> Now the Ministry of Public Service and Human Resource Development.

- The Ministry of Cabinet Affairs hosts the **Secretary General of the Government**, the formal head of the civil service.
- The **CSC** is a constitutional body (per transitional constitution (2011), article 140), and established by a 2011 law on the CSC. It mainly has inspection powers. Contrary to the role of similar commissions in other countries, the CSC does not have a primary role in recruitment—this is allocated to the Recruitment Board under the MoLPSHRD. As of 2013, the CSC had 50 staff.
- Within national-level ministries, undersecretaries have the role of heading the public servants within the ministry; and the staff managing HRM/establishment departments is considered as seconded from the MoPSHRD.
- At the state level, each state has a **State Ministry of Labor, Public Services and Human Resource Development** (originally created as directorates after the CPA in 2005 and then upgraded to ministries since 2010).
- For the level of local governments, the 2009 Local Government Act regulates the third level of government (that is, counties and cities/towns).

**The responsibility for hiring has been distributed among about 230 appointing authorities, that is, the various national and state-level ministries and agencies, and each local government** (World Bank 2010, 29). The 2011 Civil Service Law gives the MoLPSHRD a limited oversight role: “Civil Service appointments, other than those to Skilled and Unskilled Worker grades shall be *processed* through The Ministry of Public Service”; [...] and the ministry “shall *verify* whether the selection process has followed the approved selection criteria” §33, (3) and (4). The MoLPSHRD has created a ‘Recruitment Board’ as one of its 10 departments to implement this vetting and verification role; and is seeking to also establish a separate regulatory framework for this board to strengthen its role in relation to hiring agencies. A further key effort that the MoPSHRD and MOFEP have jointly pursued is that line ministries and agencies must have an approved vacancy within the nominal roll (that is, an allocated position and budget) before hiring.

**Legislation concerning the public service was developed and adopted in the late 2000s; filling a gap that had earlier been pointed out as a hindrance to civil service reform.** Initially, the civil service was governed by rules carried over from Sudan, and amended by various regulations (Stevens 2008). In early 2006, interim regulations for recruitment and selection were issued by the MoLPSHRD, prescribing the appointing authorities and the procedures to be followed. In January 2007, the MoLPSHRD issued a more detailed executive order on public service regulations (World Bank 2010, 32). By mid-2007, a first draft civil service law had been developed with support from USAID/Bearing Point. However, as the legislative approval process was still in flux in South Sudan, it took nearly four years until a formal law was finally adopted (see box 1).

**The 2011 transitional constitution contains four paragraphs on the civil service in part 9 (§138–§141).** It postulates a meritocratically selected civil service up to the level of undersecretaries; sets out that “all

levels of government shall be responsible for the recruitment, appointment, promotion, transfer and dismissal of employees of the Civil Service in their administrations guided by uniform norms and standards set out in this Constitution and the law.” (§139 n); and postulates: “Civil Service shall be broadly representative of the people of South Sudan, with employment and personnel management practices based on ability, objectivity, fair competition for jobs, and the need to redress any imbalances of the past to achieve broad representation through affirmative action” (§139 i).

#### **Box 2. Legal Provisions of Four Acts Governing the Public Service**

The civil service and the uniformed services, including the police, the prison service, and the wildlife services are each governed by separate legislation. The Civil Service Act was adopted in July 2011. The Act on the Police Service was issued before independence in 2009; while the Prison Service Act and the Wildlife Services Act were also adopted in July 2011. The Prison Service, Police Service, and Wildlife Service Acts repealed earlier laws that had been adopted in 2003, that is, just when the development of a ‘New Sudan’ before the CPA got under way.

The Civil Service Act decentralizes HR management for public servants to ‘managing ministries’ (§9), while giving the Ministry of Labor and Public Service a coordinating, framework setting, and monitoring role. This includes discussing with other ministries how to increase the efficiency of the civil service, and developing and maintaining a Personnel Information Management system (with the MOFEP) (§10). The MoLPS is assigned a role in approving the establishment structure of other ministries (§24). Moreover, chapter 12, §81 gives the Ministry of Public Service the power to deem employees of other ministries as not needed and to propose redeployment or redundancy.

Undersecretaries in each ministry (or most senior civil servants in other institutions) are the appointing managers and are tasked to oversee the drafting and revisions of job descriptions. ‘Nominal rolls’ contain the number of positions in each institution for which funding has been approved for a given budget period (§26); approvals are to be given by the Ministry of Public Service. For a position to be filled, it must be vacant, must have funds allocated in the budget, and must be in the nominal roll.

Selection criteria for recruitment as per the 2011 Act include years of experience, assessment of past performance (including of service in the SPLA), and (only as the third criterion) relevant education. Geographic balance is included as a (second to last ranked) criteria for recruitment (§32). The Ministry of Public Service has to clear appointments above grade 11 (the highest rank of a skilled worker). Skilled and unskilled workers are hired directly (grades 11–17). Grades are set out in §99, ranging from 1 (top) to 17 (unskilled).

The law also sets out a preference clause for former SPLM/A personnel (§38); and for this personnel the Ministry of Public Service is to organize in-service training programs. Temporary employment in the civil service is possible for up to 6 months (§40).

The three acts on the Police Service, the Prison Service, and the Wildlife Service slightly resemble each other. Both the police and the prison service are under the Ministry of Interior. All three services can be merged with the SPLA if deemed necessary by the president for security reasons (SPLA personnel can be assigned to any of the three services, and members of the three services can be asked to merge with the SPLA).

Police Act: The act applies explicitly to the national and the state level; the Wildlife Services covers service across all levels of government, including the local level.

Different from the Civil Service Law, for the three organized services there is no formal establishment or nominal

roll, or approval by the Ministry of Finance (§37 Police Service Act). For the Police Services, the minister and the inspector general of the Police Forces jointly determine the presence of vacancies. Police Service salaries are approved by the president upon recommendation by the minister (§45); and similarly for the Prison Service (§25, 1).

Similarly, for the Prison Service, there are no clear restrictions on staffing numbers. Budgets are to be prepared by the director general and by state directors; and the role of the Ministry of Finance and Economic Planning is ‘to ensure that the Prison Service Budget is provided for’ (§23, 4).

The pension age for regular civil servants is 65 years and for police officers, prison officers, and wildlife officers it is 60 years. However, a pension system yet remains to be established.

## 5.6 Donor support for civil service capacity building and reforms

Overall aid levels to South Sudan are substantial and have grown rapidly between 2006 and 2012/13 (Table 14). In per capita terms, South Sudan received about US\$130 per year on average during the period 2010–2013 (in commitments), above the averages for several other postconflict countries (Liberia: US\$112 per capita, Afghanistan: US\$103, Democratic Republic of Congo: 37 per capita averages for 2002–08; see World Bank 2012c). Recognizing the needs of a newly independent country, as part of this, international partners provided significant support to institutional development and capacity building over the decade since 2003.

**Table 14. Donor Commitments and Expenditure 2006–2013/14, in US\$, millions**

	2006	2007	2008	2009	2010	2011	2012/13	2013/14
Commitments	242.4	398.4	696.4	884.6	1,279.7	1,394.1	1,404.9	719.9
Disbursements	—	—	—	—	960.3	688.4	—	—
Per capita commitments	29	46	76	93	129	134	130	66

Source: Republic of South Sudan Donor Book.

In 2011 alone, support to public sector policy and public administration, PFM, decentralization, and subnational capacity building amounted to US\$94 million in commitments and US\$79.5 million in disbursements (OECD aid statistics).<sup>64</sup> The main support vehicles have been the CBTF established in 2004, capacity-building projects under the Multi-Donor Trust Fund South Sudan (MDTF-SS), Dfid’s SKILLS for South Sudan project, and the deployment of regional public servants funded and organized through the UNDP and through the Intergovernmental Authority on Development (IGAD).

<sup>64</sup> Data is not available for other years. Source: <http://stats.oecd.org/>. The GOSS donor book: US\$68 million and US\$69 million for 2011 and 2012/13 as commitments, and US\$36 million and US\$39 million as disbursements for public administration; and additional funds spent on ‘accountability’ functions, economic functions, and rule of law. The 2004–05 Joint Assessment Mission had estimated a financing need for capacity building and institutional development of US\$1.6 billion in total for the period of 2005 to 2011; of this, US\$337 million were seen as needed for public service reforms (and US\$54 million for PFM reforms); with the bulk of the funding for decentralization and local government (1.2 billion); out of a total envelope of 8.3 billion of anticipated needs.

**Broadly, these externally funded efforts can be grouped into four categories: establishing the physical infrastructure for government, efforts at developing systems (such as the HRMIS and the electronic payroll system), capacity ‘injection’ or ‘substitution’, and efforts at training of South Sudanese.** These have been pursued at the national level, as well as to various degrees also at subnational levels. Of these categories, establishing physical infrastructure and capacity injection have received the relatively largest share of funds, including as part of the MDTF-SS, USAID support, the Budget Strengthening Initiative/DfID initiative, and the IGAD/UNDP. These programs, in particular the USAID support, have also included training components. DfID and funding channeled through the CBTF have most specifically targeted capacity and skills development, while the development of key systems has been the focus of the second phase of the CBTF. With regard to the latter, initial progress—especially with establishing an electronic payroll system—has been important, and at least the basic system has remained functional after an initial two-month suspension during the 2013–15 conflict.

Based on the number of people trained by the range of donor initiatives, the overall number of civil servants that have been trained in some form can be (very roughly) estimated around 25,000 which would be equivalent to between half and a third of all civilian public sector staff. However, given the lack of comprehensive data collection, some civil servants—in particular those at higher grades—are likely to have received multiple trainings and others none. Also, a lot of the trainings offered, apart from English language courses, have been of relatively short duration, typically 5–15 days.<sup>65</sup> As table 15 reflects, a significant number of efforts have been supporting various aspects of public sector development and capacity building.

**Table 15. Donor-funded Support for Capacity Building and Civil Service Reforms**

<b>Program/Initiative</b>	<b>Funded By/Financially Supported</b>	<b>Time Frame</b>	<b>Main Interventions</b>
‘Tent City’	Norway and United States	Late 2003 onwards	Established a temporary civil administration complex from which the SPLM Core Team began its work in December 2003 (in Kapoeta County/Eastern Equatoria)
Workshop on the South Sudan Civil Service	World Bank	April 2004	
Low-Income Country Under Stress Trust Fund Capacity Building for Development in Post-Conflict Sudan		September 2004	Capacity Building and Institutional Development for fiduciary and aid management systems (north and south), US\$4.5 million

<sup>65</sup> See USAID 2010, Annexes VI–VIII.

Program/Initiative	Funded By/Financially Supported	Time Frame	Main Interventions
CBTF  Linked to the Joint Donor Team (technical secretariat)	Phase I donors: Norway, United Kingdom, Netherlands, Sweden, the European Union, and Italy; phase II donors: Canada, Denmark, Netherlands, Norway, Spain, Sweden, and United Kingdom	2004 to early 2014	CBTF phase I: 2004 to 2009; CBTF phase II: 2009 to early 2014. Initially executed by UNICEF Phase I: US\$22.3 million Phase II: US\$28 million, plus US \$20 million for 2012 to early 2014  <u>Phase I</u> Training through HELM delivered at the Government Accountancy Training Center (GATC; accountancy)  <u>Phase II</u> Payroll (SSEPS development), pension system development (initial stages), HRMIS, Government Accountancy Training Center MOFEP IT support Public access to public sector information and support to accountability institutions  Subnational level: Support to State Ministries of Labor and Public Service in 5 states Core skills training: English language and computer literacy in 5 states Local Government PFM Manual
Strategic Partnership Framework	United Kingdom, Denmark, Netherlands  Administered by UNDP	2005 to 2012	Focus on Governance and Rule of Law US\$74.5 million for the period early 2006 to mid-2009
USAID programs	PROGRESS  CORE (I + II)	2006 onwards	Implemented by Deloitte 2006–2011: MOFEP, Central Bank, Ministry of Petroleum, Ministry of Justice, Ministry of Cabinet Affairs, and Office of the President  Added since 2013: Ministry of Labor, Public Service and Human Resource Development, Ministry of Parliamentary Affairs, and national legislative assembly
MDTF-SS	Contributions from several donors: European Union And Joint Donors (Canada, Netherlands,	2005–2013	17 out of 19 GOSS ministry buildings, the national assembly, the Presidential Cottage and the State Governors' offices were renovated and supplied with generators, office equipment, and furniture allowing GOSS institutions to run and start providing basic services

Program/Initiative	Funded By/Financially Supported	Time Frame	Main Interventions
	Norway, Sweden, United Kingdom), others  Administered by the Bank		Quick-impact development programs, capacity-building, and institutional strengthening efforts
Capacity Building, Institutional and Human Resource Development Project	Bank/MDTF funded by the MDTF US\$13.82 million of which US\$8.24 million from the MDTF and remainder from the GOSS	2007–2011	CSC Training of ~ 1000 civil servants in strategic planning (national and state levels); network of senior women in management; cohort of young 'leaders' Electronic archiving system established in the Cabinet Office Establishment of a GOSS email server  Delivered through ASI
Rapid Impact Emergency Impact			Produced, among others: MoLPSHRD Functional and Management Review  Refurbishment of state-level government offices, of temporary location for the MOFEP during refurbishment
Core Fiduciary Systems Support Project	2006–2012		Assistance to the Audit Chamber, to the Procurement Unit in the MOFEP
SKILLS for South Sudan (NGO)	Funded by DfID <sup>66</sup> through support to effective administrative and democratic governance in southern Sudan (2008–2010); GBP 3.3 million	2008–10  Most recent strategy for 2012–2016  2011–2013	Development of a national capacity building curriculum Delivery of 30,000 training days in 2008–2010; 21,000 civil servants trained according to self-presentation <sup>67</sup>
Governance Partnership Program (through UNDP)	DfID → UNDP		
Budget Strengthening	DfID → Overseas Development		

<sup>66</sup> See <http://devtracker.dfid.gov.uk/countries/SS/projects/>.

<sup>67</sup> SKILLS was founded by South Sudanese refugees in Oxford, United Kingdom in 1995.

Program/Initiative	Funded By/Financially Supported	Time Frame	Main Interventions
Initiative	Institute		
Strengthening Economic Governance (2012–2015)	Funding to CBTF, IMF, and Bank (High Frequency Survey)		
Local Government Administrative Officer training	German Agency for International Cooperation (GIZ)	Since 2007	Part of GIZ's overall engagement on decentralization
Institutional Capacity Building for Poverty Reduction and Good Governance Project	AFDB \$15m for activities in Sudan and South Sudan	2007–2012	Human Resource Training Center Building erected outside Juba as support for the MoLPSHRD's training mission  Training of more than 1,200 GRSS and state officials in planning and budgeting
IGAD Initiative for Capacity Enhancement in South Sudan <sup>68</sup>	Funded by UNDP (coordinating; bilaterals contributing)	2011 forward	Deployed 200 civil servants (Kenya: 80, Ethiopia: 60, Uganda: 60) to provide mentoring and coaching to counterparts in South Sudan for two years
Rapid Capacity Placement Initiative <sup>69</sup>	UNDP/Canadian International Development Agency	After 2011	150 international United Nations Volunteers deployed to the 10 state governments
African Union	UNDP Costs estimated at US\$90 million annually <sup>70</sup>	Started in 2012	Planned provision of 1,000 technical experts: public administration, agriculture, infrastructure, energy development, health, education, and local government
Government of Kenya	Through the Kenya School of Government		Trained 686 government officials in Kenya since 2007 and 135 in Juba
Government of South Africa	Through the University of South Africa and PALAMA Funded by CIDA		Trained 340 trainees in leadership and management, governance and diplomacy
Government of India	–		Training of 232 GOSS staff since 2005 in IT, English, public administration

Source: Authors' compilation; USAID 2010.

**There is some contestation over whether this engagement has had some success or whether it has instead been rather unsuccessful, and if so, whether and what the development partners should have**

<sup>68</sup> See [http://subweb.diiis.dk/graphics/Publications/Policybriefs%202011/PB-Civil-Servant-South-Sudan\\_web.pdf](http://subweb.diiis.dk/graphics/Publications/Policybriefs%202011/PB-Civil-Servant-South-Sudan_web.pdf).

<sup>69</sup> <http://www.acdi-cida.gc.ca/cidaweb%5Ccipo.nsf/projEn/A034995001>.

<sup>70</sup> See [http://www.un.org/en/ecosoc/julyhls/pdf12/south\\_sudan\\_au\\_brochure.pdf](http://www.un.org/en/ecosoc/julyhls/pdf12/south_sudan_au_brochure.pdf).

**done differently** (that is, what is the counterfactual). This includes the question about whether development partners should have or could have had more realistic expectations at the outset, including about the likely distortions to emerge. As discussed in section 1, state-building should be expected to take time (measured in decades), in particular in a context where challenges include initial very low human development on the one hand, and continued conflict and militarization on the other hand. In such a situation, often first best solutions are not suitable or feasible; in turn raising challenging questions about how second or ‘n-th best’ solutions are selected, crafted and pursued, and how this should be assessed by stakeholders seeking to monitor and assess performance, and to encourage lesson learning.

A 2010 review by USAID—*Government of Southern Sudan - Strategic Capacity Building Study*—reflects that capacity building efforts up to that time were ‘neither strategic nor focused’ (p. 5).<sup>71</sup> The study notes the absence of a legal framework for Human Resource Development and of a vision and strategy for capacity development shared between government and development partners. In both areas, however, progress was eventually achieved in 2011 (see box 2), even if much of the implementation of the legal frameworks adopted is yet to take place. Furthermore, the report raises the need for a closer connection between the broad goals of capacity building and the specific achievement of improvements in sectors and service delivery areas.

As Table 15 conveys, some gains in efficiency and effectiveness could certainly have been possible, had donors been able to pool a larger share of funds, and to pursue a more consistent agenda, such as developing and funding continuous training programs. Larson, Ajak, and Pritchett (2013) raise the following points: “donors arrived in Southern Sudan with a pre-formulated strategy: to start with a huge focus on capacity-building while simultaneously attempting to create, strengthen and reform all government and political institutions at once.” (p. 11). In the authors’ view, support should have concentrated on a narrower agenda first, with a focus on capacity for economic revival and diversification, so as to set a ‘virtuous cycle’ of economic development and institutional development in motion. A further key point of criticism is the overemphasis on technical assistants that have taken on line positions, and an insufficient emphasis on actually training South Sudanese officials (p. 16). There is also a problem of ‘capacity extraction’ through hiring of South Sudanese into donor agencies and (I)NGOs (see also Brautigam and Knack 2004). Larson, Ajak, and Pritchett (2013) suggest that instead, donors should have focused on an iterative problem-solving approach; however, the details of what this would have looked like remain scant in the paper.

**Going forward, it appears crucial to more systematically document progress that is being made in the area of civil service reforms and capacity building, which has not been done to date.** For example, progress with spreading English language functionality through the core skills program, with establishing a pay and grading system and then its implementation over time, linking it to an electronic payroll system, as well as gains made with regard to knowledge transfer from technical assistants to regular public sector staff and through various forms of training that have been provided could be captured.

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<sup>71</sup> The study roughly covers the period 2005–2010.

This would provide better information about the ‘direction of travel’ and to what extent any gains are being made, as well as about stalled efforts and distortions.

**In 2011, the government conducted its own ‘Comprehensive Evaluation’ of the state of institutional development in the country, reviewing the progress made between 2006 and 2010.**<sup>72</sup> Key messages, but not the report itself, have been shared with stakeholders outside the government. According to briefings, the report criticized (a) the failure of stakeholders to systematically pursue the priorities set out in the JAM, (b) poor hiring practices in the public sector, and (c) the lack of guidance and contract supervision for efforts aimed at capacity building.

**Overall, the ambitious goals set out in the JAM were not achieved by 2011 or 2013, while nonetheless, a limited number of steps forward were achieved.** In particular, a physical infrastructure of government was developed *ex novo* in Juba and was staffed, even if many gaps remain. Basic legislation for the public service—sorely noted as missing earlier—has been adopted, and strategies have been developed. The main challenge is that development partners have found it difficult to grapple with the distortions in the public service that emerged in parallel, such as the rapid hiring of poorly qualified staff, the emergence of ghosts on the payroll. To make capacity building more effective, it is essential that the incentives within the public sector shift and that some progress is made on establishing a more ‘normal’ public service. At the same time, development partners could have done more to adapt their support to limited educational levels and mixed backgrounds up front, limited familiarity with English, and could have invested more in longer-term efforts (with too many courses limited to one to two weeks).

Overall, development partners as well as regional partners such as IGAD, confronted the challenge of a ‘militarized government’ with a limited and partial interest in developing a capable public sector; and a hiring strategy that gave way to a range of ad hoc pressures, creating a rather infertile ground for effective capacity-building support.

## 5.7 Austerity and renewed conflict – 2012 to 2015

In late January 2012, South Sudan stopped its oil production due to a dispute with the government of Sudan over the pricing of trans-shipments. The shutdown lasted through April 2013. During this period, government revenue declined sharply. For the public service, this had a number of effects.

First, a hiring freeze was declared,<sup>73</sup> putting a halt to the previous trend of rapid expansion of the civil service. Second, all nonwage expenditures were sharply cut, including development (capital) expenditures as well as nonwage recurrent expenditures (‘operating costs’). This worsened, among others, the ability of subnational service delivery units to pay any non-regular staff (see section 4; Horvath 2012). Some delays in actual salary payments also emerged. Furthermore, cuts to operating budgets made it relatively more difficult to perform public management and service delivery functions

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<sup>72</sup> Led by Priscilla Nyangyang Kuch, minister without portfolio. See <http://www.newsudanvision.com/sudan/2368-south-sudans-minister-without-portfolio-committed-to-lean-and-effective-government>.

<sup>73</sup> The hiring freeze was not uniformly observed or enforced; for example, additional militia were brought into the army and other armed forces in 2012 and 2013, as noted in section 5.3. However, national ministries and others put hiring on hold.

effectively. Third, the austerity period essentially delayed the implementation of reform plans that had been developed, including the MoLPSHRD's Strategic Plan and Medium Term Capacity Development Strategy. Thus, while good intentions had (again) been set out, implementation remained largely suspended.

Oil production eventually resumed in May 2013 after a new agreement was reached with Sudan over transit fees. However, the austerity measures remained in place throughout the year, as significant short-term debts incurred to fund expenditures for the preceding year had to be repaid first. Furthermore, in summer 2013, the president restructured the cabinet and merged several ministries, and subsequently emphasized in various speeches that he expected a stronger focus on performance. The revised budget proposal for 2013/2014 foresaw a return to regular monthly expenditures from January 2014.

**In late 2013, renewed conflict erupted.** The main trigger was a breakdown in the political settlement, in particular between the president and the former vice president. The conflict escalated very rapidly, especially affecting three states (Jonglei, Upper Nile, and Unity); but with impacts also in others. The scale of the conflict rapidly overwhelmed weak infrastructure and weak institutions, and within five months put a third of the population at risk of food insecurity. Oil production was again reduced, to an average of just below 100,000 barrels per day for the FY 2013/2014 as a whole, as the conflict directly affected the oil producing areas in Unity and Upper Nile States.

While initially it was hoped that the conflict could be brought back under control relatively quickly, an initial ceasefire agreement signed in January 2014 was broadly ignored and another agreement signed in May 2014 also failed to bring about a return to peace. At least in the three states in which the conflict is concentrated, public sector facilities have been destroyed. Central-level government structures have been preserved to date. The key factor will be when and how a new political settlement will be reached; and what type of rent-sharing such a settlement will entail. Given that the conflict deepened ethnic cleavages, there is also a sense that the postconflict period should entail some revisiting of how a fair representation of groups can be achieved within the public sector (and the security sector as discussed in section 5.3). Some options for this, drawing on the experience of other countries, are discussed in the recommendations (section 7).

In January 2014, the government established a Crisis Management Committee. The committee decided that salary payments should be switched to a direct verification process to ensure that only those who remained present (and loyal to the government) would be paid, in particular in the SPLA and the organized forces. At the same time, government decided to restore allowances to their pre-austerity levels—despite the renewed and escalating fiscal strain. As the process of paying staff through special committees proved to be prone to abuse, salary payments reverted to regular channels from March onwards. The payment of salaries and allowances slipped by several months between January and May, but government prioritized making payments from revenue and further borrowing, managing to bring the delays down to one month or less by summer 2014.

The experience reflects a fundamental dilemma and risk: as the government has expanded public employment in the security sectors, the high share of salaries relative to overall spending leaves little room for reducing expenditures when revenue shortfalls emerge (typically done through reducing or stopping most capital expenditures). While public employment is meant to shore up support for the state, delays in paying salaries can quickly threaten this arrangement—as can the more gradual erosion of salary levels relative to the cost of living discussed in section 3.2. As a result, high public sector employment has also become a direct factor driving the rapid acceleration of government debt that South Sudan has experienced over the past 2–3 years. Thus, a high share of public employment/public salaries, while used to mitigate short-term risks to state resilience, in particular in a context of revenue volatility, contributes to further risks to state resilience over time.

As noted earlier, the renewed crisis is a setback for prospects of convergence toward greater state resilience, government effectiveness, and improved service delivery. Moreover, a key risk going forward will be that the pattern of accommodating conflicting groups as observed in recent years will extend even further, leading to further growth of security-related public employment, which would in turn continue to crowd out spending on social services and on the development of infrastructure and of productive sectors.

## 6. Experience of Other Countries

Before developing a set of suggestions for how best to proceed going forward in South Sudan, this section briefly sets out some experiences of other countries with reforming and strengthening the capacity of their civil service, with a focus on other postconflict situations. The section draws on a background note developed in 2013 (Orac 2013) and on emerging cross-country research (Srivastava, Blum, and Ferreiro-Rodriguez, forthcoming).

The review by Orac (2013) covers four postconflict countries: Afghanistan, Cambodia, Democratic Republic of Congo, and Liberia. Among these cases, the following have been the key issues.

**In Afghanistan, development partners initially had substantial concerns about the size of the public sector and the associated wage bill; however, the government was reluctant to address these, out of political stability considerations.** The main strategy adopted was an asymmetric restructuring of selected units to focus on establishing greater capabilities in key agencies and ministries. This strategy has been partially successful. After a ten-year period, the overall wage bill and establishment size are still a source of concern, in particular in the context of a low revenue-to-GDP ratio. The fiscal burden is being managed through long-term projected reliance on donor support. Overall, further growth in public sector employment has been contained, but has still been allowed in key service delivery sectors such as education. The upgrading of skills and the renewal of cadres especially at the middle levels continue to be challenging. The overall prospects for building a stable and resilient state remain uncertain.

**Cambodia** emerged from decades of violence, instability, and profound social trauma from the late 1990s. **The wage bill did not constitute an excessive fiscal burden; but there was a combination of problems in the public service, including large numbers being employed in addition to ghost workers, low and compressed compensation, and weak service delivery, as well as patronage practices in civil service management.** In the 2000s, Cambodia's development partners initiated a systematic scheme for top-ups, called the Merit-Based Pay Initiative (with an initial focus on the Ministry of Economy and Finance). The idea was to provide greater standardization of top-up paid by development partners, combined with incentives for better performance by rewarding well-performing staff. A rollout to additional ministries (including the Ministry of Health) was under way when the program was abruptly cancelled by the prime minister in late 2009. The reasons for this decision are not entirely clear, but it seems to have been difficult to manage such an initiative in a patronage-based context, as well as with regard to decision making on which agencies and individuals would benefit (Nunberg and Taliercio 2012).

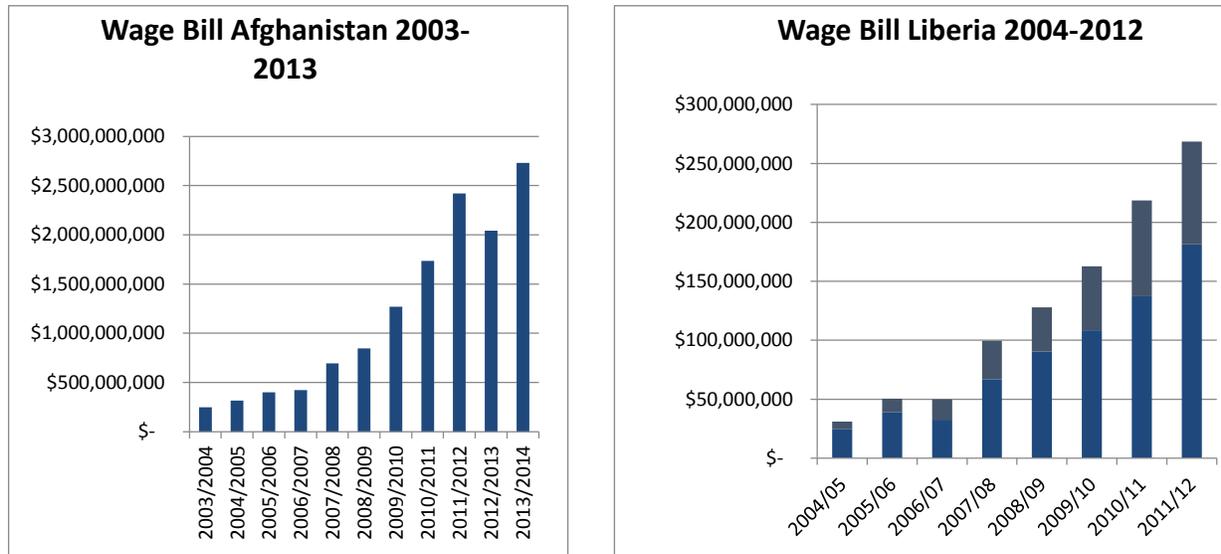
**In the Democratic Republic of Congo, a crucial challenge has been the establishment of a workable pension scheme.** Core salaries even for high-level civil servants have been extremely low, and pension rights were based on these. Civil servants therefore did not leave the public service even after reaching retirement age. Efforts to address the situation were made since the early 2000s, but were stalled in the mid-2000s due to political instability (diverting spending as well as distracting political attention). In

2013, the Bank Group prepared a new operation to support the establishment of a workable pension system. This is an area of challenge for South Sudan as well, on a slightly smaller but still significant scale.

**In Liberia, the Civil Service Agency issued a comprehensive strategy for civil service reform in 2008, after a two-year preparation process. The strategy sought to mainly rely on natural attrition and early retirement for evolving the employment structure.** Actual implementation of the employment component of the strategy has been slow over the period 2008–2013. The Civil Service Agency collected biometric data from a share of the civil servants and retirees by early 2013. There was a separate exercise of reducing employment in the military around 2006/07 (following elections in 2005).

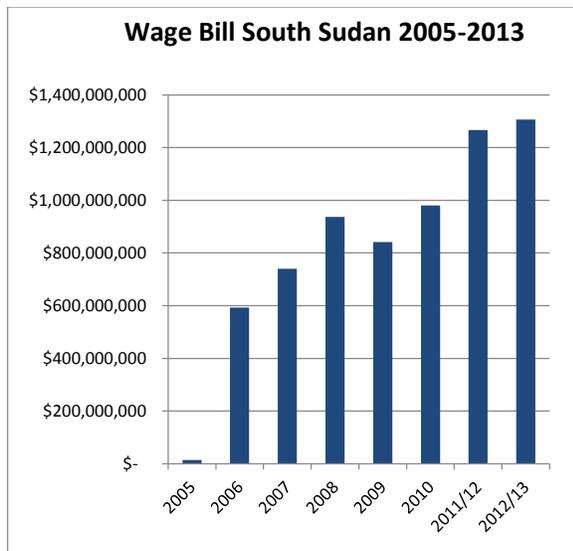
Ongoing analytic work on the development of public services across postconflict countries (Afghanistan, Liberia, Sierra Leone, South Sudan, and Timor-Leste) indicates that rising wage bills are widespread (Srivastava, Blum, and Ferreiro-Rodriguez, forthcoming). Compared to these other postconflict countries, the overall wage bill in South Sudan is higher in per capita terms; amounting to US\$62 per capita per year in Liberia, US\$91 in Afghanistan, and US\$120 in South Sudan, almost 100 percent higher than in Liberia.<sup>74</sup> As a share of GDP, the public wage bill amounted to 14.8 percent in Afghanistan, 16.4 percent in Liberia, and in South Sudan 6.5 percent for 2011 and about 13 percent for 2012.<sup>75</sup> Importantly, the civilian share of the wage bill has been larger in the other countries, enabling a greater expansion of service delivery, as reflected in Table 10 in section 4.1 for Liberia.

**Figure 14. Wage Bill Dynamics - Afghanistan, Liberia, and South Sudan Compared**



<sup>74</sup> Assumed population sizes for 2012 are 4.19 million in Liberia, 29.82 million in Afghanistan, and 10.84 million in South Sudan; Bank data.

<sup>75</sup> Using 2011 GDP figures. In South Sudan, measured GDP contracted by nearly 50 percent between 2011 and 2012 due to the shutdown in oil production.



Source: Srivastava, Blum, and Ferreiro-Rodriguez, forthcoming.

**Downsizing security forces differs in important ways from downsizing or rightsizing efforts of the civil service.** For the security sector, funds are offered for reintegration, and sometimes cash has been offered for turning in weapons. South Sudan and Sudan are generally seen as cases in which DDR as stipulated by the 2005 Comprehensive Peace Agreement have not been successful. As discussed in section 5.3, in South Sudan, only 13 percent of the expected number of adult soldiers had entered the process by early 2011 (Small Arms Survey 2011). Within those that received demobilization benefits, there may have been a substantial share who were not actually soldiers and would not be formally considered eligible. In some postconflict countries where DDR has been relatively more successful, armed fighters were often considered a social burden and/or a (civil) war had limited duration (for example, Nepal). In South Sudan, the armed forces have enjoyed high social prestige due to being seen as having won a war of independence, and the period of armed fight endured for several decades. While no survey has been undertaken since the outbreak of renewed conflict, as of spring 2013, over 80 percent of survey respondents had a very favorable or favorable view of the SPLA and over 70 percent of the police (USAID, ORB International, and IRI 2013, 30).<sup>76</sup>

**Overall, the exploration of other postconflict cases indicates that some of the problems observed with regard to the public sector in South Sudan are prevalent in other postconflict countries, while at least two conditions stand out as different.** The first is the fact that the security sector in South Sudan has remained large and, moreover, has grown during the postconflict period due to a practice of continuously integrating rebel groups into the official armed forces. In addition, a large number of organized forces were created. The second main condition that is different from the majority of other postconflict countries is the high annual income from oil combined with high levels of volatility (and matched with being poor with regard to public sector assets such as existing infrastructure). This immediate but uncertain fiscal space means that expenditure trade-offs have been less stringent over

<sup>76</sup> For the survey, a total of 2,533 responses were collected from all 10 states, employing a probability proportional to size sampling methodology.

the past decade—the government had the resources to pay off many stakeholders before hitting the boundaries of fiscal affordability.

## 7. Summary of Key Issues and Suggested Steps Going Forward

This note has sought to identify the key wage bill issues in South Sudan, as well as to trace the origins and development of public service and the reform and strengthening efforts made over the past decade. It has set out how public service evolved and how this has been shaped by key aspects of the overall state-building trajectory in the country. It also captures the links to and implications for service delivery, one of the key objectives of a strengthened public service. This section summarizes the main issues identified and then suggests a set of potential steps to take going forward. In line with recent thinking about ‘making reforms happen’, the rationale applied to these suggestions is that they should be feasible and robust both from a technical and from an incentive perspective. Moreover, given the current crisis in South Sudan, any proposals for further reform are subject to an increased level of uncertainty and contingency.

The overall key messages from the analysis are the following:

- (a) The wage bill in South Sudan is high; this is primarily the result of large employment in the security sector (armed and organized forces) relative to other countries, as well as relative to the size of the civilian public work force in South Sudan. Large public employment in security functions crowds out resources for civilian parts of the public service, where numbers employed remain well below what is required to meet MDG targets.
  - (i) Given the risk of downward volatility as manifested since late 2014 and the expected decline in revenues over the coming 5–10 years due to declining oil production,<sup>77</sup> it will be critically important to begin reducing the security sector wage bill to avoid fiscal erosion and further unsustainable increases in debt. Making such adjustments will be politically very challenging in the short to medium term, while not doing so is highly likely to trigger even greater fiscal crisis and in turn political and social turmoil.
  - (ii) The purchasing power of public sector wages has been left to erode since 2007 to make the wage bill fiscally manageable. A more deliberate approach that involves some reduction in numbers combined with maintaining steadier purchasing power of salaries would be preferable.<sup>78</sup>
  - (iii) The government may consider what forms of support it can offer to citizens (individually and as families) other than inclusion in the public payroll.

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<sup>77</sup> Production remained below full potential in 2012–2014 due to the oil shutdown and the conflict; but borrowing increased, which will be directly or indirectly repaid through future production. Fundamentally, fiscal revenue from the oil sector will shrink significantly in less than a decade unless new production is developed.

<sup>78</sup> For the time being, the problem is ‘suspended’ as a large volume of the security staff have joined the rebel forces and hence are no longer being paid by government. But based on past practices, many would be expected to be reintegrated as part of a renewed settlement.

- (iv) There are indications that non-state supply of service provision is significant and growing, while geographic coverage and overall accessibility in particular for poorer citizens currently remain uncertain. As a first step, the government should make efforts to better capture non-state-provided social services in its statistics, in particular on education, health, and water, and could draw on development partner support to develop the necessary monitoring capability. In a further step, GoSS can then consider how best to balance and govern/regulate overall service delivery and the approach for particular services.
- (b) Conditions for successful strengthening of the civil service have been difficult in South Sudan, including factors on the government side (commitment, control over meritocratic hiring) and on the side of development partners (fragmentation, approaches not sufficiently systematic). Structural conditions such as low human development, the mixed backgrounds of staff, and insecurity at the local levels have also been challenging.
  - (i) One particular challenge that South Sudan faces is the large number of ethnic groups. While the long war with Sudan has generated some collective identity as a nation, other identities (ethnic groups and subgroups) are competing. Moreover, there are certain social norms and practices that contribute to conflict, especially in those areas where pastoralism is the main economic basis. Ethnic diversity makes the composition of public sector employment sensitive from a group perspective, and may also affect the accessibility of services for minority groups in a given area. It is also important to note the gender imbalance in public employment.
- (c) Relative to these challenges, some notable—if incremental—progress was made between 2007 and late 2013 with regard to developing a pay and grading system, establishing legal and institutional foundations, reducing the number of ghosts and excess unskilled staff, and establishing an initial payroll system and controls. It is likely that there was also progress in improving language skills, and possibly overall qualifications, but in the absence of a repeat public service survey this is not comprehensively documented.

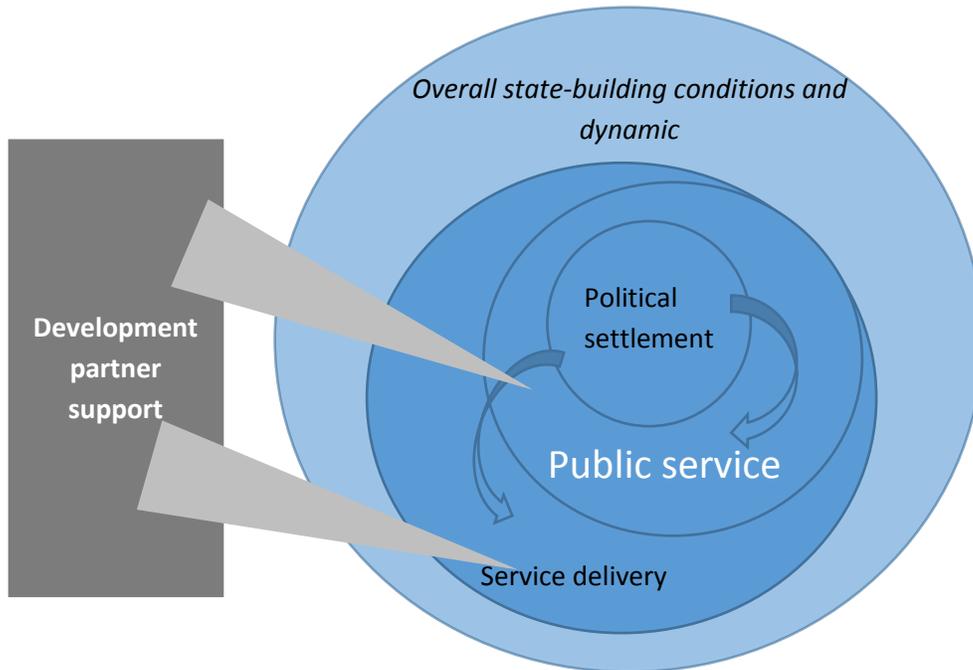
There has been no systematic documentation of overall progress on capacity building—an issue that is not unique to South Sudan. Anecdotal evidence is contradictory—emphasizing that much training has been too short term, that trainees had uneven prior qualifications, but also that some individual staff and departments may gradually be strengthening their ability to handle assigned tasks. In the health and education sectors, training facilities and opportunities have been created, but are still short of a more systematic approach, assured long-term funding, and so on.

- (d) The austerity period since early 2012, the protracted conflict from 2013 to August 2015, and the emerging fiscal crisis since late 2014 negatively affect the further implementation of reforms, and threaten to undermine earlier gains. The crisis also highlights that ethnic

divisions can be rapidly intensified, and will be an important issue to consider going forward when efforts at rebuilding and strengthening the public service resume.

Figure 15 provides a simplified version of Figure 17 in annex 2, reflecting the embedded nature of developing a public service in a state-building context. As the figure seeks to highlight, one of the challenging aspects of support by development partners in a conflict-affected context is often that support targeting the strengthening of the public sector and that targeting service delivery are separated and that it can be challenging to link these effectively.

**Figure 15. Public Service Development As Part of Overall State-building**



Source: authors.

Section 1 summarized some of the key findings from the 2011 WDR, as well as from related thinking about the evolution of public sectors in postconflict contexts. A key message to revisit is that some fragile states have remained unable to enter any consistent upward trajectory and hence risk being stuck in a low-level equilibrium or ‘capability trap’ for extended periods of time. This is a default scenario that domestic stakeholders as well as development partners in South Sudan (should) seek to avoid. As the note has traced in section 5, after hopeful beginnings around the CPA period (2004–2005), there is a real risk that South Sudan will be stuck on an extended trajectory of non-convergence toward greater state effectiveness, given the high variability in actual commitment to public sector reforms and the recurrence of conflict since late 2013. The current internal conflict in South Sudan highlights that a breakdown in the political settlement can rapidly reverse much of the progress made over a number of years across several domains. It also underlines the coordination challenges that development partners and other international partners face when seeking to support stability, state-building, and shared prosperity in a fragile setting that remains at risk of recurring conflict.

The problem is not only that recurring conflict can halt and potentially reverse previous progress, but also that to move out of conflict new compromises have to be made to achieve ‘negative peace’ (absence of violence), which have a high probability of running counter to good management of the public sector. That said, each time peace is regained, stakeholders also have an opportunity to agree to work against such a risk; possibly using the international community as a third party to mediate and help ensure impartial implementation of agreed arrangements. Furthermore, the recurrent conflict poses a dilemma for development partners. Conflict creates an impetus to shift from development support to humanitarian support, which tends to compound the volatility in institution building efforts.

It is also important to stress that the public service is only one component of the overall public sector ‘scaffolding’. Other important aspects are public financial management, the management of decentralization/intergovernmental relations, and various accountability mechanisms and institutions related to these—as is also reflected in the various chapters of the JAM. For South Sudan to enter a trajectory toward increasing state resilience, it will be essential to make progress in each of these areas (see also World Bank 2012c; as well as World Bank 2015a and World Bank 2015c addressing intergovernmental relations and PFM at subnational levels, respectively). Typically, public service management and quality is seen as an area that lags behind relative to progress on PFM reforms. With the conflict, progress has been suspended, a major humanitarian emergency is developing, finding pathways back to peace will be challenging, and securing peace and greater state resilience will be even more challenging.

In South Sudan, national stakeholders and development partners have been confronted with a complex set of incentives. In the absence of a government clearly leading on the pursuit of public sector improvements, development partners have tended to take more of a direct gap-filling approach for direct service delivery, and coordination of support efforts has been limited. Changing this dynamic to a more effective cooperation can potentially make a significant positive contribution going forward; however, a messy postconflict situation will make it difficult to achieve better cooperation.

The following is a set of eight recommendations, grouped into (a) three broader considerations and (b) five recommendations targeting specific efforts that can be made for further strengthening of the civilian public service. The first three recommendations address areas that are likely to be challenging politically, while most of the specific recommendations in principle do not run against specific interests—although still challenging to pursue coherently and consistently.

*(a) Broader considerations shaping the context*

**(i) Highlighting the need to balance the fiscal costs associated with a renewed political settlement with those needed for reconstruction and development**

*The agreements for a renewed political settlement will entail pressures to further enlarge the public sector, including the security as well as civilian components, as new subnational entities may be created and additional combatants may be integrated into the armed and the organized forces.* The resulting further expansion of the wage bill will further increase fiscal risks, in a context of revenues that are sharply lower since the drop in oil prices in late 2014, compounded by the expected decline in revenues resulting from declining oil production over the coming 5–10 years. The wage bill will crowd out development spending needed to diversify the economy for a future ‘beyond oil’ and to build a more resilient state even more. Moreover, the larger the wage bill, the greater the need for short-term borrowing when revenues fall short, since reducing or postponing salaries is very risky and decision makers have sought to avoid this. It also increases the downward pressure on wage levels; and it will mean that the reduction in employment is postponed to a period when fiscal crisis makes it unavoidable, which can have particularly devastating consequences on state and social resilience.

Calculating and highlighting fiscal costs may help to contain pressures to accommodate warring parties through additional employment. The first approach is consistent with securing ‘negative peace’ at any cost. However, such a strategy entails a high risk of being unsustainable, not only fiscally, but in the very aim of reaching a settlement that will be more resilient and bring more sustainable peace. It implies, however, that some difficult choices have to be made at the negotiation table and/or by a fragile transitional government on how to distribute existing or ideally a reduced number of positions.

Furthermore, a focus on employment opportunities beyond the civil service and the organized and armed forces will be crucial to reduce the pressure for employment within these services. Opportunities have been limited to date, in part due to skill mismatches. Other ongoing analytic work provides recommendations to the GRSS with regard to approaches for creating jobs and for ensuring skills development (World Bank 2014). Public work schemes around local infrastructure development may be one component of this effort. Inevitably, ‘job creation’ will remain challenging in South Sudan, but stakeholders need to recognize the linkages more explicitly. Possibly, there are opportunities for piloting schemes in agriculture, infrastructure development, and elsewhere. Some form of cash transfers may also be an option, while the equity and fiscal cost implications would have to be carefully considered.<sup>79</sup>

A key opportunity is that South Sudan could reap a peace dividend with regard to support from development partners once an effective peace deal is struck. South Sudan may be able to persuade development partners to reengage and to fund key priorities for resilience and development, such as skills training and infrastructure development. It will be crucial to allocate and use such funds well.

(ii) **Considerations about the representation of groups in public service**

*As part of the renewed political settlement and efforts at rebuilding the public sector, an important issue will be whether to use some form of quotas or criteria in the composition of the public service from among different communities.* This will be a sensitive and difficult element of any renewed effort at building public service. Within the Africa region, how such issues have been addressed has ranged from suppression of group identities combined with a strong emphasis on effectiveness (Rwanda) on the one hand, to the use of geographic quotas that approximate quotas for different groups (Nigeria). In Rwanda, ethnic quotas were in use before the 1994 genocide, and these are seen as having contributed to deepening divisions rather than providing a sense of fairness—albeit in a context of two main groups, which differs from the greater diversity of South Sudan. In contrast, Esman (1999) has argued that ethnically representative bureaucracies have been used, not trouble free but still rather successfully, in South Africa and India. Nigeria’s experience is briefly described in box 3.

**Box 3. Nigeria: Use of Geographic Considerations in Public Service Recruitment**

Affirmative action in federal public service composition is aimed at proportional representation of ethnolinguistic and religious groups in the different geographical regions of the country. This goal was enshrined as the principle of federal character in the country’s 1979 constitution. Although both the 1979 and 1999 constitutions emphasized

<sup>79</sup> Cash transfers could be provided only to demobilize SPLA members—but such targeting would be relatively unfair to other citizens. In contrast, if cash transfers are targeted to all families below a chosen poverty line, the fiscal cost will be very large.

the need for all constituent states to be represented in the federal public service, the preferences expressed still translate broadly to ethnic preferences. Each of Nigeria's 36 states is meant to contribute 2.75 percent of the federal public service, while 1 percent is supposed to be constituted from people belonging to the Federal Capital Territory. When the number of vacancies is too small to include representatives from all 36 states and the Federal Capital Territory, or when insufficient candidates from a particular state are unable to fulfill its quota of public service composition, states are clubbed into six zones. Positions are distributed evenly among North West, North Central, North East, South West, South-South, and South East.

*Source:* World Bank, 2005.

In South Sudan, geographic criteria for hiring public servants are included in the current legislation, but it is not clear how these are applied in practice. A more explicit system such as the one used in Nigeria will be cumbersome and technically less optimal than a straightforward meritocratic system, but it may be necessary to build a greater sense of fairness and legitimacy. *Crucially, such a system would need to be coupled with ensuring that appropriate qualifications are met by any candidate to be accepted, with allocating training opportunities to ensure that there are eligible candidates from across different communities and with an emphasis on ensuring that all public servants must perform and serve all citizens equally.* Given that South Sudan has far more groups than states, a system approximating the Nigerian model would need to be combined with specific opportunities for minority groups (that is, groups that are not dominant in any of the 10 states). The opposite option of setting ethnic identities aside and exclusively emphasizing performance appears less likely to be workable in South Sudan, and may simply result in perceptions that one or two groups are capturing more than a fair share de facto.

Furthermore, during the postconflict situation, the government should pay close attention to avoid creating the impression that any groups are being excluded from public service positions. It should be mindful of finding fair practices for those who have been absent from their service posts due to being internally displaced and other security factors.

For public servants at subnational levels (states and counties), inclusion should in principle be easier to achieve. However, conflicts between ethnic groups and subgroups are also rife at the local levels and certainly states, but also many counties including multiple groups. Again, some form of quota system could be considered, for example, based on *payams*. This may need to be combined with proactive inclusive capacity building to ensure that all localities have members who become qualified for public service positions. Such an explicit and well-advertised system may also reduce the pressure on those who hold the position of hiring managers at the state or county level to bring ever more people from their own extended families into public service positions.

In addition, public service overall includes far fewer women than men, even in service delivery areas such as health and education. The significant gender imbalance in literacy rates is likely to contribute to this imbalance in the civil service, alongside other factors. It would be desirable over time to address this

imbalance. Development partners as well as the government can contribute to this goal, for example, by including gender balance considerations in training efforts, hiring, and so on.<sup>80</sup>

(iii) **Approaching DDR and strengthening the security sector**

As emphasized in the introduction, this note does not offer a comprehensive treatment of public employment and options for change in the security sectors. This is something that should receive greater attention through further analytic work, including appropriate review of what has happened to date in South Sudan, and comparative experiences from other countries. With this caveat, there are a few implications emerging from the analysis contained here.

The GoSS will need to find a way to reduce the number of soldiers and staff in the organized forces and professionalize the armed and organized forces. Both disarmament and demobilization are likely to be politically as well as socially challenging. The best window of opportunity for this would have been in 2010–11, when oil revenues were at or near their peak, as this would have given the government greater fiscal space to provide funds for reintegration through training, seed funding for establishing small businesses or farms, and possibly public works schemes. The government may (need to) seek explicit support from its international partners to assist financially with this process, if oil prices remain at their levels reached in early 2015 or fall even lower.

An immediate step once political settlement is reached would be to review of the status of the armed and organized forces and hold a policy discussion about how to proceed, with the aim of generating an agreed policy. Further analytical work may be useful to support this process.

*(b) Issues related to reforming civilian public service and service delivery*

(iv) **Strengthening the civil service: Setting the policy direction and road map**

*To address the main distortions that have emerged in the public service, signaling from the top will be essential to indicate that greater performance is expected and will be followed up on.* High-level emphasis and attention to performance has been a key ingredient to a capable and effective civil service in neighboring countries such as Ethiopia and Rwanda, and also elsewhere. In principle, government leaders have an incentive to send such signals as a government that is seen to be delivering is more likely to survive as well as to win elections. However, in practice, government leaders typically face pressures from important patronage networks not to ‘touch’ their particular part of the public sector, as well as challenges related to the fact that greater policy coherence and effective implementation are hard to achieve in a system with underqualified staff and managers, still emerging procedures, highly volatile allocation of resources, and so on.

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<sup>80</sup> For example, Sierra Leone created a quota of 30 percent of all government employees to be women. See <http://www.statehouse.gov.sl/index.php/component/content/article/34-news-articles/561-sierra-leone-government-presidential-address-delivered-by-his-excellency-the-president-dr-ernest-bai-koroma-gcrsl-president-of-the-republic-and-commander-in-chief-of-the-republic-of-sierra-leone-armed-forces-on-the-occasion-of-the-end-of-the-fif>.

*Comparative research indicates that initiatives to reform public sectors often benefit from the presence of ‘reform entrepreneurs’—who typically combine ideas about what to do with a degree of authority to pursue implementation* (Kingdon 1995; Bunse and Fritz 2012). Making a push for performance to be more viable will require the creation of a ‘road map’ of what is to be done. To an extent, the progress made in 2011 with drafting a public sector reform strategy provides such a map. However, its validity and the ownership of this strategy will need to be reconfirmed as dynamics and stakeholders have evolved since 2011. Senior staff in the MoLPSHRD in principle are well placed to take on a ‘reform entrepreneur’ or technical championing role, while it will be essential to build alliances with stakeholders across the government.

*Linking improvements in the civil service and in achieving progress with service delivery:* Being able to show how service delivery improves is both the purpose of public sector reforms and can be an important incentive for motivating such reforms. The federal government could start publishing scores of how many teachers have been hired/additional students have been enrolled, health services are provided, and so on. The system for collecting relevant information could be developed as soon as possible. Making public pledges and showing progress against these can help incentivize the government—and the various parts of the public sector—to stay on track. The fact that service delivery has been scant and has partially disintegrated during the renewed conflict, in principle, implies that there is potential to achieve and showcase significant improvements within a limited time horizon. Development partners can support such a push for results.

Regarding subnational levels, it is conceivable that county commissioners perceive some pressure to perform from below; however, to date, accountability for county commissioners and for state governors is mainly upward, and loyalty looms larger than performance.

**(v) Including non-state provision of services in policy considerations**

Given the enormity of development tasks in South Sudan, the government on its own will not be able to provide all public services everywhere and for all. As in other African countries, there are indications that citizens, including the poor, value education sufficiently to pay for it out of pocket. Yet adopting a ‘laissez-faire’ approach to all public services may fail many citizens, in particular with regard to being able to manage risks such as accidents and ill health, and will not generate the potential positive spillovers from an organized provision.

Strengthening data collection about services will help the GRSS to identify gaps and options. Areas of opportunity for growing private service provision could be supported and will also be important with regard to job creation. As part of such an exercise, the government seeks to take stock of where and what services are being provided with financing from development partners or private donations (through FBOs and NGOs). Technically and financially, such stocktaking can be supported by development partners (initial geographic mapping of development assistance is already under way; but this does not include privately provided services and may not include all NGO- and FBO-provided services).

As part of these efforts, a complementary area that requires attention is the government's capabilities and practices for contracting. Given a recently established government, still insufficient records management, limited legal expertise, and fiscal volatility, government contracting with suppliers to date has been quite chaotic. This has led to risks both for the good use of public funds (due to possible spurious claims from suppliers) and for private sector companies (facing a risk of late or nonpayment for goods and services delivered). Strengthening the management of contracts will be important for the government's ability to work productively with the private sector, both in the more 'classical' form of contracting for goods and services as well as for any considerations with regard to comprehensively 'contracting out' service provision. As discussed in section 1.1, this is consistent with the experiences and risks also observed in other postconflict countries (OECD 2011).

For the next 1–2 years, it may therefore be most valuable to capture more systematically what service provision is taking place entirely based on private-to-private contracting and based on funding from third parties. Over time, this information can be included in developing policy frameworks for service delivery areas, including equity considerations. Doing so with countrywide coverage and covering all main service delivery sectors will be challenging but doable, in particular if the government can obtain technical and financial support from development partners. Once the fiscal and arrears situation is under control, and further progress has been made in establishing a competent public service, options for developing stronger public-private links on the one hand and for the government playing a more significant regulatory role can be considered.

(vi) **Restarting incremental progress with strengthening HRM systems**

Several system-building efforts are crucial to pursue further and implement. These include capturing information about public sector staff in a database (age, educational qualification, actual location, and functions); establishing a pension system; continuing and further strengthening the electronic payroll system; and strengthening the mechanisms for hiring staff. This is the area in which incremental progress could be observed before the 2013–15 crisis. Main forms of external support to these areas have come to an end in early 2014 with the closing of the CBTF. The Bank is currently committing to take on some of these areas through the *Institutional Development and Capacity Building Project*.

Establishing a **pension system** is crucial to enabling staff past the retirement age to leave the civil service. Ideally, this should be combined with giving interested and qualified retiring civil servants a role in mentoring those who constitute the next generation. Among the system-building measures, this involves the greatest fiscal cost. Though the need for a pension system is generally not contested, development partners can offer support for the technical design and assist the GoSS with understanding the experience, mistakes, and successes of other countries in introducing pension systems.

Establishing an **HRMIS** that captures information about existing staff is slightly more controversial, since there has been a concern among managing agencies that this could be used as the starting point for efforts to reduce staff or to select staff that are deemed as unqualified. Possibly, an approach could be to insist on the capturing of basic information, while signaling that (a) there is no intention to reduce overall staffing numbers given the need for the public service to deliver more services and (b) removal of

staff will primarily focus on ghosts and ‘near-ghosts’, such as staff rarely appearing for work (while avoiding the exclusion of those who left their posts out of legitimate security concerns during the 2013–14 crisis as noted under point (ii)). The central government can use incentives such as limiting additional funding to those agencies that are noncompliant with data collection for the HRMIS (requiring close collaboration between the MoLPSHRD, MOFEP, and counterpart ministries at state levels), as has been done during earlier payroll cleaning exercises. Furthermore, rolling out an HRMIS system to the states and counties could facilitate HR actions and reduce the need for travel to state or national capitals—combined with the appropriate checks and balances against local collusion.

**Further implementing the SSEPS.** The payroll system has a clear benefit with regard to ensuring that public service staff are reliably paid and at the same time limiting the expansion of the payroll without requisite approvals (finance and public service at respective levels). Central ministries can work sector by sector and state by state to ensure that the system is up to date and complied with, and that there is less/no renewed emergence of ghosts. It will be important to take stock of where the development of SSEPS II stands and how it should be taken forward, including the interface with the HRMIS.

Introducing ID cards for government officials may be a useful complementary measure for reducing the risk of ghost workers and ensuring that key information is registered.

**The procedures for hiring need to be further developed.** As noted in section 5.5, the CSC is not involved in hiring in South Sudan. A Recruitment Board has been created under the MoLPSHRD but remains institutionally weak. To ensure that public servants can perform assigned tasks, as well as to avoid renewed hiring of ghosts, agreed qualification standards have to be enforced. It has proven very challenging to successfully strengthen hiring practices in other countries, given the tendency for patronage practices to override formal gatekeeping efforts. The suggested system is therefore one that balances group considerations—but not patronage as such—and requirements for minimum standards to be met by any candidate (such as full literacy, numeracy, job-relevant knowledge of English and IT for any professional grades) as opposed to hiring exclusively on meritocratic grounds. National stakeholders will need to decide jointly on what model they prefer and agree to implement. This should be combined with an agreement to **limit the number of staff in nonprofessional grades** and/or clear limits on the share of the payroll for each agency that can be allocated to such grades.

(vii) **Facilitating HRM and managing pay for frontline service delivery**

Ensuring that there is a growing number of staff providing frontline service delivery will require a substantial effort in South Sudan. Efforts in this regard have been initiated, including the adoption of a Local Service Support Joint Plan of Action in mid-2013, a gradual shift in fiscal allocations toward subnational levels, and policy discussions over increasing compensation levels for frontline health and education sector staff (possibly to be followed by other sectors). Such efforts complement the overall issue of shifting at least some fiscal resources from security to service delivery expenditures (recommendation (i)).

For frontline staff, ease of HR actions—such as recruitment, receiving pay, registering promotions, and so on—is an important aspect: time spent traveling to state capitals for such actions is time not spent on

service delivery. Devolving functions to the county level can have important benefits in this regard and with an appropriate design, they can help ensure that funding reaches specific frontline functions as intended. Furthermore, there is a need to adequately compensate staff, while exercising caution in maintaining a coherent system and avoiding overpay. Experiences from other countries suggest that increases for one category of staff frequently result in pressures to also increase compensation of other categories of staff, posing fiscal as well as political risks. Developing compensation policies and grounding them in fiscal and labor market assessments will be important.

Bringing more funding and functions to local (that is, county and *payam*) levels needs to be accompanied by appropriate accountability measures—including transparency and accountability measures appropriate for the context (including a high level of adult illiteracy) that enable citizens to identify and signal concerns and managerial accountability relationships with higher levels—such as requirements for regular reporting of payroll, and a reach of key horizontal accountability institutions, such as the audit chamber down to state and local levels. Intergovernmental relations in South Sudan are explored further in a second policy note (World Bank 2015a). The emergence of ghost workers on a large scale during the initial development of the public service provides an important reminder of the need for clear accountability standards and oversight capabilities. Local-level pressures to bring extended family members on the public payroll may be substantial.

(viii) **Capacity building: Strengthening the supply, monitoring, and incentives**

Capacity-building efforts have the potential to become more systematic and also be better monitored. As has been traced in section 5 of this note, substantial effort has been channeled toward capacity building, but it remains very unclear what has been achieved relative to the resources that were allocated.

- *Strengthening the supply:* Reducing ad hoc training and increasing sufficiently in-depth training opportunities will be crucial. Courses lasting for two weeks often have little effect, in particular if participants are not well selected and tested at the outset. Creating and strengthening in-country training facilities can help make training more staff for longer periods of time relatively more affordable—for example, offering more 1–3 months courses and beyond. More systematic training supply could be complemented with **establishing curricula that facilitate case-based learning for a large number of civil servants across levels of government and establishing mentoring teams for various job cadres that can provide advice and support, for example, from retiring to more recently recruited staff, through IGAD-funded staff, and so on.**
- For service delivery sectors, it will be important to further strengthen training opportunities and institutions, for example, for teachers and nurses. Based on appropriate identification of priorities and approaches, the government may want to consider explicitly seeking funding from development partners for such institutions, as there is potential for a multiplier effect on service delivery; while it

may want to always provide sufficient co-funding to mitigate the risk of aid volatility.

- Ultimately, training ‘pathways’ should come to resemble more of those stable countries (that is, successive general primary and secondary schooling followed by substantial post-secondary training). While this is a long-term strategy, it is an important one so as to avoid facing the same or similar capacity gaps in a decade that are being faced today.
- *Strengthening monitoring of the impacts of capacity building:* a strengthened supply will also facilitate better tracking of and monitoring of how these systems expand and how many individuals and in what areas have benefitted. It will remain more challenging to track and monitor how added capacity is being used within the public sector, but this should be pursued in parallel if it is possible to establish at least insipient performance management.
- *Addressing the issue of unqualified staff in positions:* It is not likely to be feasible to make unqualified staff redundant at a larger scale, even though earlier reform efforts have targeted this. Therefore, the following are a set of combined second-best approaches: the government at the federal, state, and county levels should consider offering training to any existing staff at professional levels who currently does not meet the basic standards in the four basic categories (literacy, numeracy, English, and IT skills). This will allow sufficient time, in principle, to catch up on key qualifications, even for staff who may have had limited opportunities for training earlier. In principle, such agreements should apply both to civil service staff and to staff employed by the four organized forces (police, prison, fire, wildlife).
- *The government could consider providing incentives for qualifying staff currently employed in the organized forces to move toward the civil side of employment.* As set out in section 4, there is an imbalance in the employment between the two. Stability considerations render it difficult to dismiss staff, but it may be possible to shift at least some staff to functions with greater social benefits. Such an approach should complement rather than replace overall considerations about restructuring and if possible reducing the organized forces.

(ix) **Strengthening the coordination and effectiveness of development partner support**

*Establishing regular high-level and continuous coordination of public sector strengthening efforts:* The GRSS and development partners to an extent have exchanged mutual blame for shortcomings in public sector development. A more effective approach going forward will require a more systematic effort at coordination, including periodic high-level dialogue, supported by a relevant structure of working groups and information sharing.

The key actions that can be taken by development partners include the following:

- Strengthening information sharing and collaboration around support to capacity building and to public service reform: in particular as the CBTF as a hub for sharing information comes to an end, creating a mechanism for this will be important—while avoiding overly complex coordination structures. As part of this, a *public administration sector working group* should be considered. This can help development partners and the GRSS discuss on a regular basis where reform efforts stand and what support is needed. Such a sector working group will also be crucial for restarting the dialogue on public sector reforms once a renewed political settlement emerges.
  - Better information sharing could include some sector-by-sector and state-by-state mapping of what trainings have been organized as well as a depository of curricula used.
- Development partners can support efforts at highlighting fiscal trade-offs, costs, and choices, and thus help the government take more informed choices. However, doing so effectively requires a degree of trust to share planned policies in sufficient detail so that key costs can be anticipated.
- Supporting monitoring and evaluation and highlighting progress that is being made. The GRSS has expressed a strong interest in developing the capabilities for monitoring and evaluation, and development partners can play an important role in supporting the development of such capabilities.
- Helping the GRSS to connect to international experience. Many officials in the GRSS have had some exposure to other systems, as discussed in section 5.1; and many have some knowledge of the constraints, weaknesses, and public sector reform efforts in other countries in the region. However, a more systematic assessment of experiences across countries, as well as direct access—for example, to ‘reform entrepreneurs’ who have managed to pursue reform steps elsewhere—are likely to be valuable, and are contributions that development partners can make.

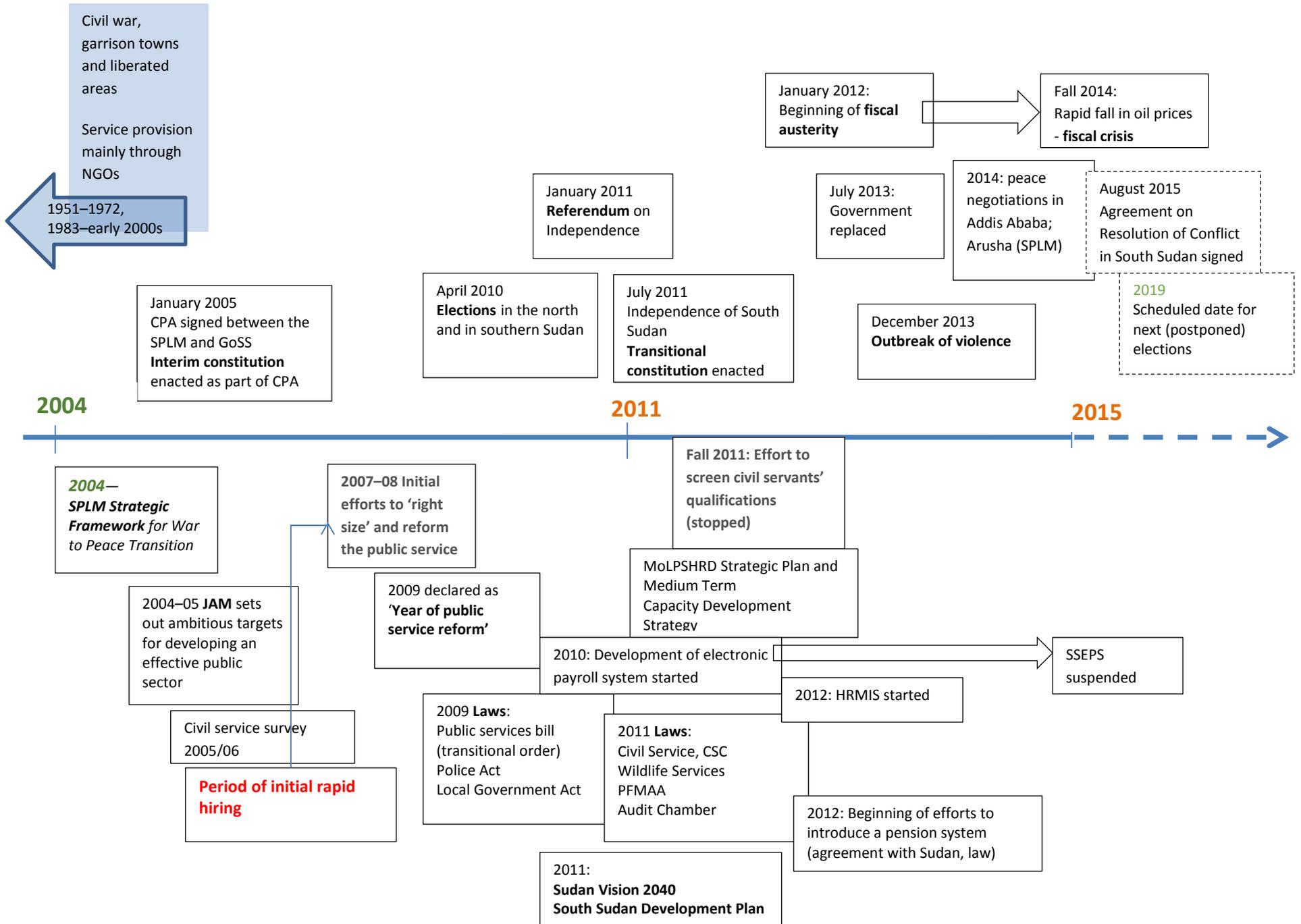
For the Bank, the *Institutional Development and Capacity Building Project* that is under preparation offers opportunities to engage on several of these issues, in particular restarting efforts on HRM systems development and strengthening the supply for capacity building and monitoring efforts, as well as on a stronger emphasis on performance. Hence, there is a close and direct relationship of this analytic work with our operational engagement. The team will also seek to engage through policy dialogue and outreach on the overall agenda. The first step in this regard is expected to be a discussion of the findings contained in this note, involving a range of stakeholders from the government, South Sudanese think tanks, as well as pertinent other development partners.

Several other projects provide relevant support as well. The Bank is providing support for statistical capacity building; private sector development; local governance and service delivery; rapid results in the health sector; rural roads; and safety nets and skills development. It is also preparing analytic work on service delivery indicators, a High Frequency Survey, and an assessment of the water sector and provides smaller-scale support for developing the capacity of the DDR Commission. All of these provide

opportunities for the government to use the resources and expertise being provided to further develop and strengthen the service provision and the capacities of the public sector across sectors and levels of government.

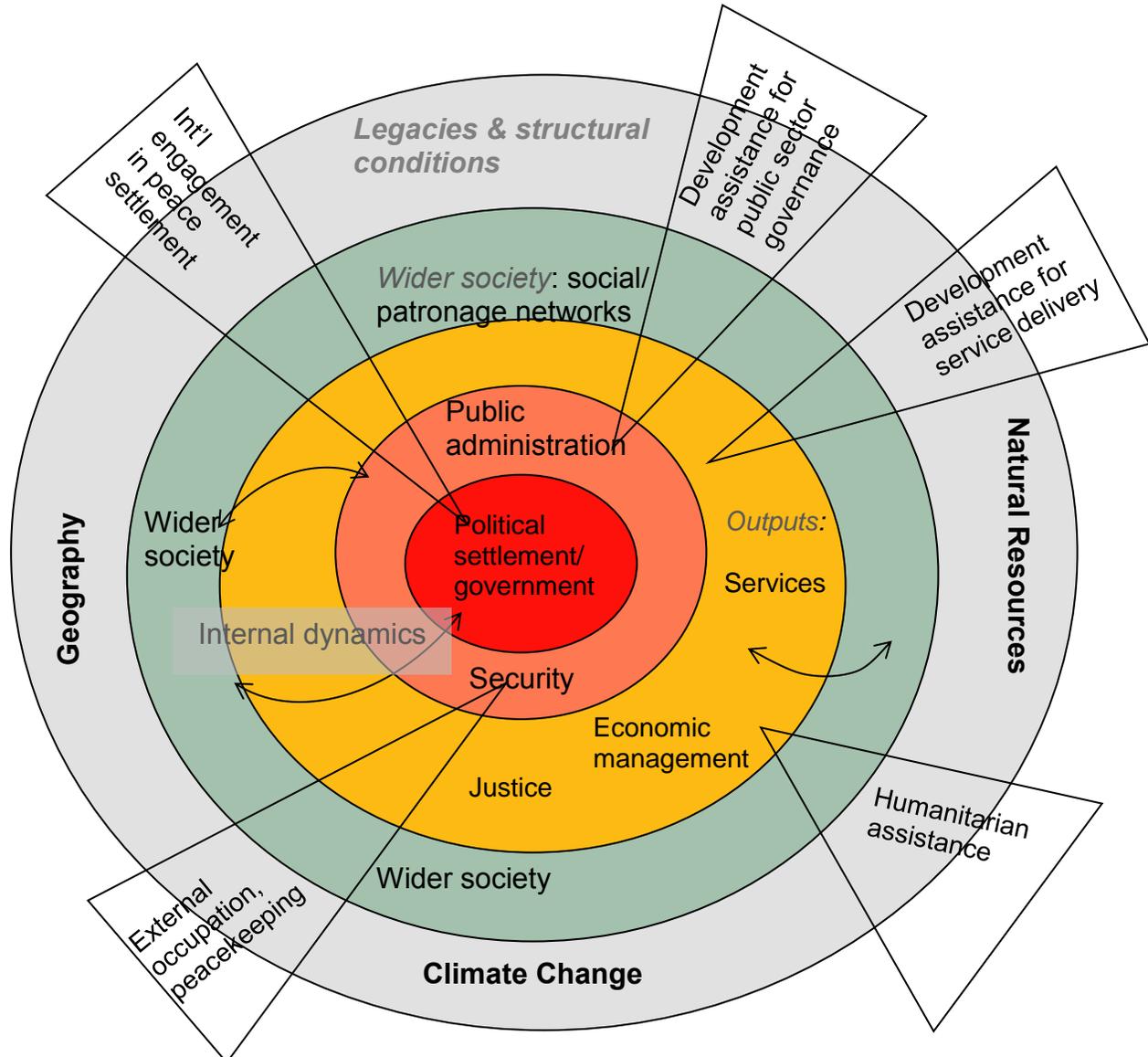
**Annex 1: Overview of Public Sector Evolution in South Sudan, 2004–2015**

Figure 16. Overview of Public Sector Evolution



## Annex 2: Domains of the State and External Interventions

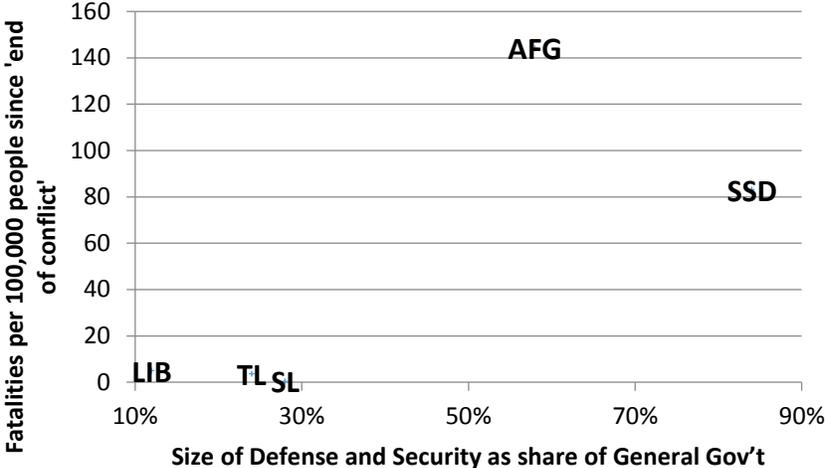
Figure 17. Domains of the State and Interventions by the International Community



Source: Fritz and Rocha Menocal (2007).

Annex 3: Postconflict Trajectories

Figure 18. 'Postconflict' Fatalities versus Size of Defense and Security



Source: Srivastava, Blum, and Ferreiro-Rodriguez (forthcoming).

## **Annex 4: Summary of Recommendations from the 2004–05 Joint Assessment Mission for Institutional Development/Public Service and Governance**

**Note: this is the original text from 2004 to illustrate the level of ambition and expected time scales**

### **Developing institutional infrastructure for better governance**

**Building efficient and decentralized governance structures to meet the needs of the people is a precondition to successful implementation of the GOSS strategic objectives to accelerate growth and expand service delivery.** Key institutional priorities range from creation of a civil service and establishment of functioning and accountable local governments, to establishing effective systems for monitoring and evaluating GOSS progress in meeting its development objectives.

**To be able to manage, deliver, and account for the range of critical programs needed to accelerate development in southern Sudan, the entire public service, including personnel and systems, has to be built virtually from scratch.** Systems, structures, and capacities need to be built at the center (GOSS) as well as in the state and local governments, central agency-type functions (for example, public service commissions), and line departments. The public institution-building challenges include establishing a salary structure that attracts qualified staff while keeping the wage bill sustainable; basic human resource systems for recruitment, promotion, performance management, classification, and grading that promote professionalism and attract quality staff; and training.

**By 2011, the full range of policies, systems, and institutional structures should be in place, in line with the decentralization framework.** This will form the basis for a motivated, responsive, representative, ethical, and professional public service, effective in advising the government on policy and program management and ensuring the delivery of services to the general population. Counties will conduct participatory and transparent planning processes in which local priorities are respected and vigilance against corruption is maintained.

**Early anticorruption measures will be needed in the immediate term, before capacity- and institution-building efforts have begun to bear fruit—**this includes the establishment of the envisioned Project Implementation Agency early in phase I, which will hand over its management functions to line ministries by the end of phase II. In the medium to long term, a preemptive approach to combating corruption requires the existence of a professional, upright, and committed civil service with a minimum of discretionary authority; transparency in the functioning of government; good financial controls through improved public financial management, procurement, and audit; economic deregulation, except where absolutely necessary so as to minimize the opportunities for rent seeking; and public oversight through media, civil society, and parliamentary committees. During phase I, Public Grievance and Restitution Boards and an Anti-Corruption Commission will be put in place.

**There is a range of activities needed to create and strengthen public institutions, from construction to training and technical support.** These include an assessment of current capacity; design of the pay and

staffing structure, and size and composition of the public service; establishment of a payroll system linked to the financial management system; development of a policy and regulatory framework for recruitment and personnel management functions; establishment of the institutions identified in the protocols relevant to the operation of the GOSS; and training and capacity building of the GOSS, state, and local government staff as they are recruited.

**The public financial management and procurement systems likewise urgently need to be built from the ground up.** The Secretariat of Finance and Economic Planning has a rudimentary budgetary system, which covers only a small proportion of public finances. There is no procurement system per se—that is, official regulations, procedures and institutional framework, and capacity—currently supporting the SPLM-led administration. The SPLM recognizes the importance of procurement and has already initiated specific actions; for example, a mutually recognized financial firm has been recruited to implement the CBTF, which includes a component to build procurement and financial management capacity. Major compounding constraints for procurement and financial management include the severe lack of communications networks (including no postal system), of physical infrastructure, and of local suppliers in the private sector, with only a nascent supporting regulatory environment (for example, for the banking sector).

**The JAM costing includes a substantial local transfer to counties and *payams*, and at this crucial early stage emphasizes sound revenue management and prevention of corruption through measures that ensure accountability and transparency.** Revenue transferred to subnational levels of administration should be spent according to local needs. In advance of setting up mechanisms for intergovernmental transfers and making the transfers, though, key decisions must be made about the size and number of counties and the role of the *payams*.

**The distinct capacity-building needs for economic policymaking include increased analytical and management capacity in the Secretariat of Finance and Economic Planning and the creation of aid management arrangements.** There also needs to be a unit responsible for working on the Poverty Eradication Strategy, jointly with the national government, other institutions of the GOSS, civil society, and development partners.

**Improving the rule of law will be a critical part of consolidating peace, particularly in those parts of the south where there has been a weakening of traditional peacemaking systems and support to the emerging electoral processes.** The overall objective is to empower national stakeholders to actively engage in eliminating violations of international standards, restoring confidence in informal and formal law enforcement, judiciary, and civil administration institutions, and gradually building a culture of justice and peace. Protecting human rights will be the centerpiece of bolstering the rule of law. Traditional conflict resolution mechanisms and customary law should be linked to the judicial system, with delineation of the jurisdictions of customary versus formal court systems and a clear follow-up by the local authorities on the work carried out in grassroots peace initiatives. With respect to the electoral system, key priorities include establishment of laws on civil and political freedoms, compliance monitoring, and creating a political and security environment that is conducive to free and fair elections.

**Strategic objectives for the near term include boosting the capacity of a competent and representative judiciary and law enforcement sector to address these challenges and expanding confidence and reconciliation in the south.** As the SPLM completes its transition from a military organization to a functioning government, it will face such challenges as retraining the police force—which consists mostly of those with a military background—to serve in law enforcement capacities and finding qualified persons to perform judicial and legal functions, which are currently being managed by a handful of staff. Human rights activities will include legislative reform, human rights education (especially for armed forces, police and wildlife forces), and capacity building of governmental and nongovernmental institutions.

**Creating the enabling policies and infrastructure for an independent media with a broad reach is an integral part of educating the population about the CPA and in building a culture of accountability and transparency in the government in the long term.** Access to media will help bolster governance and consensus building in the south, which has been largely without media outlets and has relied on word-of-mouth for the transit of information. There is significant unmet demand for radio broadcasts with relevant programming in local languages (all of which have been recognized as national languages), while newspaper circulation and television ownership are quite low. Priorities include building a legal and regulatory framework that ensures radio and TV transmissions are independent. It is also important to facilitate the emergence of diverse media that meet the needs of the population with regard to access to information, peace building, language, development, education, culture, and livelihood support. The costs of physical investments in independent public media outlets, as well as capacity building in skills, have been estimated.

**Since women’s disempowerment is a major issue, attention to gender equity is needed not only as part of larger programs (that is, in health, education, and infrastructure, as noted above), but also for programming in its own right.** Based on technical work and consultations under the JAM, the emerging priorities include putting a policy in place to guide gender mainstreaming, implementing targeted activities in leadership and management, and creating a database to monitor progress. Protection against gender-based and domestic violence will also be a key component of the demilitarization of society. A legal system must be developed that can deal effectively with the current system of customary laws and values, some of which can undermine human rights. Support to facilitate dialogue with traditional elders on various negative traditional practices, values, and norms is proposed, and there should be laws to punish perpetrators of rape and sexual harassment.

**Greater female participation in public life will enable women to influence the future of Sudan, and improve their own position.** Institutional arrangements are needed to ensure female participation in the implementation of the CPA and postconflict reconstruction and in the civil service, and to ensure a gender balance in the composition of all institutions of the GOSS. Monitoring and development of gender equity issues need to be strengthened. Promoting girls’ education and women’s literacy will be critical to progress on this front.

**Finally, but not least, substantial investments in information are required to support decision making and enable program and policy monitoring.** In light of the growing and urgent needs for basic data, the

SPLM has already taken steps to establish an independent statistical network by founding the New Sudan Centre for Statistics and Evaluation (NSCSE) in 2003 as an autonomous bureau responsible for collecting, coordinating, and disseminating all statistics related to southern Sudan. However, the number of professional staff is limited and data and information management are weak. Funding and technical expertise for conducting socioeconomic and demographic surveys are limited. One of the most urgent tasks is therefore the upgrading of skills and the creation of improved capacity in the NSCSE, including working with the Central Bureau of Statistics (CBS) to successfully implement the next population census in advance of the general election. Data collection and analysis have a focus on poverty and disadvantaged groups, and information will be disaggregated by region, age, and gender.

**A package of programs has been designed to meet the information needs for development planning and monitoring in southern Sudan, including data collection and storage, data analysis linked to user and policy needs, dissemination, and capacity building.** A key related dimension is building analytical capacity and ensuring strong linkages to users. This will be coordinated with, and complement, programs developed at the sectoral level (for example, the Education Management Information System), that have been costed separately. As the CBS and the NSCSE have been mandated by the CPA to conduct the population census, the costs associated with the census in South Sudan will be the responsibility of the NSCSE in collaboration with the CBS through the agreed arrangements.

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