



Flooding across the border

A review of UNHCR's
response to the Sudanese
refugee emergency in
South Sudan

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Table of contents

Executive summary	1
Introduction to the review.....	3
The operational context	5
Emergency preparedness and response	7
Supply chain and logistics.....	17
Coordination and external relations	19
Solutions	25
Recommendations	27
Annex I.....	29
Annex II.....	31
Annex III	32

Executive summary

A real-time review of UNHCR's response to the Sudanese refugee emergency in South Sudan was conducted from 4-14 December 2012. The mission noted a challenging context where planning efforts and emergency responses were adversely affected by geographical and climatological conditions. Moreover, a number of institutional, bureaucratic and operational impediments further reduced the pace at which UNHCR was able to respond to the unfolding crisis, resulting in an initially insufficient scale-up to respond to the emergency.

The mission found that one of the main challenges faced by UNHCR in its response to the emerging crisis was the timely dispatch of sufficient numbers of qualified and experienced technical staff. Key interviewees suggested that UNHCR had been keen to show it could assume its responsibilities in the face of the emergency, in spite of the fact that it only had limited available institutional and financial support. A compounding factor adversely affecting the early emergency response by UNHCR were the countless competing crises taking place in the newly established Republic of South Sudan.

According to many NGOs on the ground, UNHCR's coordination performance dramatically improved over time and took on a more inclusive and transparent approach. Eventually, all acknowledged that UNHCR had played a lead role in the assistance and protection of refugees.

Whilst delays were recorded in identifying alternative non-flood prone sites in Upper Nile and Unity States, and also in view of the very limited options available, it must be acknowledged that the Representation of South Sudan consistently followed UNHCR's official guidelines on the distance of refugee camps in relation to international borders. Various constraints meant that the identification of alternative sites were delayed but ultimately the objective of identifying non-flood prone sites – in line with UNHCR guidelines – was achieved, in spite of challenging conditions and criticism by NGO partners on the ground over delays.

The continuing political and military crisis in Sudan is likely to lead to a long-term refugee presence in South Sudan. This development underscores the importance of adopting a two-pronged strategy containing the following elements:

- 1) Ensure the continued preparedness for a renewed influx, including finding appropriate sites, prepositioning relief items, improving logistics and having sufficient technical capacity in place.
- 2) Facilitate the consolidation phase aimed at improving conditions of the existing refugee population and of host communities, including livelihoods, self-reliance, reforestation and community-based quick-impact projects.

Introduction to the review

1. The High Commissioner requested PDES to undertake a review of UNHCR's response to the Sudanese refugee emergency in South Sudan. The objectives of the real-time review were: (a) to assess the extent to which UNHCR had been able to provide a timely and effective response to the refugee crisis unfolding in South Sudan; (b) to make recommendations for immediate adjustments and improvements to the operation; and (c) to draw lessons from UNHCR's response to the South Sudan emergency that could be used to reinforce the organization's global emergency response capacity.¹
2. The emergency began in the second half of 2011, when the newly independent State of South Sudan started to receive two parallel influxes of refugees from neighbouring Sudan: one from South Kordofan to Unity State and one from Blue Nile State to Upper Nile State.
3. By September 2012, as many as 107,000 refugees were registered in Upper Nile State and some 64,500 in Unity State, with a smaller fraction (approximately 5,000) settling in urban settings of Juba, making a total of about 176,500 refugees from Sudan in South Sudan as a whole. Fleeing violence in Sudan, these refugees entered some of the most remote regions of South Sudan – regions where infrastructure is limited, public services very scarce and physical access particularly difficult, especially during the rainy season. High rates of malnutrition, morbidity and mortality were recorded among the refugees, notably in the summer of 2012. It is important to note that the poor health of arriving refugees was the result of prevailing conditions in South Kordofan and Blue Nile States.
4. In May 2012, UNHCR declared South Sudan to be a level 2 emergency. As the operation required additional support, resources from Headquarters were made available, in line with the emergency activation procedures and guidelines issued by the High Commissioner in April 2012.² As a result, the South Sudan operation has been further scaled up.

Methodology

5. In accordance with PDES policies and practices, a multi-disciplinary team led by two PDES staff travelled to South Sudan from 4-14 December 2012. The team also included a research officer from the Division of Emergency Security and Supply (DESS) and an independent consultant. Halfway through the mission, the team split into two, with one team travelling to Unity State and the other to Upper Nile State.
6. Prior to this mission, interviews were conducted with senior colleagues, including the High Commissioner and technical experts at HQ. The team undertook an extensive document and literature review and interviewed a total of 86 officials; this included 15 UNHCR staff at HQ, 34 field-based UNHCR staff, 9 field-based UN staff, 18 field-based NGOs, 5 donors, 4 South Sudan government officials and 2 ICRC delegates.
7. The team's work was greatly facilitated by the staff of the UNHCR Representation in South Sudan, to which it owes considerable gratitude, particularly in the light of the large

¹ The Terms of Reference of this review are attached in Annex I.

² "Guidance Notes on Strengthening UNHCR's Emergency Policy and Procedures", issued on 26 April 2012.

number of missions arriving in South Sudan (which constitute a significant additional burden on the already very busy offices).

Limitations

8. As the emergency response is now consolidating, some respondents argued that the review exercise was not properly timed as the team had arrived after the peak of the emergency and that the evaluation would have had greater value if it had taken place during the acute phase of the emergency, which coincided with the rainy season.

9. The teams carried out most interviews with refugees in the camps but were unable to conduct focus group discussions. In addition, the team did not include interviews with Nairobi-based UNHCR staff.

The operational context

10. South Sudan is one of the poorest countries in the world and was affected by more than 30 years of civil war before gaining independence from Sudan on 9 July 2011.

11. Despite the peaceful secession under the 2005 Comprehensive Peace Agreement (CPA), conflict broke out in Sudan's South Kordofan State (particularly around the Nuba Mountains) and Blue Nile State – both bordering South Sudan – in June and September 2011, respectively. Fighting between the Sudanese Armed Forces (SAF) and the Sudan People's Liberation Movement-North (SPLM-N) provoked widespread displacement of civilians, the majority of whom fled to the Upper Nile State, and particularly Maban County and Unity State in South Sudan. According to a Human Rights Watch Report, "... Sudan's tactics in Southern Kordofan and Blue Nile include aerial bombing using cheap, unguided bombs and ground attacks on communities presumed to support the SPLA".³

12. The conflict was exacerbated by lingering border disputes between the two countries and by oil. The New York Times/International Herald Tribune noted, "One of the least developed countries in the world, South Sudan nonetheless contains most of the oil that has fuelled Sudan's growth over the past decade... The conundrum of the two Sudan's is that both countries are extremely dependent on oil, but while the export pipelines run through the north, the bulk of the crude oil lies in the landlocked south".⁴

13. The operational environment in South Sudan presents a challenging context for responding to the protection and assistance needs of some 200,000 refugees. The obstacles include a scarcity of roads and other infrastructure; fragile institutions and an almost complete absence of government services; violent cattle rustling exacerbating tribal conflicts; and six months of intense precipitation during the rainy season, leading to extensive flooding and greatly impeded access to the refugee settlements in remote areas. The tensions between Sudan and South Sudan in border areas and ensuing conflict also created operational challenges, as did the paucity of international and national aid agencies present in the remote regions affected by refugee arrivals.

14. UNHCR's presence in South Sudan was boosted several months prior to independence to protect and assist some 30,000 refugees, as well as to address the return of South Sudanese from Sudan and the prevailing IDP situation. The challenges posed by the complex operational environment were one of the major factors influencing the quality and the timeliness at the beginning of the response.

³ Human Rights Watch: "Under Siege: indiscriminate bombing and abuses in Sudan's South Kordofan and Blue Nile States", December 2012, p. 19,

⁴ New York Times / International Herald Tribune, 20/12/2012

<http://topics.nytimes.com/top/news/international/countriesandterritories/south-sudan/index.html>

Emergency preparedness and response

15. The scale of the refugee influx – beginning in September 2011 and escalating in January and April of 2012 – took many actors by surprise. An inter-agency contingency plan was first formulated in 2010 and updated in January 2012. The mission observed that the contingency plan, which included the prepositioning of non-food items (NFI) for 15,000 refugees, did not appear to have played an important role in the UNHCR-led response, and further noted that virtually none of the interviewees mentioned the plan as a tool to guide the operation.

16. In November 2011, aerial bombardments of civilian areas and ground fighting led to an influx into the Unity and Upper Nile States of South Sudan. By the end of December 2011, over 54,000 refugees had fled to these two very remote areas: 31,000 to Upper Nile State, particularly in Maban County, and 20,000 to Unity State, particularly around Yida, where the refugees self-settled at the end of 2011. By November 2012, the Sudanese refugees numbered 179,000 in total, out of whom 111,000 were in Upper Nile State and 68,000 in Unity State (see Annex II).

17. Although the refugee influx began in September 2011 and escalated in January 2012, the declaration of a level 2 emergency came only in May 2012 after the introduction of the Guidance Notes on Strengthening UNHCR's Emergency Policy and Procedures⁵ in April of the same year. However, according to the experience of relevant UNHCR staff in HQ, the new procedures do not significantly reduce the administrative steps necessary for decision-making to allocate financial resources in emergencies. What is clear is that the imminent rainy season compounded the urgency of the scale-up.

18. During the peak of the emergency (April-September 2012), some important indicators, particularly those related to mortality, nutrition and water, were far above the emergency threshold for the new arrivals. For example, in August 2012 Médecins Sans Frontières (MSF) found that under-5 mortality rates in Yusuf Batil were twice above the emergency threshold, mainly because of diarrhoea and clearly linked to the lack of safe drinking water and malnutrition. New arrivals were in a bad state after having walked for several days with little food or water. In Yida, another MSF survey found that in July 2012, malnutrition and overall mortality indicators were bordering emergency thresholds, while under-5 mortality was well above emergency thresholds suggesting an acute crisis, mainly due to the lack of safe water, poor hygiene and sanitation and a lack of NFIs.⁶ There was a subsequent substantial improvement of these indicators after September 2012.

Staffing

19. UNHCR's initial response to the unfolding emergency would have been facilitated with adequate financial resources and by the timely deployment of staff. Since UNHCR had no

⁵ Given that UNHCR Emergency Guidance Notes which, among other things, established a trigger mechanism and an official declaration system) were issued only in April 2012, it is difficult to assess whether an earlier introduction would have made a difference on the ground.

⁶ MSF: "Household based survey of retrospective mortality rates, prevalence of malnutrition, vaccination coverage and basic needs; Yida Refugee Camp, Unity State, South Sudan, July 2012, by Augusto Llosa and Amanda Tiffany

permanent presence in either Yida or Maban County and only a small presence in Malakal, it faced the difficult task of calling for support from existing resources on the ground in South Sudan at the beginning of the influx in December 2011, and at the same time sending staff from other offices to the areas affected by the refugee influx. Given the scale of the crisis, this was insufficient and additional staff should have been requested earlier on.

20. An Emergency Response Team (ERT) composed of staff deployed for two to three months arrived in Malakal in December 2011 and in Maban County and Bentiu in January 2012. It was reported by many interviewees that some deployees did not have the range of skills and expertise (both technical and in terms of coordination) to cope with the requirements of this type of acute emergency. In addition to this, some deployees were reportedly overwhelmed and required psychosocial support.

21. Crucially, there was a reported shortage of sectorial expertise early in the emergency, as well as in administration, human resources and logistics. The technical leadership in key sectors initially left room for improvement. In this respect, the team heard reports from external interviewees that the capacity mobilized by UNHCR could have been further strengthened in the early stages, particularly in the WASH, public health, nutrition, site planning, engineering and shelter sectors.

22. Notwithstanding the fact that deployees possessed some technical skills, few had the ability to lead and coordinate the sectorial response of NGOs; this was particularly important where more than one NGO was undertaking activities in the same sector. It was pointed out that technical and coordination capacity was lacking, not only at field level but also in Juba where strategic decisions are taken. Most interlocutors agreed that UNHCR should have brought in technical experts capable of leading and coordinating sectorial responses to manage the unfolding crisis or, alternatively, should have identified expertise within the international humanitarian community present on the ground.

23. UNHCR's reliance on secondees with limited experience working within the organization, particularly in technical sectors, may have affected decision-making, as well as the application of UNHCR's procedures and systems. Some seconded technical experts may not have had the required matching profile or were less well prepared to handle a technical response in a humanitarian emergency; in addition, none had 'Workshop on Emergency Management' training.

24. Secondees reportedly only had a partial understanding of UNHCR's procedures. This proved to be especially challenging due to the limited duration of the deployment. One interviewee commented: "Once they understood the situation, they were ready to leave." A number of technical experts confirmed that a formal briefing or training on representing UNHCR and leading a sectorial response in a refugee emergency would have been constructive.

25. The team was told 'too many people came too often' so that there was no linear deployment of staff. The departure of staff created additional burdens on those that stayed behind, with many taking on unintended roles when there were gaps in staff departures and replacements. According to interviewees, some of the staff deployed in the early stages were primarily preoccupied with physically responding to the emergency (loading trucks, etc.) and basic logistics (including setting up a functional office), rather than their sector-specific activities. Site planners, initially deployed to identify and design the camps were stretched by many competing priorities, including staff and office accommodation and, at a later stage, also road construction.

26. Moreover, a general fluctuation among staff of all agencies on the ground was said to have affected the institutional memory and capacity when it came to UNHCR's reporting requirements and programme planning. A number of voices stressed that with the arrival of new staff as often as every six weeks in some cases, explaining procedures and guidelines was challenging and time-consuming for UNHCR programme staff. According to data provided by the Emergency Capacity and Management Service, approximately 50 per cent of the 73 staff deployed in 2012 were external secondees, while the ratio was 100 per cent when it came to technical staff.

27. UNHCR could usefully consider establishing a model where a multi-functional core team of staff is deployable at the outset of an emergency, with the dual task of assessing staffing gaps and coordinating an initial operational response in close cooperation with the established UNHCR presence. These should include protection and programme, human resources and logistics, as well as WASH, health, nutrition, site planning and shelter/engineering.

28. The transition from the ERTs to a medium-term staffing structure also proved to be a challenge. According to the 2+6+1 model, the ERT deployments should be followed by the deployment of staff on temporary assignments (TAs) for six months before regular one-year posts were created under the Fast Track procedure. However, a majority of staff expressed concerns relating to the implementation of the TA mechanism; many observed that while efforts to place staff in between assignments represents an organizational priority, consideration should be given to adopting a more flexible approach when proceeding with arranging TAs at very short notice, as well as in the recruitment of other suitable external staff, such as International United Nations Volunteers (IUNV) or former secondees.

29. The next step in the staffing transition was also uncertain, not only from the point of view of staff assigned – only internal candidates can be considered – but also in terms of speed. The Fast Track procedure is meant to last three months between the beginning of the procedure and the physical deployment on the ground. However, at least on one occasion, it lasted six months for South Sudan. For example, the initial request from the field for the first Fast Track was initiated in November 2011 but posts were only advertised on 15 February 2012 and staff only arrived in the field in May 2012. Subsequent Fast Track deployments were however speedier.

Staff accommodation

30. Given the challenging conditions in Maban and Yida Counties and significant lack of resources, including food, setting up appropriate staff accommodations and office facilities was a time-consuming process, especially during the acute phase of the emergency. For example, fragile tents were shared by multiple staff, and there were very few toilets. The office in Maban was a “multi-purpose tukul” (open hut) serving as office, meeting area and dining room. The poor living standards affected staff morale and health. There were a total of 14 medical evacuations of UNHCR staff (not including standby partners) from South Sudan in 2012, with three of the situations classified as life-threatening.

31. In Maban County, overall progress was made (although more so in Bunj than in Jamam), but in Yida, the situation had not improved owing to the ongoing temporary nature of the camp. Some staff worked for more than eight months in conditions that are probably among the most difficult for aid workers anywhere in the world. Basic food supplies are also airlifted to both locations on a regular basis.

32. National staff recruited from other regions in South Sudan (due to the unavailability of suitable staff in Unity and Upper Nile States) were not able to return home during the emergency, because of their non-entitlement to rest and recuperation (R&R) and the cost and distance of travel involved. Given that the emergency response activities may last several months and affect national and international staff in the same manner and both need R&R. UNHCR management at HQ and in the field confirmed that UNHCR is currently working on finding a solution to this situation both in South Sudan and globally.

33. Overall, it was felt that there was insufficient support and resources for living conditions, despite early reports and a number of staff welfare-related visits to Maban in May 2012. The concerned staff indicated that UNHCR should develop clear guidance to address this issue for emergencies in general and find appropriate solutions in the short and medium term. Designated trained experts, i.e. specialized engineers, should be deployed early on to advise on accommodation and office requirements and follow up on implementation. The team noted that the staff accommodation policy is currently under revision. Nevertheless, the team was impressed by the energy displayed by UNHCR staff and its partners, even under the very harsh circumstances and the difficult operating environment.

Funding

34. In addition to staffing, sufficient funds to mount an effective emergency response were slow to materialize at the beginning of 2012, in part because there were many other competing emergencies, e.g. in the Horn of Africa, Mali and Syria. In January 2012, UNHCR launched a Supplementary Appeal (SA) for Sudanese refugees in Ethiopia and South Sudan, requesting an additional US\$111.2 million for South Sudan for an anticipated 75,000 new arrivals in 2012, in addition to 76,000 refugees already in South Sudan in 2011. At the end of January, an initial financial allocation of US\$30 million was given by HQ to UNHCR South Sudan for the emergency response, i.e. only 27 per cent of the estimated budgetary requirement. Subsequent substantial spending authority increases were received by the South Sudan operation in July 2012, i.e. after the beginning of the rainy season. Despite the slow release of funds, UNHCR continued operating with a budget deficit, with HQ increasing the operation's spending authority on the basis of projected income rather than actual income.

35. Furthermore, UNHCR's yearly programme and financial cycle obliges field offices to close their accounts after the middle of December and wait for a new financial allocation in January, thereby slowing down implementation at precisely the time when such work should have been carried out, i.e. during the window of opportunity provided by the dry season between December and April. This situation suggests that UNHCR's funding and financial mechanisms may require further fine-tuning in emergency situations, particularly in contexts with a strong seasonal component. The scope of the Operational Reserve currently covering a wide range of unforeseen activities should also be reviewed with a renewed focus on emergency situations.

36. Although some financial resources were made available at the beginning of the operation (January 2012), there were shortfalls in meeting the substantial operational costs dictated by the challenging environment. Hence, funds always fell short of what was actually needed. This meant that there were as many as 14 substantial spending authority increases in one year that necessitated consultations between the field, which is solicited by

HQ to make a submission as soon as there are indications of new funds, and at least four HQ departments/sections before these increases could be approved by the Budget Committee.

37. The involvement of multiple actors in the decision-making process⁷, sometimes questioning the details of field submissions that had already been cleared by others, led to delays in the processing of the allocation of funds. An analysis of the timeframe of the 10 submissions to increase the field's spending authority by more than US\$10 million in 2012 shows that the average time to approve these submissions was four weeks, ranging from a minimum of one week to a maximum of 13 weeks (see Annex III). This fell substantially short of the proclaimed "benchmark by which UNHCR will measure its success in responding to emergencies [that is] its ability to put sufficient resources at the disposal of its emergency operations within 72 hours of receiving a request".⁸ Furthermore, the questioning of details may be at variance with the spirit of the 2007 "Revised Allocation Framework".⁹

38. Once the Budget Committee approves the increase, the Programme Unit in the field has to revise the budget lines, the performance and impact target indicators and corresponding narratives in the Focus planning software before it can release revised sub-agreements for NGO partners or procure relief items. In the field, additional delays were also caused by a technical difficulty with Focus: following a budget increase, the token system allows only one delegated staff member at a time to make revisions for the same "Population Planning Group" (in this case refugees from Sudan), further slowing down processes and the internal work-flow.

39. According to the vast majority of interviewees on the ground, resources available prior to June 2012 did not fully meet their operational needs during the initial response. In essence, UNHCR had to request funding in a piecemeal manner and repeated requests were made for clarifications from HQ became time-consuming. This had an effect on the speed of planning and implementation, in particular when considering the short implementation window dictated by the seasonal calendar. Most of the substantial budgetary increases pursuant to the initial allocation took place after May 2012, i.e. after the beginning of the rainy season (April to November 2012), which delayed implementation further. This caused concern among some partner staff who were often obliged to pre-finance activities with their own funds due to delays in receiving revised sub-agreements and corresponding funds.

40. While some NGOs, with their own resources from donors other than UNHCR, managed to pre-finance their projects, others felt this situation impeded and limited their work. One organization in Jamam had to stop the construction of a water infrastructure project for three weeks because of lack of funding. A previous experience with UNHCR in a context other than South Sudan had generated some concern that funding might eventually not be forthcoming.

⁷ The geographical Desk/Bureau prepares a memo and then submits it for clearance to the Programme Analysis & Support Section of the Division of Programme Support & Management for "technical certification". The Donors Relations & Resource Mobilization Service then signs off for "funding certification" and it is then passed on to the Programme and Budget Service for "financial certification". Finally, it is approved by the Budget Committee which authorizes the release of funds to the field.

⁸ Guidance Note on Resource Allocation in Emergencies.

⁹ Inter-Office Memorandum 051/2007 "UNHCR Revised Framework for Resource Allocation and Management" states that "the new procedures bring authority over the use of approved resources closer to the point of delivery by empowering Representatives ...to reallocate approved financial and staffing resources in response to changing operational needs ... [and to] enhance operational flexibility by facilitating direct access to an approved component of the Operational Reserve for emergency purposes and streamlining decision-making".

Site planning and WASH

41. Given the close proximity to the border of many sites where refugees self-settled during the early stages of the influx, there was a clear need to transfer them to camps located further away from the border.¹⁰ This proved, for a variety of reasons, rather cumbersome to realize.

42. It should also be acknowledged that identifying suitable sites for refugee camps that met all the requirements (e.g. non-flood prone, with access to water, without security problems and acceptable to the local authorities) was not an easy task. For example, most areas in Upper Nile and Unity States are prone to floods during the rainy season, and it is not easy to identify dry sites. Another challenge in this emergency was the absence of a drill big enough to reach the water table in the area and the impossibility of transporting one by road during the rainy season. As a result, a rig had to be eventually airlifted at a very high cost and with great logistical difficulty. Furthermore, the decision-making process on the side of the Government of the Republic of South Sudan (ROSS) takes place at various central and local levels that are not always in synch with each other.

43. The first camp to be opened in Upper Nile State was Doro in November 2011, followed by Jamam in January 2012. However, Doro quickly reached the limits of its carrying capacity and Jamam was beset by flooding. As a result, two additional camps were opened in Upper Nile State. First, Yusuf Batil was opened in May, originally to relocate refugees from Jamam and then used for new refugees arriving at the border in poor health conditions. As Yusuf Batil also filled up quickly, the second camp, Gendrassa, originally identified at the beginning of the year for new arrivals, was opened in July 2012, but eventually hosted some of the refugees from the flooded areas of Jamam. Furthermore, the relocation from Jamam to Gendrassa was hampered by a lack of trucks that were used to assist WFP to transport food for all refugees.

44. It is clear that the UNHCR Representation in South Sudan had to make quick and difficult choices to prioritize the utilization of the newly-opened camps for the most vulnerable refugees in a very challenging operating environment. However, a common comment concerning the process of site selection for refugee camps was that adequate preparations had not been made ahead of the rainy season to open up these additional camps in Upper Nile State. Furthermore, the rationale for this complicated decision-making process was not clearly communicated to partners.

45. The availability of drinking water was a challenge in all the camps, particularly the new ones. Water in sufficient quantities could not be found despite the wells that had been drilled by a number of agencies. Interviewees stressed that a dedicated WASH coordinator was needed in Upper Nile State from the very beginning of the emergency.

46. UNHCR's shelter strategy was described by some as having been adopted without consultation with partners and without consideration of adequate alternatives. Many interviewees were of the opinion that the new shelter strategy was not sufficiently robust for a five-year timeframe, which almost all observers considered the minimum period before refugees may be in a position to repatriate.

47. In Unity State, UNHCR has been looking for an alternative site to Yida due to its proximity to the border. While all stakeholders agree that Yida poses a combination of

¹⁰ This was in accordance with UNHCR's internal guidelines.

security risks, protection, logistical and countless operational challenges, it is fair to point out that finding an alternative site for Yida – and getting the agreement of all relevant parties – is a difficult and controversial process. The dangers of any forcible relocation (as part of government policy) were stressed by stakeholders, including the likelihood that many would return to the Nuba Mountains in conditions of continued insecurity. UNHCR is therefore conscientiously avoiding any allusion to the prospect of forced evacuation or transfer out of the camp.

48. With 90 per cent of Unity State permanently inundated during the rainy season because of the nature of the soil (black cotton soil), delays in selecting and preparing a new site, both in terms of slowness and wrong selection, could spell disaster for refugees. Draining the new land is costly but necessary to prevent waterborne diseases. The absence of access roads to the camps required significant investments that were both costly and time-consuming.

49. During this process the agency has adopted a policy of only providing life-saving assistance (food, health, nutrition and WASH) in the camp. This has left a number of school-age children without education for a protracted period of time, some of them for more than 17 months. Notwithstanding the fact that informal primary education was available to the Nubian community, the actual number of beneficiaries remained modest due to its distance from Yida camp. This effectively created a boarding school system which parents were reluctant to send their children to. Given that 28 per cent of the Yida refugee population comprises school-age children, this needs to be redressed urgently, if only to comply with UNICEF and UNHCR's guidelines governing access to education.

50. An alternative site was identified in December 2012; the site is not far from Yida and located on a hill where conditions are similar to Yida. However, the site's proximity to the border may undermine the original rationale of moving Yida in the first place. Reference should be made here to Article II, paragraph 6 of the Organization of African Unity Refugee Convention (OAU Convention), the site criteria of UNHCR's Handbook on Emergencies, and the chapter on the "Character and Location of Camps" in the June 2011 Thematic Compilation of Executive Committee Conclusions.

51. According to an official briefing note issued after the end of the review mission, the new campsite is "Ajuong, a forested area of red sandy soil with good terrain, water resources and plenty of space ... located in the border County of Pariang. In addition to Ajuong, which will eventually hold 20,000 refugees, UNHCR is planning to open other camps in Unity State in northern South Sudan. New arrivals from southern Kordofan in Sudan will be given priority in Ajuong, which is expected to begin receiving refugees in early March."¹¹ Whether many Yida residents will actually avail themselves of this option remains to be seen, and the team observed that many refugees are using favourable conditions at the beginning of the dry season to build permanent mud-structured houses.

52. Conditions remain poor in several important respects. For example, Yida still has inadequate latrines, and open defecation is a problem in some areas of the camp. There are still difficulties in accessing water, especially in the Angolo area of the camp and there is not enough information on distribution. UNHCR is also currently stressing that there could also be a health issue if there is another major influx into Yida.

¹¹ UNHCR Briefing Note of 22 January 2013.

Food

53. Inaccessible roads during the rainy season created difficulties in delivering supplies to the camps and led to blockages in the pipeline. Refugees in Batil camp in Upper Nile State, where malnutrition was initially very high, did not have enough food and some of the perishable food was no longer fit for consumption on arrival. WFP was thus forced to use airdrops between mid-August and mid-September 2012. UNHCR lobbied to acquire fortified food as initial food supplied were unfortified, except for oil. Maize as part of the standard food ration was often unpopular with refugees. The team also observed well-organized food distribution exercises, although initially in Maban County there was no clarity about who was responsible for food distribution.

54. According to the global UNHCR-WFP Memorandum of Understanding (MoU), WFP is responsible for transporting food to the Extended Delivery Points and UNHCR for the final distribution, but a prior *ad hoc* arrangement in South Sudan (in which WFP reportedly was in charge of food distribution before the peak of the emergency in April-May) created some confusion. The issue was resolved pragmatically in 2012 but needs to be formalized in 2013 with a clear division of roles and responsibilities, as per the MoU between UNHCR and WFP. Other problems related to food were the absence of milling facilities for the whole grain rations and the absence of the 20 per cent top-up, which WFP is supposed to provide *in lieu* of milling. There is a need for the development of Post Distribution Reports, as some anecdotal reports of food sales were recorded in Yida.

Impact

55. The evolution of the emergency can be broken down into three phases: (a) the beginning of the emergency in December 2011, with a slow scale-up; (b) an acceleration of the emergency from April to August 2012, with extreme hardship for the refugees also due to the rainy season; and (c) a consolidation phase with improvements from September 2012 onward.

56. Despite the initial weak emergency response when many indicators were above emergency thresholds, most interviewees confirmed that, in many respects, the situation was eventually brought under control. "An amazing turn-around of a catastrophic situation" was a comment voiced by one interlocutor reflecting broad consensus, including that of the mission. One major and well-informed donor stated in clear terms that in spite of initial shortcomings, "there is no question that if it had not been for UNHCR's intervention more people would have died", and added his "extreme appreciation for UNHCR's efforts", noting that "I have no doubt that our contribution to UNHCR is money well spent".

57. This assessment appears to be supported by much improved indicators in health, nutrition, water and sanitation, even if in some cases they remain sub-optimal. One source suggested that high mortality levels could not have been prevented as refugees were in poor health when they arrived. Others also said that the subsequent transfer and relocation of refugees within Maban County negatively impacted on their health status, even if it saved many lives and was dictated by various operational imperatives, such as protection considerations, accessibility to the camp during the rainy season and water availability. In Yida, malnutrition in the camp reportedly affected already registered refugees rather than new arrivals, and it appears that refugees arriving in Yida in Unity State were in better health than those arriving in Maban County in Upper Nile State. Lack of sufficient data regarding admissions to intensive therapeutic centres in Yida prevented a proper

assessment of the extent to which mortality rates among children aged under 5 reached emergency levels in the latter part of 2012.

58. In December 2012, the mission learned from new arrivals in Yida that most had benefited from transportation from the Nuba Mountains to the border town of Jau, a small military garrison town near the border with Sudan. Refugees arriving around that time appeared to be in much better shape than in July 2012. Once registered, new arrivals had access to a range of health services and clean drinking water and reside in temporary accommodation. All of these factors help to explain why refugees often enjoy a better state of health than the local population.

59. In this respect it should be emphasized that improvements in the conditions of refugees are attributable not only to UNHCR and its implementing partners, but also to several other humanitarian organisations operating separately and independently. Two key examples were MSF, engaged in health care in the refugee camps, and ICRC which constructed a 15 km water distribution pipeline in Jamam. It should be noted that UNHCR also assisted MSF and ICRC by providing logistical support.

Supply chain and logistics

60. Logistics and supply-chain management were of paramount importance in view of the remote location of the refugee camps, inaccessibility in the rainy season and limited basic infrastructure. Both long-distance and feeder roads in and around the camps are impassable during the rainy season and the UNHCR trucking fleet was old and adequate for such conditions. As a result, UNHCR and its partners had to spend a lot of money on hiring trucks from local contractors, which was not cost-effective, and on heavy machines to carry out road repairs. Furthermore, during the rainy season, almost all relief items had to be airlifted by plane and helicopter. Long-term logistical plans, including the opening up of a road corridor through Gambella (Ethiopia) and prepositioning relief items, are necessary in order to minimize the costs of airlifting relief items during the rainy season. These long-term logistical plans, already initiated by the Supply Management Service, should be completed.

61. As the logistics function can be considered as the backbone of the whole operation, logistical challenges can affect the overall programme and implementation. The majority of interviewees remarked that UNHCR's logistics activities could be improved. However, they did recognize the positive developments that occurred after the deployment of a Senior Logistician by the Regional Hub who eventually arrived in Juba in July 2012, over six months after the beginning of the emergency.

62. The existing Logistics Cluster in South Sudan (including UNHAS) assisted UNHCR in transporting staff by helicopters to Maban County during the rainy season and also, to a lesser extent, in transporting relief items. However, according to the majority of interviewees, the Logistics Cluster was also fully engaged in activities not related to the refugee response (IDPs, flood victims) and UNHCR therefore had to wait its turn along other agencies if it wanted to send its own relief items through common services provided by the Logistics Cluster.

63. Notwithstanding the various efforts made to enhance the efficiency of the supply chain, one of the challenges pointed out to the team related to the prioritization of relief items. In this regard, the importance of UNHCR being able to move goods independently of the cluster was stressed, particularly in lifesaving, complex operations that called for fast and functional logistics. Given the constraints of the logistics cluster, UNHCR field staff emphasized that the organization needed to be willing to put even larger amounts of funding into logistics, for example by having a dedicated fleet of new trucks, cargo plane and/or helicopter on standby. The enormous challenges associated with the remote location of the refugee sites meant that any relief effort was a costly undertaking. This drawback was further complicated by cumbersome customs clearance procedures and sporadic attempts by local officials to impose taxes on imported relief items at variance with existing international customary law that stipulates that humanitarian assistance should be tax-free.

64. However, in terms of UNHCR's logistics performance, there is evidence that improvements may still be required. Many commented on the timeframe for delivery of items and their specifications. For example, sanitary napkins for refugee women that were ordered in November 2011 only arrived in Maban County in October 2012 and did not match the relevant specifications. Also, spare parts for water installations ordered in June 2012 from Nairobi only arrived in Maban County in October 2012.

65. A detailed review of the supply bottlenecks in South Sudan was beyond the scope of this review but should be undertaken in the near future to address shortcomings. In general, UNHCR must prioritize and boost its logistical capacity in emergency operations such as the one in South Sudan.

Coordination and external relations

66. From the point of view of organizational structure, the operations for the Sudanese refugees in Upper Nile and Unity States are coordinated in Malakal by a Sub-Office (SO) headed by a Senior Operations Coordinator who liaises between Juba and the field (Maban and Yida Counties). The Sub-Office also includes an IUNV Associate Programme Officer, a Logistics Officer and an Administrative Officer to support operations. The SO is also tasked with assisting return programmes by, among others, providing logistical support for the deep field (helicopters flying to Maban County are based in Malakal). In addition, it is responsible for liaising with a number of actors, including local authorities at the level of the Upper Nile State, the UN Peacekeeping Mission in South Sudan (UNMISS) and other UN agencies based in Malakal.

67. However, the time it takes to travel between Malakal and the Maban County and Yida Field Offices – one hour by helicopter/plane or eight hours by very rough road during the dry season – is not optimal for providing operational coordination or programme support. In terms of operational coordination, the Maban County and Yida Field Offices confirmed they were mostly coordinating directly with UNHCR Juba. Partners on the ground also liaised with the management of the respective Field Offices or the Juba Representation.

68. As a result, the SO Malakal Programme Unit found it difficult to keep abreast of all the operational changes taking place in the field and to monitor the operation from a distance. SO Malakal should continue performing its important role of liaising with Upper Nile State authorities, UNMISS and other agencies as part of its function as a logistical hub, but junior to mid-level Programme Officers should instead be deployed in the respective Field Offices to provide technical support to the team on the ground and liaise directly with the Senior Programme Officer in Juba who has access to planning and financial tools (Focus and MSRP).

69. In terms of external coordination, South Sudan has a strong functioning cluster system that existed prior to the refugee influx into Upper Nile and Unity States. Before secession, population movements from South Kordofan and Blue Nile were classified as internal displacement and the emergency response would have taken place under the cluster coordination system. But, as these same population movements now involved two separate countries, it was now a refugee emergency, and this fell within UNHCR's remit. However, this process initially took some time, in particular since the clusters were already in place and widely accepted as the established response system. There was therefore a need to communicate UNHCR's unique mandate, as well as to explain the reasons for establishing a distinct coordination mechanism. UNHCR management effectively communicated the necessity of setting up a separate coordination system for the refugee response under its leadership.

70. The majority of interlocutors stated that UNHCR's mandate and responsibility is now well understood and UNHCR is accepted as the lead agency for refugee emergencies. Some, however, did not appear to be very convinced about the legitimacy of UNHCR's "exceptionalism". For example, in the context of funding submissions to the Central Emergency Response Fund (CERF), some agencies observed that since refugees fall outside the cluster approach and the refugee response is considered to be 'multi-sectoral' rather than

sector-specific, UNHCR is required to provide less detailed justifications for funding requests.

71. Having said this, NGOs were unanimous in pointing out that they were expecting stronger coordination from UNHCR in technical sectors, such as health, nutrition and WASH. Interlocutors reported that coordination meetings on the refugee response should have been better structured and strategized. More emphasis should have been placed on problem-solving and decision-making rather than information-sharing. In the words of one NGO representative, UNHCR was expected “to both set and police sectorial standards”. UNHCR should lead and coordinate an emergency response in a particular sector and should not have relied on one or more NGOs and/or implementing partners to do more than fix technical problems.

72. Several interviewees expressed reservations about the fact that some poorly performing partners had not been held accountable when the delivery of humanitarian relief was inadequate but had still retained their funding. Yet the Office made significant efforts to push for improved performance ‘behind-the-scenes’ and leveraged its know-how to avoid discussing these shortcomings publicly. However, the rationale for UNHCR’s decision to retain certain partners could have been better communicated.

73. After the first difficult months, UNHCR’s coordination role improved substantially. An important factor in the eventual success of the operation was the effective leadership shown by management. A more inclusive and pragmatic approach managed to secure more buy-in from partners who were not initially encouraged to participate in the refugee operation. Likewise, improved coordination was achieved through more strategic and action-oriented meetings and the establishment of task forces for each camp in Maban County.

74. In the last quarter of 2012, UNHCR also displayed an openness to innovation in its approach to coordination. This innovation consisted of appointing an NGO “co-coordinator” and was inspired by the cluster approach and advocated by NGOs; however, it was made clear that UNHCR retains the ultimate responsibility and accountability for refugee operations. It is foreseen that this approach will build greater ownership and engagement on the part of NGOs and may provide a lesson for other operations.

75. Communicating UNHCR’s overall strategy proved to be a challenge between the different levels of Juba, Malakal and the Field Offices. In addition, the multiple layers of communication among different field locations and Juba were daunting. Interviewees also believed that UNHCR should strengthen information management. While the web portal was appreciated, UNHCR could have shared information more actively with partners through email lists, for example. More dedicated capacity is also needed to ensure data is updated and consistent.

76. Several interviewees complained that UNHCR was slow in recognizing the emergency. One agency felt it necessary to put out press releases to highlight the grave nature of the situation in order to persuade UNHCR and other NGOs to work in an ‘emergency mode’. Attempts within UNHCR to highlight the severity of the emergency in Upper Nile State reportedly ran into sensitivities when this portrayed UNHCR in a bad light. UNHCR’s choice of a reactive public information approach rather than a proactive communications approach, e.g. one that highlighted the difficulties and challenges encountered from the outset, ended up putting the organization in a defensive position. Some interviewees felt that the situation had been portrayed as ‘under control’ until it was too late. Moreover,

internal clearance processes and strong centralization of public information at the Juba level were felt to have inhibited and delayed the dissemination of information.

77. However, UNHCR's policy eventually shifted towards greater transparency in sharing important information and acknowledging difficulties - a development that was much appreciated by the humanitarian community.

78. The approach adopted by UNHCR demonstrated "protective and mature leadership" and gradually helped to gain the trust of some partners. Others, however, held on to the view that UNHCR should have spoken out sooner on shortcomings concerning the response of other agencies, as it was ultimately accountable for effective delivery in a life-saving situation; these interlocutors continue to question this approach.

Protection

79. The team observed that the core principle of *non-refoulement* has been adhered to by the Government of South Sudan, a government that shows great empathy for refugees (in part because of ethnic and political affinities before secession but also because many government officials had themselves been refugees in the sub-region).

80. One of the main protection issues was the need to ensure the civilian nature of the camps, a source of concern in Upper Nile and Unity States. Importantly, military recruitment in refugee camps has added to tensions between Sudan and South Sudan and could be perceived as another obstacle to renewing an agreement over flows of oil that are important for both countries. Yida camp was bombed by the Sudanese Air Force in November 2011.

81. Interviewees expressed a general sense of frustration that UNHCR had not engaged in more advocacy work, particularly in relation to the militarization of the camps. However, interviewees also gave UNHCR credit for a major 'behind-the-scenes' effort to demilitarize Yida, an effort that involved talking with national and regional politicians, as well as the SPLM-N.

82. The overriding protection concern in Yida remains its proximity to the border with Sudan and the dangers posed by the militarization of the camp. In this connection, the mission learned that the SPLA, SPLM-N and Darfur rebels had all visited the teeming camp, compromising its civilian character and posing a security threat. Yida has been the site of large-scale recruitment by armed elements, including recruitment of children. There is no fence around the camp, and anybody – including supporters of the SPLM-N and SPLA – may reside in the camp without restrictions. Military personnel can move in and out of the camp at will. Some interviewees reported that weapons and ammunition are stored there and that the civilian airstrip can be activated to transport military hardware. In Yida, there have also been allegations of diversion of food aid to the SPLM-N, with a portion of the food also taken by refugee leaders. This diversion of food, often reportedly sent back to South Kordofan, was allegedly facilitated by slightly inflated refugee numbers with young males moving back into Sudan to carry on the fighting without actually being de-registered. This problem was eventually addressed by improved registration systems.

83. The presence of military elements in the camp is one of the factors contributing to the relatively high incidence of sexual and gender-based violence (SGBV). Monitoring and maintaining the civilian character of the camp by UNHCR and its partners proved to be highly elusive due in part to the absence of a judicial system and the scarcity of trained state agents to enforce criminal law.

84. In Yida, a small contingent of UNMISS peacekeepers is responsible not only for the physical protection of UNHCR and its partners but also refugees and civilians. In Upper Nile State, by contrast, some aid workers expressed concern that UNMISS was deployed for only a month, despite the continuing presence of armed elements.

85. The team reviewed the issue of SGBV. The first point that emerges is that it is very difficult to determine the extent of sexual violence given prevailing cultural factors which make it difficult for victims to talk about such crimes. Direct information is particularly hard to come by, especially during a short stay of a few days. As in many parts of the world,

reticence to discuss SGBV reflects concerns about stigma and possible recriminations. In fact, the team was informed that Sudanese refugees who speak out about problems, and particularly SGBV issues, risk being considered as 'traitors' in Yida. Revealingly, there were recriminations against staff of one NGO attempting to highlight SGBV and promote reproductive health (the latter is sometimes seen as an inducement to 'promiscuity' and a threat to men's control over fertility). There have been difficulties even in getting female translators to translate information relating to cases of SGBV.

86. Nevertheless, the team was able to conduct a number of interviews. Two types of SGBV have been quite common. First, domestic violence (or 'intimate partner violence') and forced early marriage have been widely practiced in refugee and host communities and therefore require programmes aiming at long-term cultural and behavioural change. A second problem has been extramarital sexual exploitation and abuse. A key contributor here has been the presence of soldiers who pose a special threat to women and girls, particularly in Yida. Some women have been beaten by soldiers, and some soldiers have been using women as prostitutes. Several reported cases of sexual violence occurred en route from Jau to Yida (out of sight of UNHCR and its partners), and UNHCR has been engaging with senior SPLA officials to try to address this problem.

87. Protection problem, including SGBV, interact strongly with resource issues, in that shortcomings in material assistance have fed strongly into protection difficulties. One important factor here has been the lack of livelihood opportunities for female-headed households. Some violence against women and girls was reported to be related to tensions with host communities over resources, for example when women collect firewood.

88. Water points and markets can also be dangerous for women and girls, especially at night, and some women have reportedly been beaten by their partners for not bringing back enough water; more generally, there have been many fights around water points. One interviewee reported that negative coping mechanisms in Upper Nile State have included prostitution and exchanging sex for food and other items. A referral system is in place and refugees in Yida have officially reported 30 SGBV cases between May and November 2012, including five cases of rape. Female genital mutilation (FGM) is also common among some groups and one survey in Doro suggested that many women and girls oppose the practice; interviewees stressed the importance of not stigmatizing those who have undergone FGM.

89. Crucially, law enforcement agents are absent in Yida, and incidents are dealt with by local actors in accordance with customs that can sometimes feed into impunity. For example, victims of SGBV may themselves be accused of violating moral codes. There have even been reports that SGBV survivors who have been imprisoned for adultery or forced to marry those who have raped them. More generally, there are reports of women being beaten or detained illegally, perhaps in the bush around Yida camp. Meanwhile, the near complete absence of a judicial system and law enforcement officers has also placed extra onus on aid staff. In addition, there are reportedly cultural factors that risk 'normalizing' intimate partner violence, while some aid workers talk of a 'cycle of violence', as some perpetrators having themselves suffered oppression and violence.

90. UNHCR and partners have carried out outreach work on SGBV, raising awareness and attempting to reduce the stigma that victims often feel in relation to SGBV. UNHCR has also been engaging closely with the Ministry of Gender in Bentiu. Most agencies have been focussing on response rather than prevention, but some NGO staff are preparing to engage with men in preventive work. However, more sensitization on SGBV-related issues is needed for all UN agency staff. Similarly in Maban County, following the response phase,

there was a need to focus on prevention and livelihoods, including in host communities, as well on sustaining the capacity-building efforts already under way. Overall, the team was told that there was general cross-sectoral interest and cooperation on SGBV-related issues.

91. One very impressive protection activity that the team witnessed both in Yida and in Maban County was the registration of refugees in the “ProGres” database and the biometric recording of fingerprints. This activity, which could only be implemented once the acute phase of the emergency had passed, was very well organized and had the dual benefit of providing greater protection to refugees through heightened identification and reducing the number of recyclers and absent refugees, presumably mostly young men who use the camp as a place for R&R from the SPLM-N insurgency across the border. A positive spin-off was that the registration enabled teams to also identify South Sudan returnees who had been referred to IOM in the case of Upper Nile State. The results were swift and, by the end of December 2012, there was already a net reduction of 10,000 refugees, mostly in Yida, by comparison with the previous month.¹² This increases the credibility of the operation with donors.

¹² According to statistics presented by MSF France, there were about 50,000 refugees living in Yida in November 2012.

Solutions

92. Most interviewees agreed that there are no short-term prospects for repatriation and most suggested that UNHCR and its partners should plan for a timeframe of at least five years of refugee presence in South Sudan. Considering the absence of any short or medium-term prospects for repatriation and the likelihood of continued influxes, most interviewees agreed that UNHCR and partners are now better prepared as there have been extensive consultations to develop a contingency plan for 30,000 new arrivals in 2013. Infrastructure improvements, notably building and repairing roads, need to be pursued notwithstanding the major positive effort already undertaken by UNHCR in Maban County through a multi-million dollar contract with a private company.

93. In terms of prepositioning relief items, the mission heard some claims that most are now in place, but this is by no means clear, and some items are still in the pipeline. The team also understood that some prepositioned items dated back to the emergency period and did not form part of the contingency stocks specifically prepositioned for a new influx. It transpired that in terms of the stock prepositioning, half of relief items for which funding was initially requested by Juba and provisionally approved in August were still in the pipeline, i.e. in customs clearance, at the time of the mission but had not yet arrived; funding approval for the other half was still to be decided during a Budget Committee Session.

94. Continued improvement in the areas of shelter and WASH is still needed, for example plastic sheeting is inadequate for a long-term emergency and existing tents were not going to last another season, the team was told. An analysis of construction materials and in-country availability of such materials needs to be undertaken.

95. The armed conflicts driving the influx of refugees in South Sudan have a long history, and refugee arrivals should continue to be expected. Considering these prospects, UNHCR needs to devise a mid-term strategy that includes an element of continued preparedness for an emergency response and an element of consolidation aimed at improving conditions of the existing refugee population and of host communities. Both elements will naturally need sufficient resources and support capacity. There is also an urgent need to address protection issues, including forcible recruitment, arising from the military presence in camps. Militarization may continue to make camps a target for bombing, as happened at Yida, and while it may have diminished in Yida, militarization is reported to be taking place in Maban County, albeit on a smaller scale.

96. A long-term strategy beyond emergency assistance and relations with host communities and the local government will be essential to ensure a successful future continuation of the operation. Tensions between host communities in Maban County, now outnumbered by refugees, exist on the use of limited resources, such as firewood, fish, water and grazing land for cattle, and some of them reportedly resent refugees who may live in better conditions. The team recognizes that infrastructure interventions for refugees, such as roads and clinics, as well as water and sanitation, are also useful for the local population but that more needed to be done for host populations to benefit from them.

97. Deforestation is advancing at an alarming speed and although there are no quick solutions, an integrated plan, including forestation and energy conservation plans (e.g. through energy conserving stoves) prepared by UNHCR in late 2012 needs to be

implemented. Also useful would be Quick Impact Projects targeting education, water for host communities and feeder roads near the camps. Hiring staff from the host population could also help to ease tensions.

98. A mechanism to discuss the needs of host communities together with their leaders, the local government and the humanitarian community, already initiated in some camps, should be further institutionalized and disseminated.

99. Several refugees expressed their interest in education and self-reliance activities, particularly in the field of agriculture. When settlements are not recognized as camps, education suffers. Self-reliance could be promoted through the provision of seeds and tools to refugees, as suggested by government officials.

Recommendations

Institutional

100. In situations of acute emergencies, UNHCR should either boost its response capacity at the onset, particularly in relation to leading and coordinating technical sectors, or consider what alternatives exist, e.g. using existing in-country humanitarian resources for a limited period of time. To this effect, UNHCR should formulate further guidance on how best to interact and synergize with traditional and non-traditional partners on the ground.

101. With regards to staffing, UNHCR should deploy technical experts at the beginning of the emergency with the appropriate expertise, leadership skills and understanding of UNHCR's mandate and *modus operandi*. This applies both at the levels of the field and capital. UNHCR should also ensure that there are no subsequent gaps in the deployment of staff with technical capacity and ensure sufficient deployments to address ongoing and future needs. To this effect, UNHCR should continue efforts to enhance its internal technical capacity.

102. During future emergencies, UNHCR should consider setting up a multi-functional team, including, as appropriate, WASH, health, nutrition, site planning, shelter and supply/logistics, in addition to programme, protection and administration staff, for rapid deployment to assess needs and make initial recommendations for the overall emergency response strategy. These teams should be equipped to look at staffing needs, resource needs and coordination requirements.

103. Financial management procedures and decision-making processes should be further streamlined in order to expedite the timely release of funds, particularly in acute emergency contexts with known weather hazards (e.g. rainy season) and any other factors affecting programme implementation. All efforts should be made to ensure that timely funding is available - for instance through a more targeted use of the Operational Reserve.

104. Given poor staff accommodation and office facilities in emergency operations for prolonged periods of time, UNHCR should formulate standard operating procedures to improve conditions for staff deployed in emergencies. UNHCR should consider offering specific service packages, including the deployment of an expert on the matter and the allocation of a separate accommodation and office budget outside the country's Administrative Budget.

105. UNHCR should continue to maintain and foster strong and open working relationships with partners, including other UN agencies, donors and government authorities. Effective practices in coordination and engagement with the broader inter-agency response should be maintained, further enhanced, as necessary, and capitalized upon.

UNHCR South Sudan:

106. A revision of the role of the Sub-Office in Malakal should be undertaken. While retaining the SO's liaison functions with the local authorities, the UN and the humanitarian

community, as well as its role in providing logistical support for the field, the programme function should be moved to Field Offices in Bentiu and Bunj, respectively, with a direct reporting line to the Programme Unit in Juba.

107. Considering ongoing reports of forced recruitment, in particular of adolescent youths and alleged harassments of women and girls, there is a need to support and consolidate current efforts to formulate a comprehensive protection strategy that addresses all SGBV issues and promotes the non-military nature of refugee camps in South Sudan.

108. During the current dry season, UNHCR and partners should make every effort to consolidate their preparedness by prepositioning non-food items and, in close co-operation with WFP, and ensure that sufficient stocks of food items are in place, as well as adequate monitoring mechanisms. UNHCR and partners should continue to improve infrastructure, such as warehouses and roads, which would otherwise become inaccessible during the rainy season. Moreover, UNHCR should expedite identification of, and preparations for, a new site in Maban County, and clearly communicate with all relevant stakeholders on the issue.

109. Now that the acute emergency phase has passed, UNHCR and partners need to carefully review the quality, effectiveness and appropriateness of their interventions, based on more qualitative information about the distribution of aid and services and needs that remain unmet. Information management should also be strengthened with the aim of making data more consistent, systematic and reliable.

110. The mission received numerous reports on inefficiencies in the UNHCR logistics and supply-chain, but was unable to undertake a more in-depth review, which was beyond the scope of this exercise. A separate review of the shortcomings concerning these functions should be undertaken.

111. As there are no current prospects for returns to South Kordofan and Blue Nile States in Sudan, a medium-term strategy, including continued preparedness and improving conditions for refugees and host communities, should be devised. UNHCR should increase efforts to design and implement enhanced programmes linking relief to development – including livelihoods, quick impact projects and reforestation – with the full involvement of all local stakeholders.

Annex I

Terms of Reference of the Real Time Review of UNHCR's response to the Sudanese refugee emergency in South Sudan

Information note

Background

The High Commissioner asked PDES to undertake a review of UNHCR's response to the Sudanese refugee emergency in South Sudan. The Africa Bureau agreed to this proposal and suggested that the review be initiated in the first half of December 2012.

The emergency dates back to the second half of 2011, when the newly independent State of South Sudan started to receive two parallel influxes of refugees from Sudan: from Southern Kordofan State in Sudan to Unity State and from Sudan's Blue Nile State to Upper Nile State respectively.

By September 2012, as many as 106,000 refugees were registered in Upper Nile State and 64,000 in Unity State, making a total of 201,000 refugees in South Sudan as a whole. An additional 65,000 refugees from Blue Nile State in Sudan fled to Ethiopia where they are hosted in camps in the western part of the country.

Fleeing a conflict between the official Sudanese Armed Forces (SAF) and the rebel Sudan's People Liberation Movement-North (SPLM-N), these refugees fled into some of the most remote regions of South Sudan, where the infrastructure is limited, public services are very scarce and where physical access is particularly difficult, especially during the rainy season. High malnutrition and mortality rates have been recorded amongst the refugees since the beginning of the operation.

UNHCR declared South Sudan to be a level 2 emergency in May 2012. As the operation required additional support, resources from Headquarters were made available, in line with the emergency activation procedures and guidelines issued by the High Commissioner in April 2012. As a result, the South Sudan operation was scaled up significantly. Even so, UNHCR, NGO and media reports indicate that the refugees continue to find themselves in very difficult and dangerous circumstances.

Evaluation objectives and themes

The overall purpose of this real-time review is: (a) to assess the extent to which UNHCR has been able to provide a timely and effective response to the refugee crisis unfolding in South Sudan; (b) to make recommendations for immediate adjustments and improvements to the operation; and (c) to draw lessons from UNHCR's response to the South Sudan emergency that could be used to reinforce the organization's global emergency response capacity.

In order to address these issues, the review will focus on the following aspects of UNHCR's response to the emergency in South Sudan:

1. The operational environment
2. Contingency planning and preparedness
3. Protection and solutions
4. Supply chain management and assistance
5. Human resource management
6. Operations and information management
7. Partnerships, inter-agency coordination and external relations
8. Review of SGBV practices.

As the review proceeds, specific evaluation questions will be elaborated under each of these headings.

Methodology

The evaluation will be managed by PDES and conducted in accordance with UNHCR's evaluation policy. The evaluation team will consist of four people, one of whom may be a consultant or a secondee from another organization.

The team will conduct a document review and interviews with key staff in Headquarters before going to the field. A short field mission to Juba and the principal refugee camps in Unity and Blue Nile States will then take place, with the possibility that the team will split between the two locations. During this time, interviews will take place with the main stakeholders (including UNHCR, government officials, donor representatives, relevant staff from UN agencies, key NGOs, implementing partners and refugees).

The team will hold a debriefing in Juba before departure. A debriefing to Senior Management will be held in Geneva within four days of arrival. A concise report with key findings and recommendations will be issued no later than one month after the return from the field trip, (including time for circulation of a draft for advisory feedback).

Recommendations will be submitted to Senior Management in the field and at HQ for their formal response and its implementation will be monitored. The report will be placed in the public domain.

Annex II

Evolution of the Sudanese refugee population in South Sudan 2011-12

MONTHS	UNITY	UPPER NILE	TOTAL
Aug-11	3,693		3,693
Sep-11	8,382		8,382
Oct-11	16,202		16,202
Nov-11	17,000	13,730	30,730
Dec-11	22,860	31,558	54,418
Jan-12	26,440	56,079	82,519
Feb-12	17,646	75,910	93,556
Mar-12	18,202	78,197	96,399
Apr-12	29,343	92,000	121,343
May-12	39,828	95,000	134,828
Jun-12	61,616	107,160	168,776
Jul-12	61,616	105,559	167,175
Aug-12	64,165	104,960	169,125
Sep-12	64,456	106,941	171,397
Oct-12	64,320	110,895	175,215
Nov-12	67,911	111,102	179,013
Dec-12	57,038	112,379	169,417

Sudanese refugee population by State and camps at 15 December 2012

UPPER NILE	112,636	UNITY	57,669
Yusuf Batil	37,199	Nyeel	827
Doro	44,741	Pariang	763
Jamam	15,717	Yida	56,079
Gendrassa	14,706		

Source: UNHCR Juba statistics

Annex III

Budgetary increases for the South Sudan emergency operation end 2011 – end 2012

Submitted by Juba				Approved by BC				Submission Approval	
Ops	ABOD	Staff	Total	Ops	ABOD	Staff	Total		
90,000,000	10,262,010	4,737,990	105,000,000	23,425,474	2,069,808	3,672,989	29,168,271	22.11.11	26.01.12
				6,200,000				22.11.11	05.03.12
				130,000	-	-	130,000	Sproject*	12.03.12
				96,400	-	-	96,400	Sproject*	18.05.12
26,339,439	3,186,755	473,806	30,000,000	12,526,195	2,473,805	-	15,000,000	01.05.12	07.06.12
79,164,020	4,633,672	3,093,437	86,891,129	13,937,709	6,062,291		20,000,000	01.05.12	15.06.12
60,000,000			60,000,000	20,000,000			20,000,000	08.08.12	21.08.12
20,000,000			20,000,000	16,000,000			16,000,000	21.08.12	30.08.12
part of previous increase request				5,000,000				17.10.12	02.11.12
1,500,000				1,500,000			1,500,000	01.11.12	14.11.12
part of previous increase request				3,309,734				08.08.12	22.11.12
part of previous increase request				665,256				17.10.12	22.11.12
part of previous increase request				485,858				N/a	11.12.12
5,013,973				5,000,000				03.12.12	14.12.12

Source: UNHCR Geneva (Desk covering S. Sudan); * Specials Projects prompted by UNHCR Geneva