How have post-2016 regulatory and donor pressures in South Sudan shaped NGO strategies of adaptation and co-optation?

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MAIR Thesis 2025

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Word count: 15000

Acknowledgments

I would like to express my sincere gratitude to my thesis supervisor, Dr. A. U. Warnecke, for her invaluable guidance and support throughout the research and writing process. Her expertise and thoughtful suggestions have greatly shaped and strengthened this work. Her continuous encouragement, constructive feedback, and patience have not only improved the quality of this thesis but have also contributed significantly to my academic and personal growth. I am truly grateful for her dedication and the time she invested in helping make this thesis a success.

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1. Introduction

Since South Sudan's independence in 2011, humanitarian organizations have worked in an environment of violence and a politicized aid sector, making access to communities precarious and uneven. Humanitarian activity in South Sudan can be regarded as a controlled arena in which agencies, authorities, and crisis-affected populations co-produce aid practices via everyday negotiation over security, legitimacy, and need, rather than a protected, apolitical space. Within this arena, neutrality, impartiality, and independence serve not just as ethical claims, but also as tactical resources that organizations use to get consent and access from conflict parties (Hilhorst, 2018: 2-3; Maxwell and Gelsdorf, 2019: 9-10).

Following 2016, there was a significant tightening of regulation in this arena. On the state side, the Non-Governmental Organizations (NGO) Act (2016) gives the Relief and Rehabilitation Commission authority over NGO registration, renewal, reporting, and investigation, and requires that at least 80% of staff be South Sudanese (Non-Governmental Organizations Act, 2016: s.3, ss.8-9, 16-17, 21-23, 31(b)(iii)). These rules transform visas, work permits, project approvals, personnel needs, and movement authorizations into front-line management tools. United Nations (UN) reporting shows that conflict parties have used bureaucratic levers such as intimidation, arbitrary visa denials, interference in program implementation, illegal taxation, and movement restrictions to obstruct humanitarian access, in addition to violence and harassment (United Nations Security Council, 2017: 25-27, 34-35). At the same time, donors have increased earmarking, indicator-heavy logframes (logical frameworks), Results-Based Management (RBM), shorter reporting cycles, and verification instruments including third-party monitoring and audits. These tools reallocate discretion upwards and link program continuity to measurable outputs and visibility demands, supporting upward accountability and product-focused symbolic reporting (Banks and Hulme, 2012: 7-12, 15-18; Ebrahim, 2003: 77-83, 101-103).

Three interconnected gaps emerge in this literature. First, donor-centred and state-centred analyses rarely trace how their respective pressures converge in practice on the same organizations and programs (how earmarked indicators, visibility demands, and reporting requirements intersect with permit regimes, staffing quotas, and movement restrictions in specific locations) (Maxwell and Gelsdorf, 2019: 12, 72–74; Banks and Hulme, 2012: 15-18). Second, humanitarian access is frequently treated in binary terms (granted or denied),

which obscures its multifaceted character across political permissions, relational acceptance, and operational continuity (Hilhorst, 2018: 4-8; Maxwell and Gelsdorf, 2019: 9, 49, 72-74; United Nations Security Council, 2017: 25-27). Third, while NGO repertoires of adaptation, resistance, and co-optation are well recognized in organizational studies, few studies have linked specific post-2016 regulatory and donor instruments in South Sudan to concrete NGO strategies and observable access patterns over time (Banks and Hulme, 2012: 15-18; Ebrahim, 2003: 77-83, 101-103, 155-159).

This thesis addresses these gaps by asking: How have post-2016 regulatory and donor pressures in South Sudan shaped NGO strategies of adaptation and co-optation?

The thesis uses the 2016 NGO Act as a temporal marker, a time anchor rather than a legal subject of investigation, because bureaucratic and security practices around that year reconfigured the regulatory environment (e.g., documentary controls on convoys/medical cargo, tightened oversight), allowing for a clear before/after analysis (Non-Governmental Organizations Act, 2016: ss. 6-7, 8-11, 12-13, 18(c)). In other words, the thesis focuses on post-2016 regulatory and donor pressures, using selected pre-2016 episodes as a comparative baseline.

Analytically, it views humanitarian access as a relational outcome with three dimensions: political access (permissions, conditions, and timelines within legal-bureaucratic orders); relational access (acceptance, trust, or friction from authorities, communities, and non-state actors); and operational access (practical delivery despite security, movement, and logistical constraints) (Maxwell and Gelsdorf, 2019: 9, 72-74; Hilhorst, 2018: 4-8). State regulatory tools (particularly the NGO Act's (2016) provisions on registration, renewal, reporting) and staffing, and donor governance instruments (grant clauses, logframes, indicator sets, reporting cadences, third-party monitoring, and audits) are conceptualized as co-constitutive regimes that together structure NGO room for manoeuvre (Non-Governmental Organizations Act, 2016: s.3, ss.8-9, 16-17, 21-23, 31(b)(iii); Banks and Hulme, 2012: 7-12; Ebrahim, 2003: 77-83, 90). NGO responses are viewed as a repertoire of adaptation (tactical, often procedural alignment to external demands in order to preserve core priorities), occasional resistance, and co-optation (in which external agendas permanently reshape resources, targets, or narratives and subordinate local priorities) (Banks and Hulme, 2012: 15-18; Ebrahim, 2003: 145-146, 155-159).

The thesis employs a theory-driven, desk-based qualitative approach that focuses on documentary analysis. It reconstructs and contrasts discrete "access episodes" (bounded sequences of negotiation or contestation over movement, permissions, people, procurement, or delivery) between three NGOs engaged in South Sudan since 2016. To show variation by sector, scale, role, and funding channel, the analysis examines both international and South Sudanese humanitarian NGOs working in the fields of protection and health: Norwegian Refugee Council (NRC) (International NGO (INGO)), World Vision South Sudan (WVSS) (INGO), and Nile Hope (Local NGO (LNGO)), since they each have complementing mandates and roles, as well as documented footprints that allow for the reconstruction of comparable access episodes before and after 2016. For each episode, legal and regulatory texts, grant letters and annexes, donor guidelines, NGO and UN reports, and meeting minutes are read together to identify the triggering instrument, the NGO's repertoire of response, and the resulting pattern of political, relational, and operational access (Maxwell and Gelsdorf, 2019: 9, 72-74; Hilhorst, 2018: 4-8; Ebrahim, 2003: 77-83, 101-103; United Nations Security Council, 2017: 25-27). A two-source rule is applied to ensure that each coded pressure, strategy, or outcome is supported by at least two independent documents.

The thesis unfolds as follows. The literature review situates the study within humanitarian, governance and NGO-accountability debates. The conceptual and analytical framework chapter develops the triad of political, relational and operational access and the repertoire of adaptation, resistance and co-optation, and translates them into working expectations and coding rules. The methodology chapter details the document-based design, case and episode selection and research limitations. A contextual chapter then outlines South Sudan's conflict and humanitarian economy and describes how the post-2016 regulatory and donor environment emerged. Two empirical chapters examine donor-triggered and state-triggered access episodes in turn, before a comparative chapter draws together cross-episode patterns. The conclusion reflects on what post-2016 South Sudan reveals about humanitarian governance in highly regulated conflict arenas and considers implications for policy and practice.

2. Literature review

This chapter examines the most relevant bodies of study on how NGOs negotiate humanitarian space under dual external pressures, with particular attention to how donor

and regulatory instruments shape organisational repertoires (adaptation, resistance, co-optation) and associated access outcomes.

Humanitarian neutrality, along with humanity, impartiality, and independence, is frequently used to justify access to vulnerable populations (Maxwell and Gelsdorf, 2019: 8-10). In practice, neutrality is viewed as a method to earn confidence and access rather than an objective in itself. However, practice consistently demonstrates contradictions between ethical neutrality and the political economy in which aid operates (Hilhorst, 2018: 10-11). These tensions echo the broader transformation from a "Dunantist", apolitical ideal to a professionalized, institutionalized enterprise heavily entangled with governance, security, and development ambitions. In this change, neutrality becomes both a moral claim and a political currency, which organizations use to negotiate with warring parties and nations that can open or close pathways (Barnett, 2005: 728-730).

Hilhorst (2018) defines humanitarian space as an arena, a negotiated social field shaped by everyday encounters between agencies, authorities, and crisis-affected individuals, as opposed to a fixed, apolitical space protected solely by principles. Within this arena, actors exercise "tactical agency", and aid relations are co-produced through labels, performances, and claims of legitimacy. One important result is that neutrality does not exist in isolation: it interacts with organizational narratives as well as recipients' methods for securing attention and resources (Hilhorst, 2018: 10-11).

Maxwell and Gelsdorf (2019) define contemporary humanitarian action as a system of local, national, and international actors operating in politicized crises, where access is constantly negotiated among authorities, armed actors, and aid organizations. They directly link principles to access: neutrality is a means to an end, a way to strengthen impartiality so that belligerents allow humanitarians to reach people in need; however, it carries trade-offs because gaining access to one side may preclude access to others (and neutrality can become ethically fraught in the face of atrocities) (Maxwell and Gelsdorf, 2019: 8-10). They also demonstrate that access is embedded in the institutions and procedures that structure response: since 2005, the Cluster Approach (the UN-led sectoral coordination system (Maxwell and Gelsdorf, 2019: 125-126)) has formalised coordination with designated leads across sectors, aiming for predictability and accountability, but is frequently dominated by UN agencies and large INGOs; performance varies by context. These designs establish the bureaucratic pathways via which permissions, priorities, resources, and roles are organized, influencing whether

programs may begin, scale, or continue in volatile environments (Maxwell and Gelsdorf, 2019: 125-126). This book-length view contributes to the thesis' approach in two ways. First, the analysis of how neutrality and other principles are seen as variable, contested, and politically costly means for access supports interpreting access as more than a binary and distinguishing authorization from acceptance (Maxwell and Gelsdorf, 2019: 8-10). Second, their account of the humanitarian architecture (clusters/coordination) emphasizes how administrative and organizational processes influence delivery on the ground, which is consistent with this thesis' emphasis on operational continuity, delays, reroutes, and coverage as outcomes that matter even when formal permissions are in place (Maxwell and Gelsdorf, 2019: 125-126). Taken together, their work supports this thesis' distinction between political, relational, and operational access, as well as helping to locate NGO adaptation and co-optation methods within a broader governance framework.

Putting these lines of research together, the literature indicates three recurring mechanisms through which donor and regulatory pressures shape NGO strategies and access patterns:

1. Relational performance of neutrality. Access depends on how neutrality is viewed in situ, by belligerents and communities, rather than on principle alone; performances that accord with local expectations can increase acceptability, whereas perceived alignment with external agendas might erode it (Hilhorst, 2018: 10-11; Terry, 2002: 31-32).

2. Donor-driven scripting of practice. Earmarks, indicators, and audits direct organizational behaviour toward what funders can measure, resulting in symbolic compliance and selective disclosure that keep operations running but limit the repertoire of publicly defensible neutral action (Banks and Hulme, 2012: 15-18; Ebrahim, 2003: 82-83, 101-03, 145-46).

3. Administrative gatekeeping by the state. Even the most neutral agencies confront permission regimes, travel restrictions, and targeted intimidation, which can cancel projects or modify where and how they work (United Nations Security Council, 2017: 25-26, 33-36).

These dynamics influence both how NGOs present neutrality and how access is structured. When earmarks and indicator regimes shape program geography and language, public claims to independence and neutrality are more difficult to maintain in

the eyes of authorities and communities who derive political alignment from where and how agencies operate (Banks and Hulme, 2012: 15-18; Ebrahim, 2003: 82-83). At the same time, the same upward-proof procedures that reassure funders often help maintain operational continuity, but they might incur relational costs if communities interpret the alterations as capitulation to remote goals (Ebrahim, 2003: 82-83, 145-146). In short, donor architectures generate recognisable repertoires of adaptation and potential co-optation: alignment and reframing to fit funded categories, symbolic compliance to maintain discretion, and dual systems that keep programs running while reproducing the governance effects of the instruments themselves (Ebrahim, 2003: 82-84, 101-103, 145-146; Banks and Hulme, 2012: 15-18).

Responses will differ because organizations confront differential leverage and risk. First, bargaining power and dependence differ: many INGOs diversify funding and rely on reputational capital, whereas many LNGOs are more aid-dependent and subject to upward accountability demands that limit autonomy and steer portfolios toward donor priorities (Banks and Hulme, 2012: 12, 15-18; Ebrahim, 2003: 145-146). Second, perceived threat profiles differ according to organisational role: advocacy (speaking out, making rights claims) is more likely to provoke official pushback, aggravating the neutrality dilemma (Terry, 2002: 22, 31-32); in South Sudan, the Panel (Panel of Experts on South Sudan) (2017) observes an increase in intolerance toward organisations that raise sensitive political or security issues, influencing acceptance and access (United Nations Security Council, 2017: 26-27). Third, sectoral exposure varies: health and logistics were directly impacted when new procedures for medical supplies and convoys out of Juba caused delays in critical assistance in August 2016, demonstrating how administrative levers bite differently across activities (United Nations Security Council, 2017: 26).

The majority of analyses in the main lines of research addressed here focus on donor steering or state regulation in relative isolation. Donor-centred research investigates how earmarks, indicators, and reporting systems drive NGOs toward greater accountability and portfolio alignment (Banks and Hulme, 2012: 12, 15-18; Ebrahim, 2003: 82-83, 101-103, 145-146). State-centred narratives document administrative gatekeeping in South Sudan (visa denials, convoy holds, regulatory oversight) and its constraints on operations (United Nations Security Council, 2017: 26-27, 34-35). What remains under-specified is how these pressures have interacted in practice since 2016: how donor-shaped footprints (themes, geography, indicator vocabularies) meet state gates at permit offices and

roadblocks, and how state tightening feeds back into donor-facing adaptations. Existing research describes mechanisms within each domain (Hilhorst, 2018: 10-11; Banks and Hulme, 2012: 15-18), but rarely provides integrated assessments of their combined effects on access in South Sudan's post-2016 context (Maxwell and Gelsdorf, 2019: 12; United Nations Security Council, 2017: 26-27).

The second gap concerns how access is operationalized. Much monitoring treats access as incident tallies, effectively reducing it to the existence or absence of barriers, and obscuring how limitations develop and evolve (United Nations Security Council, 2017: 26-27, 34-35). This binary lens, which refers to treating humanitarian access as a simple yes/no condition, ignores at least three factors that the literature highlights. First, access is graduated and bargained, rather than on/off: permissions may be partial, time-bound, or geographically limited, and can be tightened or loosened through daily negotiation (Hilhorst, 2018: 10-11). Second, paths vary across dimensions. Legal permissions can increase while community acceptance deteriorates, or vice versa, so single aggregates obscure trade-offs between political, relational, and operational routes to getting work done (Maxwell and Gelsdorf, 2019: 12, 57-58). Third, process matters: delays, rework, and paper friction degrade programs without necessarily causing headline incidents (United Nations Security Council, 2017: 26-27, 34-35).

The third gap shows that although much research identifies organizational repertoires (adaptation, resistance, and co-optation), few examine how these responses connect with access outcomes in specific episodes throughout time. Donor studies detail symbolic compliance, dual information systems, and frame alignment (Ebrahim, 2003: 82-83, 101-103, 145-146; Banks and Hulme, 2012: 15-18), and humanitarian analyses surface the speaking-out vs neutrality trade-off under coercion (Terry, 2002: 22, 31-32), but they rarely connect these behaviours to changes in approvals/renewals, acceptance patterns, or operational continuity in South Sudan since 2016 (United Nations Security Council, 2017: 26-27, 34-35). This thesis fills the gap by examining how post-2016 regulatory and donor pressures jointly shape NGO repertoires of adaptation, resistance, and co-optation, and by tracing how these repertoires are associated with political, relational, and operational access patterns in specific episodes in South Sudan.

3. Conceptual and Analytical Framework

In fragile, conflict-affected settings like South Sudan, NGOs operate in a governed arena shaped by state regulation, donor conditions, and the desire for local acceptance; access is negotiated rather than given, and legitimacy politics are as important as logistics (Hilhorst, 2018: 4-8). The thesis thus treat humanitarian access as a relational outcome along three interlocking dimensions: political access (permissions and authorizations within the legal-bureaucratic order), relational access (acceptance and trust among authorities, communities, and non-state actors), and operational access (the practical ability to deliver under security, movement, and logistical constraints). In this thesis, political access refers to formal, legal-bureaucratic decisions (registration, project and movement approvals, staff and visa clearances), whereas relational access encompasses the more informal acceptance, trust, or hostility expressed by authorities and communities in everyday interactions, which may differ from what is written in official permissions. Operational access refers to what happens in practice once these conditions are met, such as whether activities are carried out, delayed, rerouted, cut back, or suspended, and with what geographical coverage (Maxwell and Gelsdorf, 2019: 9; 123-126). In the empirical chapters, this threefold distinction structures the analysis of how NGO strategies of adaptation and co-optation, under regulatory and donor pressure, play out across political, relational and operational access.

The thesis adopts an operational approach to humanitarianism: organised activity to alleviate crisis-related suffering that is guided, while not legally mandated, by self-governing principles (Stein, 2009: 152-158). In this concept, neutrality, impartiality, and independence are viewed as organizational practices that are claimed and implemented in specific agreements rather than as permanent, universal responsibilities. According to the International Red Cross and Red Crescent Movement (2021), neutrality means not taking sides in hostilities or engaging in political, racial, religious, or ideological debates (IFRC, 2021: 5); the 1994 Code of Conduct also states that aid will not be used to advance a specific political or religious viewpoint (IFRC, 1994: 3). In negotiated humanitarian settings like South Sudan, these concepts are constantly enacted and calibrated in daily encounters with government, communities, armed actors, and donors (Hilhorst, 2018: 9-11). System-level coordination architectures and finance arrangements provide the institutional backdrop for such demonstrations of concept (Maxwell and Gelsdorf, 2019: 9; 123-126).

Administrative gatekeeping directs political access by regulating approvals, conditions, and timetables (Non-Governmental Organizations Act of 2016: ss. 6-13, 18(c)). In practice, this entails registration and renewal procedures, visa and personnel quotas, movement permits and convoys, and activity-specific clearances and requirements. These mechanisms determine whether NGOs obtain and maintain formal authorization (political access), but they also signal favouritism or disapproval in ways that affect how local officials and communities interact with organizations (relational access), and they can delay, reroute, or halt programs (operational access) (Banks and Hulme, 2012: 7-11; Ebrahim, 2003: 82-83, 96-100, 103-104).

In this thesis, donor governance instruments (earmarking of budgets and activities, indicator regimes embedded in logframes and RBM, reporting cadence, and verification through TPM (Third-Party Monitoring)/audits and data-sharing or visibility clauses) are treated as a form of organisational control that reallocate discretion upward and steer NGO behaviour (Banks and Hulme, 2012: 7-11). Information and reporting systems prioritise upward accountability, favour symbolic compliance, and can limit adaptive space when indicators are dense or fixed (Ebrahim, 2003: 77-83, 145-146, 159-160).

In terms of access, these mechanisms are expected to condition political access (approvals/conditions tied to compliant reporting), relational access (acceptance/friction where visibility and data demands are sensitive), and operational access (continuity versus delays/reroutes as verification and timelines tighten) (Ebrahim, 2003: 82-83, 96-100, 103-104).

The analysis is organized around three interconnected elements. First, external constraints are divided into two categories: state regulatory restrictions and donor governance instruments such as earmarking, results-based management/logframes, reporting cadence, verification through TPM/audits, and data-sharing or visibility agreements. Second, organizational responses are defined as a repertory of adaptation (procedural compliance, reframing), resistance (refusal, appeal, coalition-building), and co-optation (adherence to donor or state agendas beyond basic criteria). Third, access is interpreted in terms of political (formal permissions and conditions), relational (acceptance and trust with authorities and communities), and operational (continuity, delay, rerouting, and coverage) characteristics. Rather than measuring each instrument and dimension separately, the thesis uses a comparative, episode-based qualitative design in which

documented access episodes for three NGOs are coded to trace how specific combinations of regulatory and donor pressures are associated with specific strategies, particularly procedural adaptation and incipient co-optation, and how these strategies manifest across political, relational, and operational access levels. Regulatory pressure is defined as legal-bureaucratic controls over registration, staffing, reporting, and mobility that condition the right to function and can be tightened administratively on short notice (Non-Governmental Organizations Act, 2016, ss. 6-13, 15).

On this basis, the framework yields three hypotheses about how regulatory and donor pressures shape NGO repertoires and access:

H1: Since 2016, regulatory and donor pressures have pushed NGOs in South Sudan to rely primarily on procedural adaptation rather than overt resistance, with co-optation appearing as a potential but less frequently documented response.

H1a: When regulatory pressure increases (permits, staffing enforcement), NGOs adapt more, which is associated with better political access (approvals/renewals), and may generate frictions in relational access (more acceptance tensions).

H1b: When donor conditions tighten (earmarks and indicator regimes), NGOs align documentation and programme framing more closely with donor agendas to preserve operational continuity, raising the risk of co-optation and trade-offs for downward accountability.

These hypotheses are framed as observable expectations rather than causal claims; they organise the analysis of pressures, repertoires, and access outcomes while also guiding episode comparisons.

To make sense of NGO behaviour under these constraints, the thesis employs a conceptual framework of adaptation, resistance, and co-optation. These three categories, taken from practice theory and organizational studies, encompass the many techniques used by NGOs to deal with external constraints. Resistance is included in the repertoire as a possible response (refusal, appeal, withdrawal), but the empirical chapters show it to be rare in the available documentation, so the analysis focuses mainly on adaptation and co-optation.

Organizational reactions are conceptualized as a repertoire. Adaptation is the tactical alignment with external demands in order to secure funds or access while attempting to

protect core priorities, such as reframing language, adjusting indicators or formats, or generating largely "symbolic" information for funders so that reporting systems are satisfied but everyday practice remains oriented to local understandings of need (Ebrahim, 2003: 102-103, 145-146; Banks and Hulme, 2012: 16-17). Co-optation, on the other hand, describes situations where external agendas come to organise the NGO's own strategies and identity: dependence on tightly prescribed contracts and indicator regimes shifts accountability upwards, NGOs act as subordinated "agents" of donor or state policy, and program choices and public narratives reflect those priorities more than those of crisis-affected populations (Banks and Hulme, 2012: 17-18; Ebrahim, 2003: 155-159; Barnett, 2005: 723-724).

The thesis approaches the grey region between adaptation and co-optation as an empirical topic rather than a hard line. According to arena perspectives that emphasize tactical agency and negotiated practice (Hilhorst, 2018: 2-3; Ebrahim, 2003: 155-159), episodes are coded as adaptation where NGOs comply on paper but retain significant room to reinterpret or buffer demands (dual information systems, symbolic reporting, or selective uptake of new discourses), and as co-optation where documents show sustained realignment of resources, target groups, or justificatory language with donor/state priorities. In other words, adaptation is superficial alignment under restriction, whereas co-optation involves deeper normative and strategic drift.

In summary, the thesis focuses on how state regulation and donor governance instruments constitute external pressures, how NGOs respond through a repertoire of adaptation, resistance and co-optation, and how these strategies, particularly adaptation and co-optation, are reflected in political, relational and operational access in the documented episodes from South Sudan since 2016.

4. Methodology

This thesis examines how post-2016 regulatory and donor pressures in South Sudan have shaped NGO strategies of adaptation and co-optation, using a theory-led, desk-based qualitative design based on documentary analysis. It reconstructs and compares discrete access episodes involving Norwegian Refugee Council, World Vision South Sudan, and Nile Hope, using qualitative analysis of documentary sources such as laws and regulations, donor contracts and guidelines, and NGO and UN reports and minutes. This document-based approach proves suitable for the research question because regulatory

and donor pressures, as well as the adaptation and co-optation strategies they trigger, are enacted and documented in formal instruments (permit conditions, indicator changes, reporting requirements) and written NGO and UN accounts of how organisations responded. By coding each episode based on the type of pressure, response repertoire, and ensuing political, relational, and operational access pattern, the research can directly analyse how post-2016 regulatory and donor pressures have shaped NGO strategies.

In order to operationalize these categories, documented access episodes are structured and coded using explicit decision rules that only attribute outcomes to pressures found in grant/annex clauses, official letters, permits, audit/TPM records, and reporting templates. The analysis prioritizes pattern recognition over causal claims (Banks and Hulme, 2012: 7-11; Maxwell and Gelsdorf, 2019: 9; 123-126). Because original registration/renewal files, permit workflows, and personnel approvals are typically not publicly accessible, the thesis codes state instruments based on published legal/regulatory texts and explicit, dated references to their application in public NGO/UN/cluster documents (e.g., situation reports, access notes, Access Working Group minutes, and allocation summaries). If the original letter/permit is publicly available, it is used; otherwise, the two-source rule (corroborated by at least two independent, dated documents referring to the same event or decision) applies to the relevant dates and decisions.

To implement this framework, the thesis uses a standardised episode template. For each documented access episode, the template records (i) the specific donor or state instrument that triggered the episode; (ii) the NGO's repertoire of responses, coded as adaptation, resistance or co-optation according to the criteria set out above; and (iii) the resulting pattern of political, relational and operational access. Keeping these two levels separate, strategy (adaptation, resistance, co-optation) and access pattern (political, relational, operational), allows the analysis first to distinguish how NGOs respond to regulatory and donor pressures and then to compare how different strategies are associated with different access patterns across organisations and between the pre-2016 and post-2016 periods. Access episodes are defined here as limited negotiations or conflicts over movement, permissions, personnel, procurement, or delivery that are documented in public NGO, UN, or cluster records, in line with Hilhorst's (2018) and Maxwell and Gelsdorf's (2019) ideas.

The use of access episodes is based on these two. Hilhorst's (2018) arena perspective views humanitarianism as an arena in which various actors socially negotiate aid policies

and practices, developing their own strategies based on shared vocabularies, ambitions, and realities; studying aid from this perspective entails paying attention to how these negotiations play out in everyday practice. In this thesis, each access episode is interpreted as a short sequence of interactions rather than a single incident, and the coding considers not only the formal instrument (permit, clause, audit requirement), but also how NGO and UN documents describe the problem, the actors involved, and the justifications they invoke. Maxwell and Gelsdorf's (2019) analysis of humanitarian architecture demonstrates how the UN coordination system, including the Cluster Approach and pooled funds, was designed to clarify who is responsible for what and to structure roles, responsibilities, and resource flows, even if clusters are frequently dominated by UN agencies and large INGOs and perform differently across contexts (Maxwell and Gelsdorf, 2019: 30-31, 142-147). Combined with their argument that neutrality is a means to bolster impartiality and maximise the possibility of reaching those who are suffering, with clear trade-offs in politicised crises (Maxwell and Gelsdorf, 2019: 31), this underpins the decision to treat cluster decisions, Humanitarian Response Plans, pooled-fund rules, and authorisation chains as part of the pressure environment in each episode, and to read shifts in geography, modalities, or coverage as NGO strategies of adaptation or co-optation within that architecture.

Standard episode template (each documented access episode is reported in a fixed mini-structure to enable comparison and auditability):

Episode [x]: [NGO] - [Sector/County], [Year] (pre/post-2016)

- Trigger/instrument: The specific donor or state instrument that precipitated the episode (e.g., earmark/indicator/log frame clause; reporting cadence; third-party monitoring (TPM)/audit/visibility/data-sharing requirement; registration/renewal condition; visa/staffing enforcement; movement-permit/convoy rule; activity approval/condition).
- Documentary evidence: Titles/IDs and dates of the public documents used (e.g., award letters/annexes/logframes; PCAs; FLAs); NGO situation reports (sitreps)/access notes; Access Working Group (AWG) or cluster minutes; official letters/circulars).

- NGO's repertoire: Adaptation/Resistance/Co-optation, with the concrete steps taken (e.g., procedural compliance; reframing/retiming/rerouting; refusal/appeal/coalition pressure; alignment beyond minimum compliance).
- Access outcomes: Political (approvals/conditions/timelines), Relational (acceptance/friction signals), Operational (continuity/delays/reroutes/coverage).

Within each episode, a regulatory or donor instrument is treated as influencing an NGO strategy or access pattern only when three conditions are met: (i) the documents explicitly link the change to that instrument (for example, a report or minute states that a permit condition, staffing enforcement, earmark, indicator change or verification requirement prompted the NGO's response); (ii) the temporal sequence is clear, with the response and access pattern following the instrument within the same or the next reporting or approval cycle; and (iii) no alternative primary explanation (such as a major security incident or pipeline break) is highlighted in the same documents. Where these prerequisites are not met, the relationship between pressure, repertoire, and access pattern is considered uncertain, and the occurrence is described without assigning a specific impact. In this way, the thesis reveals predictable connections between specific types of pressure, NGO techniques, and access outcomes, while avoiding claims that any single factor completely "caused" the outcome.

Regulatory and donor pressures are coded symmetrically. For each access episode, the template records whether state instruments (for example, permit or registration requirements, visa/staffing enforcement, convoy rules) are present, whether donor instruments (for example, earmarks, indicator changes, reporting cadence, verification or visibility requirements) are present, and which of these the documents identify as the main trigger for the NGO's response. Episodes are then categorised as primarily regulatory-triggered, primarily donor-triggered, or mixed, and the comparative analysis simply counts these categories and compares the associated repertoires and access patterns. Regulatory pressure refers to legal-bureaucratic controls over registration, staffing, reporting and mobility that condition the right to function and can be tightened administratively on short notice (Non-Governmental Organizations Act, 2016: ss. 6-13, 15). For donor pressure, "tightening" refers to textual changes between pre-2016 (2013-2015) and post-2016 instruments, such as stricter earmarking (activity/location/budget locks; higher prior-approval thresholds), increased indicator density/fixity (more/specific targets; rules requiring approval to modify), faster reporting cadence (e.g., quarterly →

monthly/near-real-time), and/or added verification/visibility/data-sharing clauses (TPM, audits, photo/GPS) (Banks and Hulme, 2012: 7-11; Ebrahim, 2003: 82-83; 96-100; 103-104). Adaptation is coded when texts demonstrate procedural compliance or reframing/retiming/rerouting to meet state requirements; co-optation when NGOs go above and beyond minimum compliance with donor instruments (verbatim adoption of donor indicator sets; re-targeting/switching modality to fit earmarks; acceptance of expanded visibility/data-sharing); and resistance when refusal/appeal/coalition pressure is documented. Political, relational, and operational access are extracted from the same dossier (permissions/renewals/conditions and time-to-approval; letters/minutes/complaints indicating acceptance/friction; sitreps, movement logs, and distribution records for continuity/delays/reroutes/coverage), in line with how coordination/administrative architectures organise what agencies can do (Maxwell and Gelsdorf, 2019: 9; 123-126). Hypotheses are assessed by reading each episode as a sequence from trigger to repertoire to access pattern (pressure → adaptation, resistance or co-optation → political/relational/operational outcomes) and then comparing patterns across episodes (pre-2016 vs post-2016; donor- vs state-triggered), using a two-source rule for every coded pressure, repertoire and outcome. The two-source rule means that any pressure, strategy or access outcome is only coded when it is corroborated by at least two independent documents (for example, a grant letter and a cluster minute, or an NGO report and an AWG note).

The study uses a limited comparative sample of three NGOs (NRC, World Vision South Sudan, and Nile Hope) across two sectors (protection/HLP and health), yielding a target of 9-12 documented access episodes (1-2 donor-triggered and 1-2 state-triggered per NGO). The documented episodes are purposefully chosen to align with the research focus on regulatory and donor pressures: an episode is included only in situations in which a specific state or donor instrument can be identified as a trigger (for example, a new permit condition, staffing enforcement, earmark, indicator change, or verification requirement), and when at least two independent documents trace the sequence from pressure to NGO response and access pattern.

Access outcomes are read in the triad of political (permissions/conditions/timelines), relational (acceptance/friction), and operational (continuity/delays/reroutes/coverage). This bounded design keeps inference pattern-focused rather than exhaustive and is

consistent with the thesis' desk-based orientation. In the episode-based analysis that follows, permit timelines, conditions, and denials are read as political-access outcomes.

Relational access is more difficult to detect in a desk-based design; hence it is approximated by explicit references to acceptance or friction in the documents. In practice, this includes mentions of community support or resistance in minutes, reports, or letters, as well as narrative explanations of why access was granted, delayed, or blocked that attribute decisions to local perceptions of an organization's neutrality or alignment. These traces are understood as partial proxies for acceptance and trust rather than accurate measurements, and quiet in the documents does not imply full acceptance.

NRC's South Sudan materials demonstrate a broad operational profile and established liaison with UN partners (NRC, 2023: 4); WVSS reports multi-sector relief with clearly itemized grant portfolios (World Vision South Sudan, 2023: 11); and Nile Hope appears as a prominent national implementer in nutrition/health through pooled and UN-agency agreements (Nile Hope, 2014: 3-4; OCHA, 2020: 11). The three NGOs vary in type, sector, scale, and funding channels, which makes them a useful comparative sample for observing different repertoires and access outcomes.

Throughout, the analysis avoids doctrinal exegesis of the 2016 NGO Act; instead, it focuses on how administrative levers bite in practice as described in the documentary record (e.g., visa denials, convoy holds, and new documentation requirements affecting medical cargo and movements out of Juba in August 2016), using these as contextual anchors for theorized mechanisms without turning the chapter into a legal analysis (United Nations Security Council, 2017: 26-27, 34-35). The periodisation continues from 2016 onwards to fit with the thesis design and ensure that events occur where donor and state pressures are both substantively present.

Validity in this theoretical, desk-based design is dependent on theoretical consistency and straightforward implementation. Propositions are explicitly stated, coding categories are determined from the conceptual framework, and the pressure-repertoire-access logic is used consistently across all episodes. At the same time, the design only captures strategies and access patterns that leave a documentary trail in laws and regulations, donor contracts and guidelines, and NGO and UN reports and minutes; internal deliberations, informal bargaining, and dissent that do not appear in documents are largely invisible. For this reason, the coding rules are deliberately conservative: adaptation is coded only when texts

show procedural compliance or reframing/retiming/rerouting in response to specific regulatory or donor instruments; resistance is limited to cases where refusal, appeal, or withdrawal is explicitly recorded; and co-optation is coded only when documents indicate a more durable realignment of resources, target groups, or justificatory language towards donor or state priorities. This increases the likelihood that resistance and co-optation are underestimated rather than emphasized. Known documentary biases are treated as substantively meaningful rather than as noise: the emphasis on easily countable 'product' outputs in reporting, the symbolic and selective use of information, and the professionalization of information systems are all part of the environment that the framework seeks to explain (Ebrahim, 2003: 78-82, 99-103; Banks and Hulme, 2012: 16-17). A minimal audit trail (a documented corpus of sources with brief comments and consistent episode coding) backs up reliability, and the thesis claims analytical generalization to these processes rather than complete coverage of all NGO behaviour in South Sudan. Finally, these limits are mirrored in the manner findings are reported: results are presented as patterns in publicly documented incidents, and statements concerning resistance, and, most importantly, adaptation and co-optation are made with caution. Because the research is based exclusively on public or widely circulated records and does not include human subjects, it is considered ethically low risk.

5. Contextual chapter

Defining the political-legal terrain in which the paper situate its empirical analysis entails beginning with the war itself and the humanitarian economy it created, then tracing how donors, state authorities, and NGOs negotiated space, often contentiously, around principles of neutrality, independence, and access. Since its independence in 2011, South Sudan’s conflict dynamics have been defined by recurring state-armed group clashes, ethnically influenced mobilization, and the strategic use of bureaucratic and military means to shape the humanitarian footprint (de Waal et al., 2017: 6-11, 15). By 2016-2017, these struggles had resulted in not only widespread displacement and famine risk, but also a standard pattern of administrative bottlenecks, mobility restrictions, and intimidation directed against humanitarian groups and the UN (United Nations Security Council, 2017: 37-38).

Civic space dynamics and state-NGO relations before and after 2016 followed this trajectory. Prior to 2016, the Panel (2017) had already reported on patterns of bureaucratic bottlenecks, hostile speech, and denial of access in Unity and Upper Nile, as well as

evacuations, relocations, and incidents against facilities dating back to 2015. By the second half of 2016, the state's use of administrative levers had become more systematic. New transport documentation for medical cargo and convoy movements from Juba in August 2016 created delays in the dispatch of crucial supplies, a micro-control practice with macro-level implications for program timeframes (United Nations Security Council, 2017: 26). At the same time, security-sector actors increased intimidation: in December 2016, for example, top authorities warned that UN actions (such as an embargo) would imperil UN staff (United Nations Security Council, 2017: 37-38). This cumulative record demonstrates the limiting of civic-humanitarian space, not through a single statute, but through a combination of paperwork, checkpoints, political media narratives, and credible threats of force.

The Panel of Experts (2017) on South Sudan's narrative allows to reconstitute that reconfiguration without citing the statute directly. Initially, access was bureaucratized. The August 2016 documentation reform for medical supplies and convoys marked a shift in strategy, with paperwork becoming a frontline tool of humanitarian control (United Nations Security Council, 2017: 26). Second, oversight was consolidated and secured. By late 2016, senior officials had communicated a clear doctrine that external pressure (e.g., Security Council action) would cause retaliation risks for UN personnel; in early 2017, the pattern of movement denials and assaults on UN personnel confirmed that securitized posture (United Nations Security Council, 2017: 28, 37-38). Third, the state re-scaled humanitarian geography through targeted denials and corridor closures, requiring costly re-routing from Juba and cutting off direct routes to displaced civilians north of Malakal (United Nations Security Council, 2017: 38). Taken together, these moves tightened the terms of access in ways that forced NGOs to recalibrate neutrality performatively, while remaining legible to donors whose accountability demands did not relax as operational constraints mounted (Banks and Hulme, 2012: 15-18; Ebrahim, 2003: 100-103, 145-146). These developments place NGOs in a negotiated humanitarian space where neutrality is maintained and access is graduated across political, relational, and operational dimensions, as described in Chapter 3.

2016 represents the convergence of a securitized oversight posture (public threats that UN personnel would be in danger if sanctions were imposed, routine movement denials, and targeted intimidation) and, a bureaucratic shift toward documentary control that had a direct impact on the logistics of life-saving relief (United Nations Security Council, 2017:

26-28, 37-38). The three NGOs illustrate distinct intersections of these dynamics: NRC's mobile teams operate in contested, hard-to-reach counties; WVSS runs large, high-visibility programmes in displacement and service hubs; Nile Hope, a national NGO, works in remote, underserved areas where local authorities and communities mediate access (NRC, 2023; World Vision South Sudan, 2023; Nile Hope, 2014). The empirical chapters look at how NGOs adapted around this hinge: how they re-phrased neutrality to state gatekeepers while satisfying donor audit cultures, and how they balanced the moral risks Barnett mentions against the imperative to stay and deliver (Barnett, 2005: 723-24, 736-37; Maxwell and Gelsdorf, 2019: 9-10).

6. Empirical Chapter 1: Donor-triggered access episodes

South Sudan's humanitarian response is funded by a combination of bilateral funds (e.g., USAID (United States Agency for International Development) /BHA (Bureau for Humanitarian Affairs), ECHO (European Civil Protection and Humanitarian Aid Operations) and UN-managed pooled mechanisms, most notably the South Sudan Humanitarian Fund (SSHF). The SSHF combines cluster coordination with allocation rules, eligibility by partner risk tier, timeframes, and standardized review/monitoring; features that have a direct impact on how NGOs plan, evidence, and time their programs (OCHA, 2020: 2-4, 6, 10-12).

This chapter examines donor-triggered access episodes in which the initiating instrument is a funder requirement (for example, a grant clause, log frame, reporting cadence, verification, or visibility condition). Following the document-based approach outlined in Chapter 4, each episode compares donor texts to NGO reports to determine the repertory of responses and their political, relational, and operational access outcomes.

6.1

Episode A: World Vision South Sudan - Multi-sector (nationwide), 2015 (pre-2016)

Trigger/donor instrument

DG ECHO's 2015 HIP for Sudan and South Sudan established the strategy framework and submission mechanisms for partners, directing applicants to the Technical Annex for guidance on how and when to submit applications; this served as the donor-side document overseeing the grant process in 2015 (ECHO, 2015: 2-3).

Documentary evidence

- DG ECHO HIP 2015: Sudan and South Sudan: country context, priorities, and modalities for submission (ECHO, 2015: 2-3).
- World Vision South Sudan: Annual Report 2015 (issued 2016): multi-sector outputs and donor environment, including ECHO support noted in the Nutrition portfolio (WVSS, 2016b: 10-11) and sector results for WASH (WVSS, 2016b: 6-7) and Food Assistance (WVSS, 2016b: 12-13), with narrative acknowledgement of continued support from ECHO among other donors (WVSS, 2016b: 18-19).
- World Vision South Sudan: Wau Shilluk Emergency Hygiene and Sanitation Proposal (2016): an immediately subsequent WASH proposal that illustrates the donor-aligned proposal format and indicator/monitoring grammar used by WVSS at the time (WVSS, 2016a: 1-2).

NGO repertoire

Adaptation (compliance-framed alignment): WVSS aligns its 2015 delivery and external reporting to donor program frames by operating across donor-prioritized sectors and demonstrating results in a consolidated, indicator-style annual snapshot; the nutrition section explicitly lists ECHO as a key funder while presenting outputs in donor-legible terms (WVSS, 2016b: 10-11; 6-7).

Access outcomes

- Political (permissions/conditions/timelines): The dossier lacks direct proof of political permits, conditions, and timetables. However, the ECHO HIP submission system serves as a visible donor-side instrument (ECHO, 2015: 2-3).
- Relational (acceptance/friction): Multi-donor support (ECHO, OFDA/USAID, WFP (World Food Programme), UNICEF (United Nations Children's Fund)) and large-scale presence suggest routine involvement; no complaint letters are included in this file set (WVSS, 2016b: 18-19).
- Operational (continuity/delays/reroutes/coverage): Continuity at scale across sectors notwithstanding conflict or logistical constraints: WASH reached approximately 62,300 people (boreholes, latrines, hygiene promotion) (WVSS, 2016b: 6-7); Nutrition reached 112,842 children under the age of five and 31,742

PLW (WVSS, 2016b: 10-11); Food Assistance reached 139,165 IDPs with 11,747 MT plus cash, despite pipeline and river closure constraints (WVSS, 2016b: 12-13).

6.2

Episode B: World Vision South Sudan - Multi-sector (nationwide), 2017-2018 (post-2016)

Trigger/donor instrument

The European Commission's visibility and verification requirements for Sudan and South Sudan were specified in the 2017 Humanitarian Implementation Plan (HIP) package, particularly the Single Form requirement and submission deadlines, as well as standard/above-standard visibility obligations and the 0.5% visibility budget rule, and the expectation of regular ECHO/partner monitoring (DG ECHO, 2017a: 2; DG ECHO, 2017b: 10-11; DG ECHO, 2017a: 11-12).

Documentary evidence

- DG ECHO HIP 2017 - Sudan and South Sudan (ECHO/-AF/BUD/2017/91000), vis./monitoring clauses (DG ECHO 2017a: 11-12) and coordination context (DG ECHO 2017a: 1-2).
- DG ECHO Technical Annex to HIP 2017 - visibility obligations (DG ECHO, 2017b: 10-11); Single Form admin/timing (DG ECHO, 2017b: 2).
- World Vision South Sudan (WVSS) 2018a - Hunger Response Situation Report No. 15 (Jan 1-31, 2018): highlights donor acknowledgement, sectoral delivery outputs, and compliance with visibility requirements (WVSS, 2018a: 1-4).
- World Vision South Sudan (WVSS) 2018b - East Africa Hunger Crisis Situation Report (Apr 1-30, 2018): provides granular sectoral breakdowns (WASH, Nutrition, Health, Food Security, Protection, Education) and demonstrates output monitoring and reporting adaptability (WVSS, 2018b: 1-3).

NGO repertoire

Adaptation (compliance-framed alignment): WVSS publishes a donor-acknowledgement panel ("World Vision South Sudan Humanitarian Donors and Partners") consistent with ECHO's visibility requirements (WVSS, 2018a: 4); and reports against standard output

indicators across FSL (Food Security and Livelihoods), Nutrition, WASH (Water, Sanitation, and Hygiene), Health, and Child Protection (WVSS, 2018b: 2-3), i.e., aligning reporting content and cadence to funder templates while

Access outcomes

- Political: This sitrep (January 2018) does not explicitly mention permits or approvals, while the HIP/Technical Annex focuses on donor expectations rather than state clearances (DG ECHO, 2017a: 11-12; DG ECHO, 2017b: 2).
- Relational: The donor-logo acknowledgement (WVSS, 2018a: 4) shows visibility compliance, but the sitrep does not include any complaints or friction letters (neutral).
- Operational: WVSS reported reaching 626,113 people in January 2018 across sectors (WVSS, 2018b: 3), with detailed activity counts (e.g., 405,186 food-assistance recipients, 92,282 WASH, 24,360 health) (WVSS, 2018b: 2-3), indicating continued delivery under the visibility/verification regime.

6.3

Episode C: Nile Hope - WASH (Leer, Ulang, New Fangak), 2017 (post-2016)

Trigger/donor instrument

The South Sudan Humanitarian Fund (SSHF) pooled-fund instruments require partner reporting, monitoring/verification, and coordination: the SSHF Operational Manual establishes monitoring objectives, tools (field/site monitoring, spot checks), and partner reporting through the Grants Management System (OCHA, 2021: 27-31, 29). Reserve/standard allocation criteria also demand alignment with cluster priorities and regular reporting to clusters, as stated in the Third Reserve Allocation Strategy (OCHA, 2020: 2, 10).

Documentary evidence

- SSHF Operational Manual (2021): monitoring framework and partner reporting requirements (OCHA, 2021: 27-31, 29).
- SSHF Third Reserve Allocation Strategy (2020): cluster-anchored eligibility, coordination and performance parameters (OCHA, 2020: 2, 10).

- Nile Hope SSHF WASH Proposal (Standard Allocation, 2017): header (project code, dates, locations), activities/targets and M&R plan referencing WASH-cluster tools/5Ws and joint SSHF monitoring (Nile Hope, 2017: 1, 7-9).

NGO repertoire

Adaptation (compliance-framed): The proposal adheres to cluster standards (indicators, water-point checklists, 5Ws submissions) and commits to weekly field updates, monthly reporting, and joint SSHF monitoring, which mirrors pooled-fund and cluster M&R expectations (Nile Hope, 2017: 8-9; OCHA, 2021: 28-29).

Access outcomes

- Political: Formal donor authority is demonstrated by an approved six-month award (Apr-Sep 2017) with budget and locations (Nile Hope, 2017: 1). This dossier does not include any documentation about state permits.
- Relational: The proposal includes coordination with county water/sanitation departments and accountability to affected populations (AAP) obligations, such as discussions and feedback/complaint systems, indicating a desire for acceptability from authorities/communities (Nile Hope, 2017: 8-9).
- Operational: A time-bound workplan and outputs (rehabilitations, latrines, hand-washing facilities, hygiene promotion, sanitary-kit distribution) aligned with dry-season logistics ensures continuity under SSHF monitoring/reporting (Nile Hope, 2017: 1, 7-9).

6.4

Episode D: Nile Hope (LNGO) - Nutrition (multi-county), 2019-2020 (post-2016, UN-agency partnership environment)

Trigger/donor instrument

Participation as a WFP “cooperating partner” under a FLA, the standard contract that NGOs must sign to administer WFP programs and manage WFP resources. According to the UNHCR Programme Cycle Management brief, cooperation agreements with WFP are formalised through a FLA, which oversees implementation, management, and monitoring; the FLA is the needed legal instrument for NGO partners (UNHCR, 2021:1-

2). The WFP FLA template affirms the instrument's status as the governing agreement, including standard terms/annexes and Country Office (CD) authority (WFP, 2024:1-2).

Documentary evidence

- Partnership instrument/modality: UNHCR PCM brief (FLA as WFP's NGO contract; cooperating partnerships definition) (UNHCR, 2021: 1-2).
- Instrument form: WFP Field Level Agreement template (agreement structure; order of priority of terms; CO authority) (WFP, 2024: 1-2).
- Operational coordination and clearances: Logistics Cluster Juba Meeting Minutes (2018) showing Nile Hope's participation and the requirement to join scheduled convoys/barge movements and begin clearance processes (20 Nov 2018: participants list includes Nile Hope; action points: submit SRFs, start clearances; convoy schedule/transport plan references) (Logistics Cluster, 2018a: 1-2, 3-4). Additional Meeting Minutes (2019) show barge/boat movements dependent upon clearances and postponements due to delayed clearances (5 Nov 2019, "River Operations Update") (Logistics Cluster, 2019: 1-6).
- Funding/verification environment: SSHF 2020 Annual Report describing pooled-fund practice (allocations spanning years; results reporting windows; emphasis on local partners and ongoing monitoring/reporting cycles) (OCHA, 2020: 5-7).

NGO repertoire

Adaptation (compliance-framed alignment) entails acting as a cooperative partner under the FLA modality and following cluster logistical procedures such as submitting Service Request Forms (SRFs), pre-positioning goods for barge/boat/convoy slots, and starting the necessary clearances in accordance with cluster guidelines. Logistics Cluster's Meeting Minutes (2018) specifically instruct partners to begin clearances and adhere to convoy/river timetables; Nile Hope is listed as a participant in these coordination meetings (Logistics Cluster, 2018a:1-4).

Access outcomes

- Political (permissions/conditions/timelines): Documentary references link logistical movements to clearance needs, such as barge departures and river convoys, highlighting the impact of permissions on schedules (Logistical Cluster, 2019:2).

- Relational (acceptance/friction): Regular participation in inter-agency coordination (attendance lists, action points) demonstrates engagement and acceptance within the humanitarian coordination system (Logistics Cluster, 2018a: 1).
- Operational (continuity/delays/reroutes/coverage): Convoys, barges, and air/river transport plans ensure movement continuity; the operational tempo varies according to convoy calendars and river conditions. Meeting Minutes (2018 ,2019) document timetables (Western Corridor convoys; barge voyages) and identify delays due to clearances, demonstrating how activities progress but might slow or cluster around approval cycles (Logistics Cluster, 2018a: 3-4; Logistics Cluster, 2019: 2).

6.5

Across the four donor-triggered vignettes, the predominant behavioural trend is procedural adaptation to funder instruments rather than co-option. Under the 2017 ECHO regime, partners must submit proposals via the Single Form within specified timelines and select standard or above-standard visibility items, with up to 0.5% of direct eligible costs earmarked for visibility and activities that ECHO staff can explicitly monitor (DG ECHO, 2017b: 2-3, 10-11). WVSS's January 2018 sitrep reflects this grammar with consolidated production indicators and a donor-logo acknowledgement panel, the conventional compliance-framed adaption (WVSS, 2018a: 2-4). In the SSHF case, the Operational Manual formalizes partner reporting using the Grants Management System and monitoring tools (field/site visits, spot checks), whereas the Third Reserve Allocation Strategy links eligibility to risk tiers, cluster endorsement, and performance (OCHA, 2021: 27-31; OCHA, 2020: 10). Nile Hope's (2017) WASH plan adheres to these requirements, including cluster indicators, 5Ws reporting, and collaborative SSHF monitoring (Nile Hope, 2017: 7-9). The template and PCM brief for the WFP FLA modality establish the FLA as the mandatory, overarching contract for NGO "cooperating partners", with an appended plan of operations, budget, and project proposal under Country Office authority (UNHCR, 2021: 1-2; WFP, 2024: 1-2). Logistics Cluster Meeting Minutes (2018, 2019) then reveal partners, including Nile Hope, modifying routing and timing to convoy/barge calendars and clearance procedures, another example of procedural alignment rather than evident mandate stretching (Logistics Cluster, 2018a: 1-4; Logistics Cluster, 2019: 2-3).

The pre/post comparison reveals a restricted, instrument-specific tightening of visibility/verification after 2016, rather than a generic hardening across all donor tools. In 2015, ECHO's HIP for Sudan and South Sudan (2015) established strategic priorities and directed partners to the Technical Annex for modalities and timetables, but did not include explicit visibility rules (ECHO, 2015: 2). By 2017, the Technical Annex had codified the Single Form with stated visibility duties, such as the 0.5% visibility line and examples of standard/above-standard goods that ECHO workers might monitor (DG ECHO, 2017b: 2-3, 10-11). WVSS's repertoire, however, is one of adaptation: aligning indicators and branding while preserving large-scale delivery and retaining community-facing mechanisms rather than abandoning them (WVSS, 2016b: 6-7, 10-11; WVSS, 2018a: 2-4).

Using the coding standards from Chapter 4, H1b is not supported at the repertoire level in Episodes A, C, and D: the documents demonstrate adaptability to donor instruments but no evident co-optation (such as re-targeting or modality flips above minimum compliance). At most, H1b is weakly and narrowly supported in Episode B, where the post-2016 ECHO package has more explicit visibility/verification requirements than the 2015 HIP, and WVSS maintains operational continuity under that regime. For the pooled-fund (SSHF) and FLA/cooperating-partner scenarios, donor-side regulations are demanding but not demonstrably "tighter" over time in this material, therefore H1b is not permitted. Finally, the documents highlight competing explanations for access outcomes, particularly convoy and river movements reliant on security clearances and flood-affected logistics, as well as partner risk-tiering and performance in the SSHF (Logistics Cluster, 2018a: 1-4; Logistics Cluster, 2019: 2-3; OCHA, 2021: 27-29), which are carried forward to Chapter 8 as alternative causal paths for political timelines and operational continuity.

6.6

The donor-triggered episodes show minimal, documented consequences on political, relational, and operational access, with little evidence of the increased co-optation and downward accountability trade-offs predicted for H1b.

Politically, donor instruments in these cases shape bureaucratic timelines more than state permissions. ECHO's 2015 and 2017 packages specify when and how proposals, reports, and visibility products must be submitted, but the WVSS files do not include any changes in government permits or written conditions that are directly related to these clauses

(ECHO, 2015: 2; DG ECHO, 2017b: 2-3, 10-11; WVSS, 2018a: 2-4). In contrast, in the Nile Hope-WFP logistics environment, political access appears indirectly through clearance-dependent convoys and barge movements: Meeting Minutes (2018, 2019) record departures postponed when authorizations lag and emphasise that river operations proceed only once clearances are in place (Logistics Cluster, 2018a: 1-2; Logistics Cluster, 2019: 2-3). State and security gatekeepers, mediated through the Logistics Cluster (2018, 2019), have a greater impact on timeframes than any one FLA clause (WFP, 2024: 1-2).

Relationally, the dossiers indicate routine acceptance within the humanitarian system. WVSS continues to receive multi-donor support and actively participates in clusters (WVSS, 2016b: 6-7, 10-11), while Nile Hope is an approved SSHF partner and a regular attendee at cluster and logistics meetings (Nile Hope, 2017: 7-9; OCHA, 2020: 10; Logistics Cluster, 2018a: 1-2). None of the episode files contain official complaint letters, formal donor warnings, or sanctions. This lack does not establish the absence of tension; rather, it indicates that relational friction is not detectable in this documentary set and cannot be inferred.

Operationally, all four episodes demonstrate continuity at scale under restriction. WVSS reports substantial caseloads in food, WASH, nutrition, and health in 2015 and January 2018, despite admitting pipeline issues and insecurity (WVSS, 2016b: 6-7, 10-11; WVSS, 2018a: 2-4). Nile Hope's SSHF WASH project and role as a WFP cooperating partner are based on time-bound workplans that presume movement according to cluster-supported convoy and river timetables (Nile Hope, 2017: 1, 7-9; Logistics Cluster, 2018a: 3-4). Delays and reroutes in these occurrences are generally caused by clearances, flooding, and transport capacity, rather than donor monitoring or visibility requirements (Logistics Cluster, 2019: 2-3). In this material, donor restrictions appear to add bureaucratic layers to programs that are mostly ongoing, rather than causing widespread suspensions.

On downward accountability, the documents do not demonstrate the symbolic compliance or dual systems that Ebrahim (2003) cautions of. WVSS combines upward reporting with community-facing mechanisms such as support desks, committees, and feedback channels (WVSS, 2016b: 6-7, 10-11), whereas Nile Hope's approach includes AAP commitments and complaint paths in addition to SSHF and cluster reporting (Nile Hope, 2017: 8-9; OCHA, 2021: 27-29). In this episode set, higher visibility and verification requirements do not clearly displace CFM or PDM (Post-Distribution Monitoring); rather,

upward and downstream demands are stacked, with the key trade-off presumably being staff time and administrative bandwidth, which the documents only hint at indirectly.

In summary, the implications for H1b are cautious: post-2016 tightening in ECHO's visibility/verification regime coexists with operational continuity but does not clearly result in co-optation or weakened downward accountability, whereas in the pooled-fund and FLA environments, access trajectories remain at least as dependent on security clearances, logistics, and partner risk-tiering as on donor clauses.

7. Empirical Chapter 2: State-triggered access episodes

This chapter examines state-triggered access episodes, which are bounded discussions in which the initiating instrument is the state rather than a donor. Triggers include the 2016 NGO Act's registration and yearly renewal cycles, the enforcement of visa and work permit requirements, mobility and convoy permissions, and activity approvals or conditions connected to Memorandums of Understanding (MoUs).

7.1

Episode A: Nile Hope - Multi-sector logistics/Bureaucratic Access Impediments (BAI), national, 2017-2019 (post-2016)

Trigger/state instrument

The trigger is the post-2016 enforcement of work-permit, visa, and travel-authorization rules, which, as OCHA's 2017 BAI survey shows, turn staff paperwork (visas, work permits, registration, tax/customs, and movement controls) into direct levers over humanitarian mobility (OCHA, 2017: 4, 9, 21-25). The 2018 Panel of Experts notes that, from September 2017, staff without valid work permits were denied UNHAS boarding, and that a November 28, 2017, the RRC directive temporarily blocked travel authorizations for staff with pending applications until the Ministry of Labour accepted payment receipts as sufficient, albeit inconsistently (UN Security Council, 2018: 19)

Documentary evidence

- OCHA, Bureaucratic Access Impediments to Humanitarian Operations in South Sudan (June 2017) (OCHA, 2017: 4, 21-25).
- UN Security Council, Final Report of the Panel of Experts on South Sudan (S/2018/292): section on "Travel documentation required for air travel to field

sites outside of Juba", describing the 5 September 2017 RRC circular, the 28 November 2017 halt to travel authorisations for staff with pending permits, and the subsequent "receipt" workaround under a new fee structure (UN Security Council, 2018: 19).

- Logistics Cluster Juba Meeting Minutes, 5 November 2019 (Logistics Cluster, 2019).

NGO repertoire

Adaptation (with collective signalling): In this logistics environment, NGOs, including Nile Hope, adapt procedurally by obtaining work permits, dealing with frequent renewal delays, and adhering to the RRC and Ministry of Labour's evolving travel-documentation requirements (OCHA, 2017:23-24; UN Security Council, 2018:19). At the same time, they use collective channels: Logistics Cluster Meeting Minutes (2019) contain instructions and contact information for reporting BAIs to the NGO Forum and OCHA for follow-up (Logistics Cluster, 2019: 1-2). This approach mixes cooperation with coordinated complaint and clarification-seeking rather than open refusal.

Access outcomes

- Political (approval/conditions/delay): The Panel's (2018) example shows staff travel temporarily blocked for those without updated work permits, then partially restored with payment receipts under a new fee schedule (UN Security Council, 2018: 19). This results in delays and confusion, rather than systematic blanket denials.
- Relational (acceptance/friction): Public shaming of non-compliant staff created friction (UN Security Council, 2018: 19), offset by cluster involvement (Logistics Cluster, 2019: 1-2).
- Operational (continuity/delay/reroute/coverage): The BAI survey concludes that work-permit, visa and registration impediments cause operations to be delayed and administrative workload to grow.

7.2

Episode B: Nile Hope - WASH (Leer, Ulang, New Fangak), 2017 (post-2016)

Trigger/state instrument

The trigger is county-level activity approval and monitoring of an SSHF-funded WASH project that passes via local water and sanitation authority. Nile Hope's (2017) proposal for emergency water, sanitation, and hygiene promotion in Leer, Ulang, and Fangak includes community stakeholder meetings chaired by rural water supply, sanitation, and hygiene inspectors in each county. County Rural Water Supply and Sanitation Departments will oversee implementation and collaborate on facility planning, operation, and maintenance (Nile Hope, 2017: 8-9). Project start-up and execution are contingent on cooperation and approval from county-level ministries.

Documentary evidence

- Nile Hope SSHF WASH project proposal (Standard Allocation, 2017): header with project code SSD-17/WS/103036, locations (Leer, Ulang, Fangak), six-month duration (1 April-30 September 2017) and WASH-cluster classification (Nile Hope, 2017: 1).
- Proposal monitoring/AAP section: commitment to use WASH-cluster monitoring tools (water-point checklists, rehabilitation logs), weekly updates, monthly reporting via the 5Ws template to the cluster, joint Nile Hope-SSHF monitoring visits, and AAP through consultations with beneficiaries, community leaders and other stakeholders (Nile Hope, 2017: 8-9).
- SSHF Operational Manual: project monitoring section stating that implementing partners are expected to have internal monitoring/reporting mechanisms and are subject to SSHF monitoring through a set of tools coordinated with clusters (OCHA, 2021: 45-46).

NGO repertoire

Adaptation (compliance-framed): Nile Hope adapts by meeting cluster and county norms. It employs cluster-standard indicators, WASH monitoring tools, weekly updates, monthly 5Ws reports, and joint SSHF monitoring in accordance with pooled-fund criteria (Nile Hope, 2017: 8-9; OCHA, 2021: 45-46). County officials participate at the state level through community meetings chaired by the rural water supply and sanitation inspector, and borehole rehabilitation is overseen by County WASH Supervisors and quality assurance officers, who work with County Rural Water Supply and Sanitation Departments and Water User Committees (Nile Hope, 2017: 8-9).

Access outcomes

- Political (approval/conditions/delay): Nile Hope has received pooled-fund and county-level permits to operate, as evidenced by an authorized six-month proposal with defined locations and budget (Nile Hope, 2017:1). There are no distinct state permit letters in this dossier, but the mandatory participation of county inspectors and agencies suggests continued conditional oversight.
- Relational (acceptance/friction): The design prioritizes coordination with county authorities, WASH agencies, and community institutions, as well as AAP mechanisms like consultations and feedback channels, to promote acceptance rather than tension (Nile Hope, 2017: 3, 8-9).
- Operational (continuity/delay/reroute/coverage): Planned actions (water-point rehabilitation, sanitation facilities, hygiene promotion, and distribution of 3,000 sanitary kits) are scheduled for the dry season with Logistics Cluster support, allowing continuity across Leer, Ulang, and New Fangak despite violence and flooding (Nile Hope, 2017: 1-3).

7.3

Episode C: World Vision South Sudan (WVSS) - Multi-sector (Greater Upper Nile), 2015 and 2018 (pre-/post-2016)

Trigger/state instrument

The trigger reflects a shift from violent access denial to movement controlled through convoys and clearances. In 2015, WVSS reported that conflict severely restricted civilian movement, causing displacement, disrupted livelihoods, and malnutrition, while protracted fighting in Upper Nile weakened WASH service delivery, leading agencies to relocate (WVSS, 2016b: 6-7). By late 2018, movement rules had formalized: organizations were instructed to submit Service Request Forms (SRFs) for convoys, pre-position cargo, express interest in specific convoy routes, and undergo clearance processes, with coordinated updates on access constraints shared in cluster meetings (Logistics Cluster, 2018b: 1-3).

Documentary evidence

- World Vision South Sudan, Annual Report 2015: 2015 violence caused relocations/disrupted WASH (WVSS, 2016b: 6-7, 18-19).

- World Vision South Sudan, East Africa Hunger Crisis: South Sudan Situation Report, 1-30 April 2018: Sitrep notes security-dependent reach of 461,840 people (WVSS, 2018b: 1-2).
- Logistics Cluster, South Sudan - Juba Meeting Minutes, 20 November 2018: multi-agency meeting listing NGOs (including Nile Hope and NRC) and action points for partners to submit SRFs for December barge movements, join convoys, start submitting SRFs and pre-positioning cargo in Bor, begin clearance processes, and share information on physical access constraints (Logistics Cluster, 2018b: 1-2).

NGO repertoire

Adaptation (security-driven and procedural): Before 2016, WVSS adapted to violent access restrictions by relocating teams from insecure Upper Nile areas, with WASH services disrupted by insecurity and displacement (WVSS, 2016b: 6-7). Despite migration limits, it maintained emergency programming across sectors (WVSS, 2016b: 18-19). By 2018, WVSS focused on large-scale, multi-sector hunger response, noting program efficiency depends on political and security contexts (WVSS, 2018b: 1). Operationally, it conformed to convoy/barge systems by pre-positioning goods, submitting required clearances early, and reporting access problems via cluster mechanisms (Logistics Cluster, 2018b: 1-3). The repertoire combined security-driven relocation with procedural compliance, showing no overt resistance.

Access outcomes

- Political (approval/conditions/delay): In 2015, access was sporadically denied or restricted due to violence and insecurity, resulting in agency relocation and compromised WASH services (WVSS, 2016b: 6-7, 18-19). By 2018, access is conditioned by convoy calendars and clearances: movement is dependent on adherence to SRF processes and clearance schedules, resulting in delays and cargo bunching around specified convoy dates rather than outright exclusion (Logistics Cluster, 2018b: 1-2).
- Relational (acceptance/friction): The 2015 report focuses on conflict repercussions rather than direct negotiations with authorities; friction is inherent in the necessity to relocate organizations (WVSS, 2016b: 6-7, 18-19). The 2018 sitrep and the 2018 Logistic Cluster’s Meeting Minutes (2018) show a more

procedural relationship, with access constraints handled through OCHA/cluster coordination, SRFs, and shared maps, indicating routine engagement with state-linked security and administrative structures (WVSS, 2018b: 1-2; Logistics Cluster, 2018b: 1-3).

- Operational (continuity/delay/reroute/coverage): Despite relocations and service disruptions, WVSS continued to provide multi-sector programming throughout 2015, including WASH, health, nutrition, and food assistance (WVSS, 2016b: 6-7, 10-13, 18-19). In April 2018, WVSS reported reaching 461,840 persons with life-saving aid (WVSS, 2018b: 2), demonstrating strong operational continuity, albeit slowed by combat dynamics and the convoy/clearance regime.

7.4

Episode D: Norwegian Refugee Council (NRC) - Multi-sector (national), 2016-2023 (post-2016 NGO Act regime)

Trigger/state instrument

The post-2016 regulatory regime requires NRC to register and renew annually with the RRC, submit performance reports and asset lists, and maintain an 80% national-staff quota (Non-Governmental Organizations Act, 2016: ss.8-9, 16-17, 21-23, 31(b)(III)). NGOs face registration challenges including rejections, denials, cancellations, delays, and extra document requests with unclear appeals (OCHA, 2017: 25-26). The 2017 UN Panel of Experts highlights these bureaucratic barriers as part of a broader strategy by conflict parties to restrict humanitarian access, a concern echoed by the UN Humanitarian Coordinator (UN Security Council, 2017: 26-28). NRC's 2023 report confirms ongoing access constraints due to bureaucracy and insecurity that hamper humanitarian operations and reaching people in need (NRC, 2023: 1). This regulatory pressure shapes NRC's humanitarian access landscape significantly.

Documentary evidence

- Non-Governmental Organizations Act, 2016 (Non-Governmental Organizations Act, 2016: ss.8-9, 16-17, 21-23, 31(b)(III)).
- OCHA, Bureaucratic Access Impediments to Humanitarian Operations in South Sudan (2017) on registration delays/denials (OCHA, 2017: 25-26).

- UN Security Council, Final Report of the Panel of Experts on South Sudan (S/2017/326): discussion of rising access incidents and tactics to obstruct humanitarian assistance (UN Security Council, 2017: 26, 28).
- NRC, NRC in South Sudan - Fact Sheet, September 2023: ongoing "bureaucratic impediments and insecurity" as major access constraints (NRC, 2023: 1-3).

NGO repertoire

Adaptation (with coordination-framed alignment): NRC complies with the NGO Act by maintaining over 80% national staff (NRC, 2023: 1; Non-Governmental Organizations Act, 2016: s.31(b)(III)). It continues multi-sector programming and holds key coordination roles including co-leadership in Protection, WASH, and Shelter/NFI clusters, and participation in several working groups (NRC, 2023: 2-3). In a restrictive bureaucratic context, NRC combines procedural compliance with advocacy through formal coordination channels (OCHA, 2017: 25-26; UN Security Council, 2017: 26-28).

Access outcomes

- Political (approval/conditions/delay): The NRC sustained nationwide presence and leadership responsibilities in 2023 imply effective registration and renewals under the NGO Act, including the filing of mandatory reports and asset listings, as well as compliance with staffing standards (Non-Governmental Organizations Act, 2016: ss.21-23, 31; NRC, 2023: 1-3). According to OCHA's survey (2017), registration delays and denials can prevent NGOs from obtaining tax exemptions and visas in general (OCHA, 2017: 25-26).
- Relational (acceptance/friction): The NRC's recognized functions in coordination bodies and clusters demonstrate a high level of acceptance among humanitarian peers and state-linked coordination organizations (NRC, 2023: 2-3). At the same time, the Panel of Experts (2017) and the BAI survey highlight the systematic use of bureaucratic techniques and taxation to restrict access, implying that acceptance is negotiated and contingent (UN Security Council, 2017: 26, 28; OCHA, 2017: 25-26).
- Operational (continuity/delay/reroute/coverage): The NRC reports multi-sector activity spanning border areas, transit sites, and conflict-affected countries, including fast emergency response and long-term programmes, suggesting significant operational continuity (NRC, 2023: 1-3).

7.5

Across the four state-triggered episodes, NGOs primarily engaged in procedural adaptation to state regulations rather than outright resistance. The main triggers were the post-2016 enforcement of humanitarian staff documentation, visa, and travel authorization rules; county-level approvals and supervision for pooled-fund projects; formalized convoy and clearance procedures for barge and road movements; and NGO Act registration, renewal, and staffing requirements. None of the events provide documentary proof of long-term opposition or refusal to state conditions.

The WVSS case provides the most distinct pre- and post-2016 contrast. In 2015, WVSS identified violence and territorial control in Greater Upper Nile as the primary impediments on civilian and agency movement, resulting in repeated displacements and relocations (WVSS, 2016b: 6-7, 18-19). By 2018, access was mediated far more by formal convoy and clearance procedures set by the authorities and coordinated through the Logistics Cluster (2018) than by direct violence, and WVSS adapted in both phases: first by relocating under insecurity, later by aligning operations with convoy schedules and paperwork. In this narrow sense, H1a is supported: more formalized state-linked controls elicit more codified procedural adaptation while preserving political access (Logistics Cluster, 2018b: 1-3; WVSS, 2018b: 1-2).

In the other episodes, all of the evidence comes from after 2016. In Episode A, post-2016 enforcement of work-permit and travel-authorization rules prompted NGOs, including Nile Hope, to regularize staff documentation while channelling complaints through OCHA and the NGO Forum, and movement was partially restored based on payment receipts, though delays and uncertainty persisted (UN Security Council, 2018: 19; OCHA, 2017: 21–26; Logistics Cluster, 2019: 1-2). In Episode B, county-level approvals for Nile Hope's SSHF-funded WASH project brought county inspectors and departments directly into project governance as part of the access bargain (Nile Hope, 2017b: 1-3, 8-9; OCHA, 2021: 45-46). In Episode D, NRC met NGO Act registration and staffing requirements and maintained a multi-sector presence while explicitly stating that bureaucratic impediments and insecurity have a significant impact on operations; however, because pre-2016 registration documentation is unavailable for this case, H1a can only be assessed partially here (NRC, 2023: 1-3; OCHA, 2017: 25-26; UN Security Council, 2017: 26, 28).

Overall, the episodes suggest that post-2016 state gatekeeping has pushed NGOs toward more formalised procedural adaptation, but movement and coverage still depend heavily on security and infrastructure conditions.

7.6

Across the four state-triggered episodes, and especially in the pre-/post-2016 WVSS comparison, political access increases the most consistently when NGOs follow clear procedural compliance with post-2016 laws, albeit on a slower and more conditional basis. In the work-permit and travel-authorization environment, staff movements were temporarily halted when authorities tightened enforcement in late 2017 (refusing boarding for staff without updated work permits and halting travel authorizations for staff with pending applications) before movement was partially restored once organizations could present receipts under the revised fee structure (UN Security Council, 2018: 19).

In the 2016 NGO Act case, NRC's ability to maintain registration, comply with the 80% national-staff requirement, and sustain operations nationwide demonstrates how procedural adaptation can secure ongoing authorization in a restrictive environment (Non-Governmental Organizations Act, 2016: ss. 8-9, 16-17, 21-23, 31(b)(III); NRC, 2023: 1-3). In the county-approval episode, Nile Hope's SSHF WASH project is approved for a six-month period in three conflict-affected counties, subject to the inclusion of county inspectors and departments in project governance and meeting SSHF monitoring expectations (Nile Hope, 2017b: 1-3, 8-9; OCHA, 2021: 45-46). These patterns support H1a in a limited sense: where documents show tighter or newly enforced state controls, NGOs respond with stronger procedural adaptation, and political access is preserved or restored, although bureaucratically. Where no change over time can be proved (for example, Nile Hope's WASH episode and NRC's registration under the Act), H1a is not coded as supported for that episode, despite the fact that adaptation is obvious.

Relational effects and neutrality as performance are more ambiguous. The 2018 Panel describes the public publication of names of humanitarian professionals without proper work permits and notes that humanitarian players had to intercede to get the list deleted, demonstrating how administrative levers can cause friction with assistance groups (UN Security Council, 2018: 19). Logistics Cluster Meeting Minutes from 2019 document additional clearances and documentation requirements at Juba Airport and in field locations, and encourage partners to report bureaucratic impediments to the NGO Forum

and OCHA, recommending that NGOs manage friction through collective channels rather than confrontation (Logistics Cluster, 2019: 1-2, 4-5). At the same time, Nile Hope, WVSS, and NRC perform neutrality and acceptance through needs-based programming, coordination roles, and AAP/feedback mechanisms, presenting themselves as technical, neutral actors within inter-agency frameworks (Nile Hope, 2017b: 3, 8-9; WVSS, 2016b: 6-7, 18-19; WVSS, 2018b: 1-2; NRC, 2023: 2-3).

Operationally, the episodes demonstrate significant continuity of help despite bureaucratic pressures. According to the BAI survey, registration, visas, work permits, and customs are now commonplace in the workplace, delaying programs and raising administrative workload even when operations continue (OCHA, 2017: 9, 21–26). Convoy and barge laws, combined with river and road conditions, result in "lumpy" access. According to Logistics Cluster meeting minutes (2018, 2019), barge departures and convoys can be postponed or bunched around specific dates due to clearances and physical access constraints, necessitating careful timing of Service Request Forms, pre-positioning, and route selection (Logistics Cluster, 2018b:1-3; Logistics Cluster, 2019: 2-3, 4-5). Despite this, WVSS, Nile Hope, and NRC continue to provide multi-sector programming on a large scale.

8. Comparative Analysis and Synthesis

This chapter combines findings from donor-triggered episodes (Chapter 6) and state-triggered episodes (Chapter 7) to answer the central study question: How have post-2016 regulatory and donor pressures in South Sudan shaped NGO strategies of adaptation and co-optation? The empirical chapters examined two linked expectations. H1b asked whether documented tightening of donor instruments (earmarks, indicators, reporting cadence, and verification) increased co-optation and operational continuity, with varied consequences for downward responsibility. H1a asked whether tighter or newly imposed state controls (registration and renewal, visas and work permits, convoy and travel limits, activity approvals) increased adaption and improved political access, with varying relational impacts.

Both chapters worked through "access episodes": bounded sequences in which either a donor instrument or a state instrument serves as the trigger, and the NGO's repertoire (adaptation, resistance, co-optation) and access outcomes (political, relational, operational) are coded from dated documentary sources, as described in Chapter 4. The

sample analyses three NGOs (NRC, WVSS, Nile Hope) across important sectors before (2013-2015) and after 2016, employing a two-source rule and matched pre/post or cross-NGO pairings rather than attempting exhaustiveness. Chapter 6 demonstrated primarily adaption to donor templates, with relatively minor signs of post-2016 tightening around visibility and verification. On the other hand, chapter 7 described how the NGO Act and subsequent enforcement of registration, work permits, and convoy processes resulted in a denser bureaucratic environment in which NGOs were able to maintain access by increasing procedural compliance.

Across the episodes, donors and state authorities employ distinct but intersecting forms of control. Donor pressures are primarily exerted through financial conditionality and "grammars of results". ECHO's 2015 HIP for Sudan and South Sudan establishes priorities and submission procedures through the Technical Annex (ECHO, 2015: 2-3). By 2017, the HIP package had formalized the Single Form and codified visibility obligations, including the ability to charge up to 0.5% of direct eligible costs for visibility, as well as provisions for ECHO staff to monitor compliance (DG ECHO, 2017a: 2, 11-12; DG ECHO, 2017b: 2, 10-11). WVSS's reporting reflects this grammar: the 2015 annual report aggregates multi-sector outputs into indicator-style snapshots of WASH, nutrition, and food assistance (WVSS, 2016b: 6-7, 10-13), whereas the 2018 hunger-crisis sitrep presents monthly reach figures (461,840 people in April 2018) and sector breakdowns in dashboard form (WVSS, 2018b: 2).

Pooled funds expand on this donor reasoning by coordinating monitoring. The SSHF Operational Manual establishes allocation rules, partner risk tiers, and a shared monitoring and reporting structure in which partners must designate tools, agree to collaborative monitoring, and report via the Grants Management System (OCHA, 2021: 27-29, 45-46; OCHA, 2020: 5, 7). Nile Hope's 2017 WASH plan reflects this by including cluster-standard indicators, water-point checklists, and rehabilitation logs, as well as committing to weekly updates, monthly 5Ws reporting, and collaborative SSHF monitoring (Nile Hope, 2017b: 1-3, 7-9). Donors therefore influence what is sponsored and how performance is measured.

State levers prioritize presence, manpower, and movement. The 2016 NGO Act requires registration and annual renewal with the RRC, performance reports and asset lists, and an 80% South Sudanese staffing requirement, effectively turning legal status and staffing composition into access conditions (Non-Governmental Organizations Act, 2016: ss.8-9,

16-17, 21-23, 31(b)(III)). According to OCHA's Bureaucratic Access Impediments study, these limitations result in registration denials, cancellations, and delays, which have an impact on tax exemptions and the issue of work permits and visas. The 2018 Panel of Experts documents a specific tightening in late 2017, when NGO staff without valid work permits were denied boarding on UNHAS flights and travel authorizations were halted for staff with pending permits, before movement was partially restored through a new fee and receipt workaround (UN Security Council, 2018: 19).

Convoy and clearance procedures also impose restrictions on movement. Logistics Cluster minutes from November 2018 direct partners to submit Service Request Forms, pre-position goods in Bor, and commence clearance procedures to join the last barge and Western Corridor convoys (Logistics Cluster, 2018b: 1-3). Meeting Minutes from November 2019 outline new clearance and documentation requirements at Juba Airport and in the field, and organizations are encouraged to report obstructions to the NGO Forum and OCHA (Logistics Cluster, 2019: 1-2, 4-5). The NRC's 2023 information sheet shows that bureaucratic impediments and insecurity continue to heavily affect humanitarian activities, despite the fact that the NRC continues to carry out statewide, multi-sector programming with 259 national and 29 international professionals (NRC, 2023: 1-3).

In short, donor tools primarily impact programme content and evidence, whereas state tools directly influence who can operate where, with whom, and along which pathways. Pooled funding and county approvals are examples of where the regimes overlap, such as Nile Hope's SSHF WASH project, which is subject to both SSHF monitoring standards and county water-department oversight (Nile Hope, 2017b: 1-3, 8-9; OCHA, 2021: 27-29, 45-46).

Across donor and state-triggered episodes, NGOs also focus on procedural adaptation as their primary repertoire, with minimal overt resistance and scant evidence of co-optation. On the donor side, organizations tailor language, tools, and reporting cadence to funder templates. WVSS offers its multi-sector work in indicator tables and narrative snapshots keyed to donor-prioritized sectors, converting diverse activities into common categories across WASH, nutrition, and food assistance (WVSS, 2016b: 6-7, 10-13; WVSS, 2018b: 2). Nile Hope's SSHF WASH proposal uses cluster-standard indicators, water-point checklists, and rehabilitation logs, as well as frequent 5Ws reporting and collaborative SSHF monitoring (Nile Hope, 2017b: 1-3, 7-9; OCHA, 2021: 27-29, 45-46). These

patterns reveal NGOs aligning documentation and monitoring with donor expectations; nevertheless, the accessible texts do not clearly illustrate projects being misdirected away from claimed needs, therefore they are classed as adaptation rather than co-optation.

On the state side, adaptation is based on legal and administrative needs. NRC's profile depicts an organization that operates within the NGO Act regime by maintaining registration, meeting national staffing requirements, and investing in formal coordination and advocacy roles, despite the fact that bureaucratic impediments and insecurity have a significant impact on operations (Non-Governmental Organizations Act, 2016: ss. 8-9, 21-23, 31(b)(III); NRC, 2023: 1-3). Nile Hope's WASH project design includes county water and sanitation departments in project monitoring, as well as commitments to consultations and feedback mechanisms, indicating that county supervision is acceptable as part of the access bargain (Nile Hope, 2017b: 3, 8-9). In the work-permit and convoy episodes, organizations adapt to changing documentation and clearance rules while using clusters and the NGO Forum as collective channels to flag problems: the BAI survey documents registration and work-permit delays and their spillover effects (OCHA, 2017: 4, 9, 25-26), and Logistics Cluster Meeting Minutes invite agencies to report bureaucratic impediments for follow-up (Logistics Cluster, 2019: 1-2, 4-5). This episode set has no documentation evidence of sustained legal challenge, refusal, or withdrawal; where opposition does exist, it is indirect and mediated through coordination mechanisms.

Variation among organizations and sectors supports but does not contradict this tendency. The two INGOs, WVSS and NRC, work across various sectors with diverse donor portfolios and visible coordinating roles, thus their repertoires emphasize scale, multi-sector reach, and leadership in clusters and working groups (WVSS, 2016b: 6-7, 10-13, 18-19; WVSS, 2018b: 2; NRC, 2023: 2-3). Nile Hope, as a national NGO that relies mainly on pooled funds and UN-agency partnerships, places a high value on showing compliance with SSHF and cluster criteria, as well as visible coordination with county authorities (Nile Hope, 2017b: 1-3, 7-9). Sectoral distinctions influence the form of adaptation: WASH initiatives focus on technical checklists and infrastructure monitoring, whereas food and nutrition interventions emphasize caseloads and tonnage—but not the underlying repertoire. Across donors and state agencies, NGOs respond to dual regulation by tightening procedural alignment upwards, with co-optation remaining an analytical worry rather than an empirically dominant tactic in these events.

In addition, dual regulation results in interconnected trade-offs in political, relational, and operational access. Politically, NGOs often gain or reestablish formal authorization when they follow stricter norms. Work-permit enforcement in late 2017 initially hampered staff travel, but movement was partially restored after organizations adjusted to the new cost and receipt workaround for pending permits (UN Security Council, 2018: 19). The NRC's sustained nationwide programming and coordinating duties indicate that the 2016 NGO Act's registration, reporting, and staffing requirements have been successfully navigated (Non-Governmental Organizations Act, 2016: ss.8-9, 21-23, 31(b)(III); NRC, 2023: 1-3). Pooled-fund projects, such as Nile Hope's WASH grant, have set timelines and locations under SSHF monitoring and county oversight (Nile Hope, 2017b: 1-3, 8-9; OCHA, 2021: 27-29, 45-46). Political access is maintained, but at the expense of increased procedural compliance.

Relational access is more ambiguous. NGOs invest in coordination and consultation to signal neutrality and acceptance: WVSS and NRC present themselves as needs-based actors embedded in cluster structures and working groups, whereas Nile Hope's WASH design integrates county water and sanitation departments and community structures into project governance, with explicit commitments to consultations and feedback mechanisms (WVSS, 2016b: 6-7, 18-19; Nile Hope, 2017b: 3, 8-9; NRC, 2023: 2-3). At the same time, documents show conflict. The 2018 Panel of Experts noted that the names of workers without valid work permits were made public, necessitating the intervention of humanitarian interlocutors to remove the list (UN Security Council, 2018: 19). OCHA's BAI (2017) survey and Logistics Cluster minutes (2019) outline extra permissions and documentation requirements at Juba Airport and in field locations, with organizations asked to report any obstructions to the NGO Forum and OCHA (OCHA, 2017: 4, 9, 25-26; Logistics Cluster, 2019: 1-2, 4-5). Acceptance is thus negotiated and conditional: NGOs are acknowledged as respectable partners but are disciplined through bureaucratic means.

Operationally, the episodes demonstrate significant continuity of help under strain, but with recurring delays and rigidities. Despite relocations and disrupted services in conflict-affected Upper Nile, WVSS continues to deliver assistance to hundreds of thousands through convoy and clearance regimes (WVSS, 2016b: 6-7, 10-13, 18-19; WVSS, 2018b: 2). Nile Hope's six-month WASH workplan is aligned with dry-season logistics and supported by the Logistics Cluster (Nile Hope, 2017b: 1-3, 7-9), whereas the NRC adds

that bureaucratic bottlenecks and instability heavily affect the ability to reach individuals in dire need (NRC, 2023: 1-3). OCHA's (2017) survey confirms that registration, visas, work permits and customs are increasingly routine sources of delay and administrative workload (OCHA, 2017: 9, 21-26). Convoy and barge systems further restrict access, as cargo movements cluster around scheduled departures and are delayed when clearances or physical access are unavailable (Logistics Cluster, 2018b: 1-3; Logistics Cluster, 2019: 2-3, 4-5). Rival factors (armed violence, displacement, floods, and route closures) continue to shape what procedural adaptation and neutrality-as-performance can actually achieve on the ground (WVSS, 2016b: 6-7, 18-19; Nile Hope, 2017b: 1-3).

Moreover, the findings add richness to previous descriptions of humanitarian governance, NGO accountability, and access co-production in three ways. First, they demonstrate that donors and state authorities in South Sudan operate not as separate "spheres", but rather as intersecting regulatory regimes that mutually shape what NGOs can do, where, and when. Donors govern through earmarks, indicators, reporting cadence, visibility, and verification, while the state governs through registration and renewal, staffing quotas, visas and work permits, convoy regulations, and county permission. Access is thus co-produced: political authorization, relational acceptance, and operational continuity result from organizations' ability to satisfy both sets of criteria at the same time, rather than donor conditionality or state gatekeeping alone. This broadens governance paradigms that view principles and tools as instruments for actors to achieve strategic goals (Barnett, 2012: 1169-1170; Maxwell and Gelsdorf, 2019: 9, 123-126).

Second, the episodes challenge traditional narratives of NGO accountability. The literature emphasizes how reliance on official aid shifts incentives upward, prioritizing funder proof over community responsiveness (Banks and Hulme, 2012: 7-11, 12, 15-18; Ebrahim, 2003: 77-83, 145-146, 159-160). Ebrahim's (2003) research on information systems and symbolic compliance demonstrates how reporting formats institutionalize funder categories and limit organizational choice (Ebrahim, 2003: 82–83, 101–103, 145–146, 158). This thesis underlines the importance of upward pressures: NGOs dedicate significant resources to donor reporting grammars and state paperwork. However, the WASH and multi-sector studies demonstrate that AAP (consultations, feedback channels, and community structure involvement) are part of the same compliance package as logframes, 5Ws, and joint monitoring. Rather than serving just as a counterweight,

downward-facing practices are integrated into upward accountability technologies (Banks and Hulme, 2012: 7-9, 12; Ebrahim, 2003:158).

Third, the analysis of repertoires and access triads reframes neutrality as performance. Building on Hilhorst's (2018) arena lens and Maxwell and Gelsdorf's (2019) emphasis on neutrality as a condition of access (Hilhorst, 2018: 10-11; Maxwell and Gelsdorf, 2019: 9-10, 123-126), the episodes depict NGOs performing neutrality through compliance, coordinating roles, and technical terminology. Organizations maintain political access by tightening procedural alignment, and relational access by establishing needs-based, technical identities in clusters and working groups, even when bureaucratic punishments and methods like releasing non-compliant staff lists cause episodic conflict. Operational access is maintained but hindered and hampered by convoy calendars, clearance cycles, and administrative backlogs, with conflict and floods imposing concrete constraints that no amount of neutrality-as-performance can completely overcome.

In practice, this implies that NGOs should consider portfolio strategies and documentation not only in terms of donor diversification, but also in terms of their ability to absorb overlapping donor and state requirements without deprioritizing field-facing operations. Advocacy is most likely to be effective when channelled through coordination structures that donors and authorities are already familiar with. For donors and states, the findings highlight that conditionalities, access clauses, and monitoring frameworks do more than just improve accountability: if they are overly dense or inconsistent, they risk encouraging symbolic compliance while shifting the costs of delay and uncertainty onto crisis-impacted populations.

9. Conclusion

This thesis asked how post-2016 regulatory and donor pressures in South Sudan have shaped NGO strategies of adaptation and co-optation, and how these strategies have enabled NGOs to negotiate humanitarian access. Based on a desk-based analysis of documented access incidents for NRC, World Vision South Sudan, and Nile Hope, the study concludes that these organizations primarily maintain access through procedural adaptation rather than open resistance or deep co-optation. They adjust paperwork, timing, and coordination techniques to keep programs working inside a tighter web of state regulations and donor grammars of results, even as operations are hampered by more bureaucracy, delays, and shifting hazards for crisis-affected areas.

The comparative episode analysis only partially validates the assumptions outlined in H1, H1a, and H1b. H1 is true in a restricted sense: adaptation triumphs over resistance in both donor- and state-triggered incidents, although systematic co-optation is absent from the documentary record. H1a receives limited support. NGOs comply with stricter state procedures, including registration and renewal under the 2016 NGO Act, work-permit and visa controls, convoy approvals, and county-level clearances, through codified compliance, which generally secures political access, but on slower and more constrained conditions. In contrast, H1B is not supported. Donor demands for visibility, verification, and partner risk management prompted adaptation after 2016, but they did not clearly drive portfolio-level co-optation or a systematic erosion of downward accountability.

The access triad illuminate these relationships. Treating access as political, relational, and operational reveals how legal permissions coexist with relational friction and real barriers, ranging from convoy timetables to flooded roadways. Understanding neutrality as a performed claim rather than a fixed legal position reveals how NGOs present themselves as technical, needs-based, and coordinated actors, in order to maintain credibility with authorities and funders. At the same time, the episodes highlight the limitations of neutrality-as-performance: administrative barriers and environmental disruptions cannot be overcome through improved branding, documentation, or cluster participation alone.

The concept theoretically nuances arguments on humanitarian governance by depicting donors and the state as co-constitutive regulatory regimes that influence access together, rather than as separate domains. It also reframes accountability discussions by demonstrating how community-facing mechanisms are typically buried in upward-oriented reporting grammars, confusing straightforward trade-offs between upward and downward accountability. Practically, the findings suggest that NGOs require portfolio, staffing, and documentation strategies that can accommodate overlapping donor and state demands without jeopardizing field-level delivery, and that advocacy is often most effective when channelled through coordination forums such as clusters and the NGO Forum.

In short, these conclusions are limited and context-specific. The study is desk-based, uses public documents, and focuses on a small number of service-oriented NGOs and specific incidents. This design cannot capture informal negotiations, intra-organisational dissent, or the viewpoints of authorities and communities themselves, limiting the causal depth of the claims made here. Future research might combine this framework with interviews and

ethnography, broaden the episode-based approach to advocacy-oriented NGOs and other country contexts, and focus more directly on crisis-affected individuals and local politicians. Such research would provide a better understanding of how neutrality is read on the ground and how humanitarian access might be negotiated more fairly under tighter supervision.

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