

Sudan
Protection
Sector
Strategy

Overview

2013-2014



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**Overview of the 2013-2014 Sudan Protection Sector Strategy
September 2013**

Background

Since the beginning of 2013, Sudan has been witnessing a significant deterioration in the humanitarian and security situation in many parts of the country and a marked increase in internal displacement. In this context, the Protection Sector's overriding objective is to support the Government of Sudan in strengthening the protection environment for conflict affected populations.

In Darfur, over 460,000 people have been displaced since the beginning of the year adding to the over two million who have been internally displaced since 2003. Over 300,000 Darfuri refugees have sought refuge in Chad. In the South/West Kordofan and Blue Nile States, an estimated one and a half million people have been displaced or have been severely affected by conflict since 2011. Approximately 350,000 individuals of South Sudanese origin remain in Sudan, where they face an unclear legal status and limited options to return to South Sudan¹.

According to the Government of Sudan, 67,000 homes have been destroyed or damaged and 340,000 people have been directly affected by rains and flooding this year, many in areas already affected by conflict-related crises. Between January 2002 and September 2013, 556 have been killed, with the majority of incidents taking place in South/West Kordofan (209), Blue Nile (135), where new mines/ERWs are also problematic.

Overall in Sudan, as of September 2013 the population targeted for humanitarian assistance in 2014 by the UN and its partners is over 4.5 million.

In light of the significant challenges to delivering protection in Sudan, this Strategy focused on developing a response based on the most urgent protection needs identified, namely the risk to life and the physical insecurity suffered by conflict-affected populations, especially IDPs and South Sudanese. Of particular concern are the ongoing reports of gender-based violence endured by women, girls and boys, and the limited capacity for response, as well as the exposure of boys and girls to abuse and exploitation, including IDP children who bear the burdens of displacement and survival of the family and those associated with armed forces/groups.

¹The protection and assistance needs of refugees and asylum-seekers in Sudan are reflected with in UNHCR operations and coordinated through the Refugee Multi Sector (RMS).

There is the grave lack of access to justice for IDPs, South Sudanese and others with special protection needs who are touched by the violence and discrimination, because of diminished capacity of law enforcement bodies and legal/judicial institutions as well as the lack of adherence to the existing laws/policies. In addition, land./property disputes are understood as one of the root causes of conflict, violence and resulting displacement, and are adding to and often fuelling existing tensions, with limited or no effective remedies. Then, after a series of conflicts and ongoing violence, Sudan has been contaminated by landmines and other explosive remnants of war (ERWs), for which Sudan is on the global list of “medium contamination” countries, with the Sudan-South Sudanese border areas at highest risk.

Following a consultative process, the Protection Sector was able to identify seven priority areas of intervention: 1) Enhancing the physical, legal and material security of conflict-affected populations; 2) Preventing and responding to incidents of Gender-Based Violence (GBV); 3) Promoting special protection measures for girls and boys; 4) Enhancing access to justice for conflict affected populations; 5) Addressing housing, land and property (HLP) rights; 6) Reducing the risks of landmines/explosive remnants of war (ERWs); and 7) Promoting measures to enhance the protection of South Sudanese.

The Protection Sector is guided in the pursuance of its strategy by the following legal underpinnings.

The national legal framework in Sudan is notably strong with a Constitution that includes respect for ratified international treaties and conventions, as well as a Bill of Rights. Key international instruments Sudan is party to include the International Covenants on Civil & Political Rights and on Economic, Social & Cultural Rights, the Convention on the Elimination of all forms of Racial Discrimination, the Child Rights Convention, the 1951 Refugee Convention and the Convention on the Rights of Persons with Disabilities. Sudan is also party to the four Geneva Conventions and the two Optional Protocols as well as to the 1954 Hague Convention. Sudan signed the Anti-Personnel Mine Ban Convention (Ottawa Treaty) in 1997 and ratified it in 2003. On the regional front, Sudan has ratified the African Charter on Human and People’s Rights and the African Charter on the Rights and Welfare of the Child, but is yet to ratify the Kampala Convention on IDPs. Important national instruments include the Penal Code of 1991, with chapter 18 added in 2008, introducing for the first time reference to violations of International Humanitarian Law with provisions for strong safeguards and protection to populations affected by armed conflicts, including IDPs. There is also the Armed Forces Act of 2007, which prohibits causing the displacement of populations, as well as the 2009 National IDP Policy. In addition, the Child Act was passed in 2010 and refers to rights and freedoms enshrined in international and regional conventions.

What will the Protection Sector prioritize?

Priority 1

Enhancing the physical, legal and material security of conflict-affected populations

- Prevent/mitigate the effects of conflict/violence through advocacy and awareness raising on conflict induced protection issues.
- Identify and respond to the protection/assistance needs of extremely vulnerable individuals and persons with special needs.
- Prioritize community resilience to improve self-protection capacities and support to extremely vulnerable individuals and persons with special needs.
- Support response mechanisms and safe service delivery to survivors of violence and those at-risk, including psychosocial, legal aid and medical & physical safety.
- For durable solutions, advocate and ensure safe and secure conditions through monitoring and tracking, in line with the principles of voluntariness, safety & dignity.
- Support IDPs and host communities' active participation in durable solutions processes, to ensure IDPs make an informed choice about their right to local integration, return or relocation.

Priority 2

Preventing and responding to Incidents of Gender-Based Violence (GBV)

- Improve security for IDPs, focusing on preventative measures for women and girls.
- Support to GBV survivors through the reinvigoration of referral pathways and respective services, enhancing psychosocial support
- Promote protection mainstreaming to ensure that GBV survivors are provided support with specific opportunities, i.e., livelihoods and targeted assistance.
- Advocate and support the implementation of the existing legal framework and Zero Tolerance Policy, while supporting necessary legal reform and awareness-raising on all forms of GBV.

Priority3

Promoting special protection measures for girls and boys

- Strengthen Government capacity to protect children in situations of armed conflict in line with national legislation and international humanitarian and human rights law.
- Focus on child protection mechanisms in affected states, particularly regarding psychosocial support to children disrupted by emergencies & displacement.
- Extend the reach of Family and Child Protection Units (FCPUs) to provide services to children who are victims of violence and abuse, or are accused of offences.
- Ensure Family Tracing and Reunification (FTR) networks are in place and effectively respond to separated and unaccompanied children.
- Support community based protection networks (CBPNs) to prevent and respond to child protection concerns at community level.
- Support community reintegration of children affected by armed conflict, including children released from armed groups and forces.
- Support sustainable mine-risk education in schools and communities, while deploying emergency teams in areas affected by new contamination.

Priority4

Enhancing access to justice for conflict affected populations

- Raise awareness on and advocate for the application of the national legal framework for IDPs.
- Monitor implementation of key laws and policies and maintain updated review and analysis of the legal framework.
- Support legal reform and policy development, particularly in areas related to GBV and HLP issues as well as the ratification of the Kampala Convention.
- Build capacity of and direct support to relevant governmental institutions, judicial bodies and other national partners, with particular focus on the Human Rights Commission.
- Support legal aid, particularly for IDPs, PSNs, survivors of violence and South Sudanese.
- Increase conflict affected communities' awareness and utilization of the national legal framework.
- Acknowledge and reinforce positive traditional practices as well as the influence role of religious leaders to advance protection issues, i.e. Iftaa Chamber.

Priority5

Addressing housing, land and property (HLP) rights

- Establish an early-warning mechanisms and scale up protection monitoring to allow for better information on land/property issues, disputes and emerging crises.
- Regarding conflict/violence related to disputes, support the improved capacity of law enforcement bodies and liaise with UNAMID to increase patrols in priority areas.
- Support peaceful reconciliation/peace-building mechanisms that address land/property disputes, particularly the Land Reform Commission, and other such bodies.
- Contribute to the improvement of the Rule of Law (ROL), including access to documentation and to justice regarding compensation measures for IDPs and other conflict-affected individuals.
- Ensure an Age-Gender-Diversity approach to mechanisms related to land/property.
- Undertake protection mainstreaming activities with government officials to advocate for development plans that incorporate durable solution strategies.

Priority6

Reducing the risks of landmines/explosive remnants of war (ERWs)

- Advocate against use of mines, monitor compliance and new mine/ERWs contamination and ensure the dissemination of information on risks to IDPs, returnees and host communities.
- Advocate against use of mines and support for mine clearance, especially humanitarian response and with no environmental impact—enabling progress of national MA multi-year work-plan to meet Ottawa Convention obligations under extended period of article-5 deadline.
- Support sustainable mine-risk education in schools and communities, while deploying emergency teams in areas affected by recent contamination.
- Reduce the risk and impact of i landmines and support safe and equitable access to services for mine victims, ensuring AGDM focus, facilitating social and economical reintegration of landmine Victims/ERW and PWDs.

Priority7

Promoting measure to enhance the protection of South Sudanese

- Advocate with the Governments of Sudan and South Sudan for the inclusion of legal safeguards on the prevention of statelessness in their legal framework and for the establishment of joint mechanisms to ensure that statelessness does not arise as a consequence of the secession of South Sudan.
- Monitor and improve identification of at risk of statelessness populations and improve the protection environment of South Sudanese in Sudan.
- Advocate and provide services to respond to protection incidents, including through building the capacity of government actors and local organizations.
- Promote access to documentation, including nationality documents and civil registration, particularly through direct assistance to vulnerable individuals and provision of technical and practical support to both the Governments of Sudan and South Sudan.
- Improve access to durable solutions for South Sudanese, whether they choose to stay in Sudan or move to South Sudan.

Who is doing what?

The **Protection Sector** in Sudan is led by UNHCR and currently has two Sub-Sectors: **Child Protection (CP)** lead by UNICEF/Plan International and **Gender Based Violence (GBV)** lead by UNFPA. As of 1 January 2014, the **Mine Action** Sector under UNMAS will integrate with the Protection Sector and establish a third Sub-Sector.

The Protection Sector is also in the process of establishing a **Housing, Land and Property (HLP) Technical Group**, to be led by UNHABITAT.

At the field level, Protection Working Groups as well as CP and GBV Working Groups function at the **state-level**, within **Darfur** and in **Blue Nile, South (West) Kordofan**, and **Khartoum**.

Specifically, in Darfur, the **Darfur Protection Cluster (DPC)** is led by UNHCR with the Child Protection and Gender Based Violence Sub-Sectors' active participation and with close coordination with UNAMID through the Protection of Civilians Working Group.

In order to pursue the above-mentioned priorities the Protection Sector will adopt the following approaches:

- Strengthen Sector Leadership and ensure effective field coordination through the existing structure.
- Focus Protection Action through practical field operations:
- Strengthen Needs Assessments, Protection Monitoring & Information Management.
- Enhance Emergency Response for new conflict-affected populations.
- Promote Protection Mainstreaming and capacity building of partners, particularly national actors.
- Strengthen community based approaches to enhancing communities' protection environment.
- Ensure that Age-Gender-Diversity approach is mainstreamed in all activities.
- Develop and implement an advocacy strategy.
- Expand protection presences and advocate for improved Humanitarian Access/Space.
- Promote greater partnership with different stakeholders, particularly the government.



Expected impact

- Early warning and emergency response capacity regarding protection of civilian concerns and new displacements will improve protection action for their prevention and mitigation of the risks and affects of conflict and violence.
- Strengthened state-level protection working groups will enable more timely and effective coordination of responses to address priority humanitarian needs, particularly with respect to the newly displaced, those suffering prolonged displacement and IDPs in search of durable solutions.
- Enhanced capacity of the Sudan Protection Sector to carry out its responsibilities under the humanitarian reform process, particularly in view of the under on-going developments of the Transformative Agenda.
- Effective and efficient policy, advocacy, programme and funding interventions will be undertaken at a national level, especially through the consolidation of a common protection vision, the building of protection capacity within the sector and protection mainstreaming across sectors.
- An engaged HCT and HC will facilitate intensified advocacy and collaborative interventions for the protection of civilian populations and will enable expansion of humanitarian space in Sudan.
- Key protection issues in Sudan are elevated and addressed by the Protection Sector, within various forums for the enhanced understanding of key partners, particularly the Government of Sudan.

How will results be monitored?

The Protection Sector Strategy will serve as the basis for the sector's monitoring and evaluation activities, as well as the annual Humanitarian Work Plan. In practical terms, monitoring and evaluation activities will be incorporated in the yearly work plans developed by respective working groups and the DPC. These in turn will form part of the national work plan, together with the CERF/CHF monitoring responsibilities and in line with partner mapping objectives.

