

## CABINET PROCEDURES TO FACILITATE EVIDENCE-INFORMED, IMPLEMENTABLE DECISIONS

### SOUTH SUDAN – CABINET ‘CLUSTER’ COMMITTEES

Presentation by Abdon Agaw Jok Nhial, Secretary General to the Government of South Sudan

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#### Scene-setting

- **I am very pleased** to be here today. Particularly so because the current situation in South Sudan left me unsure up until 2 weeks ago whether I would be able to travel. I'm very glad I am able to join you here for this important roundtable workshop. And glad to be attending on Wednesday the first ever annual meeting of the Africa Cabinet Government Network.
- Let me update you on the **current position in South Sudan**, I know many of you are concerned to know. An attempted coup has been quelled, though not without great damage to infrastructure in some major towns. A ceasefire, cessation of hostilities has been agreed and a peace process is underway; talks will resume at the end of this week in Addis Ababa.

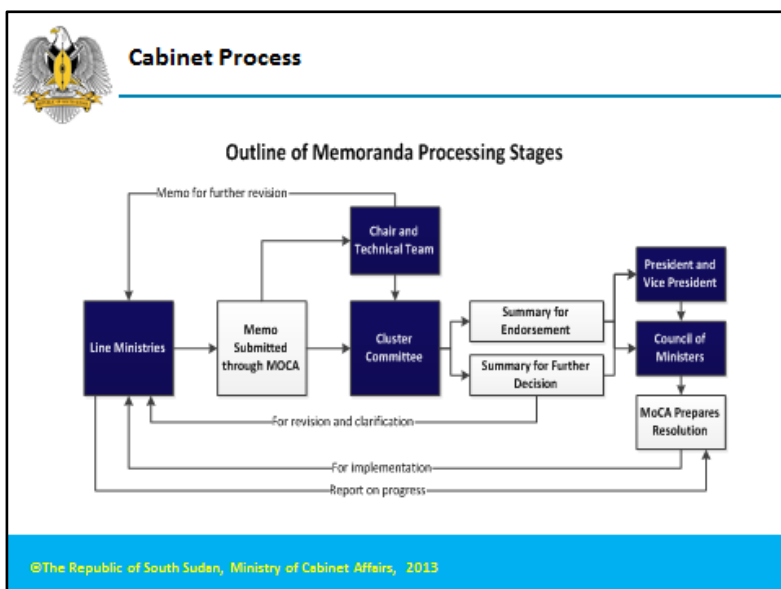
#### Introduction

- I am pleased in particular to contribute today on Cabinet procedures to support evidence-informed decisions. I will tell you about South Sudan's use of Cabinet Committees, which we call **Clusters**.
- I will cover five points:
  - First, how our Cluster system operates
  - Second, how the system contributes to evidence-informed, implementable decisions
  - Third, why I think the system works
  - Fourth, what further improvements are needed; and
  - Finally, what lessons I would offer from our experience.
- I hope that following my presentation, we can enjoy a wide-ranging discussion, sharing experiences of challenges and solutions. Drawing both on my comments and on those of Dr Surrur.

#### The Current System of Cabinet Committees in South Sudan

- South Sudan is the world's youngest country, celebrating Independence Day on July 9<sup>th</sup> 2011. But our Cabinet Committee system pre-dates our Independence. The precursor to our current government system was established during the period of the Comprehensive Peace Agreement, from 2005. And several of our Ministers and senior civil servants had experience in Khartoum working in the government of the former Sudan. That experience has also helped to shape our current practice.
- Our Cabinet Cluster system developed in response to a problem: difficulties we experienced in managing time in the full Cabinet (which we call the Council of Ministers). Without prior analysis of memoranda and issues, we found that discussions in the Council of Ministers took far too long. So we adopted standing Committees.
- Let me start by describing how our Cabinet Clusters operate. We have three Clusters:

- Services and capacity building meets on a Tuesday
  - Economic Cluster meets on Wednesday
  - Governance Cluster meets on Thursday
  - And the full Council of Ministers meets every Friday
- Each of our national Ministries is allocated to one Cluster, with the exception of four cross-cutting Ministries which attend all three Clusters. The cross-cutting Ministries are Cabinet Affairs, Finance, Justice, and Information/Broadcasting.
  - Each day's Cluster meeting is in two parts – **in the morning we have the technical Cluster**. This is attended by Undersecretaries, Directors General and Directors of the relevant Ministries. Their job as technical Cluster is to consider the memoranda presented and to study, analyse, amend, make proposals and resolve outstanding issues.
  - **In the afternoon, the Ministerial Cluster meets**, supported by the technical team. Ministers focus on the recommendations of the technical Committee. The Ministers will generally discuss and make decisions on the basis of a summary of analysis, observations and proposals made by the technical team. At the end of the Ministerial cluster, the technical team and the Cabinet secretariat provide a short analysis and proposals to the Minister of Cabinet Affairs for presentation to the Council of Ministers. The Minister of Cabinet Affairs further reviews the Cluster summary for presentation to H.E. the President, prior to the Friday meeting of the Council of Ministers.
  - The Clusters are now an integral part of our Cabinet system in South Sudan. Except in urgent or exceptional cases, all memoranda for Cabinet are required to come through a Cluster first. In the past, this rule was ignored. But it is now gaining traction – a review of the decisions taken by Cabinet between May and October last year recorded that 55% of memoranda to Cabinet had been considered first by a Cluster.
  - The review also demonstrated how compliance with our rule on the standard format for memos to Cabinet has dramatically improved. I will come back later to the *reasons* for these improvements. My next slide shows how the Cluster process operates:



### **The diagram shows the process by which a memo proceeds to the Council of Ministers:**

1. Line Ministry submits to the Minister of Cabinet Affairs
  2. The Minister passes the memo to the Secretary general, and through the secretariat it is passed to the Chairperson of the appropriate Cluster
  3. The Chairperson of the Cluster<sup>1</sup>, again via the Cabinet Secretariat, informs Cluster members of that a meeting will take place. The Cluster Agenda is agreed by the Chair and the Secretary General
  4. The Chairperson his/her own Undersecretary (our term for permanent secretary) who will chair the technical Cluster
  5. The technical team meets in the morning. If necessary they will send the memo back to its originating Ministry for further work, for example if it does not meet the memo format
  6. The technical team makes its recommendations to Ministerial Cluster, which meets the same day
  7. If the memo is passed by Ministerial Cluster, the Minister of Cabinet Affairs will produce a summary for the president, prior to the memo being considered by the Council of Ministers meeting.
- We have found that this system works. Though there are still improvements needed. For example, sometimes Ministers depart from the recommendations of the technical Committee. This is their prerogative, but it should be done with clear reasons.
  - For a time, we observed a reduction in the length of Cabinet meetings. But sometimes we do still find Cabinet meetings taking a long time – this is more to do with the mood of the meeting and external circumstances. While we have the practice of a fixed Cabinet agenda, Ministers may introduce items under AOB, usually urgent matters raised for information.

### **What are the benefits of this system? (ie How do Clusters support evidence-informed decisions?)**

- The **first** point to make is that Clusters **get the right people in the room together** to resolve issues and take decisions. We have technicians from the relevant sector Ministries meeting together in the morning, and the politicians in the afternoon. So both the technical and the political dimensions of a problem are examined on the same day, within each sector. And it is often at the point when a proposal is presented orally that minds focus and important debates occur.
- In South Sudan the quality and the importance attached to Cabinet memos is rising steadily. In the past an important issue was often raised at Cabinet without a supporting memo. Now this is very rare
- Ministers and civil servants know that a memo is necessary if they want Cabinet agreement to a proposal. And they know that a memo must follow the standard format given in the Cabinet handbook. The review of Cabinet decisions which I referred to a moment ago demonstrated that **76% of memos considered at Cabinet now follow this format, up from only 25% 18 months ago.**
- But alongside this growing emphasis on written memos, government culture still has strong elements of oral tradition. It is not our practice to circulate draft papers for comment, for example. We have

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<sup>1</sup> Services and capacity building Cluster is Chaired by Minister of Health, or in his absence the Minister of Education; Economic Cluster by the Minister of Finance, Commerce, Investment and Economic Planning; and Governance Cluster by the Minister of Cabinet Affairs.

almost no email traffic between Ministries. Hence the importance of face to face meetings for explaining ideas, responding to questions and getting business done.

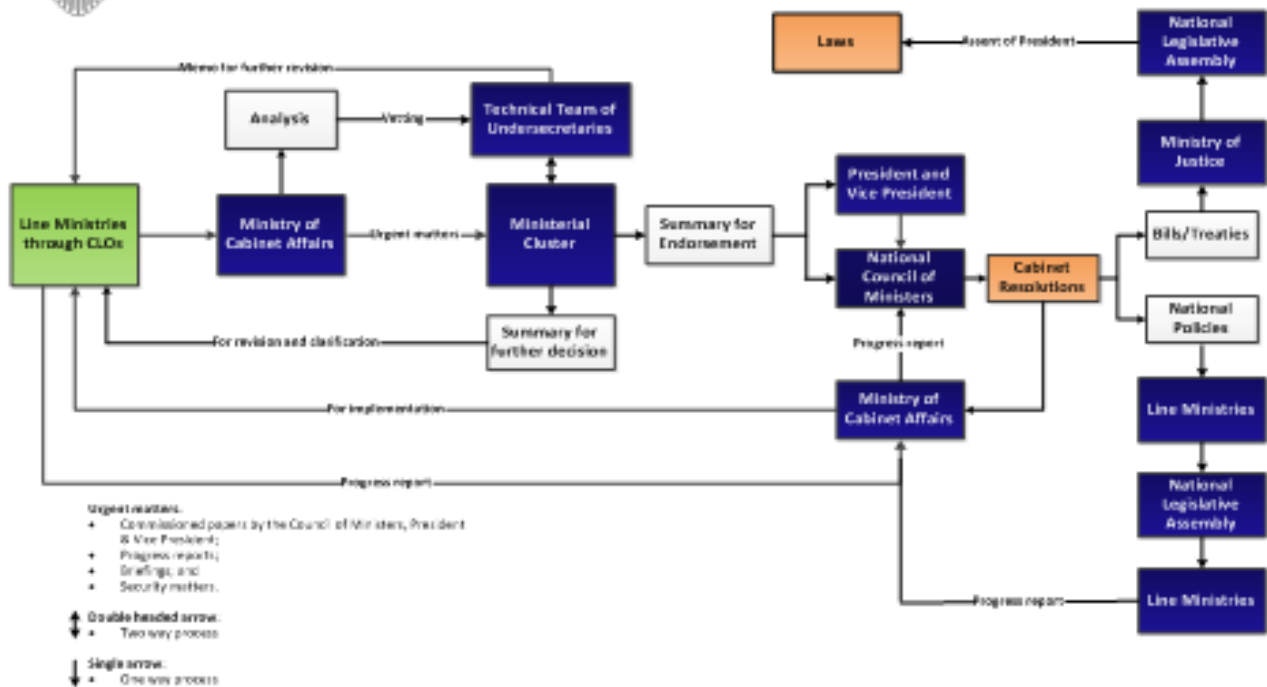
- The second advantage of Clusters is that they provide an additional **mechanism critically to assess the evidence** and arguments in a Ministry's memorandum. In the past, too often decisions were made with insufficient supporting evidence. It was not uncommon for a decision made one month to be revisited the following month, and perhaps even the month after that, as more facts emerged and the earlier decision was seen to be unsound. Clusters help prevent Ministers from cutting corners, presenting memos before they are complete and have gone through the proper process.
- Under the Cluster system, a proposal will not generally reach the Council of Ministers, unless it has been analysed and assessed. The stories get around the Ministerial compound in Juba every time a Cluster sends a memo back to the originating Ministry for more work. Ministers and Undersecretaries do not like it when this happens to them.
- So the **third benefit** is that Ministries are adapting their behaviour in response to this new environment. They are doing more to ensure proposals are properly researched and presented before they are submitted. This must be good for the quality of decisions.

#### **Why does the system work?**

- Quite possibly nothing I have told you about our Cabinet Committee system is new to you. Most of us have Cabinet procedures laid down, if not in a Handbook then in established practice. Most of those systems probably provide for Cabinet Committees to consider issues before they come to full Cabinet. But perhaps in many countries the procedures exist in theory but are not followed in practice.
- In South Sudan, there was a period after independence when the Economic Cluster hardly met. Not because we had no significant economic decisions to take. The Cluster did not meet because the Minister of Finance, who chaired the group, did not insist that it met. For a period the former Vice President chaired every Cluster and that did improve attendance.
- But **what has really made the difference is the attitude of the current Minister of Cabinet Affairs**. He devotes great energy and commitment to improving the machinery of Cabinet to promote better decisions and better follow up and implementation of those decisions. The next diagram is one which the Minister has used to brief his colleagues in the Council of Ministers on how Cabinet business will be done. It is not a simple slide. It contains a lot of information. It demonstrates how the Minister in charge of Cabinet business cares about the details of the process by which that business is done. It shows that he is willing to lecture his colleagues and to take enforcement action. I believe this makes a big difference.



## Cabinet Decision-making Processes



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- But one man, even a Minister, cannot change the whole system. There are other factors which contribute to the effectiveness of our Clusters. These other factors work together to reinforce one another and support a system of Cabinet reform.
- First of these reforms was the agreement and publication back in October 2011 of an updated Cabinet Handbook. This had the imprimatur of the then Minister of Cabinet Affairs and, more importantly, of the President. At the same time as the new Handbook was issued, a network of Cabinet Liaison Officers (CLOs) was instituted. These are individuals nominated by each line Ministry and responsible for liaising between their Ministry and the Ministry of Cabinet Affairs and helping the flow of papers, which is somewhat complicated in our system by the presence of Deputy Ministers who also receive Cluster and Cabinet papers along with the Minister and Undersecretary. The Deputy Minister will attend the meeting along with his or her Minister, when a proposal from their own Ministry is being presented. We are training and supporting CLOs, with the help of our international advisors.
- And the most recent innovation has been the practice of the Cabinet secretariat vetting the memos submitted by Ministries for Clusters or Cabinet. If these memos do not contain adequate information or if they are poorly argued, they will be sent back to the Ministry for further work. Ministries don't like to have their memos sent back, so vetting encourages them to produce more rigorous analysis. It helps in the short and long term to raise the quality of the memos submitted.

- The final reason I would offer for the current success of South Sudan's Clusters is that we have arrived at a simple system which meets our needs. It has succeeded in reducing the length of Cabinet meetings. The system suits our current level of political development.
- Having a solution that fits your own circumstances is crucial to making reform stick. When we first tried to operate Cabinet Committees in South Sudan, we did not include a technical meeting before the Ministers' meeting. We found that system did not serve us well – often Ministers would not attend meetings. Or sometimes they would arrive but with so little preparation that sound decisions could not be made. Some who had worked in Khartoum spoke of the benefits of preparatory technical meetings, and we adapted our system. Now it works better.
- For a time we had four Clusters running – we had a separate Capacity Building Cluster in addition to the three I have described. But four days of Clusters plus the Council of Ministers on Friday was too much. It was too much for Ministries and it was too much for my Cabinet secretariat. So we combined Capacity Building with Services. That means we have one day – Monday – with no Cluster. This allows other important activities to take place, such as training of CLOs which we did on the last Monday of September, the last Monday of October and again in November. This suits our circumstances better.
- So any of you who have tried and failed to operate Cabinet Committees, I would say do not be discouraged. Keep trying, and adapting, until you find a solution that fits your needs and fits your circumstances. Ask for feedback from Ministers. And don't let international advisors import a system which works in the UK or the US or Australia, or wherever. If you have advisors, insist that they help you to create something tailor-made for you, albeit drawing on international best practice.

**My final question – what are the problems with this Cluster system which we need to address?**

- I will mention three ways in which I believe our Cabinet mechanisms in South Sudan still need to improve. The Cluster system is serving us well. But it is exposing deficiencies in the government machine, pressure points which need to be strengthened for the future.
- The first pressure point relates to the **skills of my Secretariat staff**. Our capacity building was interrupted by the long civil war. Some of our cadres have been in post for years without needing to acquire the skills, for example, to take accurate minutes or to provide summaries and analyses of long documents. They are now under pressure to produce more written work, of higher quality, under greater time pressure. While some are rising to the challenge, others are struggling. It might be tempting to look for new talent and young blood to replace ageing administrators. But the fact is we have no civil service pension scheme as yet, so forced retirement is currently not an option. We must teach new skills to existing staff and progress is not always as fast as we would wish.
- This has an impact on our performance and sometimes we use consultants to help.
- A particular skill shortage is in **policy development and analysis**. This shortage applies in the Cabinet Secretariat and more widely, across line Ministries. We need civil servants to support Ministers in locating, assessing, analysing and communicating appropriate evidence to support policy development. I know some of our sessions this week will be looking at how to build policy capacity and I look forward to those, to sharing the plans we have underway in South Sudan and perhaps picking up tips from colleagues and counterparts.

- The third pressure point relates to **ICT, Information and Communication Technology**. Our ICT performance is poor. While many of our administrative staff are IT literate many others are from the BBC generation – “*born before computers*”. And some of us are slow to pick up information age habits.
- In the Ministry of Cabinet Affairs we have adequate computer equipment, but our network is rudimentary. There is no broadband in the country. Ministries are not connected to communicate electronically; each has its own local network. Indeed, my own Ministry does not always have reliable daily internet access. This hampers us hugely. It means that we rely on paper for government business. It means information is transmitted by means of paper, delivered by hand. We are forced to use flash drives or scanners and photocopiers when email would be so much faster, cheaper and more efficient. We need better ICT infrastructure. As a minimum I would like to see all our civil servants with access to the kind of internet search and email facilities that an urban teenager anywhere in the world would expect as a matter of routine.

## **Conclusion**

**If I can sum up the lessons I would like to share from our experience of Cabinet Committees it is this:**

- 1. First, introduce linked reforms which support and reinforce one another;**
- 2. Second, ensure the system you are introducing is tailor-made for your circumstances**
- 3. Third, keep trying and experimenting until you find a solution that fits; and**
- 4. Choose your Minister carefully! There is no substitute for leadership from the top.**