BUREAUCRATIC ACCESS IMPEDIMENTS
WHAT ARE BUREAUCRATIC ACCESS IMPEDIMENTS?

- Bureaucratic/Administrative constraints
- Operational Interference
- Restriction of movements
ALL ACCESS CHALLENGES
NOT CONNECTED TO ACTUAL
USE OF FORCE OR VIOLENCE
Bureaucratic/Administrative constraints

- Visa issues
- Work permit issues
- Registration issues
- Exemption & Customs issues
- Extortion & Bribery
- Tax issues
# Operational Interference

## Field level
- Geographical location selection
- Beneficiaries selection
- Need assessment
- Distribution
- Etc.

## HR/Staffing/Admin
- Recruitment
- Staff selection
- NGO documentation
- Etc.

## Confiscation/seizure of assets
- Equipment
- Project asset(s)
- Vehicles
- Salaries
- Personal documents
- Etc.

## Threat, intimidation, harassment
- Phone calls
- Letters
- PNG
- Expulsion
- Gov. Office
- Field operation
- Etc.
Restriction of Movement

Administrative/bureaucratic decisions
Imposed armed escort
Road closure
Denial or delay of Security Clearance
International Humanitarian Law

“All governments and parties in complex humanitarian emergencies, in particular in armed conflicts and in post conflict situations, in countries in which humanitarian personnel are operating, are called upon in conformity to relevant provisions of international law and international humanitarian law to: cooperate fully with the United Nations and other humanitarian agencies and organizations; and to ensure the safe and unhindered access of humanitarian personnel as well as supplies and equipment in order to allow them to perform efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons.”

UN General Assembly Resolution A/RES/58/114
Cessation of Hostilities Agreement of 23rd January 2014

The warring parties shall refrain from prohibited actions [...] Actions that may impede or delay the provision of humanitarian assistance, or protection to civilians, and restrict free movement of people.

Agreement on the resolution of the conflict in the Republic of South Sudan, 17\textsuperscript{th} August 2015

During the Transition, the TGoNU shall:

Fast track procedures and institutions for the import and customs clearance of relief materials;

Fast track procedures and institutions for the granting and renewal of visas required by international personnel participating in the humanitarian relief effort;
We appeal to our partners to resume development activities in the country and to support the implementation of the Peace Agreement. Those governments and agencies that have already come back and resumed their work hearten us. The Government will ensure that all humanitarian and development organizations have unimpeded access to needy populations across the country.
Who can help?

My organization/agency

RRC and local or National authorities

NGO Forum

OCHA

Clusters

Humanitarian Country Team (HCT)

Humanitarian Coordinator (HC)

High Level Oversight Committee

Resources to help with Bureaucratic Access Impediments
REPORTING
ACCESS IMPEDIMENTS

UNOCHA Juba for all access impediments mentioned

accessreporting@un.org
Why is it important to report Bureaucratic Access Impediments?

- To get advice on national and international legislation
- To share best practices with other humanitarian actors
- To maintain a common approach
- To show trends and trigger a national response from humanitarian leadership
### Reporting Procedure for Each BAI

<table>
<thead>
<tr>
<th>Issue</th>
<th>HQ</th>
<th>NGO Forum</th>
<th>OCHA</th>
<th>Government officials</th>
<th>UNDSS &amp; UNMISS</th>
<th>Local authorities</th>
<th>SPLA-IO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restriction/denial of movement</td>
<td>71%</td>
<td>36%</td>
<td>64%</td>
<td>29%</td>
<td>56%</td>
<td>14%</td>
<td>14%</td>
</tr>
<tr>
<td>Field interference</td>
<td>79%</td>
<td>33%</td>
<td>42%</td>
<td>29%</td>
<td>13%</td>
<td>29%</td>
<td>29%</td>
</tr>
<tr>
<td>Confiscation/seizure</td>
<td>81%</td>
<td>37%</td>
<td>25%</td>
<td>37%</td>
<td>12%</td>
<td>31%</td>
<td>12%</td>
</tr>
<tr>
<td>Threats/harassment</td>
<td>90%</td>
<td>43%</td>
<td>29%</td>
<td>19%</td>
<td>20%</td>
<td>14%</td>
<td>10%</td>
</tr>
<tr>
<td>Illegal taxation/bribery</td>
<td>100%</td>
<td>47%</td>
<td>33%</td>
<td>20%</td>
<td>7%</td>
<td>7%</td>
<td>7%</td>
</tr>
<tr>
<td>HR interference</td>
<td>83%</td>
<td>50%</td>
<td>28%</td>
<td>30%</td>
<td></td>
<td>11%</td>
<td></td>
</tr>
<tr>
<td>Visa</td>
<td>85%</td>
<td>31%</td>
<td>23%</td>
<td>23%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Work permit</td>
<td>77%</td>
<td>23%</td>
<td>23%</td>
<td>30%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NGO Registration</td>
<td>75%</td>
<td>62%</td>
<td>12%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tax exemption/Customs</td>
<td>87%</td>
<td>25%</td>
<td>19%</td>
<td>19%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Likelihood to report (%)**

1-20 ≤ 21-40 ≤ 41-60 ≤ 61-80 ≤ 81-100
In September, humanitarian organizations continued to experience a growing number of impediments in accessing conflict-affected people in many locations in South Sudan. 101 access incidents were reported by partners. About 65 per cent of the incidents involved violence against humanitarian personnel and assets.

The number of access incidents in Western Equatoria substantially increased, with 19 reported in September, up from four in August. This was mainly due to several ambushes and robberies along main roads. Two aid workers were killed in September, including one in an armed ambush on a marked humanitarian convoy on 8 September in Mundi West County, and an NGO community teacher killed in the Bentiu Protection of Civilian (PoC) site.

There were nine looting incidents reported in September, compared to two in August in Central, Eastern and Western Equatoria, Unity, Upper Nile, Lakes, and Warrap. In Gogrial East County, armed men ambushed an NGO vehicle along Wau-Luanyjiek road on 8 September and looted all humanitarian supplies. In Kapoeta East County, a ten-vehicle convoy transporting food aid to Maghos and Jie was looted by civilians leading to loss of significant amounts of food destined for the hungry.

The eruption of clashes and insecurity in some locations in Unity, Upper Nile and Western Equatoria forced the relocation of at least 89 aid workers in September. In Koch County, partners suspended food airdrops and distributions on 8 September in Buaw and Buoh following reports of insecurity. The suspension affected nearly 25,000 people in the two locations.

During the month, there were reports of aid workers being denied access to areas outside of Yei town by parties to the conflict. Partners were not able to access populations in Mundi and the Bango area, with restrictions imposed by local authorities into perceived opposition-controlled areas.

Several organizations continue to face challenges transporting cash out of Juba for their humanitarian operations, with authorities requesting new and additional paperwork. Immigration and security operatives stopped several aid workers from travelling on internal flights at several airports. The incidents resulted in additional costs for the organizations and in some cases prevented aid workers from accessing field locations.

Key access figures

- 2 Aid workers killed
- 9 Looting incidents
- 9 Ambushes
- 89 Staff withdrawn through 7 incidents

Access constraints

- Restriction of movement
- Active hostilities with direct impact on humanitarian action
- Relocation of staff
- Operational interference
- Bureau/ administrative impediments

Access constraint types

- Restriction of movement: 39%
- Active hostilities with direct impact: 15%
- Relocation of staff: 12%
- Operational interference: 9%
- Bureau/ administrative impediments: 7%

Attributed to

- State security forces: 37%
- Non-state armed actors: 30%
- National Sub-national Government: 19%
- Criminal/unknown: 19%
- Operational interference: 15%

Reported access incidents (January 2016 - September 2017)

- January 2016: 63
- February 2016: 68
- March 2016: 60
- April 2016: 64
- May 2016: 64
- June 2016: 64
- July 2016: 64
- August 2016: 64
- September 2016: 64
- October 2016: 64
- November 2016: 64
- December 2016: 64
- January 2017: 64
- February 2017: 64
- March 2017: 64
- April 2017: 64
- May 2017: 64
- June 2017: 64
- July 2017: 64
- August 2017: 64
- September 2017: 64
STRATEGIES FOR HUMANITARIAN ACTORS IN RESOLVING BAI

Check if the request is legitimate
a. Ask to see the relevant legislation or find it at http://docs.southsudanngoforum.org
b. Ask to talk to a superior/supervisor of the person issuing the order
c. Ask to receive the order in writing and to receive a receipt (in case of payment)

Report the issue (even minor ones)
a. Report to the NGO Forum - they can advocate
b. Report to OCHA - they can advise you
C. Report to relevant cluster - they can help

Document the problem officially
a. Write a letter to relevant authorities to inform them of the situation
b. File an official complaint in writing and clearly state expectations for help
c. Ask a third party (NGO Forum, Cluster, OCHA, Donors) to issue a statement
Raise the issue with the RRC or relevant authorities at local or national level
a. Inform the authorities
b. Ask them for advice
c. Ask them to mediate or to intervene

Raise the issue in coordination meetings
a. In relevant NGO Forum groups
b. In relevant cluster meetings
c. In the ICWG at local level

Share and encourage good practices
a. Apply the law (bribery is against the law)
b. Stick to humanitarian principles
c. Strive for integrity and accountability
d. Coordinate with other organizations to have a common approach (Unity is strength)

OCHA Access Unit and OCHA Sub-Offices are here to help with BAI. Report to: accessreporting@un.org
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