Technical Assistance for policy reviews and regulatory frameworks development in support of the key CAMP/IDMP implementing Ministries – South Sudan

FSL Cluster, Group Meeting – 23rd February 2022
Background

South Sudan commenced life as an independent nation using the policies and legal landscape of the old, unified Sudan, much of which was geographically, climatically, socially and culturally inappropriate to the new nation. Thus, at independence, there was a clear need to upgrade and adapt, or outright replace, the entire system of laws in force in the Republic of South Sudan.

Over the decade since independence, progress towards this goal has been slow: in part due to bottlenecks in the system (for example in the Ministry of Justice, which has been unable to manage the number of bills entering the system from line ministries seeking changes to existing laws or to fill gaps in the existing legal framework).

A number of donors, including the EU, FAO and JICA, have supported the CAMP ministries with policy, strategy and legislative act development.
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Programme Introduction

The EU-funded “Technical Assistance for Policy Reviews and Regulatory Frameworks Development in Support of the Key CAMP / IDMP Implementing Ministries – South Sudan” programme is designed to complement ongoing JICA CAMP / IDMP support activities.

Specific EU programme objectives are to:

• “Revise sector policies and update legal frameworks to create an enabling environment for sustainable agriculture transformation and inclusive socio-economic growth”

and to

• “Strengthen the capacity of concerned institutions and related technical services according to their mission and mandate”.

Activities in support of the various outputs and outcomes, particularly revised policies and effective and functional legal frameworks, are expected to support the food security and rural livelihoods sectors.
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Sector Support

For this specific EU Technical Assistance assignment, policy areas earmarked for priority attention are:

For the Ministry of Agriculture and Food Security (policies):
• The Food Security Policy
• The Plant Protection Policy
• The Seed Policy.

And for the Ministry of Livestock and Fisheries (bills and policies):
• The Fisheries and Aquaculture Bill
• The Range Management and Grass Fires Bill
• The National Agriculture and Livestock Extension Policy (NALEP).
Implementation

The programme methodology is based on a number of basic principles, including the need for an inclusive, broad-based approach to draft bills and policies development, through wide consultation among beneficiary communities, stakeholders and interested parties at all levels of the political hierarchy. This has been achieved through the convening of field consultation workshops.

Logistical support in convening field consultation workshops is being provided by existing EU implementing partners (IPs), both as organisers and conveners of state and county level consultation meetings.

To date:

• First drafts of a Range Management and Grass Fires Bill and a Food Security Policy have been prepared, following consultation meetings and “brainstorming” sessions among ministry subject-specialist technical staffs.
A first inter and intra-ministry consultation to discuss the draft Range Management and Grass Fires Bill was convened among senior MoLF staffs at a venue in Juba in early August.

This workshop demonstrated the limitations of the original approach, prompting recognition of the need for wider consultation, dialogue and discussion among a broader cross-section of stakeholders and practitioners, including an acknowledgement by the EU Delegation of the primacy of state-based government officials in policy and bill formulation (and implementation) and the need to meet stakeholders in-situ, in the field, at state and county level.

This resulted in the organisation and convening of a series of field-level policy and bill development consultation workshops, conducted with the assistance of EU IPs. These have comprised:
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Food Security Policy

• Thursday 20th January 2022 / Bor, Jonglei State: field consultation on the National Food Security Policy with staff of the Jonglei State Ministry of Agriculture and Forestry, with logistical assistance provided by VSF Germany;

• Thursday 27th January 2022 / Rumbek, Lakes State: field consultation on the National Food Security Policy with staff of the Lakes State Ministry of Agriculture and Forestry, with logistical assistance provided by NPA.

• Thursday 3rd February 2022 / Yambio, Western Equatoria State: field consultation on the National Food Security Policy with staff of the Western Equatoria State Ministry of Agriculture and Forestry, with logistical assistance provided by FAO.

Range Management and Grass Fires Bill

• Tuesday 18th January 2022 / Bor, Jonglei State: field consultation on the Range Management and Grass Fires Bill with staff of Jonglei State Ministry of Animal Resources and Fisheries, with logistical assistance provided by VSF Germany;
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- Tuesday 25th January 2022 / Rumbek, Lakes State: field consultation on the Range Management and Grass Fires Bill with staff of the Lakes State Ministry of Animal Resources, Fisheries and Tourism, with logistical assistance provided by NPA;

- Tuesday 8th February 2022 / Kapoeta, Eastern Equatoria State: field consultation on the Range Management and Grass Fires Bill with Greater Kapoeta area-based staff of the Eastern Equatoria State Ministry of Animal Resources and Environment, with logistical assistance provided by FAO.

Feedback from these consultation workshops will be channeled back into the policy and bill development process, in the form of revised draft documents, which will be discussed at consultation workshops planned to be convened in late February and early March. E.g.:

A general stakeholder consultation meeting to discuss the revised Range Management and Grass Fires Bill is scheduled for Friday 25th February.
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Range Management and Grass Fires Bill consultation with Greater Kapoeta area-based staff
Field consultation on the Food Security Policy with staff of the Lakes State Ministry of Agriculture and Forestry in Rumbek
The final element in the policy and bill development process will comprise the convening of two document Validation Workshops in Juba, which will, hopefully, take place in March.

**Planned 2022 Implementation Activities**

Following completion of the current MoAFS policy and MoLF bill formulation process, the same process will be repeated to develop a National Seed Policy, in support of the National Seed Bill recently developed by JICA.

In addition, development of a "Food Security Policy Strategic Plan" using prepared “Process Guidelines” will be undertaken in a pilot state. The pilot state is yet to be selected, but would provide a blueprint for future, individual state-level Food Security Plans.
Problems Encountered / Lessons Learned

The TA team has been confronted with the following issues during the period to date:

• Whether to concentrate on policy development or work on drafting legislative acts and bills for presentation to a non-functional Council of Ministers and National Assembly?

• How to devise appropriate, practical mechanisms by which to collect ideas and input from key stakeholders at all levels in the governance structure (to avoid generation of “top down” policies and legislative acts that lack “buy in” from practitioners)?

• How to devise methods by which relevant policy provisions and / or regulations may be adopted and applied at national and state level (in the absence of normal ratification structures and procedures, as would be the case with a functional National Assembly)?
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• How to devise methods by which to disseminate policies and laws to the devolved levels of government who bear principal responsibility for their implementation at county, payam and boma (village) level?
• How to devise methods by which to promote wider participation in the legislative and policy development process, for better understanding of the practical implication of laws and policies at devolved levels of governance?
• Devising methods by which to monitor the application of policies and laws, by which to harvest any lessons learned in the course of implementation (that might, subsequently, be used to improve their efficacy and value, moving forward).