

SUDAN:

Rising inter-tribal violence in the south and renewed clashes in Darfur cause new waves of displacement

A profile of the internal displacement situation

27 May, 2010

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Internal Displacement Monitoring Centre

Norwegian Refugee Council
Chemin de Balexert 7-9
1219 Geneva, Switzerland
Tel.: +41 22 799 07 00
idmc@nrc.ch
www.internal-displacement.org

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OVERVIEW

Rising inter-tribal violence in the south and renewed clashes in Darfur cause new waves of displacement

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As of May 2010, at least 4.9 million people are internally displaced in Darfur, the Greater Khartoum area, South Kordofan and the ten States of Southern Sudan, with unknown numbers of internally displaced people in the other northern and eastern States. They make up one of the two largest internally displaced populations in the world, alongside that of Colombia. Some people have been displaced for more than two decades, while others were newly displaced in 2009 and 2010.

In Southern Sudan over 390,000 people were newly displaced in 2009, twice as many as in 2008, and another 60,000 during the first four months of 2010. The increase in new displacement is a consequence of heightened inter and intra-tribal violence, attacks by the Lord's Resistance Army (LRA), and conflicts between pastoralist communities; poor governance, the proliferation of firearms and land disputes between returning IDPs, refugees and residents, all exacerbated by drought and food shortages. A new feature of the violence in 2009 was the deliberate targeting of women and children, who were often shot at water points, in the fields or while collecting firewood.

Five years after the signing of the Comprehensive Peace Agreement (CPA) over two million IDPs had returned to Southern Sudan by the end of 2009, but ten per cent of returns had led to secondary displacement. The achievement of durable solutions remains difficult due to rising insecurity and limited access to services, livelihoods and infrastructure.

Out of Darfur's population of six million, about 2.7 million were internally displaced in January 2009. Another two million people had been directly affected by the conflict. In addition, up to 100,000 people were newly displaced in the first months of 2010 by clashes between various rebels and government forces in Jebel Marra. After the expulsion of 13 international NGOs in March 2009, the Sudanese government started to take responsibility for all the operations that were previously carried out by the expelled NGOs and managed to avert a complete food security crisis. Nonetheless, serious gaps remain in the provision of health care and support for victims of gender-based violence. During the April 2010 elections, many IDPs were unable to register and were thus widely excluded from the elections. The prospect of durable solutions depends largely on achieving sustainable peace in the region.

The Greater Khartoum area continues to host over 624,000 IDPs in addition to an estimated 925,000 people from areas in or bordering the south, who have integrated in the host communities over the last 20 years. Many IDPs have been displaced for decades and do not intend to return, but still struggle with poor living conditions, and the lack of sustainable livelihood opportunities or basic services.

In January 2009 the government adopted a national IDP policy setting out IDPs' rights during different phases of displacement and the required responses to their needs. Sudan has also ratified but not yet implemented the Pact on Security, Stability and Development in Africa's Great Lakes Region, including the protocols on the protection and assistance of IDPs and on the

property rights of returning populations. However, it has yet to sign and ratify the African Union Convention for the Protection and Assistance of IDPs in Africa.

{{Background and causes of displacement}}

As of May 2010, at least 4.9 million people are internally displaced in Darfur, the Greater Khartoum area, South Kordofan and the ten States of Southern Sudan, with unknown numbers of internally displaced people in the other northern and eastern States. Alongside Colombia they make one of the two largest internal displacement situations in the world. Some people have been displaced for more than two decades, while others were newly displaced in 2009 and 2010.

This displacement is a result of numerous conflicts that have been fuelled by the same cause: the deeply-rooted tensions between the centre and peripheral regions characterised by a highly inequitable division of power and wealth and a government unwilling to manage the country's diverse ethnic and religious make-up. After Sudan gained independence in 1956, conflict between north and south broke out almost immediately, while conflicts in the eastern and western regions of the country flared up later.

In Southern Sudan, the armed conflict that broke out soon after Sudan's independence ended in 1972, but in 1983 civil war resumed between the government in Khartoum and the Sudan People's Liberation Army (SPLA). It was brought to an end by the Comprehensive Peace Agreement (CPA) of January 2005. The CPA set out detailed transitional arrangements over a six-year interim period and addressed a number of issues, including power and wealth-sharing, security arrangements, and resolutions of conflicts in Abyei, Southern Kordofan and Blue Nile States (the Three Areas). It provided for an autonomous southern government, nationwide democratic elections that were held in April 2010 and a referendum to be held in 2011 in Southern Sudan on self-determination for the south (Sudan Tribune, 7 March 2010; Heinrich-Böll-Stiftung, January 2010; Chatham House, January 2010).

While the CPA brought an end to the conflict in the Three Areas, no agreement was reached on demarcating the border in the oil-rich area of Abyei. The matter was handed over to the Permanent Court of Arbitration in the Hague and a final decision from the Court was reached in July 2009 (UNSG, 17 April 2009, para.17). However there has been no progress in demarcating the border due to insecurity (Chatham House, January 2010, p.8; UN and partners, 11 December 2009, p.16; HRW, 6 October 2009).

Along with Southern Sudan's decision on independence, the future of the Three Areas is also to be decided in 2011. The residents of South Kordofan and Blue Nile States will be given a chance to voice a desire for more autonomy from Khartoum at the popular consultation, which is nevertheless non-binding for the government (Sudan Tribune, 31 December 2009; Chatham House, 2010, p.6). Residents of Abyei, on the other hand, will have the right to choose whether they want to remain in the north or join the south in a referendum similar to the one in the Southern Sudan (Swissinfo, 30 December 2009).

Eastern Sudan is home to some three to four million of Sudan's poorest people (UNDP, 2010). Historical grievances and feelings of exclusion and marginalisation turned to violent conflict between the army and an insurgent coalition known as the Eastern Front in 1995 (Reuters, 12 April 2010; Pantuliano, September 2005). In October 2006 the two parties signed the Eastern Sudan Peace Agreement (ESPA), but the implementation has been extremely slow and the Eastern States remain "profoundly underdeveloped" (HPG, 26 March 2009, p.3). The widespread presence of landmines in the region hampers the return of a number of IDPs to their places of origin (UN and partners, 11 December 2009, p.65). There are no updated figures on the number of displaced; by the end of 2008 there were still up to 420,000 IDPs in the region.

A new conflict erupted in early 2003, as two loosely allied rebel groups in Darfur, the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) took up arms against the Government of Sudan (GoS). As with Sudan's other conflicts, the causes of the war in Darfur lay in the central government's neglect and failure to share resources and wealth. After months of negotiations and pressure from the international community, the GoS and a faction of the SLM/A under the rebel leader Minni Minnawi signed the Darfur Peace Agreement (DPA) in May 2006. However, the DPA failed to bring peace and stability to the region as several rebel groups opposed the agreement. Instead it led to the fragmentation of rebel groups and sparked new waves of violence (Women's Commission, December 2008).

Following heavy fighting between JEM and the Sudan Armed Forces (SAF), the rebel group and the government signed the Agreement of Goodwill and Confidence Building in January 2009 in Qatar, which committed the parties to finding a peaceful solution to the conflict (IRIN, 28 January 2009; UNSG, 17 April 2009). JEM suspended its participation in March, following the International Criminal Court's issue of an arrest warrant for President Bashir and the subsequent government decision to expel 13 international non-governmental organisations (NGOs) and dissolve three national NGOs operating in north Sudan (Sudan Tribune, 24 April 2009). JEM and the government met again in Doha in May 2009 (IRIN, 18 May 2009), and in February 2010 they signed a ceasefire as a part of an agreement on the terms for peace negotiations (Reuters, 20 February 2010).

Despite these negotiations between JEM and the government, shortly after the ceasefire new fighting broke out in the Jebel Marra area between the SAF and a faction of the SLM/A, displacing thousands (Reuters, 25 February 2010; BBC, 25 February 2010).

{{Southern Sudan}}

The civil war between the government in Khartoum and the SPLA resulted in about four million Southern Sudanese being internally displaced and at least 500,000 refugees (HPG, 26 March, p.3).

The total number of IDPs in Southern Sudan in 2010 is difficult to determine due to ongoing population movements. However displacement reports in 2009, indicating over 390,000 internally displaced, are more than twice those of 2008 (Office of the UN Resident and Humanitarian Coordinator, January 2009; OCHA, 17 February 2010). In the first four months of 2010, another 60,000 people have been displaced, bringing the total number of newly displaced people since January 2009 to 450,000 (WFP, April 2010; IRIN, 23 April 2010). This rise is a consequence of several factors: increased inter and intra-tribal violence exacerbated by drought and food shortages and related migration conflicts between pastoralist groups and between pastoralists and agriculturalists; the increase in intensity and frequency of attacks by the Lord's Resistance Army (LRA); the proliferation of firearms and GoSS's inability to undertake civilian disarmament; and the overall poor governance and mounting land disputes among returning IDPs, refugees, and residents (Small Arms Survey, Working Paper, April 2010; ICG, 23 December 2009; NGO coalition, 2010; FEWS NET, 31 March 2010). There has also been a change in the nature of violence. While inter-tribal cattle rustling is common in these areas, in 2009 the violence within tribes increased. Villages were targeted and women and children were often shot at water points, in the fields or while collecting firewood (OCHA, 30 September 2009; Office of the UN Resident & Humanitarian Coordinator, 11 September 2009; Small Arms Survey, Issue Brief and Working Paper, April 2010; MSF, December 2009).

Of the estimated four million IDPs displaced by the civil war, IOM has estimated that between the 2005 signing of the CPA and December 2009, over two million IDPs returned to Southern Sudan, Abyei and Southern Kordofan, but ten per cent of those movements led to secondary

displacement (IOM, December 2009, p.8; UN and partners, 11 December 2009, p.95). The achievement of durable solutions by returnees remained difficult. In addition to facing rising insecurity, returnees frequently arrive in areas that lack infrastructure, with limited access to basic services, including clean water and livelihood opportunities. Southern Sudan is also one of the poorest areas in the world, with widespread malnutrition and health indicators among the worst in the world (UN and partners, 11 December 2009).

According to the Annual Needs and Livelihood Assessment 2009/2010 (ANLA) and several inter-agency assessments, Southern Sudan faced a massive food deficit caused by a combination of late rains, disruption of trade and high food prices. While results of the 2008/2009 ANLA had indicated that IDPs and returnees faced greater food insecurity than non-displaced residents, the 2009/2010 assessment found that IDPs were still much worse off than the residents but the difference between residents and returnees was very slight (WFP, December 2009; WFP, ANLA Final, February 2010). This underlines the severity of the food security situation in 2009 compared to previous years, when the resident populations were normally better off and among food secure groups (WFP, December 2009).

Insecurity played a major role in limiting cultivation in 2009, as many people were displaced from their fields and so failed to cultivate for the season (FEWS NET, November 2009). At the start of 2010, Jonglei was reported to be the State with the largest number of conflict incidents; by mid January 2010, there were 105,000 IDPs in the State (FEWS NET, 22 January 2010). Those who failed to cultivate in 2009 were expected to remain highly food insecure in 2010 (FEWS NET, 31 March 2010).

Following the signing of the CPA, donor governments pledged up to \$2 billion in aid to the south Sudan Multi-Donor Trust Fund (MDTFs) to fund projects and programmes for the reconstruction of Southern Sudan (Sudan Tribune, 18 February 2010). It was anticipated that the fund, administered by the World Bank, would play a leading role in contracting third parties to deliver government services for at least two years of the interim period. Its role would be phased out as the capacity of GoSS increased. By the end of 2009, donors had provided \$524 million to the MDTF, and of that, only \$181 million had been spent by the World Bank. The complex procurement rules imposed by the World Bank on the GoSS had reportedly led to delays and frustration (Guardian, 18 February 2010; OECD, 2009, pp.79-83, 146-147).

As of mid-2010, the GoSS has not managed to offer displaced Southern Sudanese a genuine choice between return, local integration and settlement elsewhere in the country. It has exclusively promoted return to areas of origin as the only settlement option. However, many IDPs would prefer to integrate in the towns in the south they fled to or settle in other urban areas, to better access services and livelihoods.

IDPs in towns and cities face a number of obstacles to achievement of durable solutions: first, IDPs who fled to the towns during the war often squatted on land that was unoccupied at the time but was either privately owned or owned by the state. In towns such as Juba, many of them have since faced eviction, either because the private owners of the land are themselves returning from displacement and are reclaiming their plots, or because the local authorities have started developing the land (UN Resident Coordinator, 5 May 2009; RCSO et al, 10 February 2009; Governor of Central Equatoria State, 16 January 2009; UNSC, 19 January 2010, p.66). Second, SPLA soldiers in Southern Sudan occupied urban plots in towns such as Juba and Yei during the war, and have refused to vacate the plots when the owners return. In some cases, soldiers have claimed they are entitled to the land because they fought in the war against the northern army to free the land from northern occupation (HRW, February 2009, pp.31-32; IRIN, 7 October 2008; ODI, December 2007, p.5; Small Arms Survey, Issue Brief, April 2010, p.5).

{{Darfur}}

Out of Darfur's total population of six million, about 2.7 million were internally displaced by January 2009 and living in camps. A further two million people had been directly affected by the conflict. Following clashes between various rebels and government armed forces, up to 140,000 people were newly displaced in the first months of 2009, and up to 100,000 in the first months of 2010 (AFP, 6 March 2009; Office of the UN Deputy Special Representative of the UN Secretary-General for Sudan, 2009; UN and partners, 11 December 2009; Reuters, 25 February 2010; IRIN, 3 March 2010).

IDPs in Darfur have continued to face serious threats to their physical security from the army and militias allied to the government, rebel groups and bandits. There were also reports of the LRA moving into Darfur in early 2010 (Sudan Tribune, 13 March 2010; Enough, 12 March 2010). In January 2010, the government troops launched an offensive on the SLA-held Jebel Marra area, displacing up to 100,000 people (OCHA, 1 March 2010). The access of these IDPs to health services, clean water and food security has been seriously strained due to limited humanitarian access and suspension of humanitarian operations in the area (IRIN, 3 March 2010). In Darfur, internally displaced women and men face different risks and challenges: men are more likely to pursue economic opportunities in towns, where they are often victims of theft and robbery. Women, who often engage in farming and other livelihood activities outside towns, face the threat of rape and other gender-based violence (UN SC, 29 October 2009, p.64).

The March 2009 expulsion of 13 international NGOs and the disbandment of three Sudanese aid organisations affected hundreds of thousands of people in Darfur, with the sectors of water and sanitation, hygiene and nutrition most seriously affected (HPG, 26 March 2009; UN SC, 13 July 2009). The expulsions combined with security concerns led to a decreased humanitarian presence outside the State capitals of Northern, Southern and Western Darfur. Besides reducing the delivery of aid to people in remote areas, this reduced humanitarian presence also led to limitations on early warning reporting (UN and partners, 11 December 2009). However, a year after the expulsion, the feared food crisis had not materialised. According to the UN Humanitarian Coordinator for Darfur, the departure of foreign humanitarian workers "has led us to collaborate even more closely with local associations, establishing a network of contacts on the territory that did not exist before and we also started to meet more frequently with the Sudanese government, which really did start to take responsibility for all the operations that were previously carried out by the expelled organizations" (MISNA, 4 March 2010). It is noteworthy that the humanitarian response after the expulsion has largely focused on life-saving sectors such as food and water and sanitation, while leaving gaps in some other sectors. Provision of effective health care services has been an ongoing challenge, and support for rape survivors and other victims of gender-based violence has collapsed completely and remains unaddressed (UN and partners, 11 December 2009, p.28; The New Republic, 14 October 2009; UN SC, 29 October 2009, p.21).

Food security has improved in some areas and worsened in others. In February 2010 the Darfur Food Security Monitoring System (FSMS) found that in North Darfur, food security among surveyed IDPs and residents significantly declined, from food security to moderate food insecurity; in South Darfur food security for IDPs had deteriorated compared to the same period in 2009, while for communities with both IDPs and residents food security had somewhat improved with 34 per cent severely food insecure compared to the 50 per cent in 2009; in West Darfur, food security had greatly improved for both internally displaced as well as residents (WFP, Monthly Situation Report, February 2010).

The majority of IDPs in Darfur have been excluded from census and electoral processes. Most IDPs boycotted the fifth national population and housing census in 2008, and the results were rejected by all of Sudan's rebel groups, in part owing to their concerns about the exclusion of IDPs and other conflict-affected communities, and about the counting as Sudanese citizens of foreign (mainly Chadian) nationals who had been allowed by the Sudanese authorities to settle

on land from which Darfurians had fled (ICG, 30 March 2010; HRC, 2 September 2008, para.15; Sudan Tribune, 31 March 2008; IWPR, 25 November 2009; The Independent, 14 July 2007).

The manipulated census results had a direct impact on multi-party elections in April 2010, as they were used to add constituencies in areas where the National Congress Party (NCP) supporters were in the majority, and remove them elsewhere (ICG, 17 December 2009, p.4). Approximately two million IDPs in Darfur have also been widely excluded from voting. Many were unable to register as, to do so, they would first have to return to their areas of origin which had in many cases been occupied by others. Many who had settled in IDP camps refused to register there as they were concerned that they would then lose the right to vote in their home areas and possibly lose the rights over their land (Reeves, 20 April 2010; Sudan Tribune, 15 March 2010; ICG, 17 December 2009, p.4).

The prospect of durable solutions for the 2.7 million IDPs who live in camps depends largely on the achievement of sustainable peace in the region. In the past, the government in Khartoum had encouraged and possibly forced return to areas of origin, despite insecurity, with land occupied by Arab tribal groups, and without access to basic necessities such as food, clean water and health care (Reeves, 6 August 2009; US Special Envoy to Sudan, 10 August 2009; Reuters, 25 February 2010). Since insecurity and other access constraints made verification of returns an ongoing challenge, the government and international partners endorsed the Joint Verification Mechanism for Returns in October 2009. The Mechanism is intended to ensure that any returns in Darfur are voluntary, and that the return areas have the necessary capacity in terms of basic infrastructure and food supplies to receive the returnees (OCHA, January 2010, p.2).

The protracted and large-scale nature of displacement has led many IDP camps to become urban settlements. Many IDPs would prefer to locally integrate in these camps in the hope that they become urban neighbourhoods as they did in Khartoum throughout the 1990s, when the city's rapid growth engulfed the official IDP camps previously outside the urban areas (de Waal, 31 March 2009; Tufts University-IDMC, August 2008, p.18). The percentage of Darfurians in urban settlements has doubled from 18 to 35 per cent between 2003 and 2009, with forced displacement leading to unplanned urbanisation and environmental degradation. (DHP No. 34, January 2009, p.18; de Waal, 31 March 2009; UN and partners, 11 December 2009, p.37-38).

{{Khartoum}}

Estimates for the total number of IDPs (from the south, Darfur, and the east) in the Greater Khartoum area vary widely. The estimates of the number of southern Sudanese in Khartoum range from at least two million, as maintained by the SPLM, to a figure of just over 500,000 provided by the census, the results of which were released in May 2009 (UNHCR, December 2009; Sudan Tribune, 24 May 2009; Chatham House, January 2010, p.19; GoS, 9 April 2010, p.1). In 2008, the Tufts-IDMC survey found that Khartoum hosts between 1.3 and 1.7 million IDPs (in camps and outside the camps and resettlement areas), most of them from the south (Tufts-IDMC, August 2008). According to the GoS's study of IDPs in Khartoum released in April 2010, about 624,000 IDPs were living in Khartoum by the end of 2009, including those who had returned to the south but since returned to Khartoum after failing to re-establish themselves in their places of origin (GoS, 9 April 2010; UN and partners, 19 November 2008; Tufts-IDMC, August 2008). In addition, an estimated 1.5 million IDPs had integrated in Khartoum over the previous 20 years, with 59 per cent (925,000) of them originating from the south and the Three Areas (GoS, 9 April 2010). The survey used the completion of legal procedures for acquiring land plots as the criteria for classifying people as having locally integrated. Many southern IDPs had been displaced for years or decades (with children having been born in displacement), had integrated economically if not socially, and did not intend to return (GoS, 9 April 2010; UN and partners, 11 December 2009, p.37). There is, however, insufficient information on the living

conditions and specific needs of the 1.5 million people who have, according to the GoS study, locally integrated to determine whether they have indeed achieved a durable solution.

Most IDPs in Khartoum live outside the camps and resettlement areas (between one and 1.3 million), some 300,000 to 400,000 live in IDP camps where they have been allocated plots, and some squat on privately owned land (Tufts-IDMC, August 2008, GoS, 9 April 2010). Although Khartoum has seen strong economic growth in recent years, this growth has not been evenly spread and IDP locations generally offer poor living conditions, and few sustainable livelihood opportunities or basic services (GoS, 9 April 2010; Landinfo, 3 November 2008, pp.12-13).

During the registration of voters for the 2010 elections in Khartoum, observers noted that there was reported under-registration in areas with large number of IDPs (IDP Action, 11 March 2010). Khartoum State also had the lowest percentage registration of any State in the country (UNMIS, 15 March 2010).

In the 2011 referendum, the southern Sudanese living in the north who were born after 1956 will be eligible to vote in their place of residence, while those who were born before 1956 and live in the north must vote in the south; therefore the final procedures of referendum voting mean that most Southerners in the north are unlikely to exercise their vote in the south (Chatham House, 2010, p.16, box 6).

{{National response}}

In January 2009 the government adopted a national IDP policy, setting out IDPs' rights and the required responses to their needs during different phases of displacement. The policy recognises the civil and political, and the economic, social and cultural rights of IDPs; applies to all levels of government; strives to enhance social life and sustainable development within IDP and host communities; promotes voluntary return or settlement to other places of IDPs's choice; and determines the roles and responsibilities of all actors involved in the planning of projects and programmes concerning IDPs. It establishes the High Committee to review displacement-related policies and plan the protection of and assistance to IDPs. The Humanitarian Aid Commission (representing the Government of National Unity) and the Southern Sudan Relief and Rehabilitation Commission (representing GoSS) are to assume the roles of coordinator bodies between the government and other national and international actors involved, and provide overall technical support for relevant programmes and plans (Republic of the Sudan, Ministry of Humanitarian Affairs, 2009; Brookings, 2010).

Sudan has also ratified the Pact on Security, Stability and Development in Africa's Great Lakes Region, including the Pact's Protocol on the Protection and Assistance to IDPs, and the Protocol on the Property Rights of Returning Populations. Implementation of these instruments has yet to commence by mid-2010. By mid-2010, Sudan had not yet signed or ratified the African Union Convention for the Protection and Assistance of IDPs in Africa (the Kampala Convention), which was adopted by the AU in October 2009.

{{International response}}

Sudan is home to the largest humanitarian operation in the world, with estimated needs at the start of 2010 totalling \$1.88 billion (UN and partners, 11 December 2009, p.12). Sudan is also the only country in the world with two international peacekeeping missions: the United Nations Mission in Sudan (UNMIS) and African Union-United Nations Hybrid Operation in Darfur (UNAMID).

Most of UNMIS's mandate falls under Chapter VI of the UN Charter. Its primary task is to support the implementation of the CPA. There is also a Chapter VII component to the mandate

(authorising use of force), whereby UNMIS is tasked with protecting civilians under imminent threat of physical violence; facilitating the voluntary return of refugees and IDPs; and contributing to international efforts to protect and promote human rights in Sudan. The mandate of UNMIS currently runs until 30 April 2011.

UNMIS has been criticised for failing to fulfil its mandate to protect civilians. Observers have commented that the problem lies at the field level: "Awareness or understanding of the mission's civilian protection responsibilities is limited or non-existent, with some UNMIS personnel entirely unaware of the Chapter VII component of the mandate, or believing that protecting civilians from 'tribal violence' or the LRA falls outside of the mission mandate and is a distraction from its core business of supporting CPA implementation [Oxfam interviews with UNMIS military and civilian personnel, Rumbek, Lakes State and Yambio, Western Equatoria, September 2009]" (NGO coalition, 2010, p.15). Several UN Security Council resolutions also urged UNMIS to make full use of its capabilities to provide protection to civilians (NGO coalition, 2010, p.15; UN, November 2009, pp.329-330).

UNAMID replaced the African Union Mission in the Sudan (AMIS) in January 2008, and has currently been authorised until 31 July 2010 to support the implementation of the DPA between the GoS and the faction of the SLM/A under the rebel leader Minni Minnawi. UNAMID's effectiveness has been undermined by the failure of the international community to support the operation with sufficient equipment and troops; UNAMID personnel have come under attack and have faced restrictions on their freedom of movement imposed by the government (AllAfrica, 7 May 2010; Sudan Tribune, 2 March 2010; UN SC, 13 July 2009, para.34; UN SC, 29 January 2010, para.31; UN SG, 14 April 2009, para.34).

CAUSES, BACKGROUND AND PATTERNS OF MOVEMENT

Overview of the Causes of Displacement in Sudan

Background to the conflicts in Sudan

Overview

Sudan is Africa's largest country and one of its most diverse. Sudan's population encompasses multiple religious, ethnic and socio-economic divides, in terms of religion, language, ethnicity, and means of livelihoods. Though oil was discovered in southern Sudan in 1978, the majority of Sudanese remain desperately poor. Sudan ranks 150 on the 2009 Human Development Index. Development inequalities between Sudan's regions are large: while Khartoum and some northern states along the Nile have development indicators comparable to middle-income countries, indicators for the rest of the country, including Darfur, Southern Sudan and the Three Areas along the border between north and south are comparable to the lowest in the world.

After Sudan gained independence in 1956, conflict between the north and the south broke out almost immediately, while conflicts in the eastern and western regions of the country flared up later. At the root of each of these conflicts lies resistance to the political and economic marginalisation by the central government in Khartoum of Sudan's peripheral regions, and demands for greater political autonomy for these regions, a more equal distribution of the country's national wealth and recognition of socio-cultural diversity..

Sudan's longest-running civil war between the north and the south started in 1983 and only came to an end in January 2005 with the signing of the Comprehensive Peace Agreement by the government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A) . The war in the south is thought to have led to the death of 2 million Sudanese and the displacement of 4.5 million people (4 million IDPs and half a million refugees). By the end of 2009, over two million refugees and IDPs had returned to Southern Sudan.

The CPA provides for an autonomous southern government, a six year interim period with democratic elections by 2009 (which were first postponed to February 2010 and were eventually held in April 2010), followed by a referendum in 2011 on self-determination for Southern Sudan. For the duration of the interim period, it provides for wealth sharing arrangements and guarantees Southern Sudan's representation in Sudan's federal government.

The CPA did not address the demands of the people of eastern Sudan, or of the Darfurians in western Sudan. Conflict in the eastern States turned violent in 1995. In October 2006 the Government of Sudan and the Eastern Front signed the Eastern Sudan Peace Agreement (ESPA).

In Darfur, the struggle for land and power intensified in mid-2003. By the end of 2009, about 2.7 million people had been internally displaced by the war in Darfur. The Darfur Peace Agreement (DPA) signed under African Union (AU) auspices in May 2006 between the government of Sudan and the faction of the Sudan Liberation Army led by Minni Arkou Minnawi (SLA/MM) failed to bring an end to the conflict. There have been a series of ceasefires agreed between Khartoum and various rebel groups in Darfur during the seven-year conflict, but most have fallen apart, sometimes just days after being signed. Most recently in February 2010, a cease-fire signed with

the rebel Justice and Equality Movement (JEM) was followed by heavy fighting and displacement within a couple of days.

The next sections provide more detail about Sudan's conflicts in the south, the east and the west, and about the patterns of displacement caused by these conflicts. The greater Khartoum area, while not itself the scene of conflict, hosts a large population of IDPs from each of these areas. In the thematic discussions that follow (on physical security, basic necessities of life, etc), separate sections have been dedicated to the IDPs in Khartoum, as well as to Darfur, Southern Sudan, the Three Areas and eastern Sudan.

Causes and Patterns of IDP Movements (by region)

Southern Sudan

In terms of the causes of displacement in Southern Sudan, a rough distinction can be made between:

IDPs who were displaced by the war between the government in Khartoum and the SPLA;
IDPs who have been displaced more recently by inter-communal and inter-tribal conflicts;
IDPs in the south of Southern Sudan who have been displaced by attacks by the Ugandan Lord's Resistance Army (LRA), mostly in Central and Western Equatoria;
IDPs from Darfur who have fled to Southern Sudan, mostly to Western and Northern Bahr el Ghazal.

Furthermore, there is secondary displacement as a result of:
returning IDPs who fail to reintegrate in their places of origin, and who move back to their places of displacement (often Khartoum) or to other places (mostly to towns in Southern Sudan);
demolitions of IDPs' homes by local authorities (mostly in Juba).

Causes of the conflict between the north and the south

In January 2005, after 22 years of civil war, the National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) signed the Comprehensive Peace Agreement (CPA). The immediate causes of the conflict between the north and the south included the imposition by the Arab government in Khartoum of a radical Islamic and overtly racist political agenda on the predominantly African population of the mostly animist and Christian south. However, as in Sudan's western and eastern regions, the underlying causes of the war lay in the concentration of power and wealth among northern elites, and the political and economic marginalisation of the south. Sudan's resource-rich peripheral areas suffered from a lack of investment and underdevelopment, while the country's wealth benefited only the political centre.

The war had a devastating impact on the population of the south, and saw the repeated use of famine as an instrument of war. The conflict caused the deaths of an estimated two million people and the displacement of 4.5 million people (four million IDPs and half a million refugees).

The CPA created a new Government of National Unity (GNU) and the Autonomous Government of Southern Sudan (GoSS). The CPA provides for a six-year interim period, during which the aim is to make unity attractive by giving the south an equitable stake in the state. Should this fail, the

south is given the option of choosing secession by means of a referendum scheduled for 2011. (The full text of the CPA can be downloaded from the [UNMIS website](#).)

From the outset, the implementation of the CPA has proven to be an uphill battle. To date, halfway through the six-year interim period, significant delays in some of the key elements of the process have built up. The results of a nation-wide census were released in May 2009, more than a year after the census was conducted, and the GoSS has not yet endorsed them (Sudan Tribune, 6 May 2009). National elections were supposed to be held by 2009 but were postponed first to February 2010, then to April 2010 (UNSG, 17 April 2009, paras 23-24). The GoSS is meant to receive 50 per cent of all revenue from oil fields in Southern Sudan, but delays in the demarcation of the north-south border mean that it is still uncertain whether oil fields are in the north or the south. Competition for control over Sudan's oil fields is likely to intensify further as a result of declining world prices and diminishing oil revenues, which in turn is straining the budgets of the GNU and particularly that of the GoSS, which is almost completely dependent on oil revenues (UNSG, 17 April 2009, para.27).

The CPA contains separate protocols for the resolution of conflict in the "Three Areas" on the border between the north and the south (Blue Nile, Southern Kordofan and Abyei): these areas were drawn into the war because their politics and culture were similar to those of the south, and some of the war's heaviest fighting took place in these areas. Independent observers argue that in many ways the CPA faces its toughest test in the Three Areas; where the CPA fails to address the root causes of the conflict, or where the CPA's implementation remains inadequate, the consequences are likely to be felt first, and most acutely, in the Three Areas (see for example ICG, 21 October 2008; and NDI, 31 March 2009). In May 2008, clashes between the northern Sudan Alliance Forces (SAF) and the Sudan People's Liberation Army (SPLA) led to the almost complete destruction of the town of Abyei and the displacement of 50,000-60,000 people.

Post-CPA returns and causes of new displacement

With the signing of the CPA, the war between the north and the south has ceased to be a cause of new displacement. Indeed, by the end of 2008, an estimated 2.24 million refugees and IDPs had returned (for more information on these returns, see the section on Durable Solutions). However, in some cases the returns process itself leads to the outbreak of local conflicts between returnees and residents over access to scarce resources, including water and land (see for example ODI, August 2007).

For this and other reasons, such as lack of access to services, including education and health services, the return process is giving rise to significant secondary movements. These secondary movements take two forms: people who returned to their rural place of origin either retrace their steps to go back to their place of displacement (often Khartoum), or they move from their rural place of origin to the nearest town. IOM estimates that ten per cent of all return movement so far have led to such secondary movements (IOM, December 2009, p.9; see also ODI, August 2007, p.19).

Other factors continue to cause new displacement in Southern Sudan, including tribal and inter-communal violence (frequently exacerbated by the large number of small weapons in circulation and an insufficiently robust disarmament programme); movements of people from Darfur to Southern Sudan, especially following the expulsion of a number of aid agencies from Darfur; displacement caused by the Ugandan Lord's Resistance Army (LRA) near the southern border with the DRC and Uganda; and secondary displacement caused by the demolition of IDPs' homes in urban areas by local authorities.

Tribal conflict and inter-communal violence

Tribal clashes and inter-communal violence frequently lead to the displacement of several hundred, sometimes several thousand, people at a time. In his report to the Security Council of 5 April 2010, the UN Secretary-General notes:

"[significant] security incidents occurred in Southern Sudan, including in Lakes, Upper Nile, Warrab and Jonglei States. Cattle rustling, migration-related incidents, and other inter-communal disputes remain conflict drivers in the south, and tensions have increased ahead of the elections.

41. On 20 February 2010, Ngok Dinka elements raided a Southern Sudan Police Service armoury and attempted to break into a Sudan Peoples' Liberation Army (SPLA) camp in Lakes State, triggering a violent confrontation with SPLA that left seven civilians dead, including the Ngok Dinka paramount chief.

[...]

43. On 23 January 2010, SPLA units and Misseriya nomads exchanged fire along the Bahr al-Arab/Kiir River, Unity State, killing one SPLA soldier and two Misseriya men. On 4 February 2010, a clash in Abiemnom County, Unity State, left eight civilians dead including six Misseriya tribesmen and two SPLA soldiers. On 17 March 2010, a Misseriya-SPLA firefight in Unity State left 13 dead" (UN SG, 5 April 2010, paras..40,41,43).

In his report to the Security Council of 17 April 2009, the UN Secretary-General states, "I note with serious concern the impact on civilian populations of the inter-tribal violence in Southern Sudan and call upon the Government of Southern Sudan and local leaders to resolve these tensions peacefully and build confidence in the lead-up to the elections and referendum. UNMIS stands ready to support these efforts, in close coordination with local authorities" (UNSG, 17 April 2009, para. 97).

Similarly, in a February 2009 report, Human Rights Watch states:

"Meanwhile communal conflict persists in the form of cattle rustling and inter-communal conflict over land use and ill-defined payam and county boundaries. With small arms still in large supply despite various attempts to disarm civilians, these conflicts often turn violent and exact high death tolls on civilians. [...] Many of these conflicts have deep historical roots and erupt in predictable cycles and locations. In December 2008 alone, clan fighting and cattle raiding among ethnic groups and sub-groups was reported in Warrap, Unity, Eastern Equatoria, Jonglei, and in Juba town, leading to numerous civilian deaths and injuries. In late December and January 2009 clashes between Dinka sections killed more than 20 people and caused hundreds to flee their homes in Wulu, Lakes State. *According to the UN Office of Coordination of Humanitarian Affairs, communal clashes caused more displacement than any other factor in 2008.*" (Human Rights Watch, February 2009, pp.17-18; emphasis added).

According to the Office of the Humanitarian and Resident Coordinator in Sudan: "Since January 2008, 187,000 people have been displaced by tribal and armed conflict in Southern Sudan" (UN HC/RC, January 2009).

On 25 January 2009, the Sudan Tribune reported that Sudan's Vice President, Dr Riek Machar, warned Southern Sudan's Council of Ministers "of increasing inter-community conflicts during the coming dry season unless the Government conducted urgent peace and reconciliatory conferences among the various communities throughout the region." The Council of Ministers was reported to have "re-affirmed its policy for continuation of disarmament exercise of the civil population", and to implement projects such as the digging of boreholes in areas prone to conflict, in an effort to reduce conflicts caused by competition over access to water.

Following heavy clashes between tribes in Jonglei State, South Sudan Minister of Regional Co-operation, Hussein Mar Nyuot, "highlighted the severe water and food shortages as the major challenges faced by communities in Northern Jonglei State, adding that competition over these

resources were among the factors that fuelled the re-current conflicts” (Anyuak Media, 13 April 2009).

For examples of reports on local clashes leading to displacement, see for example:
 clashes in Warrap and Lakes States (IRIN, 27 January 2009);
 clashes in Jonglei State (OCHA, 10 February 2009);
 clashes in Malakal in Upper Nile State (OCHA SitReps of 3 March and 7 March 2009);
 clashes in Jonglei State (Sudan Tribune, 17 March 2009; New Sudan Vision, 19 March 2009;
 OCHA, 8 April 2009; Sudan Tribune, 8 April 2009; Reuters, 20 April 2009; Washington Post, 25
 April 2009);
 clashes in Upper Nile State (Reuters, 11 May 2009; IRIN, 14 May 2009);
 clashes in Lakes State (Small Arms Survey, Working Paper, April 2010).

The FEWSNET Food Security Alert of 22 January 2010 provides the following overview of conflicts in nine out of the 10 Southern States:

Table 1. A summary of various conflicting groups during 2009, by state: a potential monitoring tool

Jonglei		Lake State		Upper Nile S
<i>Group/Area</i>	<i>Type of conflict</i>	<i>Group/Area</i>	<i>Type of conflict</i>	<i>Group/Area</i>
Murle – Dinka	Tribal	Dinka and Jur (Wullu)	Tribal/livelihood	Dinka - Shilluk
Murle –Lou Nuer	Tribal		Tribal	Lou –Jikany
Lou – Dinka	Tribal	Dinka-Nuer	Disarmament	
Lou –Gawaar	Clan	SPLA – Dinka	Tribal	
Lou – Dinka	Tribal	Dinka and Mundari		
Lou – Jikany	Clan			
Warrap		Unity		East Equato
<i>Group/Area</i>	<i>Type of conflict</i>	<i>Group/Area</i>	<i>Type of conflict</i>	<i>Group/Area</i>
Dinka - Nuer	Tribal	Nuer – Dinka	Tribal	Toposa – Buya
Dinka	Clan	<u>Potential</u> Nuer - Misseriya	Livelihood	Toposa – Didinga Torit and Ikotos counties
Western Equatoria		Central Equatoria		Western Bahr E
<i>Group/Area</i>	<i>Type of conflict</i>	<i>Group/Area</i>	<i>Type of conflict</i>	<i>Group/Area</i>
All areas	LRA	Bari – Mundari	Tribal	Raga
Ambororo pastoralists and local population	Livelihood			

Lack of progress in the disarmament of civilians and former soldiers

Large numbers of arms continue to be in circulation in Southern Sudan, amongst both civilians and former soldiers, as a result of which local conflicts are at risk of escalating quickly. (See for example Reuters, 11 May 2009, stating that "ethnic fighting has intensified in recent years, fuelled by a huge supply of weapons left over from Sudan's two-decade north-south war.")

On 10 February 2009 the Sudan Disarmament, Demobilization and Reintegration Programme was launched in Ed-Damazin, Blue Nile State, while on 6 February 2009 the Southern Sudan Disarmament, Demobilization and Reintegration Commission and the United Nations Mission in Sudan (UNMIS) inaugurated the first State office in Torit, Eastern Equatoria State: the first of ten State offices where staff of both entities will be co-located. On 16 February 2009, the second Disarmament, Demobilization and Reintegration Round Table met in Juba to reaffirm the stakeholders' commitment to the process and secure funding for the reintegration programme. Donors pledged a total of \$88.3 million for 2009 and 2010, conditioned upon the continued development of certain disarmament, demobilization and reintegration programme areas, including the proportional downsizing of the armed forces, an effective weapons verification and disposal system, and an effective monitoring and evaluation system. The Government of National Unity and the Government of Southern Sudan committed themselves to such programme development, as well as to the release of \$45 million in direct support to disarmament, demobilization and reintegration of former fighters and measures to ensure their access to land (see UNSG, 17 April 2009, paras. 43-47).

On the issue of disarmament of civilians, the Enough Project states, "The proliferation of small arms in Southern Sudan continues to fuel widespread local violence among pastoralists competing for resources and power that has not been reduced by GoSS-initiated civilian disarmament campaigns." (Enough, 19 February 2009, p.3). The UN Emergency Relief Coordinator, following a visit to Jonglei State in May 2009 where he met with people displaced by inter-tribal violence, appealed for a peaceful resolution of problems through dialogue and reconciliation, and called upon all key players to begin a process of voluntary disarmament in the counties affected by inter-tribal violence (OCHA, 8 May 2009).

For more detail on the impact of small arms in Southern Sudan, see the reports by the Small Arms Survey (December 2007 and January 2009), and Reuters, 15 March 2009.

Movements of people from Darfur to Southern Sudan

Following the issue of an arrest warrant for President Bashir by the International Criminal Court on 4 March 2009, a total of 16 relief agencies were expelled from northern Sudan. This sparked warnings that the disruptions in the provision of assistance to Darfurians could trigger an exodus of people from South Darfur into Southern Sudan, particularly to the State of Northern Bahr el Ghazal. The UN and the South Sudan Relief and Rehabilitation Commission consequently embarked on a contingency planning exercise (IRIN, 13 March 2009; FEWS Net, March 2009).

On 23 March 2009, IRIN reported that according to UNMIS, the State of Western Bahr el Ghazal was already experiencing an influx of displaced people from neighbouring South Darfur.

Displacement caused by LRA attacks

In early December 2008, Joseph Kony, the leader of the Ugandan rebel group the Lord's Resistance Army (LRA), refused to sign the Final Peace Agreement that his own delegation had negotiated with the Government of Uganda. This followed earlier occasions in 2008 at which Kony had been expected to sign the agreement but failed to make an appearance. In December, the forces of Uganda, the Democratic Republic of Congo (DRC) and Southern Sudan launched joint military operations against the LRA in their hide-out in the Garamba National Park in DRC. In response to these attacks, groups of LRA fighters stepped up their attacks against civilians in this region, killing hundreds of people and forcing tens of thousands of people into displacement. Some Congolese civilians were internally displaced, while others fled across the border into

Southern Sudan. Southern Sudanese who had been living as refugees in the DRC also fled back across the border into Southern Sudan. Within Southern Sudan, tens of thousands of people were forced into internal displacement by the attacks (see the briefing of the Security Council by the UN Emergency Relief Coordinator, 16 January 2009).

According to OCHA estimates for 2009 over 83,000 people have been displaced by LRA violence in Southern Sudan; almost 67,000 of whom are internally displaced Sudanese, while about 17,000 are Congolese refugees who fled across the border (NGO coalition, 2010, p.11; MSF, December 2009, p.25).

Maps of the displacement caused by the LRA attacks are available at [OCHA, December 2009](#) and OCHA, [19 February 2009](#).

Secondary displacement caused by demolitions of IDPs' homes in urban areas

In January 2009, the Government of Central Equatoria State announced the start of the demolition of the homes of IDPs in areas of Juba where land was required for town planning. Two IDP camps in Juba were targeted for demolition: Nakasungola and Jebel Kujur. Since then, other areas in Juba town have been affected by demolitions, including Hai Nyakama, Hai Sendia Fok, and Hai Fadia (UN Resident Coordinator, 5 May 2009). By early May 2009, the UN Demolition Taskforce reported that according to the Southern Sudan Relief and Rehabilitation Commission, the total number of people affected by the demolitions stood at 27, 800 (UN Resident Coordinator, 5 May 2009).

The IDPs living in Nakasungola camp had settled there in 1989, on land owned by the government. The authorities maintained that the land was needed for the construction of the General Assembly building. The majority of the 508 households living on the site did not want to return to their areas of origin, but wanted to settle in Juba permanently. However, the authorities had not allocated alternative land to these IDPs prior to the demolitions, insisting instead that these IDPs return to their villages of origin (see Governor of Central Equatoria State, 16 January 2009; Sudan Tribune, 20 January 2009; RCSO et al, 10 February 2009; IRIN, 26 May 2009).

The Government of Southern Sudan as well as the State governments have thus far resisted the rapid process of urbanisation in Southern Sudan, insisting instead that all IDPs and refugees return to their villages of origin in the rural areas, despite the lack of services and livelihoods in the rural areas. The authorities' rationale for this policy is that if people return to their areas of origin, services will eventually be provided in these areas, thus contributing to the development of the rural parts of Southern Sudan. (A detailed discussion and critique of GoSS' policy on returns and the authorities' resistance to the process of urbanisation in Southern Sudan can be found in ODI, September 2008).

Three Areas

The "Three Areas" refers to those areas along the border between the north and the south which secured specific protocols during negotiations for the Comprehensive Peace Agreement (CPA). At the time, these areas were Abyei, Southern Blue Nile and the Nuba Mountains. Under the terms of the CPA, the Nuba Mountains became part of a new State of Southern Kordofan based on the boundaries of Kordofan's two States prior to 1974, and Southern Blue Nile became Blue Nile. Therefore, the "Three Areas" now refer to Abyei, Blue Nile and Southern Kordofan.

The Three Areas saw some of the heaviest fighting during the 21-year conflict which was brought to an end with the signing of the CPA in January 2005. However, political tensions in the Three Areas remain high, particularly in Southern Kordofan and Abyei.

Southern Kordofan

In his report to the Security Council of 19 January 2010, the UN Secretary-General noted that Southern Kordofan had shown some positive developments, with local authorities reporting that the security situation and inter-tribal relations within the State had improved. The Abu Jonuk (Nuba) and Um Sileem (Misseriya) signed a peace accord on 5 October 2009 and thus ended a three-year conflict. In December 2009 a national legislation on popular consultations was passed, making a step forward in the full implementation of the CPA (UN SC, 19 January 2010, para.21, 23). However, the Secretary-General noted in his earlier report of 30 January 2009 that the abundance of arms, local dissatisfaction with the lack of a noticeable peace dividend, and fluid tribal and political affiliations meant that Southern Kordofan remained prone to conflict. Recurrent low-scale conflicts in the area were of concern in light of the sizeable presence of troops of both parties in or near the State. According to the Secretary-General, stabilising the security situation in Southern Kordofan depended on disarmament, demobilization and reintegration, and the provision of a palpable peace dividend (UNSG, 30 January 2009, para.21).

By April 2009, the UN Secretary-General reported,

"The overall State-wide security situation remains relatively calm. However, local dissatisfaction with a perceived lack of peace dividends, an abundance of available firearms, and continuing inter-tribal friction remain potential sources of conflict. Internal conflict within the Nuba Mountains SPLM leadership is hampering the State's power-sharing administration and obstructing the reintegration of the former SPLM-controlled "closed areas" " (UNSG, 17 April 2009, para.18).

For a detailed analysis of the causes of conflict in Southern Kordofan, see International Crisis Group, *Sudan's Southern Kordofan Problem: The Next Darfur?* (21 October 2008).

Abyei

Abyei lies only a few kilometres away from some of Sudan's most lucrative oil fields and the pipeline for the transportation of oil to the Red Sea coast. When the CPA was signed in January 2005, no agreement had been reached on the boundary for Abyei. The matter was handed over to the Permanent Court of Arbitration in The Hague; a final decision from the Court was reached in July 2009 (see UNSG, 17 April 2009, para.17). The progress on border demarcation has been stalled since the ruling (Chatham House, January 2010, p.8).

Increasing tensions escalated into armed clashes in May 2008 between the Sudanese Armed Forces (SAF) and the Sudan Peoples' Liberation Army (SPLA), resulting in the displacement of an estimated 60,000 civilians (Reuters, 14 May 2008). On 8 June 2008, an agreement was reached between the two parties on the Abyei Road Map, which set 30 June 2008 as the deadline for SPLA and SAF troops to leave Abyei and to allow the deployment of new Joint Integrated Units. Delays in the implementation of the Abyei road map meant that the last SAF and SPLA troops only left Abyei in March 2009 (see the Daily Nation, 17 March 2009; and UNSG, 17 April 2009, paras 19-20).

By December 2008, up to 10,000 IDPs had returned to the Abyei area north of the Kiir River, about 5,000 IDPs had returned to Abyei town and another 5,000 IDPs to the villages north of the river. However, on 12 December 2008 a fighting broke out between members of the Joint Integrated Police Unit and the Joint Integrated Unit in Abyei market. One person was killed and nine people were injured. Following the incident an estimated two-thirds of the returnees fled once more, most of them to Southern Sudan, while the remaining went to the north (UNSG, 30 January 2009). Report of the Secretary-General 19 January 2010 stated that an estimated 20,000 residents remain displaced in Abyei (UN SC, 19 January 2010, p.12).

Tensions remain high in the area: the UN Secretary-General reported on 5 April 2010 that, "29. Misseriya elements in the northern portions of the Abyei area have continued to deny UNMIS Joint Monitoring Teams access to some locations, often with threats of violence. On 17 February 2010, following a complaint from Misseriya leadership to the Abyei Area Joint Military Committee regarding UNMIS use of armoured personnel carriers, the Abyei Security Management Team declared the Misseriya dominated villages of Dumboloya, Um Khaer and Shegei to be restricted areas for United Nations and NGO civilian movements and operations. This has significantly impeded humanitarian operations in these areas.

30. Insecurity has prevented progress on the physical demarcation of the Abyei boundary in accordance with the Permanent Court of Arbitration award of 22 July 2009. As of 9 March 2010, the demarcation team had not made any progress since my last report (S/2009/31)" (UNSG, 5 April 2010, paras.29, 30).

Impact of the expulsions of aid agencies from northern Sudan

The UN Secretary-General observed, "In Abyei, Southern Kordofan State, Blue Nile State, and eastern Sudan, the expulsion order runs the risk of disrupting humanitarian assistance to internally displaced persons, affecting efforts to deliver peace dividends in fragile and war-affected areas as well as activities designed to support peace and stability. It may also impact efforts to strengthen civil society involvement in recovery and peacebuilding" (UNSG, 17 April 2009, para. 53).

Similarly, in March 2009, the Humanitarian Policy Group warned of the "direct negative impact on efforts to implement the CPA" of the expulsion of international and national aid agencies from the Three Areas, following the issuing on 4 March 2009 by the International Criminal Court of an arrest warrant for President Bashir. The HPG noted:

"The expulsions have left large parts of the Three Areas and Eastern Sudan without any humanitarian cover or recovery and reintegration support. The expulsions hit three of the largest organisations working in Abyei (Mercy Corps, PADCO and Save the Children US), and five of the main aid providers in Southern Kordofan (CARE, Mercy Corps, NRC, PADCO and Save the Children US). These agencies operated across all sectors and in all localities (including former SPLM closed areas) with fully functioning offices in Kadugli, Abu Jeksiha, Lagawa, Dilling, Kauda, Al Fula and Muglad. Blue Nile State will be particularly affected by the expulsion of Mercy Corps, which met 10% of the state's needs in the education sector.

The expulsion has halted major projects with significant budgets, designed to support the implementation of the CPA through recovery, development and reconstruction activities, including the reconstruction of Abyei town (administrative offices, equipment and furniture and re-establishing the town's electricity supplies), rebuilding bridges in Southern Kordofan and Abyei and rehabilitating clinics in Kurmuk.

The closure of these programmes is likely to increase tensions in this fragile region, which has experienced bouts of conflict over the past 18 months. Unlike in Darfur there is very little additional capacity beyond the expelled agencies to fill the gaps. The Three Areas have suffered from a lack of investment from donors and international agencies, and increased resources had only recently been mobilised, largely as a result of mounting tension in the region and in the wake of the clashes in Abyei last year. The agencies expelled were the main recipients of these new funding flows. Their departure is likely to have a direct negative impact on ongoing efforts to promote peace and stability, particularly in Abyei and Southern Kordofan, both through the provision of 'peace dividends' and reconciliation activities, such as the promotion of local conflict resolution and reconciliation conferences" (HPG, 26 March 2009, p.6).

See also Box 2 on p.7 of the HPG report:

"The impact on the CPA

There will be direct repercussions on support to peace and reconciliation activities, such as local-level negotiations, particularly around the contested issue of access to natural resources. It will also further delay the delivery of already limited peace dividends in the Three Areas. Tensions at

the community level, particularly in SPLM-administered areas and in Misseriya, are increasing. These areas are already unserved or underserved by the state Government of National Unity (GNU), and the withdrawal of services provided by departing NGOs will increase levels of frustration.

Examples of essential programming supporting the implementation of the CPA which have been heavily affected by the expulsion order include:

- The Rehabilitation and Reconstruction Programme (RRP) 2009: \$15.8m for the Three Areas; \$4.5m for Red Sea State.
- Programmes supporting reconciliation meetings, dialogue, conflict prevention and response (\$17m for 2009).
- Essential conflict reduction activities including water projects to reduce conflict along Misseriya migration routes, and schools, hospitals and dams in SPLM-administered areas."

Darfur

Out of Darfur's total population of about 6 million people (some sources give a figure of 7,5 million (OCHA, 2010)), about 2.7 million were internally displaced by January 2009, while an additional 250,000 Darfurians were living in camps across the border in Chad (Office of the UN Deputy Special Representative of the UNSG for Sudan, Darfur Humanitarian Profile 34, January 2009, chart 1). A further 2 million are considered to be affected by conflict in Darfur (Darfur Humanitarian Profile 33, October 2008, p.3). More than 300,000 people are thought to have been killed in the conflict in Darfur (ODI, December 2008, p.4; Women's Commission, December 2008, p.3).

Start of the conflict: 2003-2004

"The current conflict in Darfur began in February 2003, when two loosely allied rebel groups, the Justice and Equality Movement (JEM) and the Sudan Liberation Movement/Army (SLM/SLA), took up arms against the Government of Sudan (GoS) for neglecting the impoverished region. The GoS responded by mounting an aerial bombardment campaign and supporting ground attacks by an Arab militia, the Janjaweed. The Janjaweed militias are accused of committing numerous human rights violations, including mass killing, looting and systematic rape of the non-Arab population, as they burned and destroyed hundreds of so-called rebel villages throughout the region" (Women's Commission, December 2008, p.3).

"The first years of the Darfur conflict, 2003–2004, were characterised by widespread violence, systematic destruction of livelihoods and large-scale displacement. By early 2005, levels of conflict had decreased, though fighting continued in parts of South and West Darfur, creating further displacement" (HPG, 26 March 2009, p.2).

(Note that some commentators trace the start of the war in Darfur to the second half of 2002, when government-backed Arab militias carried out a large-scale attack on Jebel Marra: see for example Julie Flint, 29 March 2009.)

New wave of violence following the failure of the May 2006 Darfur Peace Agreement

"In May 2006, the GoS and a faction of the SLA under the rebel leader Minni Minnawi agreed to implement a ceasefire and to sign the Darfur Peace Agreement (DPA); however, another faction of the SLA, led by Abdel Wahid Mohammed Ahmed El-Nur (SLA-AW), and the rebel group JEM refused to sign. JEM and SLA-AW argued that the DPA did not provide the people of Darfur with sufficient political representation. Ultimately, the DPA failed, its scope too limited and its signatories too few. Opposition to the DPA exacerbated tribal divisions and sparked new waves of violence between various rebel factions that had split off, as well as newly formed groups. Currently there are an estimated 30 rebel groups in Darfur and their distinction from government forces has blurred, with government-supported Arab militias talking to rebels and rebel groups striking bargains with the GoS. The brutal pattern of systemically targeting civilians by the government, its allied militias and rebels has continued as before the agreement" (Women's Commission, December 2008, p.3).

"A new wave of violence followed the partial signing of the Darfur Peace Agreement (DPA) in May 2006, which led to the fragmentation of non-signatory groups. Darfur now suffers from localised conflict, growing banditry and increased violence against humanitarian workers" (HPG, 26 March 2009, p.2).

Fighting in South Darfur between the SAF and opposition groups (Jan-Feb 2009)

"Of particular concern is the conflict between the Sudan Armed Forces (SAF) and opposition groups around Muhajiriya and Shearia in South Darfur in January and February this year, affecting about 100,000 people and leaving an estimated 30,000 newly displaced. Many people fled to Zamzam camp in North Darfur, which was already operating at full capacity" (HPG, 26 March 2009, p.2)

"The hostilities began in Muhajiriya, 80km east of Nyala, capital of South Darfur State. The town was taken over by JEM rebels from Minnawi's government-aligned group [SLA-Minnawi] after a battle on 15 January. Vowing to recapture the town, the army bombed the area and sent ground troops to fight JEM" (IRIN, 28 January 2009; see also Christian Science Monitor, 3 March 2009; OCHA, 20 March 2009, p.1).

Peace conference in Qatar

In November 2008, hopes for the DPA were renewed, when Sudanese President Omar al-Bashir announced an immediate ceasefire in Darfur, after hearing the final recommendations of the Sudan People's Initiative (SPI was a month long forum convened in October 2008 and attended by over 30 active political parties and a constituency of some 245 people, of which various Darfuri rebel groups were represented. The forum sought to create a platform for the people to voice grievances and to entertain possible ideas on how to go about addressing the principal factors underpinning the crisis.). The announcement and SPI recommendations laid the foundation for a peace conference in Qatar, which took place in February 2009. However, the authenticity of the government and rebel groups' commitment to the process was questioned almost immediately, as there were reports in the days following the cease-fire of government bombings and clashes between armed groups (Women's Commission, December 2008, p.3).

The UN Secretary-General noted:

"On 9 February 2009, the Government of National Unity and the Justice and Equality Movement (JEM) met in Doha, under the auspices of the Joint African Union-United Nations Chief Mediator and with the support of the Government of the State of Qatar. This was their first meeting since the attack upon Omdurman on 10 May 2008. On 17 February, the two parties signed the Agreement of Goodwill and Confidence-building, which committed both sides to a process to find

a peaceful, political solution to the conflict, including putting permanent representatives in place in Doha. The agreement included provisions to refrain from the harassment of internally displaced persons, guarantee the flow of humanitarian aid and agree to an eventual prisoner exchange. Both parties subsequently released prisoners as gestures of goodwill (UNSG, 17 April 2009, para. 28; see also UNSG, 14 April 2009, paras 2 and 5).

While JEM initially suspended its participation in the peace process following the decision on 4 March of the International Criminal Court and the decision of the Government of the Sudan to expel 13 international non-governmental organizations (NGOs) and dissolve 3 national NGOs operating in northern Sudan, it later reversed its decision, and JEM and the Sudan government met again in Doha in May 2009 (IRIN, 18 May 2009). The ceasefire was signed in February 2010 as a part of an agreement on the terms for peace negotiations (Reuters, 20 February 2010).

March 2009 NGO expulsions: risks of further destabilisation of security in Darfur

Following the issue of an arrest warrant for President Bashir by the International Criminal Court on 4 March 2009, 13 international NGOs were expelled from northern Sudan, including Darfur, while the licenses of three Sudanese relief agencies were revoked. In the wake of these developments, the Humanitarian Policy Group warned that the expulsions "could lead to serious humanitarian consequences in terms of renewed violence, displacement and possibly a deterioration in health and nutrition in some population groups" (HPG, 26 March 2009, p.12).

The Humanitarian Policy Group noted furthermore:

"A sudden decrease in aid could further destabilise the security situation in Darfur, especially in the already-overcrowded camps, and could have a significant impact on the movement of IDPs. Movement to better-served camps or areas may risk aggravating the situation in settlements which are already over capacity. In this regard, it will be crucial to determine the differential impact of gaps in assistance as a result of agencies' expulsions on camp versus rural populations and farming versus pastoral populations (or pro-government and opposition groups). All of this could have a significant impact on movements of IDPs as well as exacerbating existing tensions between and within groups. Decreasing levels of aid could also spark riots in some of the camps. Any deterioration in security would further hamper the efforts of other NGOs to scale up to meet new needs. The recent kidnapping of three international MSF workers is particularly worrying" (HPG, 26 March 2009, p.5).

"In the medium term, there is a real danger of increased violence, insecurity and displacement in Darfur. A decrease in aid, or inequalities in its provision, for example as a consequence of aid agencies' inability to reach some areas or population groups, could lead to violence and/or population movements within Darfur or into Chad" (HPG, 26 March 2009, p.12).

"Working more extensively with local NGOs or government ministries will allow assistance to continue, but independent monitoring and reporting will be essential to ensure the impartiality of the humanitarian response. Access to certain areas held by opposition groups, including Jebel Marra and large parts of North Darfur, may also become more difficult as local ministries are not able to work there, and local, non-Darfurian NGOs may be perceived as too close to the government. The inability of government technical staff to access some camps and areas during the UN/HAC assessment in Darfur confirms these fears. At the same time, Darfurian NGOs, whilst enjoying better access, may be subject to political pressures and may thus also face difficulties in acting impartially. In addition, local NGOs and national staff are also likely to flee in the face of security threats, particularly if they are not from the region. There is thus a real danger that the humanitarian operation will face difficulties in reaching and assisting areas and population groups most in need. This in turn could lead to displacement from remote rural areas into already overcrowded camps" (HPG, 26 March 2009, p.13).

"The expulsions will also have implications for the multiple peace processes in the country, as they will threaten recovery in other war-affected areas of Sudan beyond Darfur, as well as undermining the prospects for sustainable peace. Affected agencies have been increasingly active in developing interventions aimed at conflict resolution, particularly focused on the shared management of common resources, an issue at the heart of much local conflict. The CPA is supposed to provide people with security and development. The expulsion of NGOs from war-affected states such as Eastern Sudan and the Transitional Areas will further undermine the implementation process, with the danger of substantial repercussions for the forthcoming elections and the 2011 referendum in the South" (HPG, 26 March 2009, p.12).

Contrary to fears of a humanitarian crisis as a result of the March 2009 expulsion of NGOs, the provision of humanitarian assistance since has been hindered by high levels of insecurity and lack of humanitarian access rather than by lack of capacity to deliver assistance (AllAfrica, 5 March 2010). Despite all the efforts of the remaining humanitarian agencies and of the government, some needs remain unaddressed. For example, assistance to victims of Gender Based Violence, collapsed completely after the expulsion of NGOs (The New Republic, 14 October 2009).

Darfur's ethnic groups and the role of the janjaweed

Darfur expert Julie Flint has drawn attention to the fact that since the insurgency began six years ago, Darfur's Arabs "have been excluded from almost every form of international intervention—from peacemaking to relief delivery." She has argued that for a peace process in Darfur to be successful, Darfur's Arabs must be brought into the negotiations (Flint, 10 May 2009):

"The Arabs of Darfur are victims of the same marginalization and neglect the rebels complain of. The 'janjaweed' among them were, as a general rule, even more impoverished than the settled non-Arab tribes that led the insurgency. Many of those who took up arms did so because militia salaries were the only source of income for unskilled rural youth without livestock, in extremely difficult times for pastoralists. Today things are worse, not better, for most. The insurgency has cut livestock migration routes; the symbiotic relationship of farmer and herder has collapsed, and with it many of the markets and support services pastoralists depended on; and absolutely nothing has been done to address the chronic lack of development of nomadic areas. In the Waha locality—the pastoralist administrative locality that has no geographical boundaries but that covers 48 permanent settlements and villages along the livestock routes—350,000 Arabs are served by only four medical assistants. They do not have a single doctor. There are 22 schools, but only one offers the higher secondary education that pastoralists are desperate for as a route out of poverty. Ninety-eight per cent of women in nomadic communities are said to be illiterate.

Flint argues that it would be a mistake to presume that the government in Khartoum speaks for the Arabs of Darfur:

"Arab tribes do not trust the government to represent their interests and do not consider themselves represented by the government (or even, in some cases, by those of their own leaders who are closely connected to Khartoum). Their concerns were not addressed in Abuja—most importantly, the question of land rights—and many who joined the militia feel betrayed. Darfur is slipping away from the government."

Earlier Flint wrote (29 March 2009):

"Horrible crimes were committed by government forces and their militia allies in 2003-04, on a scale without comparison in the Darfur war. But insufficient attention has been paid to the reasons why the Arabs of Darfur were so ready to take up arms against the rebels. Two weeks in Darfur, meeting Arab military and tribal leaders, have convinced me that Arabs believed the rebellion was first and foremost anti-Arab. Non-Arab tribes led the rebellion. Non-Arab tribes refused to support the government against the rebels. In several areas, Arab civilians were targeted. There were other reasons for the Arab mobilization — impoverishment, lack of political

awareness, localized resource conflict. But fear of a campaign against the Arabs, although over-emphasised perhaps in these ICC days, was undoubtedly genuine.

In 2009, the prevailing narrative is still that of the “victims” in the displaced camps and the marauding “janjaweed” outside them, who are blamed for almost everything. Some of the accusations are correct; some are not.

[...]

The mere use of the word “janjaweed” evokes 2003-04, the firestorm that drove millions into exile and displaced camps. It should be used with care. Some Darfurian Arabs have committed appalling abuses and, like the commanders who give the rebels a bad name, refuse to acknowledge the breadth and depth of their crimes. But Darfur’s Arabs have been collectively vilified and their kinsmen, admittedly often hard to access, have been excluded from international relief operations that have focused on the “victims” — the largely non-Arab IDP camp-dwellers. At the edge of Nyala, at the exact point where the capital of South Darfur State meets the desert, an estimated 3,000 displaced Arab pastoralists are camped less than 100 yards from the impoverished home of their Omda [the tribal title omda indicates a sub-district leader; normally the omda administers different tribes or clans within his omodiya]. None of these Darfurians have seen an international NGO; none have received relief — medical care, water, education etc. In their culture, to seek succour in a displaced camp would dishonour the tribe. It is the collective that must care for the individual. But the collective was impoverished before the first shot in this conflict was fired.

In the seventh year of the war (I count from the second half of 2002, when government-backed Arab militias attacked Jebel Marra massively) the situation in Darfur is so complex, so fragmented and so uncontrollable as to inspire despair — not only for the camp-dwellers, some of them apparently under orders from comfortably self-exiled leaders to refuse aid in the wake of the recent agency expulsions, but also for the Arab victims of the war, stigmatized, along with their wives and children, as “janjaweed”. The antipathy towards President Bashir and in his inner circle has been transposed onto a group of impoverished nomads on the other side of the country. Yet it was not the “janjaweed” who killed their own comrades in eastern Chad, or took over Muhajiriya, or destroyed Wadaa. It may not be apparent from afar, and it may not be comfortable to those who still see the Darfur conflict as a Lord of the Rings struggle between Good and Evil, but it’s the truth."

See also the report by the Small Arms Survey (June 2009), "Beyond 'Janjaweed': Understanding the Militias of Darfur", which was written by Julie Flint.

Land and conflict in Darfur

ODI, December 2008, p.5, box 1:

"Most Arab groups in Darfur do not own land on the basis of the hakura (landholding) system. This system, which dates back to pre-colonial times, was built upon by the British administration, which allotted dars (homelands) to various settled and transhumant tribes. Several Arab transhumant camel herding groups, in particular the camel herding Rizeigat in North Darfur, but also smaller cattle herding Arab groups such as the Salamat and Tarjam, were not assigned any land, though access to land and water along transhumant routes was generally accepted through customary practices. The devastating droughts of the 1970s and 1980s left many pastoralists impoverished and deprived them of a sustainable livelihood base. When the conflict broke out in Darfur, landless Arab groups saw an opportunity to expand their access to land and water. The conflict therefore became partly a violent assault by landless tribal groups against groups with land.

Research shows that secondary occupation of land has taken place in West Darfur, where nomadic Arab groups like the Mahariya, the Missirya, the Salamat, the Beni Halba and the Beni Hussein have occupied grazing land originally inhabited by non-Arab sedentary groups such as the Masalit and the Fur. The area around Awalla-Nankuseh, near Garsila, hosted more than

50,000 non-Arab communities before the conflict, but is today inhabited by nomadic groups of Arab origin."

Patterns of displacement: urbanisation in Darfur

The Darfur Humanitarian Profile (No. 34, January 2009, p.18) notes that, "The numbers of IDPs and conflict-affected people are growing continuously while access to rural areas is severely hampered, creating a pull effect towards major towns and IDP settlements and further eroding the socio-economic fabric of Darfur."

Similarly, Alex de Waal argues that the large-scale displacement in Darfur has given rise to rapid urbanisation (31 March 2009):

"Most of Darfur's internally-displaced camps are urban settlements in all but name. In geographical terms the most striking impact of the last seven years has been to change Darfur from being overwhelmingly scattered rural villages and hamlets to huge extended cities.

Whatever political resolution is achieved, many IDPs—perhaps the majority—will have a future in the cities. If we recognize this reality, it can only help in finding workable solutions to the immediate challenges of livelihoods, services and protection for these people.

Khartoum's population grew from 255,000 in 1955 to 2,831,000 in 1993 and 4.5 million in 2005 (with unregistered immigrants, as many as 7 million). Sudan's level of urbanization grew accordingly, from 7% in 1955 to 25% in 1993 to nearly 40% in 2003. Today it is pushing 45%. In 2003, Darfur was the anomaly, with just 18% urbanized. Today it is about 35% urbanized. Nyala's growth has been spectacular: from a small town in 1960 (just Hay al Wadi and the government centre) to a city of 100,000 in 1983 to 1.3 million today (1.6 million if we include the camps). One in four Darfurians lives in Nyala and its environs and well over a third of the region's economic activities are there.

During the war the cities have doubled in size. There has been a huge inflow from the rural areas. That is in addition to the 30% of the Darfur population that lives in IDP camps. Social scientists who have worked in the camps estimate that at least one third of the camp residents are economically integrated into the towns, others are partially integrated, and many more (those who live in small camps dispersed throughout the countryside) are using the camps as "dormitories" and have some rural-based livelihoods, returning to the camps to sleep at night. This would imply that the correct figure for urban residents in Darfur is 45%. One way of interpreting the last six years is accelerated (and traumatic) urbanization—Darfur catching up with the rest of the country. [...]

The residents of the camps are predominantly Fur, Masalit, Zaghawa and other tribes that were the chief targets of operations during 2003-04. Many of them are militantly organized in support of the SLA-Abdel Wahid. Among their chief demands are personal/family compensation (in cash) and the right of return. The combination of life-sustaining assistance and population concentration has allowed the new leadership to focus on their political mobilization. The IDP leaders are well aware of the political leverage they can exercise through drawing attention to their status as victims.

The term "IDP" has itself become politicized. It is a label that implies that these people are kept in indefinite suspense, unable to become regular citizens of Sudan either by joining the urban areas, or by migrating to Khartoum, or by returning home. The politicized IDPs have resisted registering during the census and continue to veto any indication that they should return home unless there is complete security (guaranteed by international troops). They regard themselves as wards of the international community with an entitlement to relief and protection, and it is tempting for international advocates to echo this view. However, international donors are also becoming tired of the expense of maintaining this dependent population indefinitely with no end in sight.

Even if there were a peace agreement tomorrow it is likely that the majority of the IDPs would not return home. Many would remain in the camps, which might simply become urban neighbourhoods (as has happened in Khartoum). Others might relocate to the adjacent urban areas, or divide their families between the rural areas and the towns. We would see a new tussle

for authority and allegiance among the IDP camps leaders with a vested interest in the status quo and those wishing to see more dynamic or durable solutions.

Whatever might be the next steps, it is important to begin thinking creatively and contextually about how to grapple with the challenge of Darfur's displaced."

Eastern states

This brief overview of the causes of conflict in Sudan's eastern states relies heavily on Pantuliano (September 2005) and sources quoted therein.

The conflict in eastern Sudan was driven by a complex set of interrelated factors, such as historical feelings of exclusion and marginalisation, demands for fair sharing of power between different groups, inequitable distribution of economic resources, underdevelopment, the absence of a genuine democratic process and other governance issues, including the failure of national leaders to address grievances dating back to independence. The loss of traditionally owned land to mechanised agricultural schemes and the mechanisation of the port in Port Sudan were particularly sensitive issues in the region. Environmental factors contributed to aggravate the already dire socio-economic conditions of the population in eastern Sudan. Rampant poverty and extremely high malnutrition and mortality rates created widespread anger amongst members of the community and led long-standing discontent and grievances to erupt into conflict.

Eastern Sudan is made up of the three states of Red Sea, Kassala and Al-Gedaref. The area is primarily inhabited by Beja pastoralists and agro-pastoralists. The area is also home to another pastoral group, the Rashaida, who are mostly found in the Kassala area, although their migratory patterns see them move throughout the eastern region, up to the Egyptian border and beyond. A wide variety of ethnic groups from across the Sudan can be found in the two state capitals, Port Sudan and Kassala.

Over the centuries the pastoral groups in the eastern states have devised strategies to cope with the harsh environment, including water scarcity, extreme temperatures, highly variable rainfall, and unproductive soils. The region experiences cyclical droughts every three to six years, and regular outbreaks of famine.

The colonial policies of the Anglo-Egyptian Condominium undermined the Beja's traditional coping strategies and led to a decline of the Beja's pastoral economy. The expansion of a number of agricultural schemes for cotton cultivation deprived the Beja of key pasture reserves which they had used in years of severe drought, while the damming of the River Atbara for the irrigation of the New Halfa Agricultural Scheme reduced the amount of downstream water in the area occupied by the Beja. Land was also seized around the gold mines of Gebeit al Ma'adin and Ariab.

At the political level too the Beja felt the effects of the British colonisation, through the imposition of the Native Administration system in eastern Sudan. This system undermined the traditional leadership and resulted in the creation of ruling elites which were not truly representative of the local population.

In response to the discrimination felt during the British colonisation, the Beja in October 1958 founded the Beja Congress. Its main aim was to draw attention to the underdevelopment and marginalisation of Beja areas and to advocate for more administrative and political autonomy.

From the mid-1980s, the Congress's political focus, which had previously concentrated on the marginalisation of the Beja, started to shift towards the preservation of Beja culture and land, largely as a reaction to the demographic transformation of the region due to the influx of refugees from Eritrea, IDPs from southern Sudan and the Nuba Mountains and economic migrants from the north and west of the Sudan.

Together with other political parties, the Congress was banned in 1989. In the period that followed, the Government of Sudan accused the Congress of fomenting political destabilisation in eastern Sudan. Repression against Beja dissidents and the continued alienation of land contributed to a resurgence of Beja resistance. The Government of Sudan accused Eritrea of training Sudanese Beja, while the Eritrean government severed diplomatic relations with Sudan in December 1994 following accusations that Islamic terrorists trained in Sudan and then infiltrated into groups of returning Eritrean refugees. The Beja Congress resurfaced again in 1995 in Asmara under the umbrella of the exiled National Democratic Alliance (NDA), a coalition of northern opposition parties as well as the southern Sudanese Sudan People's Liberation Army/Movement (SPLM/A).

Hundreds of young people went to training camps in Eritrea and returned to launch guerrilla attacks on government installations as well as the Khartoum-Port Sudan highway and the oil pipeline. The border was mined, with terrible consequences for traditional pastoral migrants. Together with other factions of the NDA, including the SPLA's New Sudan Brigade, a Joint Military Command was established that enabled the former to conduct full-scale operations on the "eastern front" by 1997.

In 1996 the Beja Congress was charged with having backed a failed coup attempt in Port Sudan in August of that year and fighting between the parties intensified in the southern area of Tokar and Kassala Provinces, with the opposition groups eventually occupying most of the area between the border and the areas surrounding Tokar town in spring 1997. The area around Tokar was retaken by government forces shortly afterwards, but the NDA continued to control much of the border region, including the towns of Telkuk and Hamashkoreb.

Congress leaders worked to expand their political platform to other groups living in eastern Sudan, which led to the formation of the Eastern Front in February 2005. The Front is a political alliance between the Beja Congress, the Rashaida Free Lions and representatives from other small ethno-political groups. The formation of the Front was an attempt by the Beja Congress and the Rashaida Free Lions to de-ethnicise their political agenda and appeal to other communities in eastern Sudan to unite in the fight against the marginalisation and the underdevelopment of the region. However, in the eyes of members of non-Beja and non-Rashaida groups the Front remained closely affiliated to its two main ethnic groups and therefore not representative of other eastern Sudan communities, including immigrants from northern, western and southern Sudan.

In January 2005 the Comprehensive Peace Agreement was signed between the government of Sudan and the SPLM/A. The Agreement did not address the demands of the people of eastern Sudan, or the people of Darfur, despite the fact that these demands were often no different from those of the SPLA/M in the south. Eastern Front leaders emphasised that lack of development, basic services and employment in eastern Sudan were the direct result of the concentration of power in the hands of a restricted elite, resulting in political marginalisation and lack of attention to the all of the country's peripheral areas. The CPA ignored the interests of the other groups in the country in the redistribution of power and wealth.

On 14 October 2006 the Eastern Sudan Peace Agreement (ESPA) was signed in Asmara between the Government of Sudan and the Eastern Front. It provided for the establishment of the Eastern Sudan Reconstruction and Development Fund, and the reintegration of the Eastern Front military forces in the SAF and the police force. Despite continued divisions among Eastern Front

leadership, progress has been made in implementing the ESPA. The Government has earmarked USD 125 million for the Eastern Sudan Reconstruction and Development Fund, in addition to USD 75 million allocated but not dispersed from the 2008 budget (see UNSG, 30 Jan 2009, para. 31).

Following the issuing by the International Criminal Court on 4 March 2009 of an arrest warrant for President Bashir, 13 international aid agencies were expelled from northern Sudan, including the eastern states, and three Sudanese aid agencies had their licences revoked. The Humanitarian Policy Group warned that:

"The departure of the international NGOs is likely to have repercussions for the implementation of the almost moribund Eastern Sudan Peace Agreement (ESPA) signed 2006. Recovery, livelihoods and nutrition programming in Agig and Tokar localities will stop, and the rehabilitation of former Eastern Front-controlled areas such as Hamashkoreb and Telkuk will be seriously hampered. Programmes at risk include a Disarmament, Demobilisation and Reintegration (DDR) project funded by UNICEF, targeting Eastern Front ex-combatants, and covering 19,000 children in Haiya, Sinkat, Halaib and Port Sudan. As with the SPLM, the Eastern Front was not consulted about the expulsions. The Front, which is currently undergoing a political crisis, is likely to be further alienated from Eastern Sudan society, particularly youth, potentially fuelling fresh unrest" (HPG, 26 March 2009, p.7).

Khartoum

Details about the make-up of the IDP population in Khartoum can be found in the Tufts/IDMC Profiling Study on Internal Displacement to Urban Areas: Khartoum (August 2008). See also IOM, IDP Intentions Survey North Sudan (September 2006).

The Tufts/IDMC study states:

p.6:

"The arrival of people from the South spiked between 1985 and 1995, then dropped off after 2000. People from Darfur arrived in a more or less continuous stream, with a slight increase after 2000 (when the conflict became significantly more acute)."

p.16:

"The pattern of displacement into Khartoum arises from the combination of conflict, drought, and famine that has afflicted the south and west of Sudan since the 1980s. (...) The first north-south civil war, from 1956-1972, caused the displacement of over a million southern Sudanese, both internally and across borders. But relatively few IDPs migrated to Khartoum compared with later years, and after the war ended, most of the displaced returned and were re-integrated. The first major waves of IDPs to Khartoum began in the mid-1980s, propelled by the twin scourges of famine and war. In 1983 the north-south conflict was reignited by the introduction of shari'a law and the development of oil fields in southern Sudan. In that same year, drought struck Sudan, lasting for two years (1983-84), and affecting an estimated 8.4 million people (half the population) in Darfur and Kordofan. In the affected areas, there was famine, and compounded by the resumption of the war in the south in which the government deliberately sought to uproot the rural population, the rural economy was decimated. By the mid-1980s an estimated three million people were displaced. About half a million fled to neighboring countries, and some 2.3 million migrated north, of whom as estimated 1.8 million came to Khartoum."

p.17:

"In addition to the conflict in the south, internal displacement has been caused by drought coupled with armed conflict in Darfur, now in an acute phase. (...) Since the resumption of the conflict in 2003, more than two million Darfuris have been displaced, but most have remained in the region either in refugee camps across the border, or in IDP camps around Darfur's main towns."

p.17:

"Displacement has also resulted when farmers and pastoralists in central and eastern Sudan lost their land rights as a result of the government's expropriation of land for development projects, such as mechanized-agriculture and dam construction. In the 1990s, Upper Nile region and other oil-rich areas in the South have been subject to forced depopulation."

p.18:

"In general, the pattern of conflict displacement has followed a series of stages commonly found in conflict zones. Initially, people are locally displaced, seeking to hide from militias or bombing during the night or day but staying within range of their homes or farms. In the second stage, when this hiding strategy no longer ensures safety, people flee to safer villages or camps, where they remain for a period of time, sometimes indefinitely, perhaps while seeking to return to their homes. A third stage, the migration stage, occurs when individuals or households decide to leave the camp or village and travel to the city to find work or join family members already residing there. This migration strategy is utilized by households, for example, when they send one member of working age to the city to act as an anchor for the future migration of the entire household, or to find work and send remittances back to the family. It is this migration phase of displacement that characterizes many of the urban IDPs in Khartoum."

IDP POPULATION FIGURES

Numbers of IDPs (by location)

Estimates for the total number of IDPs for all of Sudan (as of January 2010)

4.9 MILLION IDPs IN SUDAN AT THE START OF 2010

The figures presented here give an overview of the total number of IDPs in all of Sudan as of January 2010. See also the separate entries for Southern Sudan, the Three Areas, Eastern Sudan, Darfur and Khartoum respectively.

The **2010 Work Plan for Sudan**, the **Humanitarian Action in Southern Sudan Report (6-20 November 2009)**, the **Humanitarian Update Southern Sudan** (Issue No. 1 of 2010), the **UNHCR Appeal 2010-2011**, and the **IOM and SSRRC Village Assessment Southern Kordofan** give the following IDP figures for various parts of the country:

	2010 Work Plan for Sudan (Annex I, pp.108-158; the figures for the 10	Humanitarian Action in Southern Sudan Report, 6-20 November	Humanitarian Update Southern Sudan (17 February 2010, situation	UNHCR Global Appeal 2010-2011 (p.52; situation as of January 2010.)	IOM and SSRRC Village Assessment Southern Kordofan
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	Southern States are estimates for the period January - September 2009.)	2009 (The figures reflect the situation as of 24 November 2009.)	as at year end 2009; see also the OCHA map dated 31 Dec 2009.)		(p.4; situation as of June 2009.)
Northern Darfur	508,499				
Southern Darfur	1,410,704				
Western Darfur	746,912				
Total Darfur	2,666,115				
Central Equatoria	5,043	28,490	27,890		
Eastern Equatoria	1,692	13,900	13,900		
Jonglei	122,029	115,284	124,355		
Lakes	24,691	32,345	48,122		
Northern Bahr el Ghazal	700	0	0		
Unity	10,000	2,420	3,272		
Upper Nile	58,367	58,367	58,367		
Warrab	30,000	30,935	37,935		
Western Bahr el Ghazal	56,233	812	812		
Western Equatoria	81,378	76,726	76,726		
Total Southern Sudan	390,133	359,279	391,379		
Southern Kordofan (incl. Abyei)	n/a				60,261
Blue Nile	n/a				
Total Transitional States:	n/a				60,261
El Gezira	n/a				
Khartoum	n/a			1.7 million	
Northern	n/a				
Northern Kordofan	n/a				
River Nile	n/a				
Sinnar	n/a				
White Nile	n/a				
Total Northern States:	n/a			1.7 million	
Gedarif	n/a				

Kassala	n/a				
Red Sea	n/a				
Total Eastern States:	n/a				

Note 1: The IDP figures for Darfur and Khartoum include people who were newly displaced in 2009, as well as people who were first displaced before 2009 but who continued to be displaced in 2009. In contrast, the figures for the ten states in Southern Sudan are for people who were newly displaced in 2009, and do not include people who were displaced before 2009 but who had not yet been able to return to their homes. (For example, in 2008 187,000 people were estimated to have been newly displaced in Southern Sudan; it is unclear how many of the 187,000 people had been able to return to their homes by the end of 2008.)

Note 2: In relation to Southern Sudan, while the Work Plan figures for the 10 southern states add up to about 390,000 people, the Work Plan states elsewhere that:

"Conditions in Southern Sudan deteriorated alarmingly in 2009, with 2,500 people killed and more than 350,000 displaced as a result of violence" (Work Plan, p.1).

This is in line with the OCHA estimate of 359,279 IDPs as of 24 November 2009.

Note once more that it is not clear how many of these 350,000 - 390,000 people had been able to return to their homes by the end of 2009.

Combining these figures produces the following estimate for the total number of IDPs in all of Sudan:

Darfur: 2.7 million
Khartoum: 1.7 million
Southern: 390,000
Transitional areas: 60,000
Eastern States: not known

Total: 4,850,000 IDPs, plus unknown numbers of IDPs in the eastern states, the northern states other than the Greater Khartoum area, and Blue Nile state.

Note that UNHCR's Global Appeal for 2010-2011 uses a lower figure of 4.1 million for all of Sudan as of January 2010:

Planning figures

TYPE OF POPULATION	ORIGIN	JAN 2010		DEC 2010 - JAN 2011	
		TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR	TOTAL IN COUNTRY	OF WHOM ASSISTED BY UNHCR
Refugees	Eritrea	148,790	82,000	168,790	82,000
	Chad	40,000	20,000	40,000	20,000
	DRC	20,000	20,000	20,000	20,000
	Various	12,000	10,500	12,000	10,500
Returnees (refugees)		54,000	54,000	32,000	32,000
Internally displaced		4,100,000	1,250,000	4,150,000	1,250,000
Returnees (IDPs)		15,000	15,000	50,000	50,000
TOTAL		4,369,790	1,451,500	4,472,790	1,451,500

Southern Sudan

There are no comprehensive surveys available of the total number of IDPs in Southern Sudan. Below, a brief discussion is provided for each of the following categories of IDPs:

IDPs who were displaced by the war between the government in Khartoum and the SPLA;
 IDPs who have been displaced more recently by inter-communal and inter-tribal conflicts;
 IDPs in the south of Southern Sudan who have been displaced by attacks by the Ugandan Lord's Resistance Army (LRA), mostly in Central and Western Equatoria.
 IDPs from Darfur who have fled to Southern Sudan, mostly to Western and Northern Bahr el Ghazal.

Furthermore, there is secondary displacement as a result of:

returning IDPs who fail to reintegrate in their places of origin, and who move back to their places of displacement (often Khartoum) or to other places (mostly to towns in Southern Sudan);
 demolitions of IDPs' homes by local authorities (mostly in Juba).

IDPs Displaced by the Civil War

There are no precise figures for the total number of Southern Sudanese who were displaced by the civil war between the government in Khartoum and the SPLA. The most widely quoted figures are 4 million IDPs and half a million refugees (see for example [UNHCR, March 2006](#), p.4). The Humanitarian Policy Group uses figures of 4 million IDPs and 600,000 refugees ([HPG, 26 March 2009](#), p.3). The Joint Assessment Mission (JAM) gave a lower figure of 3 million war-displaced IDPs and refugees ([JAM, 18 March 2005](#), p.22).

IOM estimates that between the signing of the Comprehensive Peace Agreement (in January 2005) and December 2009, a total of 2,001,600 people had returned to the 10 states of Southern

Sudan plus Southern Kordofan and Abyei (IOM, Total Returns to South Sudan Post CPA to December 2009 (December 2009), p.8). However, IOM estimates that 10 per cent of all return movements lead to secondary returns (IOM, December 2009, p.9).

IDPs Displaced by Inter-Communal Violence

In a February 2009 report, Human Rights Watch stated: "Meanwhile communal conflict persists in the form of cattle rustling and inter-communal conflict over land use and ill-defined payam and county boundaries. With small arms still in large supply despite various attempts to disarm civilians, these conflicts often turn violent and exact high death tolls on civilians. [...] Many of these conflicts have deep historical roots and erupt in predictable cycles and locations. [...] According to the UN Office of Coordination of Humanitarian Affairs, communal clashes caused more displacement than any other factor in 2008." ([Human Rights Watch, There Is No Protection, February 2009](#), pp.17-18).

In 2008, a total of 187,000 people are estimated to have been displaced by tribal and armed conflict in Southern Sudan (Office of the UN Resident and Humanitarian Coordinator, January 2009).

In 2009, the situation deteriorated dramatically. The **2010 Work Plan for Sudan** (Annex I, pp.108-158), the **Humanitarian Action in Southern Sudan Report, 6-20 November 2009**, and the **Humanitarian Update Southern Sudan** (Issue No. 1 of 2010) give the following IDP figures for Southern Sudan:

	2010 Work Plan for Sudan (Annex I, pp.108-158; the figures for the 10 Southern States are estimates for the period January - September 2009.)	Map: Displacement in Southern Sudan (The figures reflect the situation as of 19 October 2009.)	Humanitarian Action in Southern Sudan Report, 6-20 November 2009 (The figures reflect the situation as of 24 November 2009.)	Humanitarian Update Southern Sudan (17 February 2010, situation as at year end 2009; see also the OCHA map dated 31 December 2009.)
Central Equatoria	5,043	21,072	28,490	27,890
Eastern Equatoria	1,692	13,900	13,900	13,900
Jonglei	122,029	122,029	115,284	124,355
Lakes	24,691	24,691	32,345	48,122
Northern Bahr el Ghazal	700	0	0	0
Unity	10,000	2,420	2,420	3,272
Upper Nile	58,367	58,367	58,367	58,367
Warrab	30,000	30,935	30,935	37,935
Western Bahr el Ghazal	56,233	812	812	812
Western Equatoria	81,378	76,126	76,726	76,726
Total Southern Sudan	390,133	350,352	359,279	391,379

Note that while the 2010 Work Plan figures for the 10 southern states add up to about 390,000 people, the 2010 Work Plan states elsewhere that:

"Conditions in Southern Sudan deteriorated alarmingly in 2009, with 2,500 people killed and more than 350,000 displaced as a result of violence" (Work Plan, p.1).

Note that at present there is no mechanism for de-registering IDPs who return to their communities thus making it impossible to determine actual, as opposed to cumulative, displaced figures. Therefore it is not clear how many of these 350,000 - 390,000 people had been able to return to their homes by the end of 2009. According to OCHA, out of 391,400 displaced by the end of 2009, an estimated 231,000 people remained displaced within Southern Sudan at the end of the year. Based on these figures the number of people that have been able to return by the end of 2009 is 160,400 ((UN OCHA, 17 February 2010).

Finally, it is worth noting that these figures refer to people who were newly displaced in 2009. It is not clear how many IDPs there are in Southern Sudan who were already displaced before the start of 2009 and who were still unable to return to their homes in 2009. For example, it is estimated that in 2008 a total of 187,000 people were newly displaced in Southern Sudan; it is not clear how many of these people continued to be displaced in 2009.

OCHA's "Humanitarian Action in Southern Sudan Bulletin" (December 2009) states:

One thousand newly displaced per day

The nature and magnitude of inter-tribal attacks remarkably increased in 2009. The Southern Sudan Relief and Rehabilitation Commission (SSRRC) in conjunction with the humanitarian community recorded more than 350,000 people displaced and 2,500 people killed by conflict from January to December. Over 80 percent were displaced by inter-tribal and related clashes. The other 20 percent were displaced by the Lord's Resistance Army (LRA) rebels, mainly in Western Equatoria State and to a lesser extent, Central Equatoria State. In addition, about 20,000 refugees from the Democratic Republic of Congo (DRC) and Central Africa Republic (CAR) entered Southern Sudan escaping the LRA brutality. The number of people displaced in Southern Sudan in 2009 is almost double that of 2008 when 187,000 were displaced because of conflict.

Displacement continues into 2010. Some 60,000 persons have been displaced as a result of inter-communal violence during the first four months of 2010, bringing the total number of newly displaced people since January 2009 to 460,000 (WFP, April 2010; IRIN, 23 April 2010).

With elections in April 2010, the referendum scheduled for the beginning of 2011, and worsening insecurity, the consensus among humanitarian actors is that 2010 will see worsening humanitarian situation and high levels of displacement (see, for instance, Rescuing the Peace in Southern Sudan, NGO coalition, 2010; Work Plan for Sudan, UN and partners, 11 December 2009; Mitigating a humanitarian disaster, NRC, March 2010) .

IDPs Displaced by LRA Attacks

Most of the IDPs in the states of Central Equatoria and Western Equatoria have been displaced as a result of attacks by the Lord's Resistance Army (LRA). These states also host refugees from the Democratic Republic of Congo and the Central African Republic who have fled from LRA attacks in their own countries.

See also the map "LRA Reported Attacks: Dec 2008 - Nov 2009".

IDPs from Darfur in Southern Sudan

There are no precise figures available for the number of IDPs from Darfur in Southern Sudan. Most of the Darfurian IDPs in Southern Sudan have settled among the local population in Western Bahr el Ghazal (2008/2009 South Sudan Annual Needs and Livelihoods Assessment, March 2009, p.5).

Secondary Displacement

IOM estimates that 10 per cent (or 200,160) of IDP return movements in the period between the signing of the CPA (January 2005) and December 2009 have led to secondary displacement (IOM, Total Returns to South Sudan Post CPA to December 2009 (December 2009), p.9).

In terms of the demolitions by local authorities of the homes of IDPs in Juba town, the UN Demolition Taskforce reported that according to the Southern Sudan Relief and Rehabilitation Commission, the total number of people affected by the demolitions stood at 27,800 (UN Resident Coordinator, 5 May 2009).

Three Areas

Southern Kordofan

IOM's 2009 Village Assessment Report for Southern Kordofan states that between April 2008 and June 2009 a total of 1,161 villages were assessed, representing 100 per cent of all existing villages in Southern Kordofan State. The population in the areas was found to be 838,533 residents (71%), 277,217 returnees (24%) and 60,261 IDPs (5%). (IOM and SSRRC, August 2009, p.4)

IOM's 2008 Village Assessment Report states that in the 1088 villages assessed by IOM in Southern Kordofan, there were 96,827 IDPs (see [IOM, Village Assessments and Returnee Monitoring in Southern Kordofan and Four States in Southern Sudan, 2008](#), p.10).

Abyei

Fighting around Abyei in May 2008 led to the displacement of an estimated 50,000-60,000 people (see the [Work Plan for Sudan 2009](#), p.93). About 10,000 displaced people returned to their homes in the course of the year. However, after further clashes in December 2008 most of these returnees fled again ([Reuters, 13 December 2008](#)).

[Report of the Secretary-General on the Sudan](#) (19 January 2010, p.12) states that "In Abyei, an estimated 20,000 residents remain displaced and reliant on food aid.

Blue Nile

OCHA's [Displaced Populations Report, July - December 2008](#) (December 2008, p.6) gives a total figure of 206,250 IDPs for Blue Nile State.

Darfur

According to the Darfur Humanitarian Profile No.34 (Jan 2009, chart 1) there were 2,667,682 IDPs by 1 January 2009.

(The quarterly Darfur Humanitarian Profile is available on the [OCHA Sudan website](#)).

According to the UN Emergency Relief Coordinator, the total number of newly displaced people in Darfur between January 2009 and the end of March 2009 was 65,000 (see [Briefing by the ERC to the Security Council, 26 March 2009](#)).

The total population of Darfur is about six million people (see AFP, 6 March 2009). About half the population of Darfur is displaced, with about 2.7 million IDPs and 250,000 Darfuri refugees living in camps in Chad (see UNHCR, 17 March 2009).

Newly displaced people in 2008

IDP figures for Darfur continued to rise throughout 2008.

On 1 January 2008 there were 2,420,970 IDPs in Darfur according to the [Darfur Humanitarian Profile No.30](#) (Jan 2008, chart 1), compared to 2,667,682 IDPS a year later.

These figures indicate an increase of about 247,000 IDPs between January 2008 and January 2009. [But note that it is possible for the total figure of newly displaced people in that period to be higher, since some people may have been displaced since January 2008 and returned home again by January 2009.]

Indeed, according to the Darfur Humanitarian Profile No.34 (Jan 2009, p.3), "In 2008, some 317,000 people were newly displaced, often for the second or third time since the conflict started in early 2003."

According to the [2009 Work Plan for Sudan](#) (p.139), an estimated 280,000 people were newly displaced in the first nine months of 2008 (Jan-Sep).

The [Darfur Humanitarian Profile No.33](#) (Oct 2008, p.3) states: "By 1 October 2008, there were nearly 2.7 million Internally Displaced Persons in Darfur, up from 2.5 million in July. [...] An additional two million residents continued to be directly affected by the conflict."

The [Sudan Human Rights Report 2008 by the US Department of State](#) (25 February 2009) states: "According to the UN, nearly 2.7 million civilians have been internally displaced, and approximately 250,000 refugees have fled to neighboring Chad since the conflict in Darfur began in 2003. Despite the signing of the DPA in May 2006, continued attacks and violence in Darfur, perpetrated by all parties to the conflict, resulted in 315,000 new displacements during the year, and some existing IDPs were displaced for the second or third time. Darfur IDPs did not return in any significant numbers to their places of origin, although small-scale spontaneous returns to certain villages occurred."

See also the figures on [Major Displacements in Darfur](#) (12 August 2008) compiled by the UN Country Team, which reports 215,398 newly displaced persons between 1 January 2008 and 4 August 2008, with the proviso that "These figure do not include displacements that could not be monitored/verified following attacks on villages, GoS/rebel fighting, inter-tribal and intra-SLA clashes, and whereby people temporarily hide in the bush."

New displacement in 2010

"Since January 2010, armed clashes occurred in all three Darfur states between Sudanese Armed Forces (SAF) and rebel movements, as well as among rival factions within rebel groups" (UN OCHA, March 2010). These clashes often lead to displacement, for instance:

- Renewed fighting between the Sudanese army and the Sudan Liberation Army (SLA) in eastern Jabel Marra resulted in the displacement of more than 100,000 (BBC, 25 February 2010; IRIN, 3 March 2010).
- Fighting between factions of the Sudan Liberation Army-Abdul Wahid (SLA-AW) in western Jabel Marra caused displacement of about 10,000 people (UN OCHA, March 2010; Reuters, 5 February 2010).
- Fighting between SPLA and SAF near the border with South Sudan's Western Bahr al-Ghazal state left 55 Rezeigat tribesmen dead (BBC, 25 April 2010).

Note that in most cases the numbers of displaced due to the clashes are unknown; nor is there any information on the duration of displacement and the numbers of returns.

Eastern States

OCHA's [Displaced Populations Report, July - December 2008](#) (December 2008, p.6) gives a total figure of 420,000 IDPs for Sudan's Eastern states (Kassala, Port Sudan, Gedaref, Red Sea).

The [Work Plan for Sudan 2009](#), (November 2008, p. 177) states, "There are an estimated 68,000 IDPs in Kassala, and around 120,000 in Port Sudan."

Note that the Work Plan for Sudan 2008 (December 2007, p.191) stated:

"Approximately 68,000 IDP reside in camps whilst an estimated 400,000 IDP reside in Eastern Sudan, with 276,580 in Red Sea State, 73,712 in Kassala State, and 42,000 Gedarif State." [The Work Plan stated that the estimate for Kassala was based on WFP figures for September 2007, while the other estimates were based on an IOM survey of June 2005.]

Khartoum and other Northern States

ESTIMATES FOR THE TOTAL NUMBER OF IDPs IN THE GREATER KHARTOUM AREA

1. Different estimates and lack of consensus

There is a lack of precise figures and consensus about the total number of IDPs living in Khartoum, including in the four areas designated as "IDP camps" by the Sudanese authorities (Omdurman el Salaam, Wad el Bashir, Mayo and Jebel Awlia). **The estimates range from 1 to 2 million IDPs.**

One of the reasons for this lack of precision is that in Khartoum, as in other urban areas, IDPs are difficult to identify, partly because they are dispersed across the city, and partly because they are sometimes difficult to distinguish from the "urban poor" (Tufts and IDMC study, August 2008; Assal, March 2006). A further difficulty is posed by the movements of IDPs between different "camps" and movements to other towns and cities (Assal, March 2006).

Some sources (Tufts-IDMC, August 2008; Landinfo, November 2008) report that even in the areas designated as "IDP camps" around Khartoum it is more and more difficult to identify IDPs and differentiate between them and economic migrants or other urban poor living in the same areas, especially because these areas are not delimited and they do not differ from ordinary residential areas in the slums around the capital. Moreover, IDPs often consider themselves as "migrants" as opposed to "IDPs" and are consequently not counted as IDPs in surveys (Landinfo, November 2008).

Since the signing of the Comprehensive Peace Agreement in January 2005 between the government in Khartoum and the SPLA/SPLM, significant numbers of IDPs from Southern Sudan have returned to the South. The difficulties encountered in tracking these return movements and a lack of formal registration adds to the problem of determining the numbers of remaining IDPs in the Greater Khartoum area (UN and Partners, November 2008). (For further information, see the [section on return movements](#).)

A final difficulty is presented by the fact that significant numbers of IDPs in Khartoum, especially people displaced from Southern Sudan, have lived in Khartoum for so long that they now consider themselves as permanent residents of Khartoum: they have no intention to return to their original homes in Southern Sudan (see the survey of IDP return intentions conducted by IOM (September 2006), which established that 25 per cent of IDPs in the northern states of Sudan had no intention to return to their places of origin, while a further 11.5 per cent was undecided). Thus the 2007 Work Plan for Sudan noted that Khartoum had "an estimated one million permanent residents who were previously regarded as temporary" (UN and Partners, December 2006, p.296).

2. Figures

The figures in the table below have to be interpreted with some caution. In many cases, there is no information available about the methods that were used to produce the figures that are quoted. For example, Assal (March 2006) shows that while some surveys provide figures only for the four areas that are recognised by the authorities as "camps", other studies include other areas within their definition of "camps". In some cases, no reference is provided to the provenance of the figures: it is therefore impossible to know with certainty to which date the figures refer. The definition of who is an IDP also varies between the sources and is thus a further factor responsible for the difference between the various estimates (Assal, March 2006; Landinfo, November 2008). Finally, the difference between the different numbers is due in part to a lack of access to the displaced populations in the Greater Khartoum area, and the fact that efforts to quantify the scale of displacement have not always been fully facilitated by the authorities (Tufts-IDMC, August 2008; Aegis Trust, June 2006).

Organization	Date of publication	Provenance of the figures	IDP number in Khartoum excl. "camps"	IDP number for "camps"	IDP number in Greater Khartoum
GoS	April 2010	Estimate based on an empirical study and analysis carried out between July	Estimate from 293,183	Estimate 330,484	Estimate 623,667 (the study points out that an estimated 1.5 million IDPs had locally

		2009 and February 2010			integrated, 59 per cent (924,500) of these coming from CPA and the Three areas)
UNHCR	December 2009	No information	1.3 million	Estimate 400,000	1.7 million
United Nations and Partners (p. 201)	November 2008	No information		Estimate 400,000	1.2 million
Landinfo	November 2008	Different sources, including IDMC			Between 1.2 and 1.5 million
Tufts-IDMC study	August 2008	Estimate based on an empirical study carried out between November 2006 and March 2007	Estimate from 1,004,300 to 1,283,700	Estimate from 325,000 to 391,800	Estimate from 1,329,300 to 1,675,500 (but the study points out that this is probably an underestimation due to the definition of IDPs used in the study)
United Nations and Partners (p.221)	December 2007	No information		400,000	1.7 million
UNHCR	November 2007	No information			Up to 1.5 million
Watchlist on Children in Armed Conflict	April 2007	Source of the total number = IDMC August 2006 based on UN figures from 2003 and 2004		270,000	Approximately 2 million
United Nations and Partners (p. 295)	December 2006	No information		325,000	2 million
Aegis Trust	June 2006	No information		400,000	1.1 to 3.6 million

Assal	March 2006	- HAC 2004 - CARE and IOM 2003		- 273,000 - 319,000 (including six areas not taken into account in the HAC figures)	1.8 to 2 million
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Number of returnees

Returnee estimates

In Sudan, a distinction is made between organised returns, assisted returns and spontaneous returns, depending on the level of assistance provided to returnees by government authorities, and UN agencies, IOM and their implementing partners.

UNMIS/RRR return estimates

According to the Return, Reintegration and Recovery section of UNMIS (UNMIS/RRR), in 2008 a total of approximately 350,000 IDPs returned to Southern Sudan, Southern Kordofan and Blue Nile: 27,844 organised returns to Southern Sudan, 801 organised returns to Southern Kordofan and Blue Nile, plus an estimated 319,860 spontaneous IDP returns ([UNMIS/RRR, January 2009](#), p.4).

For the period January - June 2009, the UNMIS/RRR figures are as follows: 9,084 organised returns within the southern states; 8,900 returns organised by state authorities, mostly of IDPs from Khartoum and other northern states to Southern Sudan and the Three Areas; and 198,492 spontaneous IDP returns, giving a total of 216,476 returnees for this period (UNMIS/RRR, July 2009, pp.3-4):

(January – 30 June 2009)

	IDP	Refugee	Total
Organized Return			
Southern Sudan (i)	9,084	31,136	40,220
South Kordofan, Blue Nile	0	100	100
	9,084	31,236	40,320
Other Organized '09			8,900 *
Sub Total			49,220
Estimated Spontaneous	198,492	0	198,492 **
Grand Total			247,712

Cumulative Returns as of December 2008

	IDP	Refugee	Total
Organized Return			
2005		212	212
2006	7,432	25,811	33,243
2007	45,355	50,932	96,287
2008	28,645	62,410	91,055
	81,432	139,365	220,797
Other Organized '07			27,475 *
Other Organized '08			39,887 *
Sub Total			288,159
Estimated Spontaneous			1,950,000 ***
Grand Total			2,238,159

NOTE:

i Lobonok, CEQ, EEQ, & Upper Nile Movements

* Estimates Based on State Coordinators & RRR Field Offices

** Estimated figure (rounded up) including both IDP and Refugee in 2009.

Source of Information: RRR field offices IOM, UNHCR, WFP, UNICEF, UNRCO, States RRWG and Partners in the South in coordination with SSRRC

*** Estimated figure including both IDP (+94%) and Refugee since 2004

Source of Information: OCHA, RRR field offices IOM, UNHCR, WFP, UNICEF, UNRCO, States RRWG and Partners in the South in coordination with SSRRC

According to UNMIS, as of December 2008, "511,597 IDPs have been registered by UN/IOM in three locations as expressing their intention to return home: 1) in greater Khartoum; 2) in Nyala and El Deain, South Darfur; and 3) in Wau, Western Bahr el Ghazal. In addition, some 31,000

have been registered in Blue Nile State by HAC/SRRC, UNHCR and partners" (UNMIS/RRR, January 2009, p.3).

For UNMIS/RRR weekly reports on the return figures, see UNMIS Return, Reintegration and Recovery Section (RRR).

IOM and SSRRC: Area of Return Tracking Programme

IOM and the South Sudan Return and Rehabilitation Commission (SSRRC) run a joint programme to track spontaneous returnees in their areas of return. It gathers detailed information such as return numbers, basic demographic information (sex, age) and special needs and vulnerabilities of IDPs and refugees who have spontaneously returned to Southern Sudan and Southern Kordofan. The tracking activities are divided into two types:

- "En-route Tracking: is the recording of returnee movements by collecting data at main transport routes, transit hubs, and key geographic entry points, etc. [...] the data provides only "indicators", trends and patterns of spontaneous returns and captures a relatively limited amount of verified data."

- "Area of Return Tracking: is the gathering of data on returnee movements by physically visiting villages in the areas of return to collect data. [...] provides more accurate and comprehensive data than En-route Tracking, but is considerably more costly and presents considerable logistical challenges to implement " (for more on the methodology, see IOM, December 2009, pp.5-6).

By December 2009, the area of return tracking programme covered 461 of the 582 payams (or 79%) in Southern Sudan and Southern Kordofan (see IOM, December 2009, p.7).

Between February 2007 and January 2009, a total of 817,125 spontaneous returnees or 142,578 households were tracked through the Area of Return Tracking programme: 519,027 returnees in areas of return in Southern Sudan and 298,098 returnees in Southern Kordofan (see IOM and SSRRC, January 2009, p.6, table 3). Between January and December 2009, a total of 449,414 returnees were tracked, bringing the total number to 1,256,859 (228,634 households). The upcoming elections led to intensified state organised returns as well as spontaneous return movements, therefore it can be anticipated that returns in 2010 will exceed 2009 returns due to elections/referendum; see IOM, December 2009, pp.10-12 (see table 5 below).

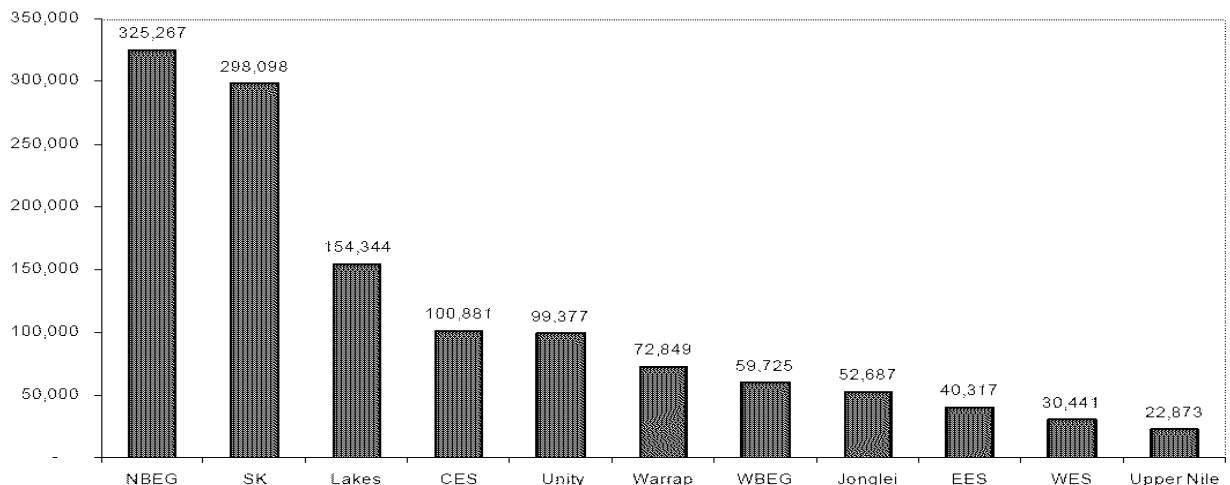
Table 5: IOM Sudan/SSRRC/VRRC, Area of Return Tracking: cumulative data of spontaneous returnees per month, February 2007 to December 2009

2007	HOH	Returnees	% of Returnees	2008	HOH	Returnees	% of Returnees	2009	HOH	Returnees	% of Returnees
Feb	1,988	11,759	1%	Jan	4,897	26,790	2%	Jan	3,535	18,745	1%
Mar	3,026	25,344	2%	Feb	5,569	28,106	2%	Feb	4,261	22,767	2%
Apr	3,627	31,294	2%	Mar	8,851	46,298	4%	Mar	5,656	28,245	2%
May	2,606	14,406	1%	Apr	31,246	159,063	13%	Apr	5,639	29,858	2%
Jun	2,364	13,488	1%	May	32,103	165,272	13%	May	7,315	38,703	3%
Jul	662	4,025	0%	Jun	19,639	103,737	8%	Jun	6,761	37,077	3%
Aug	525	3,178	0%	Jul	5,726	32,182	3%	Jul	10,226	56,978	5%
Sep	2,349	16,697	1%	Aug	4,187	22,767	2%	Aug	8,140	46,901	4%
Oct	987	6,761	1%	Sep	2,735	14,740	1%	Sep	12,389	70,039	6%
Nov	3,189	20,748	2%	Oct	1,401	8,050	1%	Oct	8,427	48,515	4%
Dec	2,701	14,129	1%	Nov	2,128	11,932	1%	Nov	6,061	32,844	3%
Total	24,024	161,829	13%	Dec	4,917	26,679	2%	Dec	2,800	18,742	1%
				Total	123,400	645,616	51%	Total	81,210	449,414	36%
Grand Total					228,634	1,256,859	100%				

It is noteworthy that according to IOM and SSRRC, in the majority of cases (60 per cent), women and children return without the male head-of-household: "Spontaneous return movements show a tendency for women to return without the male head of household. There is also a tendency for males to accompany their families to the place of return but to go back to the place of displacement or to a secondary place of displacement mainly for employment and education reasons but also due to the lack of, or limited access to, basic services in the villages of final destination. Female headed households represent 60% of the total tracked households in Southern Sudan and Southern Kordofan" (IOM, December 2009, p.15).

The following figure represents the cumulative totals of spontaneous returnees tracked between February 2007 and December 2009, by state (IOM, December 2009, p.14):

Figure 4: IOM Sudan/SSRRC, Area of Return Tracking: Total Returnees by State, February 2007 to December 2009



According to IOM/SSRRC , correlation of departure points and final destination of movements of spontaneous returns, from February 2007 to December 2009, is as follows:

- 33 per cent of returns were from Khartoum to Southern Sudan/Southern Kordofan
- 14 per cent returns were from Darfur to Southern Sudan/Southern Kordofan
- approximately 21 per cent of return movements were within Southern Sudan/Southern Kordofan

For more details see IOM, December 2009, p.19-21.

IOM estimates for total returns between January 2005 and December 2009

IOM estimates that since the signing of the Comprehensive Peace Agreement (in January 2005) and December 2009, a total of 2,001,600 people returned to Southern Sudan, Abyei and Southern Kordofan (IOM, December 2009, p.8, table 3). Northern Bahr El Ghazal has received the largest number of returnees with an estimated 450,000 returnees, followed by Southern Kordofan with 275,000:

State	Current Tracked Returnees	% of state coverage up to December 2009 at Village Level	Projected Number of Returnees up to December 2009
Northern Bahr El Ghazal	325,267	70%	450,000
Southern Kordofan	300,000	100%	275,000
Central Equatoria	100,881	65%	210,000
Jonglei	52,687	35%	210,000
Warrab	72,849	40%	178,000
Upper Nile	22,873	15%	130,000
Western Equatoria	30,441	20%	115,000
Unity	99,377	45%	105,000
Lakes	154,344	95%	146,000
Abyei	20,000	25%	87,000
Western Bahr El Ghazal	59,725	99%	60,000
Eastern Equatoria	40,317	46%	55,600
Total	1,285,761		2,001,600

This figure takes into account secondary displacement of an estimated of more than 200,000 individuals or 10 per cent of the total returnee population (IOM, December 2009, p.9):

"It is also important to note that the figures provided above (Table 3) do take into consideration secondary displacements: instances where the return 'fails' and returnees leave their return destination, either returning to the place of original displacement (e.g. Khartoum) or to another places (e.g. Juba, Kadugli, other urban areas).

Estimating the number of these secondary displacements is challenging. IOM, however, has been able to provide an estimate of secondary displacement based on IOM's complementary Village Assessment Project. This project utilises Sudan-specific questionnaires to provide detailed village level assessments (nearly 7,500 villages were assessed in 2008 and 2009). The assessments provide information on the population and tribal composition of villages, the availability of shelter and food, and livelihood opportunities as well as information on water and sanitation, health and education and, critically, population movements.

Based on the Village Assessment data, IOM is able to establish an estimated average percentage of secondary displacements across the following states. See Table 4 for more details."

Table 4: Secondary displacement by state depending on areas of return numbers and coverage; IOM Protection Monitoring Programme – Village Assessment in Southern Sudan and Southern Kordofan, March 2007- December 2009

State	Total Returnees (village assessment)	Failed returns	% of failed to successful
Southern Kordofan	307,000	30,467	10%
Warrap	151,806	10,852	7%
Northern Bahr el Ghazal	400,098	45,713	11%
Unity	122,421	17,000	14%
Western Bahr El Ghazal	55,925	4,992	9%
Average			10%

IOM Village Assessment Programme

IOM also runs a village assessment programme in Southern Kordofan and four states in Southern Sudan (Northern Bahr al Ghazal, Warrab, Unity and Western Bahr al Ghazal). It provides the

following figures, which indicate that returnees constitute 26 per cent of the total population of the villages that have been monitored (IOM Village Assessment, 2008, p.10, table 1):

State	Number of village assessed	Return villages	Total population	Returnees	IDPs	Resident
Northern Bahr al Ghazal	188	188	653,836	138,084	29,516	486,236
Southern Kordofan	1,088	495	1,274,521	301,204	96,827	876,490
Warrab	167	167	455,094	191,649	11,709	251,736
Unity	62	60	191,096	10,507	3,834	176,755
Western Bahr al Ghazal	20	20	90,560	50,933	7,323	32,304
Total	1,525	930	2,665,107	692,377	149,209	1,823,521
Percentage			100%	26%	6%	68%

More recent figures are available for Northern Bahr el Ghazal, Unity, Warrap and Southern Kordofan (see the four September 2009 reports by IOM and SSRRC):

Northern Bahr el Ghazal:

(Village assessments conducted between December 2008 and June 2009.)

"A total of 1,738 villages were assessed, representing 96% of all existing villages in Northern Bahr el Ghazal State. The population in the areas is 790,898 residents (45%), 400,098 (51%) returnees and 32,439 IDPs (4%)." (IOM and SSRRC, September 2009, p.4)

"224 villages reported that some returnees were either displaced again or are separated from their families after their return to Northern Bahr el Ghazal State those secondary displaced returnees reported to be mainly from villages in Aweil East county (48%) and Aweil North (24%)." (IOM and SSRRC, September 2009, p.13)

IOM and SSRRC, Northern Bahr el Ghazal report, September 2009, Table 2, p.14:

County	Number of villages assessed	Return Villages	Population	Returnees	IDP	Residents
Aweil Centre	128	123	45,327	20,905	1,882	23,440
Aweil East	742	735	344,921	290,949	13,946	130,926
Aweil North	238	236	143,127	80,019	5,811	57,297
Aweil South	413	381	80,106	36,009	3,321	40,776
Aweil West	217	217	177,417	64,016	7,479	105,922
Total	1,738	1,692	790,898	400,098	32,439	358,361
Percentage		97%		51%	4%	45%

Unity State:

(Village assessments conducted between May and June 2009.)

"A total of 1,785 villages were assessed, representing 100% of all existing villages in Unity State. The population in the areas is 473,993 residents (76%), 122,421 (19%) returnees and 31,387 IDPs (5%)." (IOM and SSRRC, September 2009, p.4)

"551 villages reported that some returnees were either displaced again (e.g. were no longer present in the village), or are separated from their families after their return to Unity State those secondary displaced returnees reported to be mainly from villages in Mayom county (22%), Rubkona (21%), Paynjar (19%), Guit (15%). See Annex 1 for more details about returnees' secondary displacement." (IOM and SSRRC, September 2009, p.14)

IOM and SSRRC, Unity State report, September 2009, Table 3, p.14:

County	Number of villages assessed	Return Villages	Census Population	Current Estimated Population	Estimated Resident	Estimated Returnees	Estimated IDPs
Abiemahom	13	11	17,512	17,228	14,792	2,415	619
Guit	253	174	33,304	34,381	14,607	15,738	4,035
Koch	193	176	74,863	79,513	64,156	12,223	3,134
Leer	114	109	53,322	56,985	48,502	7,006	583
Mayendit	79	78	53,783	60,179	43,813	13,019	3,338
Mayom	269	249	129,715	124,326	101,124	18,462	4,734
Paynjar	253	225	59,723	54,792	46,143	6,884	1,765
Rubkona	390	372	109,236	110,622	67,632	32,577	10,413
Pariang (Ruweg)	221	216	82,443	90,382	73,224	14,102	2,766
Total	1,785	1,610	585,801	627,801	473,993	122,421	31,387
Percentage		90%			76%	19%	5%

Warrap State:

(Village Assessments conducted between January and June 2009.)

"A total of 2,049 villages were assessed, representing 97% of all existing villages in Unity State. The population in the areas is 941,045 residents (78%), 151,806 (16%) returnees and 55,201 IDPs (6%)." (IOM and SSRRC, September 2009, p.4)

"109 villages reported that some returnees were either displaced or are separated from their families after their return to Unity State those secondary displaced returnees reported to be mainly from villages in Tonj South county (35%), Gognial East (29%) and Twic (25%)." (IOM and SSRRC, September 2009, p.13)

IOM and SSRRC, Warrap State report, September 2009, Table 3, p.13:

County	Number of villages assessed	Return Villages	Census Population	Current Estimated Population	Estimated Returnees	IDPs	Residents
Gognial East	126	119	103,283	104,788	10,721	6,859	87,186
Gognial West	388	372	243,921	251,370	53,848	12,384	185,138
Tonj East	318	143	116,122	116,572	3,252	6,856	106,462
Tonj North	345	277	165,222	167,232	14,527	11,285	141,420
Tonj South	358	269	86,592	89,283	19,453	4,369	65,461
Twic	553	492	204,905	211,822	50,065	13,446	148,371
Total	2,049	1,672	920,045	941,045	151,806	55,201	734,038
Percentage		82%			16%	6%	78%

Southern Kordofan:

(Village Assessments conducted between April 2008 and June 2009.)

"A total of 1,161 villages were assessed, representing 100% of all existing villages in Southern Kordofan State. The population in the areas is 838,533 residents (71%), 277,217 returnees (24%) and 60,261 IDPs (5%)."

"245 villages reported that some returnees were either displaced or are separated from their families after their return to Unity State. Those secondary displaced returnees reported to be mainly from villages in Kadugli locality (64%)." (IOM and SSRRC, September 2009, p.11).

IOM and SSRRC, Southern Kordofan State report, September 2009, Table 3, p.11:

Locality	Number of village assessed	Return Villages	Current Population	Returnees	IDPs	Resident
Abujubayha Locality	183	13	205,243	2,987	15,868	186,388
Dilling Locality	266	134	241,289	68,572	7,199	165,518
Kadugli Locality	142	138	185,752	107,711	4,050	73,991
Lagawa Locality	126	64	213,343	28,927	14,440	169,976
Rashad Locality	363	112	231,447	59,856	14,485	157,106
Talodi Locality	81	60	98,937	9,164	4,219	85,554
Total	1,161	521	1,176,011	277,217	60,261	838,533
Percentage		45%		24%	5%	71%

SOUTHERN SUDAN

Physical Security and Integrity

Physical security and integrity

Inter-tribal violence and attacks by the LRA have proliferated both in number and intensity in 2009, having caused more than 2,500 deaths and displaced over 440,00 people across Southern Sudan by early 2010 (WFP, April 2010; NGO coalition, 2010). This period also saw a sharp rise in attacks on women and children as well as in the targeting of homesteads (AFP, 23 September 2009). In the past, inter-tribal conflicts were mostly seasonal and often triggered by competition over resources. "The current causes of conflict are complex, as they are a combination of historical-traditional hostilities, conflict over resources and boundaries, and politics, compounded by the presence of arms among civilians". Areas most affected by the conflict include Jonglei, Warrap, Unity, Lakes States and parts of Western Equatoria (FEWS NET, 31 March 2010). The outlook for 2010 is grim: prolonged dry season combined with proliferation of arms and post-election tensions are likely to exacerbate current conflicts even further.

The ICG and Small Arms Survey reports discuss the dynamics of insecurity in Southern Sudan and identify the following exacerbating factors and key actors that have underpinned the recent violence (Small Arms Survey, Working Paper, April 2010, pp.1-36; ICG, 23 December 2009, pp. 9-17):

- Armed tribal groups: inter-tribal and intra-tribal violence exacerbated by drought and food shortages, and related migration conflicts among pastoralists and between pastoralist and agriculturalists (Small Arms Survey, Working Paper, April 2010, pp.22-24, *emphasis added*): "Tribal violence was particularly pronounced in Jonglei and Upper Nile States in 2009, and to a lesser degree in Lakes and Eastern and Central Equatoria. The violence is both inter-tribal—such as between the Murle and the Lou Nuer—and intra-tribal, such as between the Lou Nuer and the Jikany Nuer [...]. The United Nations estimates that the ongoing food crisis and absence of rains in 2009 will force pastoralists to move their animals farther in search of water and pasture, increasing the likelihood of continued clashes in 2010.

Striking features of the wave of violence in 2009 were the increased frequency of the attacks, the deliberate targeting of villages (as opposed to cattle camps for raiding purposes), and the fact that women and children made up the majority of the targeted victims. A typical attack of this kind—on Kalthok village in Lakes State in November 2009—saw 41 people killed, *10,000 displaced, and about 80 per cent of dwellings burnt to the ground*. The fighting can involve hundreds of well-armed youths engaging in coordinated, militarized attacks. [...] Much of the worst violence occurred in remote and inaccessible areas, where the GoSS has little or no presence.

[...]

In a region where tribal identities carry over into the political realm, there is also the widespread perception that Southern politicians are using and provoking tribal conflicts to consolidate their support bases [...]. Given the retaliatory nature of many of the conflicts, the struggle over natural resources, the structural weaknesses discussed above, and the lack of a security framework to address them, 'tribal' political violence appears set to continue."

- The Lord Resistance Army (LRA) (Small Arms Survey, Working Paper, April 2010, p.28, *emphasis added*):

"By November 2009, more than 220 people had been killed, at least 157 abducted, *and more than 80,000 displaced (of which 17,000 were Congolese) by the LRA in attacks in Sudan's Western and Central Equatoria states.*

[...]

The LRA's ability to survive and regroup should not be underestimated. Military tactics alone are unlikely to defeat the group. Previously poor coordination between the SPLA and the UPDF, as well as the SPLA's lack of capacity, also suggest that the group may remain a serious security threat in Southern Sudan and regionally. SAF support—which is reportedly ongoing— would also enhance its chances of long-term survival."

- Incomplete integration of militias and other armed groups into Joint Integrated Units (JIU) (ICG, 23 December 2009, pp.14-15):

"Local armed groups that have commonly emerged to protect their communities, cattle and property rarely have long-term agendas. When armed men from rural communities organise around a common objective, however, what in the South is already a fine line between civilian and soldier can become incomprehensible. Many feel that organised attacks waged by several thousand heavily armed, sometimes even uniformed men, as in Jonglei, warrant the label "militia" action. The situation is complicated by the many layers of shifting alliances and proxy support to local communities and militias that characterised the war in the South. Many armed groups and communities accepted military aid as well as money, food and other forms of support in aligning themselves with either Khartoum or the SPLM/A. But acceptance of such assistance was more often driven by local objectives than commitment to a broader ideology.

[..]

Incomplete integration of militias and other armed groups presents a fundamental threat to security and hinders professionalisation of the police and army. In accordance with the CPA, more than 60,000 militia fighters were to be integrated into the army, the police or the prisons and wildlife services [...].Integration is incomplete, as groups small and large remain formally or informally on the outside. Other armed groups feel they have been excluded or mistreated, driving them back to their former commanders or to their communities [...]The JIUs, comprised of SAF and SPLA elements, were created by the CPA and operate under the direction of the Joint Defence Board. Within the South, three separate units occupy posts in Juba, Wau, and Malakal. However, in practice, the units are neither joint nor integrated, and command and control structures remain weak. Many of the militias and other armed groups Khartoum backed during the war were integrated into the SAF, per the CPA's security arrangements. Some now serve as JIU in the same areas they occupied previously and where they retain bad relations with local communities. Khartoum is thought by many observers to keep these elements on as an instrument of destabilisation. Heavy fighting between JIU elements in Malakal in February 2009 left more than 60 dead and nearly 100 injured."

- Poor governance: the absence of functioning local administration, justice mechanisms and the culture of impunity; inability of GoSS to maintain law and order; weak civil administration; land disputes and disputes over administrative boundaries (Small Arms Survey, Working Paper, April 2010, pp.18-19):

"Five years after the signing of the CPA, the GoSS is struggling to develop accountable, democratic state institutions and to provide basic services such as health and education. There are many reasons for this, including a profound lack of capacity, but anger at what is seen as an exploitative, corrupt, unrepresentative, and ill-performing Juba government is widespread and growing. Disenfranchised communities are competing fiercely over the most basic resources and are unable to appeal to legitimate institutions to resolve their disputes. Increasingly, they are taking matters into their own hands, as growing food insecurity exacerbates existing tensions.

Post-CPA violence is largely attributable to the inability of the GoSS to maintain law and order. The fledgling Southern Sudan Police Service, mandated to provide internal security and respond to tribal violence, numbers about 28,000, but most of its members are untrained, irregularly paid, and have little or no equipment, vehicles, facilities, or infrastructure to aid their work. Southern Sudan's long-standing culture of impunity is aggravated by the absence of a functioning legal system and the unwillingness of the GoSS to identify and hold the instigators of recent violence to account.

Land policy and administration is extremely weak or non-existent. Contested land, property, water, and migration rights exacerbate problems at the local level. The demarcation of electoral constituencies, seen as a key means of obtaining resources and funding for communities, has become an additional source of inter-communal tension."

- Proliferation of firearms, alleged backing of the militias by Kharoum and GoSS's inability to undertake civilian disarmament (ICG, 23 December 2009, p.11):

"Disarmament remains the primary issue in discussions on inter-tribal violence in the South. When asked about the causes of violent conflict in Jonglei, the most frequent answer is simply the presence of large numbers of small arms and light weapons in civilian hands. [...] Disputes that traditionally would not have been particularly deadly are now dealt with by the gun. Despite previous disarmament operations that yielded limited results or even fuelled further conflict, a large majority of government officials in both Juba and Bor expressed their commitment to a new disarmament campaign across all states that will use force if necessary.

Many maintain that civilians are willing, even eager, to give up their weapons, as long as other communities are disarmed simultaneously and adequate security is provided."

Small Arms Survey, Working Paper, April 2010, p.21:

"In the absence of a holistic strategy to combat the violence, the GoSS favours the strong arm approach: forcible disarmament of the population first, long-term arms control and intra-Southern reconciliation later. The stated aim is to save lives in the short term, and to prevent Khartoum from waging another proxy war through armed Southern groups. Fewer weapons in circulation could also help to restore the authority of traditional leaders and resolve inter-communal conflicts. [...]

The GoSS, however, is unable to undertake disarmament in a manner that is conducive to improving long-term security. This would require a legal framework governing the control of firearms, a trained and professional police force, established security and law enforcement institutions, interim protection corridors for the disarmed, controlled international borders, simultaneous disarmament of feuding communities across the entire region (as well as in neighbouring states), and community trust in the GoSS. All of these are lacking."

Basic Necessities of Life

South Sudan Annual Needs and Livelihoods Assessment 2009/2010

South Sudan Annual Needs and Livelihoods Assessment 2009/2010

The Annual Needs and Livelihood Assessment (ANLA) 2009/2010 was conducted in eight of the ten States in Southern Sudan: Eastern Equatoria, Jonglei, Upper Nile, Unity, Lakes, Western Bahr El-Ghazal, Northern Bahr El-Ghazal and Warrap. The assessment analyses the "food security status" of households in terms of the following indicators: consumption, food access, coping strategies, market prices and recent displacement/insecurity (WFP, 15 February 2010).

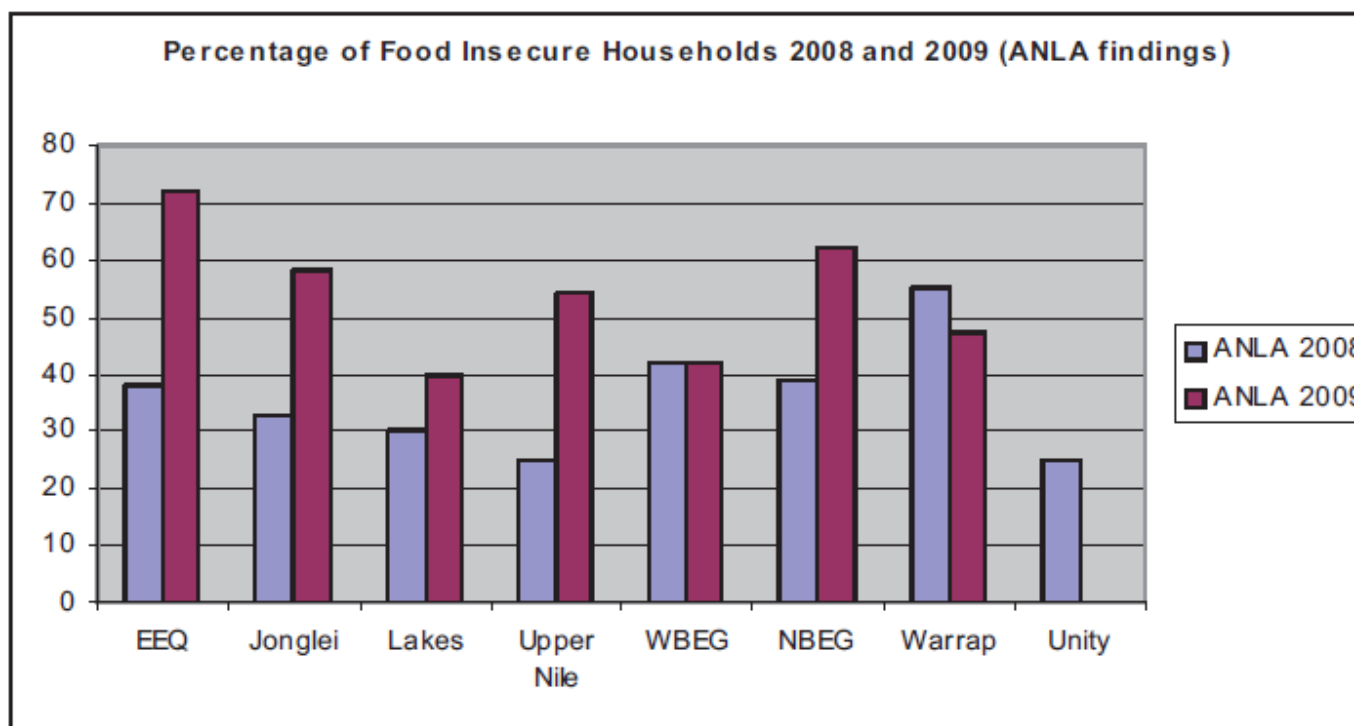
The following table shows the breakdown of residents, returnees, IDPs and nomads included in the ANLA (WFP, ANLA Final, February 2010):

Table 4: Residence Status

Residence Status	
Residents	85%
Returnees	8%
Displaced	5%
Nomads	1%

In 2009 Southern Sudan faced a massive food deficit caused by a combination of late rains, insecurity, disruption of trade and high food prices. WFP had originally estimated that 1.2 million people would face food insecurity and would need food aid. However, food security sharply deteriorated in five out of ten States by mid-year; in response to the deteriorating situation a mid-year review of ANLA was conducted and revealed that 1.5 million people (an increase of 300,000 over original calculations) would face severe food insecurity during the fourth quarter of 2009 (OCHA, 30 September 2009).

Similarly, “the findings of the 2009/2010 ANLA assessment indicate that the food security in Southern Sudan has further deteriorated, due to the combined impact of drought and insecurity. As a result, there are some 4.7 million people who are currently severely or moderately vulnerable to food insecurity. The graph below represents a comparison between the ANLA 2008/2009 and 2009/2010. Compared to the previous year, more households were found to be food insecure” (WFP, Executive Brief, December 2009; FAO&WFP, 17 February 2010, p.32).

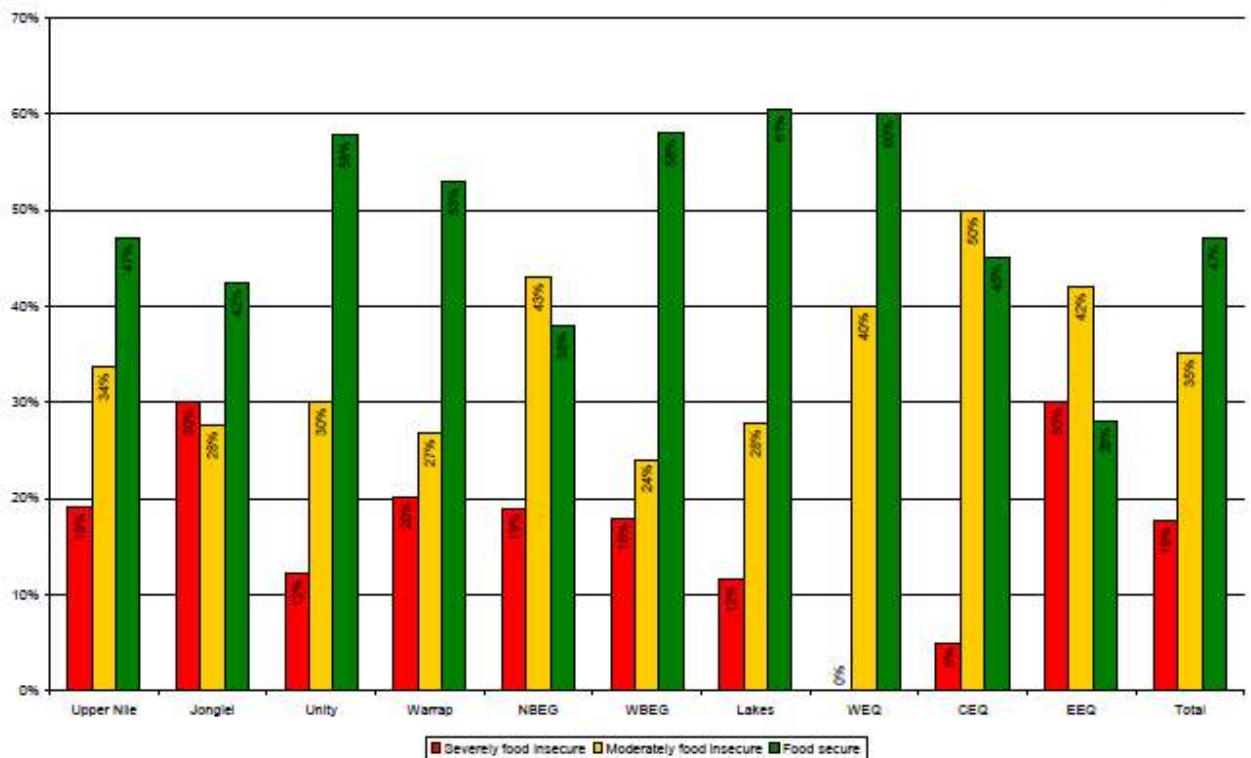


The most food insecure are populations that rely on agricultural production. Based on the Rapid Crop Assessment and the Crop and Food Security Assessment, agricultural production in 2009 was 38 per cent below last year's figure and ten cent below the previous five years average (WFP, 15 February 2010).

Some of the major findings of the 2009 assessment in relation to IDPs in Southern Sudan are as follows:

The percentage of the population affected by severe food insecurity among the eight States ranged from 30 per cent in Eastern Equatoria and Jonglei State to 12 per cent in Lakes State (last years' figures ranged between four and 17 per cent). Eastern Equatoria is by far the worst State with only 28 per cent food secure households (WFP, 15 February 2010). All together some 18 per cent of the total population of these States are severely food insecure and another 35 per cent are moderately food insecure (FAO&WFP, 17 February 2010, p.32). See the figure below:

Figure 6: Southern Sudan: Food security status by State (percent of households)



Source: Data analysis ANLA South Sudan 2009

A third of the severely food insecure households are IDPs (34 per cent), slightly less are returnees (27 per cent), and only a fifth (19 per cent) are residents (last years' percentages of severely food insecure populations were 31 per cent of IDPs, 22 per cent of returnees and 11 per cent of the resident population). The most obvious increase in food insecurity compared to the previous year is among the resident and returnee population (WFP, 15 February 2010; WFP, March 2009).

	IDP/refugee	Returnee	Resident
ANLA 2008	31%	22%	11%

ANLA 2009	34%	27%	19%
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Results of the 2008/2009 ANLA indicated that internally displaced persons and returnees faced more food insecurity compared to residents. This year, the ANLA results showed that residents's level of food insecurity has increased more dramatically than the level of food insecurity of IDPs and returnees. This is considered as another indicator of the severity of the food security situation this year as compared to previous years as resident populations are normally amongst the food secure groups" (WFP, December 2009, *emphasis added*).

Insecurity/violence such as inter-clan fighting causes displacement and has a direct impact on food security. It was identified as one of the main food security hazards across the eight states.

Although the food security of residents decreased most dramatically, it is clear that IDPs and returnees are much worse off than the residents:

	Severely food insecure	Moderately food insecure	Food secure	
IDPs	34	31	35	100%
Residents	19	32	49	100%
Returnees	27	29	43	100%
Nomads	42	35	23	100%

"The displaced have had their livelihoods severely disrupted, and many depend on assistance to cover their basic needs. Despite that, these households remain vulnerable despite being priority groups for both food and other humanitarian assistance. This reaffirms the need for WFP and other humanitarian agencies to continue prioritizing displaced households and returnees for the provision of food assistance. Although some of them are not at risk, their general situation is much worse than the residents. Kinship support through sharing of food and other resources negatively impacts the food security situation of residents. Reintegration of returnees takes time, and in the meantime many resort to casual labour activities that are common among vulnerable resident households, thereby making already unreliable income sources even more precarious" (WFP, ANLA Final, February 2010).

Key findings by state (recommendations were not identified for all states):

Eastern Equatoria (ANLA 2009/2010 Eastern Equatoria State Report, WFP, March 2010)
Eighty percent (80 per cent) of the households identified as residents. Of the remaining 20 per cent, ten per cent identified as nomadic pastoralists, seven per cent as returnees (e.g. those who have returned in the last 12 months), and three per cent as IDPs. In addition, 15 per cent and three per cent of resident households indicated that they were currently hosting returnees and IDPs respectively.

Recommendations:

Focus should be on addressing food and nutrition security of severely and moderate food insecure households, vulnerable and malnourished children, and lactating mothers.

Lakes (ANLA 2009/2010 Lakes State Report, WFP, February 2010)

"Over 88% of the assessed households were resident, with the remaining being IDPs (8%) and returnees (4%). However, it is important to note that these figures do not include returnees who spontaneously returned and who are also (by and large) being hosted by the resident community.

As evidence of this, about 13% of resident households reported hosting IDPs, 15% returnees and 8% both. The high number of IDPs is attributable to interethnic conflict and cattle raiding – both of which have plagued the state in recent months"(p.10).

"Internally displaced persons, returnees and resident households that are already severely food insecure are likely to experience severe food shortages due to poor access as low supply and high demand have resulted in abnormally high market prices for food commodities.»(p.22)

Recommendations:

The household food security of the IDPs, returnees and vulnerable residents during critical periods prior to August needs to be addressed through general food distribution and provision of fishing gears.

Western Bahr El Ghazal (ANLA 2009/2010 Western Bahr El Ghazal State Report, WFP, February 2010)

"Among households interviewed some 22% indicated that they were returnees - meaning that they had returned to the state within the last 12 months. An additional 2% of households were IDPs and the remaining 76% residents. [...] some 34% of resident households indicated that they were hosting returnees. In addition, some 7% of resident households indicated hosting IDPs suggesting that they constitute a small, but still significant sub-group within the population – be they on their own or within host households. Moreover, the number of IDPs in the state are purported to have increased in 2009 as a result of inter-ethnic conflict and cattle rustling in neighbouring states." (p.6)

Worsening food insecurity status is prompted by displacements, initial household food insecurity and returnees. The vulnerable populations affected include displaced households affected by insecurity; returnee households; and the elderly and children (Executive Brief, WFP, December 2009). Although only nine per cent host households identified returnees and IDPs as a major shock, this is notable as it constitutes a nearly 25 per cent of the approximately 38 per cent of households hosting IDPs, returnees or both (EEQ State Report, WFP, February 2010, p.16).

Jonglei (ANLA 2009/2010 Jonglei State Report, WFP, February 2010)

"Some 93% of households surveyed were residents with the reminder being returnees (4%) and IDPs (3%). [...] nearly one out of five households indicated that they were hosting returnees (12%), IDPs (6%) or both (1%). The sizable returnee population suggested by both sets of figures includes those that have returned in the last 12 months, primarily through spontaneously (unorganized) returns from Northern Sudan, other parts of Sudan and other countries in East Africa. The majority of the smaller - but still substantial - IDP population was displaced as a result of a continuous cycle of inter-tribal conflict and cattle raiding as occurred in Akobo, Pibor, Nyirol Wuror Duk, Twic East in 2009. In addition, it is estimated that the livelihoods of some 115,000 people were disrupted as a result of displacement, creating a burden for the communities that accommodated IDPs by further stretching their already over-stretched resources." (p.8)

IDPs, returnees and refugees will remain highly vulnerable in 2010.

Recommendations:

The household food security of the IDPs, returnees and vulnerable residents during critical periods prior to August needs to be addressed through general food distribution. (p.24)

Upper Nile (ANLA 2009/2010 Upper Nile State Report, WFP, February 2010)

Approximately 90 per cent of the households are residents with the remaining 10 per cent split evenly between returnee and IDP households. The percentage of IDP households is higher in the Eastern Flood Plains than in the Nile Sobat – a finding that is consistent with perceptions that conflict and cattle raiding is more pervasive there. (p.8)

Warrap ((ANLA 2009/2010 Warrap State Report, WFP, February 2010)

"The majority of households in the state are residents. [...] The large proportion of households that are returnee (7%) or are hosting returnees (18%) in the state is a continuation of previous trends and population growth since the signing of the CPA in 2005. The large proportion of

households that are IDPs (15%) or are hosting IDPs (22%) is as well. The latter is largely attributable to localized inter-clan conflicts over pasture, land ownership and cattle rustling – both within Warrap as well as in neighboring Unity and Lakes states where over 24,000 people were displaced from their homes between March and July 2009. It is also important to note that these figures are in addition to the thousands who fled into Warrap from the oil-rich region of Abeyi in 2008 due to conflict between the SAF and SPLA [...]." (pp.11-12)

There are high numbers of conflict-displaced IDPs living in Tonj East that largely rely on emergency relief food delivered via air drops. "As such they were unlikely to be classified as severely food insecure on the basis of their consumption, access and coping despite clearly being so." (p.27)

Recommendations (p.28):

The assistance through general food distribution should be targeted to severely food insecure households with IDPs and returnees likely to figure as a prominent sub-group for targeting within this group.

Northern Bahr El Ghazal (ANLA 2009/2010 Northern Bahr El Ghazal State Report, WFP, February 2010)

Eight per cent of households are returnees - meaning that they had returned to the state within the last 12 months. An additional three per cent of households were IDPs and the remaining 89 per cent residents. However, the true non-resident population appears to be much larger than this with 25 per cent of households hosting returnees, two per cent IDPs, and an additional five per cent of household hosting both. (p.11)

Recommendations (pp.24-25):

Severely food insecure households remain in need of food assistance.

Unity (ANLA 2009/2010 Unity State Report, WFP, March 2010)

"The vast majority (88%) of household surveyed identified as residents. The next largest group (9%) identified as returnees, meaning they had returned to the state in the last 12 months. Very few households identified as IDPs (3%) and only one household (<1%) as refugees. However, nearly a quarter (23%) of households indicating that they were hosting returnees and a further 11% IDPs, suggesting that the returnee and IDP population - and the burden of returnees and IDPs on host communities and households - is significantly larger than it first appears." (p.5)

Recommendations:

The household food security of the IDPs, returnees, refugees and other severely food insecure residents needs to be addressed through general food distribution.(p.17)

Other inter-agency assessments

According to several inter-agency assessments, Southern Sudan faces a massive food deficit caused by a combination of insecurity, late rains, disruption of trade and high prices. Jonglei, Warrap, Northern Bahr el Ghazal, Lakes and Unity are among the states hardest hit by malnutrition and food insecurity (FEWS NET, 31 March 2010).

Displacement in Western Bahr el Ghazal due to cattle raids

After receiving report of cattle raids on Luo communities in Jur River County (Western Bahr el Ghazal State) in March 2010 an Inter-Agency Assessment team (composed of Unicef, WFP, ACTED, UNMIS RRR/RCSO, State Integrated office, UNMIS Civil Affairs and SSRRC) conducted an assessment mission in Mapel in Jur River County (WBeG). The team's objectives were to assess the affected communities and the impact of the cattle raids, and to ascertain the presence and general condition of the IDPs in the surrounding villages (SRRC, March 2010, p.1).

The Inter-Agency Assessment team's findings are as follows:

"1). Security/ Accessibility - The county authorities had provided security to places of displacement and not beyond to IDPs communities of origin. The IDPs are apprehensive to return to their villages due to fear. They reported that the cattle raiders come mainly to these places on a hit – and – run basis. The team suggested to the county authority the need to provide security in the affected areas and they promised to discuss the issue further with the county commissioner so as to avoid reoccurrences.

2). Figure of IDPs identified - A total of [...] 9,110 [...] IDPs were identified in all five locations visited. [...] The IDPs are in a desperate condition. Majority are women (pregnant and lactating mothers); young children and elderly. They were found under trees and are sleeping in the open air with barely anything.

3). Water - Provision of safe, clean and adequate water is required for the IDPs [...]

4). Food - The IDPs lack food; they are surviving on wild fruits and leaves. Few cases of paleness and leanness apparently resulting from inadequate food intake were observed amongst the elderly, children and a pregnant woman.

5). Health – There is no form of a health center in Agur in which huge presence of IDPs and are found and which is very far from Chono and Mapel where there are health centers [...]. It takes 3 to 4 hours walk from Agur to Mapel and Chono, which is a challenge for emergency cases. [...] Inadequacy of basic drugs was reported [...]. Case of malaria, fever, common cold and diarrhea were reported by the IDPs. [...]

6) Shelter/ sleeping materials such as blankets, sleeping mats, mosquito nets and tarpaulin were lacking as most of the IDPs fled with nothing. Cooking utensils such as cooking pots, jerry cans were lacking." (SRRC, March 2010, pp.1-2)

The team recommended immediate provision of safe and clean drinking water to IDPs and rehabilitation of the only existing hand pump; urgent delivery of food to IDPs to prevent a worsening condition; delivery of primary health care to the sick IDPs; and provision of the non-food items. The team also identified several locations that were omitted from the initial report mostly in distant areas; some were impassable by vehicle, others still insecure. The team predicted that IDPs in such places could be in critical condition.

Displaced populations face malnutrition in Jonglei

Following inter-tribal clashes in early 2009 in two payamans of Pibor County (Jonglei state), an inter-agency assessment was conducted. OCHA reported the findings of the assessment by sector: food aid and food security, shelter and non-food items, health and nutrition, and water and sanitation (OCHA, 8 April 2009). Later in 2009 MSF reported: "Immediately after the March attacks in Pibor there was a worrying increase in admissions or malnutrition to MSF's therapeutic feeding programme in Pibor. [...] the levels of malnutrition MSF saw were the worst in three years, for that time of the year" (MSF, December 2009, p.6).

In 2010 Jonglei remains the state with the largest number of conflict incidents and 105,000 internally displaced persons (FEWS NET, 22 January 2010). The displaced failed to cultivate in 2009 cropping season; as a result they are expected to remain highly food insecure in 2010 (FEWS NET, 31 March 2010). Several agencies have reported deteriorating food security situation in different counties:

- WFP's food security assessment in early 2010 in Bas (Pibor County) found as many as 41 per cent of households severely food insecure. Compared with ANLA data for Jonglei (which reports 30 per cent food insecure households in Jonglei) this is an indication of a deteriorating situation (WFP, February 2010, p.4).

- In Akobo, where conflict has displaced an estimated 33,000 people (FEWS NET, January 2010, p.3), Medair and Save the Children's malnutrition study found that 46 per cent of children

under five in the surveyed area were suffering from malnutrition (Reuters, 30 March 2010; UNICEF, 12 November 2009).

See also:

- FAO/WFP Crop and Food Security Assessment Mission to Southern Sudan, FAO&WFP, 17 February 2010 and Rapid Crop Assessment (RCA) Mission Results, FAO, September 2009
- Southern Sudan Food Security Update: Oct/Nov 2009, Government of Southern Sudan, 4 December 2009
- FEWS NET Southern Sudan Food Security Updates and Food Security Alerts at <http://www.fews.net/Pages/country.aspx?gb=sd&l=en>

Property, Livelihoods, Education and other Economic, Social and Cultural Rights

Land and property

Land and property problems pose a serious obstacle to the successful return and reintegration of large numbers of IDPs and returnees. In a December 2007 report, *The Land Question: Sudan's Peace Nemesis*, the Overseas Development Institute observes that, "A satisfactory reform of land policy, management and administration is particularly urgent for returning IDPs and refugees, residents in rural areas with no codified title to land (especially those who have communal customary land rights, like pastoralists), IDPs residing in urban areas and women" (ODI, December 2007, p.5).

Similarly, Human Rights Watch stated in a February 2009 report, "Southern Sudan had yet to establish a legal and regulatory framework for land use and ownership. The vacuum has opened the door to forcible land grabs, illegal occupations, coerced sales, and multiple sales of the same property, fuelling various types of land disputes during and after the war that have had an especially negative impact on returning IDPs and refugees" (HRW, February 2009, pp. 31).

According to the ODI report (December 2007, p.7):

"The process of land alienation is symptomatic of a lack of attention to the importance of land and property problems in the context of IDPs and refugee return, both by the GNU and the GoSS. New expropriations or the recuperation of old land leases and concessions, legally or otherwise, may cause a new wave of displacement, or may jeopardise the chances of people returning to their areas of origin. [...]"

Further displacement may also result as returning IDPs and refugees find their land occupied by other, often more influential, parties. In some cases the GNU and the GoSS have discussed the possibility of resettlement in demarcated areas for returning citizens whose land is no longer available. Previous resettlement experiences in Sudan and elsewhere have proven largely unsuccessful, especially when aimed at rural people. People are generally allocated a single plot of limited size, when they need access to a large area to sustain their livelihoods. Compensation through customary land restitution mechanisms has been discussed as a solution to disputes during the return process, but there are no mechanisms at present to make this a legitimate and legal alternative. Likewise, there is no legislative framework to regulate monetary and in-kind compensation.

The lack of functionality of the land administration both at the central and local levels is a key part of the problem. Survey departments are in shambles, important data and records have been lost and there is no reliable information on which to base new land allocations and transfers or secure tenure rights. There is a risk that cadastral and land registry data may disappear in areas where local authorities are complicit in land speculation. Customary land management still works on a localised basis, between neighbours or members of the same family, but when larger areas and groups or outsiders are involved the customary system is largely ineffective. There is an ongoing debate in Sudan about the importance of legalising customary land rights. This debate should be accompanied by the necessary caveats. Customary tenure, especially when communal, does not mean that everybody in the group has equal access to land. There is a hierarchy of rights available to different groups, defined by rules of descent and ethnicity. Customary land rights and management also traditionally discriminate against women."

IDPs and returnees in urban areas face an interrelated set of problems. First, IDPs who fled to the towns during the war often squatted on land that was unoccupied at the time but that was either privately owned or owned by the state. In towns like Juba, many of these IDPs now face eviction, either because the private owners of the land are themselves returning from displacement and are reclaiming their plots, or because the local authorities start developing the land (see for example UN Resident Coordinator, 5 May 2009; RCSO et al, 10 February 2009; Governor of Central Equatoria State, 16 January 2009; UNSC, 19 January 2010, p.66).

Second, SPLA soldiers in Southern Sudan occupied urban plots in towns such as Juba and Yei during the war, and are now refusing to vacate the plots when the owners return. In some cases, soldiers claim they are entitled to the land because they fought in the war against the northern army to free the land from northern occupation (HRW, February 2009, pp.31-32; IRIN, 7 October 2008; ODI, December 2007, p.5). Small Arms Survey report on Eastern Equatoria notes (SAS, Issue Brief, April 2010, p5):

"The principle of the Sudan People's Liberation Movement that 'the land belongs to the people' has unleashed a struggle for power and influence, fuelling splits along tribal lines as each group seeks to defend and demarcate its own 'homeland'.

[...]

These conflicts in Magwi take diverse forms. Returnees may find their land occupied by earlier returnees or members of the host community who have taken over the land. In Nimule, for example, mainly Dinka IDPs settled on Madi land during the latter's absence. Tensions remain high despite some fruitful initiatives undertaken by the state and local governments to resolve the issue. In some areas, especially close to the Aswa river, Madi returnees are prevented from returning from Uganda because their land is occupied.

In Nimule town, permanent structures have sometimes been erected by the occupiers of the plots, or the entire plot may have been sold to foreign businessmen, making the peaceful settlement of land disputes extremely complicated. [...] Frequent armed threats are reported when people try to resolve the issues peacefully, in particular when confronting IDPs from SPLA members' families. Locals perceive the relatives of soldiers to be privileged, close to the Government of Southern Sudan (GoSS), and protected by SPLA commanders. Complicating matters, IDPs often reject the authority of the Magwi county administration, relying instead on their own chiefs and court system, as well as a special GoSS police force not drawn from the EES state police and paid directly by Juba."

For a detailed discussion of land issues faced by IDPs in Juba, see the September 2008 report by the Overseas Development Institute, *The Long Road Home, Phase II*, chapter 7 (pp.29-36) and a 2009 publication by Overseas Development Institute, *Uncharted Territory: Land, Conflict and Humanitarian Action*, chapter 8 (pp.153-169).

Livelihoods

South Sudan Annual Needs and Livelihoods Assessment 2009/2010

Whereas the South Sudan Annual Needs and Livelihoods Assessment 2008/2009 reported that the internally displaced had had their livelihoods severely disrupted and formed the most vulnerable group (p.16), this year's assessment notes:

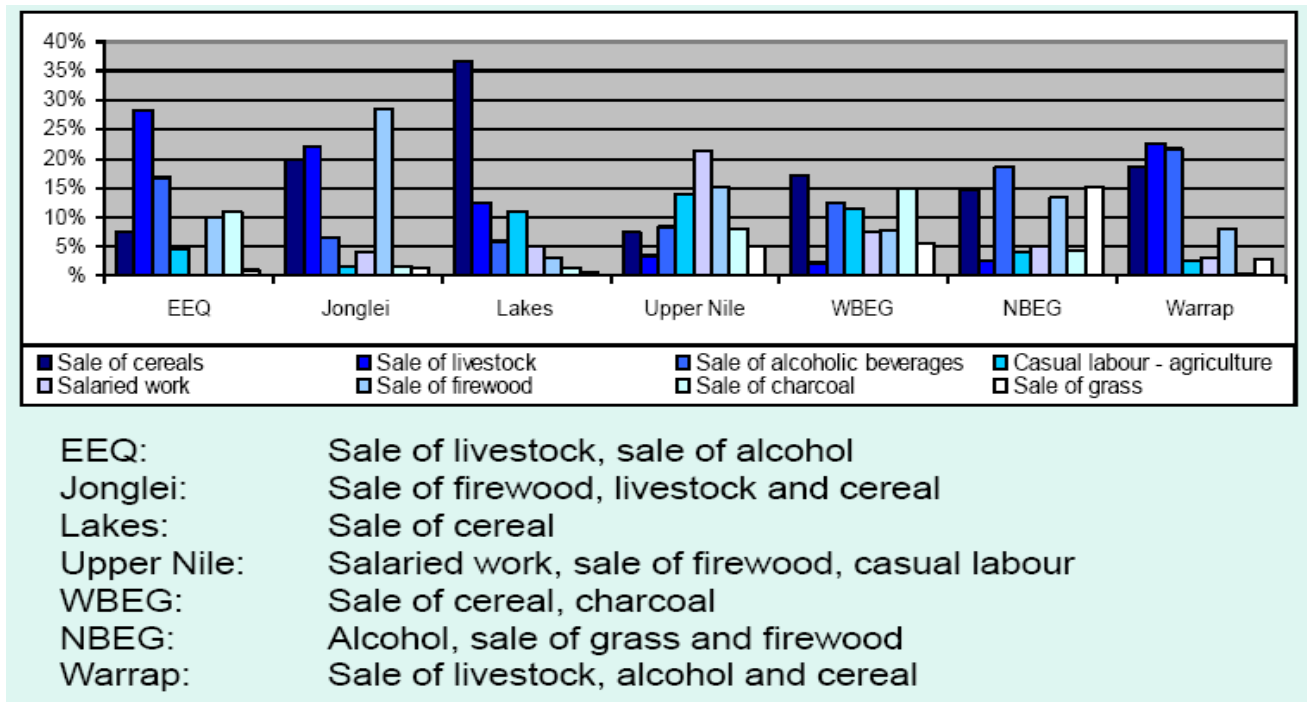
"This year, the ANLA results showed that residents, internally displaced persons and returnees are on the same level of food insecurity. This is considered as another indicator of the severity of the food security situation this year as compared to previous years as resident populations are normally amongst the food secure groups.

[...] the severely and moderately food insecure households were found to have depleted their own crop production, have limited access to productive assets and rely on casual labour opportunities and sale of natural resources, while the food insecure households are heavily dependent on market purchases and have been affected by the price of key food commodities.

The most common coping mechanisms for all these groups include: sale of livestock (including Dinka, Nuer and Shilluk ethnic groups that traditionally do not sell livestock); reliance on natural resources (including firewood, charcoal, wild foods); migration to urban towns (including return to Kenya and Uganda) and; casual labour. Livestock prices have sharply declined while grain prices are on the rise despite the fact that it is the harvest season" (WFP, Executive Brief, December 2009, pp.2-3).

Insecurity played a major role in scale down in cultivation in the past year as many people were displaced from places where they had livelihoods. In 2009, 82,000 people were displaced due to the LRA attacks alone and failed to cultivate the season. During the year more people have been displaced or have potentially lost their first season harvest owing to additional LRA attacks that often include looting of food stocks (FEWS NET, November 2009).

According to 209/2010 ANLA main sources of income by country in 2009 are as follows (WFP, 15 February 2010):



Urban versus rural livelihoods

A January 2007 report by the Women's Commission for Refugee Women and Children noted:

"As agriculture has been the mainstay of the economy, and may offer the most promising immediate source for livelihoods, challenges affecting that sector are of particular concern. Patterns of displacement during the war, and now of reintegration and settlement, present obstacles for revitalising agricultural activities. Many IDPs returning from the north are settling first in urban areas. One reason for this may be the extremely poor and treacherous condition of the roads in Southern Sudan, which inhibit travel to rural areas. In addition, returnees may be choosing to resettle in urban locations because they lack the skills necessary to work as farmers after years of living in northern cities or refugee camps, or because they lack interest in returning to the agro-pastoralist lifestyle. This is particularly true for youth. Some, too, anticipate that economic and educational opportunities will be superior in urban areas. As is often the case in conflict and post-conflict situations, uncertainty over land ownership presents a variety of challenges. IDPs have identified uncertainty over their families' land holdings in the south as a disincentive to returning. Regardless, at present it appears that employment opportunities are not sufficient to absorb the influx of people. Given the region's agrarian history, absorbing large numbers of individuals into urban regions will require a significant economic and social shift" (Women's Commission, January 2007, p.10).

For further analysis of the opportunities and obstacles to livelihoods for returnees in Southern Sudan, including discussions of rural versus urban livelihood strategies, see ODI, *The Long Road Home*:

- Phase I (August 2007): Chapter 13.4 (Northern Bahr el Ghazal)
- Phase II (September 2008): Chapter 4 (Juba) and Chapter 13 (Jonglei State)

Education

The 2010 Work Plan for Sudan describes the dire situation of the educational sector in Southern Sudan:

"In Southern Sudan, education needs are particularly pressing. Immediately following the 2005 CPA, Southern Sudan had one of the lowest gross enrolment rates in the world at 20%. Although the number of children in school has quadrupled to 1.5 million children, at least 2.4 million children do not yet attend school. The ratio of girl-to-boy students is a problem: only 37% of students are girls. Completion and retention rates are equally worrying: nearly 90% of all children who start school do not complete the full eight years of primary education. Each year, more than 15% of boys and 19% of girls drop out. Infrastructure is a major factor affecting retention and completion: only 22% of classes occur in permanent classrooms, and only a quarter of learning spaces have furniture. Teaching is another significant factor: more than 65% of primary school teachers have little or no formal training. In an effort to rapidly improve education, the Ministry of Education, Science and Technology has identified five priority areas: school construction, teacher training, provision of materials, alternative education systems for out-of-school and over-age learners, and emergency education" (UN and partners, 11 December 2009, p.58).

In a January 2007 report focusing on education and livelihoods in Southern Sudan, the Women's Commission for Refugee Women and Children notes this dire state of affairs cannot be attributed solely to the impact of the war, but that the causes of this state of affairs go back to colonial times:

"Formal education in the south was severely limited even before the most recent two decades of civil war. British colonists gave little attention to the development of education in the south; many of the formal schools built during this era were established by Christian missionaries. The colonial administration's differing educational policies in the north and south exacerbated the schism between the two regions. Children in northern schools were instructed in Arabic with an Islamic-based formal national curriculum, while those in the south were instructed in English in non-uniform curricula that often emphasized Christian religious instruction. Schools remained a locus of conflict in Sudan's contested religious and ethnic identity in the events leading up to and during the war" (p.3).

Challenges for IDPs and returnees

Of course, the lack of schools, and the low quality of education in the schools that do exist in Southern Sudan, affects not only IDPs and returnees, but the resident populations/host communities as well. However, two reports by the Humanitarian Policy Group at the Overseas Development Institute (ODI) spell out in some detail how these problems affect IDPs, refugees, and returnees in particular: *The Long Road Home: Opportunities and obstacles to the reintegration of IDPs and refugees returning to Southern Sudan and the Three Areas* (Phase I (August 2007) and Phase II (September 2008)).

The first report (Phase I) focused on Southern Kordofan and Northern Bahr el Ghazal, while the second report (Phase II) focused on Juba Town and Jonglei state. Below are a number of excerpts from the report, highlighting some of the key findings in relation to education in Juba Town and the two southern states of Northern Bahr el Ghazal and Jonglei state. (For further details in relation to Southern Kordofan, see the section on the Three Areas.)

**Access to education in the place of return is a high priority for returnees;
lack of access to education is a disincentive to return**

Phase I, p.8

"An important benchmark of a 'durable solution' for IDP return is the extent to which returnees can access adequate services such as water, health and education. Assessing the availability of services is one of the first priorities for returnees, and the lack of infrastructure has caused some to pack up and leave the rural areas to which they had returned.

Again and again water emerged as the top priority for investment and rehabilitation. In both states [Southern Kordofan and Northern Bahr el Ghazal] education was usually the second priority, with three key problems: a lack of secondary education facilities; a lack of teachers; and poor school infrastructure."

Phase II, p.70

"The shortfalls in the service are a source of deep frustration to community leaders, who told the study that the poor level of education available constitutes a major deterrent to return, and that the lack of schools was keeping families separated."

Lack of access to education in return areas leads to returnee families leaving children behind in the place of displacement:

Phase II, p.10

"In terms of patterns of return, family splitting is common. It may be temporary, with the male head of household returning first in order to find a place to live and earn before bringing the whole family back. (This was also widespread in Southern Kordofan, as documented in phase 1 of this study.) It may be a longer-term strategy aimed at allowing younger members of the household to get the best education (usually in the area of displacement) and to spread risk by maintaining a base in a number of different locations."

"There is evidence of some secondary return, both to Uganda and to Northern Sudan, although probably on a small scale. This is usually because of poor education facilities in Juba town, with some returnees saying that conditions are worse than they were in areas of displacement. Many of those who want to return to Khartoum do not have the means to do so."

Phase II, p.49

"Returnees frequently complained about a lack of opportunities to diversify income or take advantage of the skills many have returned with. The shortfalls in social services have also acted as a deterrent. Together, these problems have prompted families to split by sending children and teenagers elsewhere for their education, or dividing the family between different locations, for instance a rural area (to produce food) and a town (to seek income-earning opportunities)."

Quality of teachers is a key problem

Phase II, p.24

"The quality of teachers is a key problem. Many are untrained and do not meet the required standards. Most teachers are SPLM volunteers, who were crucial during the war and were absorbed into the system immediately after the CPA without appropriate training. Of 17,920 teachers in Southern Sudan, it is estimated that only 20% are qualified. Only 10% are women (GOSS BSP Education 2008–2011, 2007: 4). Teacher training is one of the government's priority areas. The Windle Trust has been pivotal in supporting existing teacher training institutes and training over 900 teachers in Juba, Wau and Malakal in 2007, but there is urgent need for the six existing teacher training institutes in the south to be replicated in all ten states."

Phase II, p.24

"The lack of qualified staff is most acute in rural areas. The Ministries have made a point of withdrawing staff native to rural areas from Juba and sending them back to their original areas to work, threatening them with dismissal if they refuse to go. Many people do not want to go back. Last August, six nurses were pulled out of the Seventh Day Adventist health centre in Munuki and sent back to their original areas in Western Equatoria. Four have subsequently decided to return

to Juba, preferring to be unemployed in the town – even though their positions in Juba are still vacant and the clinic is accordingly short of staff – than to remain in the countryside. Similarly, many of the returnee teachers applying for teaching jobs reportedly want to work only in town. Serious consideration must be given to the provision of incentives to work in rural areas, including salary bonuses, accommodation subsidies, loans for construction and transport facilities. The Ministry has been considering incentives, but this needs money and a change of the salary structure (after the CPA, salaries were adjusted to eradicate extra allowances). Currently the approach is to give those who have served in rural areas a period of priority in training opportunities, once they become available."

Phase II, p.70

"Most teachers are not qualified, and are often students who have completed or even dropped out of secondary school. Those who come from refugee camps may have a higher standard of education, but the system lacks teachers who can carry out instruction at a higher level. The better-qualified prefer to live in urban centres and are rarely seen in rural areas. Trained teachers are mostly at an advanced age and should retire, but continue working because there is no retirement scheme. Parents reported that schools have problems paying teachers enough or on time, demotivating them. Many teachers are still volunteers, and as such are gradually forced to leave."

Problems with integrating returning teachers in the education system

Phase II, p.24

"In the education sector there is also a lack of clarity about the number of people on the payroll, and uncertainty about the actual number of teachers needed in each state. This has affected the Ministry's capacity to recruit new staff. The federal Ministry of Education, Science and Technology (MoEST) is currently counting the teachers in all ten states to ensure that a proper payroll and personnel management system is established and the right people get paid on time, as well as to facilitate the reintegration of returning teachers. According to the state Ministry of Education, many returnee teachers are applying for jobs, but because there is no proper recruitment system many have not been allocated jobs. Teachers' salaries have been fixed at an average of \$200 a month, awaiting the establishment of a proper payroll and a workable grading system. Recruitment guidelines are being developed and are awaiting approval by the parliament and the Council of Ministers."

Returnees are placing further pressure on already overstretched education services

Phase I, p.53

"Although education was a priority among many returnees, services cannot cope with the demands placed upon them. While some new schools being built in Aweil East, West and North are of an improved standard, many are still housed in poor and inadequate shelters. As the number of pupils grows, so more and more classrooms are convening under trees – an image that unsettles returnees when they first arrive. Returnees are facing overcrowding, long distances to reach schools, an unfamiliar curriculum, teaching in the English language and a chronic shortage of secondary schools. There were appeals to help children coming from the north who were not familiar with English. 'We don't mind our children moving from Arabic to English, but they need help. We just want kids in schools, not looking after cattle', said a female returnee based in Gok Machar. The authorities in Aweil Town have had to close their schools to new admissions, much to the anger of the returning population."

Phase II, p.21

"Overcrowding, especially in government schools, is affecting the quality of education. Buluk, the largest government primary school, is reported to have over 2,000 students, around half of them from areas outside CES. There are classes with more than 150 students and no room even to stand. Many schools are operating mornings and afternoons, with different levels taught together because of insufficient teachers. This is lowering standards as students from different

backgrounds struggle to adapt to a new education system and language. Schools are however finding it difficult to turn children away – even if they have no more room – as the CPA defines access to education as a fundamental human right and the GOSS has made it a political priority. Secondary schools in Juba are few and are facing similar problems: the two largest government secondary schools, Juba Day and Liberty, are badly overcrowded."

Lack of access to secondary education is a particular problem

Phase II, p.21

"Good-quality secondary schools are expensive and unaffordable for most people: Comboni secondary school for example charges SDG 725 a year, compared to SDG 35 a year for Juba Day or Commercial. Returnees consider education expensive and the school system in Southern Sudan poorly developed."

"The lack of quality secondary education at an affordable price is not only a major disincentive for families to return with their children, but is keeping many young people in Juba out of school. This choice is compounded by economic motives. Findings from the NRC Reintegration Centre in Dar es-Salam (Munuki Payam) suggest that the drop-out rate caused by economic difficulties is very high; many people seeking advice at the centre want to continue their education, but cannot afford the school fees (NRC Reintegration Centre, Munuki, pers. comm.). Returnee youth interviewed for this study in Kator Kassava stated that they lost interest in education after being out of school for some time and now 'only want to make money'. IRC monitoring reports show that 16% of interviewees have one or more children out of school either because they missed the registration period or because of economic difficulties. A further 9% expressed a desire for higher education, but said that they lacked the resources (IRC, September 2007). Many women interviewed for this study complained about the lack of kindergarten/nursery facilities in Juba town. Looking after young children takes a heavy toll on mothers, who are unable to engage in educational and other activities. Kindergartens could help facilitate children's reintegration."

Difficulties for returnees from northern Sudan caused by transition from education in Arabic to education in English

Phase II, p.21

"Language difficulties in school are another major problem for returnees. Official government policy stipulates that English is now the medium of instruction from P4 onwards, with Arabic retained only as a subject. IDPs coming back from the North report that their children face difficulties in government schools and often have to drop two grades or more. The Ministry is however struggling to implement these guidelines. In some areas, such as Munuki Payam, refugees coming back from Uganda complain that schools are still using Arabic and their children only know English. The Ministry of Education tried to sort people into different classes according to language, but gave up for fear of creating divisions among students."

Phase II, p.24

"Language is another important issue affecting the reintegration of returnee teachers. With English now the medium of instruction, Arabic pattern teachers are facing problems of reinsertion. Paradoxically, the poor standard of English remains a problem in most schools. This issue should be addressed through intensive English-language training for existing teachers and for returnees, to ensure they are accommodated and integrated."

See also the January 2007 report by the Women's Commission, p.6:

"Many teachers returning from Khartoum and Arabic-speaking garrison towns in the south also face challenges teaching in English, the new official language of Southern Sudan"

International funding priorities for the education sector do not match needs on the ground

Phase II, p.40

"The MDTF [multi-donor trust fund] has favoured support to build government structures over the need for the rapid expansion of services and the delivery of tangible benefits (Fenton, 2008). This

shortcoming is most evident in the health and education sectors. In education, most support to date has been for school kits, books and teacher training, but not for school construction despite a massive rise in enrolment rates in Southern Sudan, to 1.2 million students by 2007. The original target of constructing 100 primary schools across the south in 2008 has now been reduced to 35."

Health

Since the beginning of 2009 there has been a disturbing trend in escalating violence across Southern Sudan. It has resulted in death and displacement of thousands from their homes. The 2010 Work Plan for Sudan states:

"In Southern Sudan, despite the ongoing work of humanitarian and government agencies, the ten states continue to register some of the worst health indicators in the world. Maternal mortality rates are among the highest on the planet at 2,054 deaths per 100,000 births. Only 48% of pregnant women have access to antenatal care services at least once during their pregnancy, and only 14% of deliveries are assisted by trained personnel. The average vaccination coverage is estimated at 23%, although in many areas, the rate is as low as 10%, also one of the worst in the world. Malaria, pneumonia and diarrhoea remain the major causes of morbidity and mortality, and polio has re-emerged after having been previously eradicated. According to the 2006 Sudan Household Health Survey, only 25% of the population has access to any type of health facility. Only 932 primary health care units and 324 primary health care centres are operational. Most referral hospitals lack the capacity to carry out basic emergency interventions due to chronic shortages of medical supplies and equipment, in addition to a lack of qualified personnel. Official data put HIV/AIDS prevalence in Southern Sudan at 2.6%, with wide variation between states, and between urban and rural populations" (UN and partners, 11 December 2009, p.71).

Displaced people have lived in precarious conditions and their access to health care has been additionally limited by having been displaced to remote areas. Following the inter-tribal clashes in Jonglei MSF found that majority of the displaced were malnourished and suffered from water borne diseases due to limited access to clean water. MSF also noted outbreaks of diseases such as malaria particularly in poor, remote and unstable areas (MSF, December 2009, p.5, *emphasis added*):

"[...]increased violence and its consequences compound the already grim medical humanitarian situation in Southern Sudan, where medical needs are critical. Mortality rates remain high malnutrition is chronic, and regular outbreaks of preventable diseases, such as meningitis, measles and cholera, continue to pose a persistent threat to the lives of the population. "

(p.18):

"Many of the *displaced* [in Jonglei State] *had little access to clean water*, and as a result there was an outbreak of cholera. MSF then treated 300 cholera cases in its health facility in Pibor town.

In addition to the risk of cholera and other communicable diseases, there is an underlying nutritional problem in many states of Southern Sudan, which the violence is exacerbating. [...] Immediately after the March attack, the *patients that fled their villages made up 57 percent of the 247 new admissions to the MSF feeding programme in Pibor*. The total number of children treated in that acute therapeutic feeding centre (ATFC) for the whole of 2008 was 436, yet by June 2009, MSF had already reached the same number of children."

p.21:

"In addition to the increased violence and displacement, large-scale outbreaks of diseases such as malaria or visceral leishmaniasis (kala-azar) remain common in Southern Sudan.

[...]

Kala-azar [a neglected tropical disease, contracted by the bite of a sand fly] thrives in poor, remote, and unstable areas, where there is extremely limited access to healthcare, so while outbreaks are seasonal in Sudan and are not directly linked to the violence, the current outbreak highlights the already precarious medical humanitarian situation facing the population of Southern Sudan."

The lack of rapid response

MSF argues that there is a lack of rapid response that would meet the emergency needs of the population. The reason lies in the donor funding in Southern Sudan:" The primary objectives of donors and the UN have been based on efforts to support the CPA. As a result, Southern Sudan is addressed as a 'post-conflict' context and the focus on longer term development is disproportionate to that on immediate humanitarian aid." Consequently, "[m]ost NGOs in Southern Sudan have a strict development agenda and funding sources that are unable to allow for a rapid response to the emergency needs of the population" (MSF, December 2009, p.12). In view of escalating violence across Southern Sudan, both inter-tribal as well as LRA attacks, more attention has to be given to the immediate humanitarian needs of the population. Development aid as it is in Southern Sudan "has serious flaws and it is not wired to meet the growing emergency nature of the Southern Sudan context" (MSF, December 2009, p.30).

NGOs deliver 85 per cent of health-care services

It is also noteworthy that NGOs deliver up to 85 per cent of primary health-care services in Southern Sudan and pay the salaries of three quarters of the health staff (NGO coalition, 2010, p.24; MSF, December 2009, p.5). A recent OECD study on delivery of public services in Southern Sudan notes that there had been almost no formal government in the south during the war (North-South war). Consequently, "Southern Sudan was starting from a situation of extreme poverty and virtually non-existent normal government institutions" (OECD, 2009, p.81). The entire public service, including personnel and system has to be built virtually from the scratch. Therefore in the health sector service delivery is still primarily undertaken by NGOs.

GoSS ability to take on the delivery of services is furthermore hindered by the fact that in five years (since the signing of the CPA in 2005) the South Sudan Multi-Donor Trust Fund (MDTF), administered by the World Bank and funded by donor countries, spent only a third of its money (Guardian, 18 February 2010). It was anticipated that the fund would play a leading role in contracting third parties to deliver government services for at least two years of the interim period and that its role would be phased out as GoSS's capacity increased. But the complex rules imposed by the World Bank on the GoSS requiring up to 62 steps to procure anything, led to delays and frustration. GoSS lacked the capacity to manage lengthy procurement and contracting procedures (Guardian, 18 February 2010; OECD, 2009, pp.79-83, 146-147). According to the GoSS "a government which is contracting out services because it lacks internal capacity is unlikely to have the capacity to manage complex process for contracting-out" (presentation by Ministry of Finance and Economic Planning in OECD, 2009, p.147).

Family Life, Participation, Access to Justice, Documentation and other Civil and Political Rights

Civil and political rights

Census (April-May 2008)

A national census (the Fifth Housing and Population Census), initially planned for November 2007, was held in April-May 2008. (The results were only released in May 2009, and were rejected by the Government of Southern Sudan; see Sudan Tribune, 6 May 2009 and 24 May 2009; Reuters, 21 May 2009.) The census was a powerful incentive for IDPs from Southern Sudan to return from their places of displacement in northern Sudan to their areas of origin, in order to be counted in the south. See for example IRIN, 20 February 2007, citing Simon Kun, head of the South Sudan Relief and Rehabilitation Commission, as saying, "We are bringing people back for the census; if we had the resources we would increase the number."

In April 2008, Human Rights Watch expressed concerns that attacks by militias on travellers in disputed areas dividing northern and southern Sudan reflected an attempt by the Sudanese government to skew the census results, by deterring IDPs from returning home. HRW stated: "The attacks are deterring displaced people from returning to the disputed areas to register for the national census, which is important for future elections, a referendum on independence for the south, and resource distribution between Khartoum and southern Sudan."

HRW continued:

"The increasing insecurity is preventing Southerners, originating from these areas but displaced by war to Khartoum, from returning to their homes to be counted in the April census. The location of the attacks – on the roads, rather than in villages – has had an immediate impact on movement in and through the area. [...] Roadblocks in the oil-producing area of Heglig in Upper Nile State in southern Sudan in late March have discouraged people from returning" (HRW, 10 April 2008).

The contested nature of the census is proving to be an obstacle for the national elections mandated by the CPA (originally scheduled for 2008, and no later than July 2009, the elections were put back first to February 2010 and were then finally held in April 2010). According to the International Crisis Group (17 December 2009, pp.3-4):

"Organisation of the elections is complicated by the results of the Fifth Housing and Population Census, which the GoSS, Southern Kordofan and JEM reject. They say the results, which are to provide the basis for allocating National Assembly and state assembly seats, have been manipulated to over-represent pro-NCP constituencies.

The SPLM questioned the format from the beginning and now calls the results fraudulent, not a credible count of Southerners resident in the North or of Darfur's population, including internally displaced persons (IDPs). They believe that the results over-count populations in areas of NCP strength and under-count those in other regions. The NCP says the census was internationally monitored and endorsed. The presidency approved the results on 6 May 2009, but all Southern state legislatures passed rejection motions, and the SPLM has said it will not accept an electoral process that uses the 2009 census to determine constituencies and boundaries. The mechanisms for resolving electoral disputes, particularly the Joint High Executive Political Committee, have been unable to find a solution."

Elections (April 2010)

Voter registration and documentation: According to the National Election Commission (NEC) approximately 79 per cent (16,4 million) of eligible Sudanese (eligible voting population as

estimated by the highly contested 2008 national census) were registered to vote, with 71 per cent rate of registration of the eligible electorate in the North and 98 per cent in the South. Participation in some states in Southern Sudan exceeded 100 per cent (in Jonglei, for instance, 190 per cent of the eligible voters) which could be a consequence of either under-counting in the consensus or over-counting in the voter registration (The Carter Center, 17 April 2010, p.8; African Centre for Justice and Peace Studies, 9 February 2010). As those that were not counted in consensus could still register as voters, the political pressure was obviously on groups that missed the consensus. (IDP Action, 11 March 2010, p.5).

In July 2009 the UN expressed concern for some segments of the population, particularly for internally displaced persons and people in rural areas, because they “may not be able to meet the requirements for identification documentation because of practical difficulties in obtaining such documentation” (UN SC, 28 July 2009, p.6). The report goes on stating (p.6, *emphasis added*):

"Another complication of the registration process is related to the registration of internally displaced persons. The electoral law requires registrants to have resided in the location they are registering in for at least three months prior to the close of registration. This will complicate voter registration, particularly in regard to the ability of internally displaced persons to register and vote in their home constituencies, as opposed to the constituency in which they are temporarily residing."

According to international and national observers the NEC failed to provide for logistical challenges of the polls; there was reportedly lack of adequate voter education, delayed receipt of essential electoral material etc.

See also: *Imagining the Election: A Look at What Citizens Know and Expect of Sudan's 2010 Vote* (Findings from Focus Groups with Men and Women in Southern Sudan and the Three Areas), National Democratic Institute, 30 September 2009

Protection of Special Categories of IDPs (Age, Gender, Diversity)

Protection of special categories of IDPs

2009 witnessed a disturbing shift in the trend of violence: LRA and inter-tribal attacks were more frequent, with villages rather than camps targeted, and women and children made up the majority of victims. In September 2009, the UN Resident and Humanitarian Coordinator for Sudan, Ameerah Haq, expressed concern about the killing, abduction, maiming and displacement of civilians – mostly women and children - in Western and Central Equatoria States (Office of the UN Resident & Humanitarian Coordinator, 11 September 2009).

See the table on violent clashes targeting women and children and on the number of displaced (Small Arms Survey, Working Paper 20, April 2010, p.23):

Table 1 Notable violent clashes targeting women and children in 2009

Month	Location	State	Wounded	Killed	Displaced
March	Lekwongole	Jonglei	45	450	5,000
April	Akobo	Jonglei	70	250	15,000
May	Torkej	Upper Nile	57	71	10,000
June	Nyaram	Upper Nile	38	60	10,000
August	Mareng	Jonglei	18	185	n/a
August	Panyangor	Jonglei	64	42	24,000
September	Duk Padiet	Jonglei	100	160	n/a
October	Terekeka	Central Equatoria	n/a	30	22,000
Totals			392+	1,248	86,000+

Source: adapted from MSF (2009, p. 15)

Recruitment and use of children by armed forces or armed groups

HRW's 2010 World Report notes that children continue to be recruited and used by the armed groups: "More than 200 children were abducted by armed groups in the context of inter-ethnic fighting, and scores more were abducted by LRA rebels in attacks on civilians in Southern Sudan" (HRW, January 2010, p.174).

In a letter, addressed to President Kiir, Child Protection International describes two types of child abduction in Southern Sudan: forced abduction of children as child soldiers by the LRA and abductions as an element in inter-communal violence in the region (CPI, 19 August 2009):

"The LRA has abducted large numbers of civilians for training as soldiers; most victims have been children and young adults. Boys are forced to serve as porters or to carry arms in conflict. Abducted young girls are made to serve as sex and labor slaves. Other children, mainly girls, were reported to have been sold, traded, or given as gifts by the LRA to arms dealers in Sudan. While some later escaped or were rescued, the whereabouts of many children remain unknown. In the past 6 months LRA attacks have largely occurred in Western Equatoria and Central Equatoria States. [...]Recent intercommunal violence in the States of Jonglei, Central Equatoria, Eastern Equatoria and Western Equatoria, has resulted in the abductions of more than 300 children since March 2009. The current fighting between the Lou Nuer and the Murle communities is leading to hundreds of civilian deaths and a spike in violence aimed at children, including forced abduction [...].Child abductions in Southern Sudan most frequently occur alongside intercommunal cattle raids [...]. A recent example from Bor County, however, indicates a new and worrying development in child abductions. On May 15, 2009, during a cattle raid in which more than 700 people were killed, four children were abducted by Murle raiders and their bodies were later found mutilated in the bush. These abductions ending in brutal murder show the serious risk faced by families and their children in certain communities in Southern Sudan."

Although the Government of Southern Sudan adopted the Child Act in 2009, The CPI suggests that the act should be strengthened by increasing the criminal penalties for the "unlawful taking" of a child, and by clearly articulating Government's responsibility to ensure that "every child unlawfully taken is recovered and returned to their rightful guardians" (CPI, 19 August 2009).

The report of the Secretary-General on the UN Mission in Sudan notes that reintegration of children associated with SPLA remains a challenge. "More than 1,000 children associated with SPLA forces are still in barracks and tens are in inappropriate conditions in prison (2010 Work Plan for Sudan, 11 December 2009, p.90; UN SC, 14 July 2009, p.14).

Increased attacks on women and SGBV

The Small Arms Survey report on Eastern Equatoria states (SAS, Issue Brief 16, April 2010, pp.5-6, *emphasis added*):

"[...] However, focus groups reported that in recent years women have been increasingly targeted, in particular during revenge attacks [...]. Focus group participants in Torit and Ikotos counties said that women and girls were shot at water points, in fields while cultivating food, while collecting firewood, and when walking between villages. They are also increasingly forced to request armed youths to escort them. In Hyala Central village (Torit) women reported having to retreat into the house after dark for fear of attack.

[...]

Rape and sexual assault are seldom reported (3 per cent across all counties), but anecdotal evidence suggests that they occur frequently. In Ikotos, focus groups reported at least several monthly incidents of women being raped and their food stolen when coming to the market from outside villages. Investigation and prosecution is rare, even when the attacker is known, for fear of revenge. The SPLA reportedly also harass and sexually abuse women in areas where they are stationed, such as Nimule, where the army barracks are situated within the settlements of the general population [...].

Early pregnancy ('defilement') cases are common in Magwi, according to focus groups, ranking among the top three issues causing disputes in the county, and often inspiring revenge crimes against the accused or his family[...].

Another consequence is female school dropouts, which are reportedly very high in Magwi.

Domestic violence was reported across all counties, particularly in Magwi, where it accounted for 18 per cent of all reported crimes, compared to 9 per cent in Torit and 6 per cent in Ikotos. Focus groups reported that alcohol consumption by both men and women is a factor, turning household misunderstandings into violence. In Magwi, the *dynamics of resettlement and reintegration of large numbers of people returning from different regions and countries with diverse experiences are also aggravating misunderstandings and conflicts between and within families.*"

THE THREE AREAS

Overview

Humanitarian situation in the Three Areas

Following the signing of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan Peoples' Liberation Movement (SPLM) in January 2005, socio-economic recovery in the Three Areas (Abyei, the Nuba Mountains in Southern Kordofan, and Blue Nile state) has been slow. The return of large numbers of IDPs from the North (an estimated 650,000 in Southern Kordofan alone) has further exacerbated pressure on already limited resources, services and infrastructure (HPG, 27 March 2009). The recovery of livelihoods for returnees has been additionally "hampered by persistent instability and political tensions. The process of reintegration of demobilised and demilitarised ex-combatants, women and children also remains slow" (UN and partners, 11 December 2009, p.65).

Civil and political rights

On 30 December 2009 the Sudanese National Assembly endorsed the People's Consultation Act for the residents of South Kordofan and the Blue Nile State. It gives the residents of both states the right to voice a desire for more autonomy from Khartoum; the popular consultation is nevertheless non-binding. (Sudan Tribune, 31 December 2009). The outcome of consultations will be a report, and the government will only be obliged to consider the report (Chatham House, 2010, p.6).

Unlike the consultations in the Blue Nile State and South Kordofan, the referendum law for the oil-rich Abyei allows people to choose whether they want to remain in the north or accompany Southerners in secession. The region's future will be decided by a simple majority (Swissinfo, 30 December 2009).

Blue Nile

Blue Nile has the lowest life expectancy for women in Sudan (51.2 years). Health and education facilities are extremely limited. Only 29 per cent of children attend primary school. Approximately 13 per cent of children under five suffer from moderate malnutrition, and 2 per cent are severely malnourished (UN and partners, 19 November 2008, p. 113).

The Joint Impact Assessment conducted by WFP and partner organisations indicated that "the 2009/2010 agricultural season will be below-normal in large parts of Blue Nile State" (WFP, Monthly Situation Report, February 2010). The livelihoods, primarily crop production and livestock rearing, have been adversely affected by the poor rains in 2009. Around 110,000 people are classified as severely food insecure (WFP, Monthly Situation Report, March 2010).

Southern Kordofan

Basic services

Access to services is also extremely limited in Southern Kordofan. In 2005, there were only 12 hospitals in the entire state. While Northern states on average have 22 doctors per 100,000

people, the equivalent for Southern Kordofan is four. There are significant disparities in service and infrastructure access, with better access in areas that were held by the government during the war. Available data shows that there is one hospital per 115,000 people in the former government-controlled areas of the state, compared to one per 800,000 in former SPLM areas, and one PHCC per 23,000 and 133,000 people respectively. In former SPLM areas of both Southern Kordofan and Blue Nile, particularly Kaoda and Kurmuk, NGOs delivered most essential services (HPG, 26 March 2009, p.3). People that were displaced in 2008-09 to Rihaid Himaidan continue to have very limited access to basic services (OCHA, February 2010). Refugees International reports:

"As with previous Refugees International field visits in 2008 and 2009, the first concern that communities reported was the lack of basic services – especially education, health services and water. Furthermore the lack of rain this year has hit local towns and villages as hard as returnees. The impact of drought has meant a much larger population struggling to access food, with WFP dramatically increasing its target beneficiary numbers in the south from 1.1 million to 4.3 million. In some areas of Southern Kordofan, local authorities told RI that the majority of returnees have gone back to where they had previously fled due to lack of basic services" (RI, 25 March 2010, p.4).

Physical security and Protection of special categories of IDPs

Security situation involving ethnic violence has decreased in 2009. The report of the UN Secretary-General notes: "Security incidents involving political or ethnic violence in Southern Kordofan have decreased over the past year. The Abu Junok (Nuba) and Um Sileem (Misseriya) signed a peace accord on 5 October, ending a three-year-old conflict. The Nuba Katla and Wali also finalized a peace agreement on 12 November. New state-level institutional arrangements, including the Council of Elders ("Wise Men"), played a significant role in these accomplishments. The South Kordofan State government has made significant progress in incorporating the 1,708 SPLM civil servants into its political and administrative structures, including the formation of a new committee to facilitate this process" (UN SC, 19 January 2010, p.5).

A recent field report by Refugees International states that sexual violence was a common phenomenon during the north-south war and that women expressed fear that they would be again vulnerable to such abuse if the conflict was to broke out again. Only few GBV survivors received assistance and work on prevention is minimal. Efforts to address GBV in Southern Kordofan are seriously limited by funding constraints (RI, 25 March 2010).

Abyei

The situation in the Abyei area is more complicated still, as a result of the impact of the May 2009 Abyei crisis. In April 2009, the UN Secretary-General reported to the Security Council that, "The Abyei Area Administration and the Presidency have not yet reached an agreement on the Administration's budget, severely impeding the Administration's capacity to establish its presence or provide services throughout the Abyei Road Map Area. The Administration currently has no operating funds, and owes much of its staff several months' salaries. Ongoing budget negotiations in Khartoum have further limited the Administrator's capacity to address urgent local issues such as the provision of essential basic services" (UNSG, 17 April 2009, para.14)

The National Democratic Institute in interviews with Ngok Dinka in the Abyei area found that, "The humanitarian response of the international community and the UN is widely praised, but Ngok Dinka participants want more emphasis placed on finding a political resolution to the Abyei crisis. Ngok Dinka participants applaud the work of the international community and non-governmental organizations (NGOs) during the crisis and give them credit for saving many lives. Help of almost every kind – food, water, medicine, shelter and education – is described and appreciated by the participants" (NDI, 31 March 2009, p.45).

Border demarcation

Chatham House reports notes: "Abyei became an administrative part of Northern Sudan in 1905, and the delimitation of its border is a prerequisite for the Abyei referendum, due on the same day as the Southern one. An international Abyei Boundaries Commission (ABC) delimited the border in 2005. The NCP rejected the ABC report, claiming that its experts, by exceeding their mandate, had defined the oil-rich enclave's borders too generously. More restricted borders for Abyei, were subsequently decided by the Permanent Court of Arbitration (PCA), an international court in the Hague in 2009" (Chatham House, January 2010, p.8). Although both the north and the south accepted the new borders, "the area continues to be flashpoint for north-south relations, not least for local residents. Tensions between the Misseriyah and the Ngok Dinka, both pastoralists, remain an issue, although no clashes have been reported since the Court's decision" (UN and partners, 11 December 2009, p.16). The progress on border demarcation has been stalled (Chatham House, January 2010, p.8).

Reintegration of returnees: livelihoods, services and land

A report published in August 2007 and a book published in 2009 by the Humanitarian Policy Group at the Overseas Development Institute (ODI) discusses the process of return and reintegration for IDPs and refugees, focusing on two states: Southern Kordofan in the Three Areas, and Northern Bahr el Ghazal in Southern Sudan (*The Long Road Home: Opportunities and obstacles to the reintegration of IDPs and refugees returning to Southern Sudan and the Three Areas*, Phase I, August 2007; *Uncharted territory: land, conflict and humanitarian action*, 2009).

In relation to Southern Kordofan, the report points out that the return process in Southern Kordofan has been ongoing at least since the Ceasefire Agreement (CFA) was signed for the Nuba Mountains in 2002, and that according to the Minister for Rural Development and Water in Southern Kordofan, by 2007 around 600,000 people had already returned (ODI, August 2007, p.17). As a result of these large return movements, some villages in Southern Kordofan have more than doubled in size since the arrival of the returnees, putting tremendous pressure on resources, food and shelter in particular (ODI, August 2007, p.7).

The report provides a detailed discussion of the obstacles to reintegration faced by these returnees, in terms of social reintegration, livelihoods, access to services, and land (see ODI, August 2007, pp.17-37; ODI, 2009, pp.154-157). Below are a number of excerpts from the ODI reports, highlighting some of the key findings in relation to Southern Kordofan.

Insecurity and lack of access to services in return areas are a disincentive to return

"Disincentives to return include:

- Continued evidence of insecurity, including tribal conflict.
- Poor services in areas of return. This was mentioned by IDPs still living in Khartoum, who are particularly aware of the poor water services from recent visits they have made to the area. Lack of education facilities is a major disincentive, especially for families that can afford to send their children to secondary school in Khartoum" (ODI, August 2007, p.19).
- Land conflict, deterring people from returning to areas such as Kaw Nwaro and Hajar Jallaba despite the high agricultural potential of these areas.

Livelihoods

"During the conflict, the livelihood options of those who remained in situ massively contracted, principally because of insecurity and limited mobility and the loss of assets. Livelihoods are now slowly recovering, but largely without assistance and from a very low base. Local experts in Southern Kordofan believe that it will take three to five years for livelihoods to recover to pre-war levels, assuming good security. Restocking with livestock is usually the priority for household recovery, since a lack of livestock holds back a household's ability to generate agricultural surpluses, in turn holding back restocking. This means that many residents have had to resort to basic livelihood strategies that were rarely used before the war. In Southern Kordofan this includes charcoal-making, with its negative environmental consequences. There is also more agricultural wage labour."

"Returnees are usually dependent on agricultural production when they return, but this is often a struggle for urban returnees who are not used to traditional labour-intensive farming methods. Returnees tend to be more dependent than residents on poorly remunerated livelihood strategies."

"On a more positive note, the new skills that many returnees have brought back with them, ranging from building, welding, bicycle and other repair skills, food processing and baking, could have significant livelihood potential that could otherwise take years of investment in training and extension to bring about. This potential has not yet been realised. There is a serious lack of resources and capital to enable these skills to be put to use, and a lack of purchasing power to create a market in more remote rural areas. At worst, this causes skilled returnees to give up and go back to the city; at best, they may stay, but become frustrated and resort to farming instead" (ODI, August 2007, pp.7-8).

Services

"The service infrastructure in both States was badly damaged during the conflict, and is inadequate to meet the needs of the resident community, let alone an influx of returnees. In one village in Southern Kordofan, for example, residents had to cut water consumption by half to accommodate the needs of the growing number of returnees. There is the potential for tensions between the resident community and returnees to escalate and even break out into conflict if this pressure on services continues to intensify, for instance as people spend hours queuing for water. An important benchmark of a 'durable solution' for IDP return is the extent to which returnees can access adequate services such as water, health and education. Assessing the availability of services is one of the first priorities for returnees, and the lack of infrastructure has caused some to pack up and leave the rural areas to which they had returned" (ODI, August 2007, p.8).

"Water emerged as the top priority for investment and rehabilitation, both during the field work for this study in Southern Kordofan and in discussions with IDPs in Khartoum familiar with conditions in the villages. Education was the second priority, with four key problems (listed here roughly in order of significance):

1) The lack of integration of the two education systems in former SPLM-held areas and former GOS-held areas has resulted in two parallel curricula being followed, one in English and one in Arabic. Many returnee children used to Arabic teaching have fallen back by up to four or five grades in the English-speaking schools of the south. In several villages, such as Shatt ed Dammam, Keiga el Kheil and Angolo, there are now two parallel schools running the two different curricula alongside each other.

2) The lack of secondary or higher education facilities in Southern Kordofan has meant that some older children from returnee households have not come back, or have put pressure on their parents to return to Khartoum.

3) Even where school buildings are intact teachers are reportedly frequently lacking, even though many returnee teachers are still unemployed.

4) School buildings have often been destroyed or are inadequate to cope with an inflated population" (ODI, August 2007, p.24).

Land

"Tension around ownership of and access to land is an urgent issue affecting reintegration in Southern Kordofan [...] the arrival of returnees has exacerbated long-running tensions between different land users. The four main types of land conflict are:

1) Conflict between pastoralists and farmers, ranging from low-level tensions to incidents of violent confrontation. This conflict was at the heart of the war in Southern Kordofan. Relations have still not been normalised despite the Ceasefire Agreement and the CPA, and some transhumant routes have never been re-opened. Instead, Nuba groups in several areas are building homes on the old routes. There is also resentment amongst some Nuba communities against perceived government attempts to resettle Baggara pastoralists on their land, for example in Durungaz (Kadugli locality).

2) Conflict amongst agro-pastoralist communities, exacerbated by return. Although not widespread, this is serious in some locations, such as Saraf Jamous, where more powerful Nuba groups are seen to be extending their land at the expense of others. Increased (and in some cases encouraged) settlement on valley floors rather than on hilltops, especially by returnees, is creating tension with residents who use the land for grazing. Some returnees are coming home to find their land occupied, especially in former SPLM-controlled areas.

3) Conflict between farmers and traders. Farmers are clashing with traders who are exploiting natural resources such as timber, gum arabic and palm trees. This is a clear disincentive for returnees to come home.

4) Conflict between returnees and labourers (sharecroppers) on mechanised farms. Mechanised farms have expanded in areas such as Rashad and Abu Jebaha, affecting some IDPs whose land has been appropriated. Resolving this situation is beyond the power of local leaders, and some young people have felt compelled to take direct action. The lack of an overall framework to deal with land issues is starkly apparent. Killings and injuries related to land conflict are the single largest risk to returnees as well as to local communities, yet this does not seem to have been given adequate attention or analysis within UN reintegration efforts or in UNMIS/RRR field reports. Joint organised return has actually brought people back to areas such as Habila and Lagawa, where tension around land is extremely high" (ODI, August 2007, p.10).

The land issues are crucial for return and reintegration processes and only if resolved can a durable solution be achieved. *Uncharted territory: land, conflict and humanitarian action* states:

"The CPA recognised that a durable solution to the conflict in Southern Kordofan could only be reached if rights and access to land were secured for the majority of the people. The absence of an overall framework to deal with land problems is starkly apparent. A review of State land legislation and the establishment of the State Land Commission as well as procedures to arbitrate disputes arising from claims to occupied land are crucial to guarantee that underlying tensions around land are addressed and that returnees are allowed access to land. The demarcation of tribal lands and the opening up of pastoralists' transhumant routes are particularly urgent issues" (ODI, 2009, p.157).

For a detailed discussion on land issues in Southern Kordofan and Blue Nile State see also *Whose Land Is It? Commons and Conflict States Why the Ownership of the Commons Matters in Making and Keeping Peace*, Liz Alden Wily, 2008, pp.15-23.

Impact of the NGO expulsions in March 2009

The provision of basic services in the Three Areas has been negatively impacted by the decision of the government in Khartoum to expel 13 international NGOs from northern Sudan. President Bashir's National Congress Party (NCP) has insisted that the expulsions apply also to the Three Areas, despite objections from the SPLM, its partner in the Government of National Unity (see HPG, 26 March 2009, p.6; Sudan Tribune, 6 April 2009).

According to the UN Secretary-General, "In the Three Areas, a working group composed of the Minister for Humanitarian Affairs, State Minister for Humanitarian Affairs and Chairperson of the Southern Sudan Relief and Recovery Commission is reviewing the expulsion. For the time being, affected organizations remain in the Abyei area. The Chief Administrator issued a note on 10 March attesting that within the Abyei Road Map Area, all NGOs, including those expelled by the Humanitarian Aid Commission, can continue to operate" (UNSG, 17 April 2009, para. 54).

According to the UN, in Southern Kordofan alone, the expelled NGOs provided health and nutritional services for up to 800,000 people; water and sanitation services for 400,000 people, and assistance in food security for 200,000 people (IRIN, 20 March 2009, see also IRIN, 31 March 2009). The Humanitarian Policy Group warned that, unlike in Darfur, in the Transitional Areas there is very little additional capacity beyond the expelled agencies to fill the gaps (HPG, 26 March 2009, p.6). Indeed, local authorities have stated that they are unable to take over from the international organisations that have been expelled, because of a lack of funds and manpower (see IRIN, 20 March 2009; OCHA, 20 March 2009, p.2).

Competition over limited resources, including land and water, has long been a source of conflict between local communities in these areas. Local government officials have warned that without the services provided by NGOs, local tensions may flare up and may ultimately lead to renewed conflict in areas which have already seen rising levels of anger on the part of the population because of the lack of peace dividends. The delivery of humanitarian and development assistance in the transitional areas is crucial for the successful implementation of the already fragile Comprehensive Peace Agreement. The Humanitarian Policy Group states (HPG, 26 March 2009, p.7, box 2):

"NGO expulsions in the Three Areas and Eastern Sudan will have a direct negative impact on efforts to implement the CPA. There will be direct repercussions on support to peace and reconciliation activities, such as local-level negotiations, particularly around the contested issue of access to natural resources. It will also further delay the delivery of already limited peace dividends in the Three Areas. Tensions at the community level, particularly in SPLM-administered areas and in Misseriyya, are increasing. These areas are already unserved or underserved by the state Government of National Unity (GNU), and the withdrawal of services provided by departing NGOs will increase levels of frustration.

Examples of essential programming supporting the implementation of the CPA which have been heavily affected by the expulsion order include:

- The Rehabilitation and Reconstruction Programme (RRP) 2009: \$15.8m for the Three Areas; \$4.5m for Red Sea State.
- Programmes supporting reconciliation meetings, dialogue, conflict prevention and response (\$17m for 2009).
- Essential conflict reduction activities including water projects to reduce conflict along Misseriyya migration routes, and schools, hospitals and dams in SPLM-administered areas."

DARFUR

Physical Security and Integrity

Physical security and integrity

IDPs in Darfur continue to face serious threats to their physical security from the army and militias allied to the government, rebel groups and bandits. There have been also unconfirmed reports of the LRA moving into Darfur early in 2010 (Sudan Tribune, 13 March 2010; Enough, 12 March 2010). The letter dated 27 October 2009 from the Chairman of the Security Council Committee concerning Sudan addressed to the President of the Security Council states:

"256. Although internally displaced persons report improvements in the security situation in towns and in camps for the internally displaced, violent attacks on and harassment of civilians continue in the rural areas of Darfur. Internally displaced persons have overwhelmingly alleged that the Government of the Sudan security forces and the Janjaweed commit the majority of violations. Women and children are especially victimized. In most cases, victims identify the perpetrators as armed Arab men in green and khaki uniforms.

257. Internally displaced men face different challenges owing to the lack of security outside of camps for the internally displaced and towns. Men are more likely to be forced to pursue economic opportunities in the town markets, where they are liable to be the victims of theft, robbery and looting. Women primarily face the threat of rape, as opposed to the risk of death that men encounter. It is often the women who engage in farming and other livelihood activities in the hinterlands.

258. Interviews with internally displaced persons revealed that victims and their families rarely report incidents to the police owing to a lack of trust and the belief that the Government of the Sudan will not take appropriate legal action. Internally displaced persons believe that the local police are powerless and cannot control the armed perpetrators. They told the Panel that during the rainy season armed nomads drive their cattle over their farmlands and destroy the crops with impunity thanks to their superior armaments. The Panel witnessed cattle grazing on farmlands outside of Mukjar and in Saraf Jaded" (UN SC, 29 October 2009, p.64).

According to several reports, the low-level war in Darfur is ongoing and the displaced populations continue to bear the brunt of this dire situation. The most recent clashes were reported in February 2010 in Jabel Marra region. Renewed fighting has broken out between the Sudanese army and the Sudan Liberation Army (SLA) even though President Omar al-Bashir had declared the war in the Darfur was over (BBC, 25 February 2010). Aid workers said that Deribat, a town of 50,000 residents, was attacked, forcing the population to flee and bringing the number of people internally displaced in the area to 100,000 (Reuters, 25 February 2010). Because NGOs were forced to suspend their operations in the area due to security reasons the displaced faced the risk of meningitis epidemics and water shortages (ibid.).

The Darfur Humanitarian Profile 34 (situation as of 1 January 2009) describes one of the earlier clashes in the Muhajariya area of South Darfur:

"Insecurity continued at high levels during the last quarter of the year. In October, fighting between Ma'aliya militia and SLA-MM continued in the Muhajariya area of South Darfur. Reportedly, over a dozen villages were destroyed and nearly 13,000 people displaced. On 12 November, at the end of the People of Sudan Initiative Forum, President Bashir declared an immediate ceasefire in Darfur, promised to disarm the militias and pledged to support UNAMID in

its peacekeeping task. However, on 13 November, clashes between rebels and GoS forces including GoS aerial bombings resumed in North Darfur lasting for some ten days, temporarily displacing an unknown number of people. Armed confrontations including aerial bombings continued in December. During the last three months of the year, some 27,000 people have been newly displaced in Darfur bringing the total to 317,000 newly displaced in the whole of 2008, against 300,000 in 2007" (Office of the UN Deputy Special Representative of the UN SG for Sudan, 2009).

The addendum to the Special Rapporteur's September 2008 report stated:

"UN agencies, bodies and programmes operational in Darfur documented several attacks by SLA/MM, militia groups and other armed elements, on IDP camps. The proliferation of weapons, the presence of armed elements residing or in some cases responsible for security inside the camps along with the increased divisions along tribal affiliations added to the insecurity felt by IDPs in Darfur. One of the key human rights concerns is the presence of armed men inside and on the periphery of IDP camps. The UN documented consistent and repeated incidents of sexual and physical assaults, harassment, intimidation, theft and other acts of violence and threats against IDPs particularly female IDPs by armed militias, often dressed in military uniform from Arab nomadic groups" (HRC, 2 Sep 2008, addendum, p.26).

"IDPs continued to be vulnerable and exposed to violence as a result of deliberate attacks by Government forces and rebel groups. In some cases, IDPs found themselves caught in the middle of fighting between warring factions. Violations included direct attacks on IDP camps, blockade of camps perceived to be hostile to the government, intimidation and physical assaults. In addition, several cases of arbitrary detention and ill treatment of IDPs by Government security forces were documented over the reporting period" (HRC, 2 Sep 2008, addendum, p.27).

In a joint report, Save Darfur, Human Rights First and Human Rights Watch stated (2 December 2008):

p.9:

"Sudanese armed forces have also used indiscriminate force in displaced persons camps. In early September 2008, government police entered Zam Zam internally displaced persons camp in North Darfur and fired indiscriminately. They allegedly killed two people, injured three, and abducted two more.

On September 4, 2008, government police opened fire at a food distribution point at Um Shalaya camp, killing four.

On August 25, heavily armed government forces, in what was said to be an operation to confiscate weapons, surrounded the Internally Displaced Camp in Kalma, and, confronted by a crowd of internally displaced persons, opened fire. In the ensuing skirmish 33 civilians were killed and 108 injured, including 38 children."

p.6:

"The government does not bear sole responsibility for the ongoing insecurity and suffering in Darfur. Rebel groups and bandits are also responsible for abuses of civilians and attacks on humanitarian operations and peacekeepers, and in November 2008 the ICC prosecutor sought three arrest warrants for rebel leaders accused of directing one such attack that killed 12 peacekeepers at Haskanita in September 2007. These crimes, while not on the scale of those committed as part of the Sudanese government's counterinsurgency campaign, are still serious international crimes that interfere with efforts to protect civilians in Darfur and it is essential that those responsible are held to account."

UNAMID, currently deployed at 79 per cent of its authorised strength still faces serious challenges in its efforts to civilian protection. The July 2009 report of the UN Secretary-General states: "In the 18 months since the transfer of authority from the African Union Mission in Sudan to UNAMID on 31 December 2007, UNAMID has faced a number of serious challenges in its

efforts to implement its mandate. While large-scale conflict has decreased over time, the security situation in Darfur has been volatile since the transfer of authority, posing an ongoing threat to civilians and placing enormous stress on the mission” (UN SC, 13 July 2009, p.7).

Basic Necessities of Life

By start of 2010, 73 non-governmental organizations and 21 UN agencies operated in Darfur; aid workers delivered relief to roughly 4.7 million people across Darfur, including 2.7 million of internally displaced persons (OCHA, 2010). "In all, more than half of Darfur's estimated 7.5 million people receive some type of humanitarian assistance – among the highest proportions in the world" (ibid.). Contrary to feared humanitarian crisis due to the March 2009 expulsions of NGOs, the provision of humanitarian assistance has been hindered more by high levels of insecurity and the lack of humanitarian access than by the actual expulsion of the NGOs (AllAfrica, 5 March 2010). Government of National Unity and armed rebel groups, for instance, continue to deny relief organizations access to conflict-affected areas of eastern and western Jebel Marra (ibid., USAID, 2 April 2010).

Immediate impact of NGO expulsions

Access to basic necessities of life has deteriorated significantly for substantial numbers of displaced and non-displaced people alike, following the decision by the government of Sudan on 4 March 2009 to expel 13 international NGOs from all of northern Sudan, including Darfur, and to revoke the licences of three Sudanese relief organisations. The decision followed the issuing of an arrest warrant by the International Criminal Court on that same day for President Bashir, on charges of crimes against humanity and war crimes.

The expulsions have directly affected thousands of aid workers: as of June 2009 the number of national and international aid workers in the region had dropped from a pre-expulsion level of 17,700 to 12,652 (UN SC, 13 July 2009, p.3). The 16 agencies together accounted for 40 per cent of aid workers, delivering more than half the total amount of aid (HPG, 26 March 2009). The expulsion initially affected some 1,1 million beneficiaries receiving food assistance, 1,5 million receiving health services, 1,6 million receiving water and sanitation support and 670,000 people receiving non-food items (UN SC, 13 July 2009).

In response to the expulsion, the government of Sudan and the UN carried out a joint assessment in March 2009, covering the sectors of food aid; health and nutrition; non-food items and shelter; and water, sanitation and hygiene (WASH). The purpose of the joint mission was "to assess the humanitarian impact of the departure of NGOs, and to assess the capacity to meet emergency needs in areas that the NGOs had to leave". While the initial joint-assessment in four life-saving sectors "enabled gaps to be addressed and averted an immediate crisis" it is yet to be seen whether these actions will prove to be sustainable (OCHA, 30 September 2009). A detailed analysis of the impact of the expulsions can be found in "*Where to Now? Agency Expulsions in Sudan: Consequences and Next Steps*", Humanitarian Policy Group, 26 March 2009. For the detailed findings of the joint assessment in each of the four sectors, see the Joint Assessment Report (see especially pp.2-7 of the report).

A year after the expulsions

Since March 2009 expulsion there has been a debate over whether the initial gap in services has resulted in widening the protection gap among the affected Darfurian communities. The government claims that the aid is reaching those in need and that health indicators and food security are "generally good as there are no affected segments that have not received aid" (UN

SC, 29 October 2009, p.65). In March 2010 UN humanitarian coordinator for Darfur, Toby Lanzer, said that departure of foreign humanitarian workers "has led us to collaborate ever more closely with local associations, establishing a network of contacts on the territory that did not exist before and we also started to meet more frequently with the Sudanese government, which really did start to take responsibility for all the operations that were previously carried out by the expelled organizations"(MISNA, 4 March 2010). The expulsion forced the UN and remaining humanitarian organisations to work closer together with Sudan and that averted the humanitarian catastrophe (AllAfrica, 5 March 2010).

Alex de Waal offers the following explanation as to why the food/livelihoods crisis did not occur after the expulsion:

"There are several reasons. The first is that the actual population of the IDP camps is smaller than the registered population. This happens in every refugee or IDP crisis and becomes more pronounced as time passes. People leave the camps for the towns or to return home, or move from one camp to another, but ration cards are not handed back. All those involved in the distribution chain down to the final recipients have good reasons to stop the numbers from decreasing. The prospect of doing a proper headcount in the Darfur IDP camps is both a security nightmare and a political hot potato and it probably won't be done any time soon.

Second, Darfur IDPs have developed 'multi-nodal' livelihoods, integrating the camps with the urban areas (especially Nyala, the region's boom town) and the rural areas. People in Darfur are famously resilient and creative in adapting their livelihoods and have done so under these circumstances.

Third, the Sudan government and the UN stepped up and helped fill the gap. The increased government role shows what the government had been capable of all along, and begs the question of why there was not a bigger governmental provision of services earlier. In food distribution, the NGOs were part of the delivery chain, with World Food Programme at the top and the distribution committees at the lower end: the task required was to join up the parts of the chain that remained, not to bring in more resources" (Alex de Waal, 16 October 2009).

Internally displaced persons provide a strikingly different picture. The UN notes:

"Despite Government claims that humanitarian aid is reaching to those in need, internally displaced persons complain that access to relief remains difficult or has become even more difficult.

[...]

The expulsion of relief groups from the Sudan has sparked a widespread decline in the delivery of services to affected communities. Internally displaced persons do not trust the motives of the Humanitarian Affairs Coordinator, and perceive them as an extension of the oppressive policies implemented by the Government of the Sudan. Rebel groups and internally displaced persons dispute the Government's claim that return to their original farmlands is safe. They complain about lack of food, appropriate shelter, education and security in the camps" (UN SC, 29 October 2009, p.65).

It is also noteworthy that GBV-services collapsed completely after the expulsion of NGOs and reportedly remain unaddressed (see section on Protection of special categories of IDPs).

The next sections provide brief summaries for the sectors of food; health and nutrition; non-food items and shelter; and water, sanitation and hygiene (WASH). For more details, please see:

UN and Partners, 2010 Work Plan for Sudan, 11 December 2009;

OCHA, Sudan Humanitarian Overview, July – September 2009, 30 September 2009;

Darfur Humanitarian Profile 34 (situation as of 1 January 2009), which gives an overview for 2008 (with an emphasis on the last quarter of 2008);

Government of Sudan and UN, Joint Assessment, 24 March 2009;

Humanitarian Policy Group, "Where to Now? Agency Expulsions in Sudan: Consequences and Next Steps", 26 March 2009;

Food

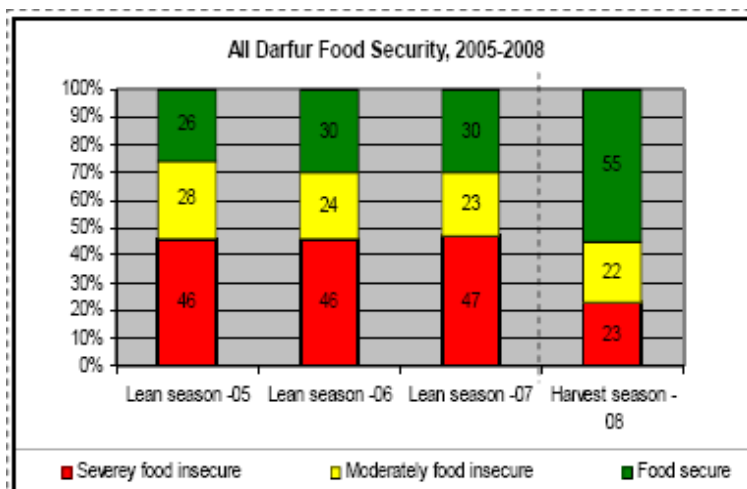
Situation prior to NGO expulsions in March 2009

The Humanitarian Policy Group summarises the situation prior to the expulsions as follows: "In 2003–2004 the humanitarian crisis was at its worst, with an acute malnutrition prevalence of 21.8% for Darfur as a whole [...], and an estimated 160,000 excess deaths between September 2003 and June 2005 [...]. Between 2004 and 2005, malnutrition and mortality dramatically declined, largely as a result of the humanitarian operation [...]. From 2006, however, both nutrition and food security started to deteriorate again, although food security has shown a temporary improvement for some population groups in 2008 [...]. Food security is thought to have improved temporarily due to good rains and less crop destruction, but insecurity and limited income-earning opportunities remain key constraints" (Humanitarian Policy Group, 26 March 2009, p.2).

Food Security and Livelihood Assessment 2008

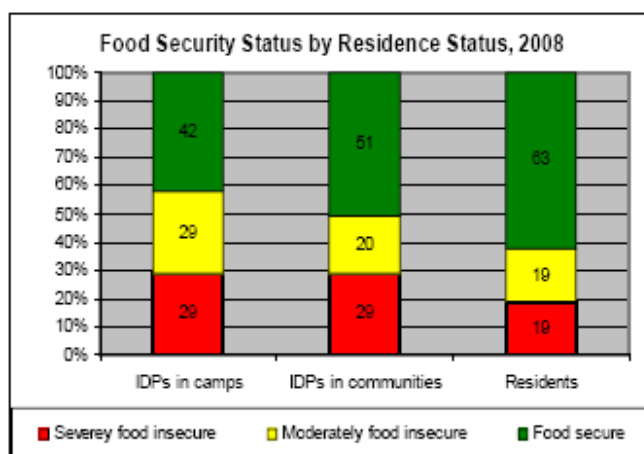
Between 26 October and 11 November 2008, the Humanitarian Aid Commission (HAC), the Federal Ministry of Agriculture and Forestry (MOAF), the World Food Programme (WFP) and the Food and Agriculture Organisation of the United Nations (FAO) jointly undertook a Food Security and Livelihood Assessment (DFSLA) across Darfur. The main aim was to assess the food security and livelihood situation of displaced populations and rural communities and their access to food security assistance, agricultural and other services. It was the fifth consecutive yearly assessment carried out by the agencies since the onset of the conflict in Darfur.

In the DFSLA, food security of the conflict affected population was assessed at the household level on the basis of 1) adequacy and diversity of their food consumption (Food consumption Score), 2) share and amount of income spent on food and 3) the extent of their reliance on food aid. The results show that at the start of the harvest period in 2008 some 45 percent of the households (or 1.7 million people) remained food insecure (23 percent severely- and 22 percent moderately), whilst 55 percent were found to be food secure. The DFSLA report warned that during the lean season (usually April through September) food insecurity would likely affect higher numbers of people and would intensify in severity (Government of Sudan et al., 23 Feb 2009, p.1).



While at first sight the results of the DFSLA 2008 seem to indicate an improvement compared to previous years, the report notices that the assessment in 2008 was carried out during the harvest season whilst in previous years it was done at the peak of the lean season. The 2008 results can therefore not be directly compared with the results from previous years, and the report cautions that "2008 results should therefore not necessarily be interpreted to imply that there is a lasting improvement in the food security situation in Darfur" (Government of Sudan et al., 23 Feb 2009, p.2, p.3).

The DFSLA found major differences between IDPs in camps, IDPs in communities and residents. In terms of food security, IDPs in camps remain the most vulnerable: 42 percent are food secure compared with 51 percent of IDPs in communities and 63 percent of residents (Government of Sudan et al., 23 Feb 2009, p.2).



Impact of the NGO expulsions in March 2009

The Humanitarian Policy Group notes that, despite the obvious difficulties, food distribution is perhaps less of an immediate concern compared to the impact of the expulsions in other sectors: "In food distribution, ACF, CARE, SC-US and Solidarités were key implementing partners for WFP, responsible in total for over 1m people in North, South and West Darfur. WFP has made arrangements for a two-month distribution for populations covered by these agencies. There are a number of reasons why food distribution is perhaps less of an immediate concern. First, the logistics of getting food to distribution points is covered by WFP and private contractors; second, the actual food distribution itself is done by Food Relief Committees (FRCs), established by WFP in 2007, many of which were already working without supervision; third, WFP has been able to 'borrow' 200 national staff from the expelled agencies (storekeepers, security guards, distribution teams). Where there is no agency presence, as in Gereida, WFP will undertake the distribution itself. Although these measures ensure that food continues to be distributed, WFP expects it to be haphazard and there will be little monitoring or reporting. The temporary improvement in food security in Darfur noted above also gives WFP and its cooperating partners some space to find longer-term solutions" (HPG, 26 March 2009, p.4).

However, the HPG goes on to warn that, "Meanwhile, any reduction in food assistance or unequal distributions between different areas or camps could increase the risk of violence, especially in the camps" (HPG, 26 March 2009, p.5).

By September 2009, 40 per cent of the estimated 800,000 households that were left without humanitarian support in the food security and livelihoods sector still had not received vital seeds and tools, and livestock vaccination was 20 per cent below the planned target (OCHA, 30 september 2009).

Fifth Round of the Food Security Monitoring System (February 2010)

"During the month [February 2010], data collection for the fifth round of the Darfur Food Security Monitoring System (FSMS) was conducted for more than 1,600 households in 58 locations. Preliminary analysis indicates that in North Darfur, food security among surveyed IDPs and residents significantly declined compared to the same period last year, indicating a shift from food secure to moderately food insecure. However, the proportion of severely food insecure remained stable. Food security of mixed communities has remained fairly stable over the year with 80 percent of those surveyed being food secure. In South Darfur, IDPs have improved since the last round (November 2009), however, results show a deterioration compared to the same period last year. Mixed communities have greatly improved since last year when 50 percent were severely food insecure — the same proportion for the February 2010 round is 34 percent. Compared to the last round of 2009, the food security situation has become more polarized, with both the severely food insecure and the food secure groups growing at the expense of the moderately food insecure group. Residents are doing better compared with the last round of 2009 and are at the same level of food security compared to the same period last year. In West Darfur, all groups have greatly improved since the last round (November 2009). The food security situation of IDPs and residents were similar for this round compared to the February 2009 round, and mixed communities have significantly more households in the food secure category for this round compared to the same period last year" (WFP, Monthly Situation report, February 2010).

Health and nutrition

Health and nutrition: impact of the NGO expulsions in March 2009

After the expulsion, the UN Emergency Relief Coordinator observed that " Rural areas will most likely be hardest hit, where the expelled NGOs operated a number of mobile clinics" (ERC, 26 March 2009). The Humanitarian Coordinator for Sudan stated that, "While the Ministry of Health and the World Health Organisation are trying to address the gaps in the health sector, according to the [government of Sudan and UN joint] assessment, supplies, salaries, and staff are in place until only the end of April" (Humanitarian Coordinator, 24 March 2009). The ERC noted that "the Government has committed to providing salaries, staff and supplies until the end of the year" (ERC, 26 March 2009).

According to the Humanitarian Policy Group:

"The expulsion of IRC and MSF-H/F will leave major gaps in the provision of healthcare in camps including Nertiti, Zalingei, Muhajeriya, Nyala and Kass. UNICEF is making arrangements to meet this shortfall, and is paying national staff of expelled agencies to keep clinics running over the next two months. IRC's clinics in Abu Shook and Al Salaam are up and running, and clinics in Otash and Kalma are still open. Although some local MSF staff remain in Kalma, other programmes have been shut down completely, with obvious implications for the 290,000 IDPs they were serving. The closure of clinics also has implications for disease surveillance and early warning of future epidemics. The government reportedly plans to take over the clinics, although this could be problematic given antigovernment sentiment in some of the camps. A key implication of government staff taking over the clinics would be a perceived loss of confidentiality: experience suggests that rape survivors will probably refuse to be treated by staff seen as close to the government, and the number of women seeking assistance will fall" (Humanitarian Policy Group, 26 March 2009, p.4).

In his July 2009 report to the Security Council, the UN Secretary-General noted, "During the period under review, the World Health Organization (WHO) observed an increase in severe diarrhoea cases in a number of internally displaced persons camps in Southern Darfur. In addition, WHO stated that the risk of a cholera outbreak in Darfur this year was higher in Gereida, Kalma, Al Salam, Otash and Kass camps. WHO indicated that one of the primary reasons for the increases in water and sanitation-related diseases in the camps was the sanitation and hygiene gap caused by the expulsions of humanitarian non-governmental organizations by the Government of the Sudan" (UN Security Council, 13 July 2009, para. 16).

The 2010 Work Plan for Sudan echoes the gaps in the health and nutrition sector:

p.28:

"The biggest challenges to providing effective health services in 2009 concerned a dearth of implementation capacities, a problem that was exacerbated by the removal of international NGOs from Northern Sudan in March, resulting in the loss of sustained health services for roughly 650,000 people [Figure agreed upon in the Joint GoNU-UN Assessment Mission conducted in Darfur in March 2009]. Shortages in medicine and other supplies were also common, and weak health monitoring structures plagued the sector and resulted in uneven data collection and surveillance, particularly in the south. Outbreaks of disease, including haemorrhagic fever, polio and meningitis, underscored the need to improve both surveillance capability and local capacity to manage disease prevention, epidemic control and response. Funding short-falls exacerbated these challenges, forcing the sector to focus on the most pressing needs to the exclusion of full support for all the objectives originally envisioned. Ongoing insecurity provided a final challenge to the health situation, particularly in Southern Sudan and Darfur, by limiting access and creating conditions conducive to disease.

p.32:

As nutrition activities were focused on Darfur in 2009, the sector was severely affected by the NGO expulsions, which resulted in the departure of six sector partners and reduced overall capacity by about 30% .

p.85:

In Darfur there has been greater official engagement in emergency nutrition since the expulsions, as well as some gains in boosting community management of acute malnutrition. However, the humanitarian community continues to provide many of the services that address acute malnutrition. The level of support for emergency nutrition programmes outside Darfur is limited, and the majority of treatment programmes provide in-patient care, with limited preventive services. In 2009, the government, with support, has adopted community management strategies with the expectation that coverage will increase through greater community links and home-based treatment" (UN and partners, 11 December 2009).

It must be noted that even before the NGO expulsions, bureaucratic obstacles imposed by the government of Sudan gave rise to difficulties in the health sector. See for example Save Darfur et al. (2 December 2008): "The Ministry of Pharmaceuticals has imposed stricter bureaucratic procedures in recent years on all medical drugs entering the country, leading to redundant testing of the same drugs and delays in clearing drug shipments from customs. Consequently, some health supplies for Darfur have been delayed for over 6 months."

Nutrition Survey Results for North and South Darfur (October/November 2009)

"The North Darfur State Ministry of Health and UNICEF released preliminary results of the October/November 2009 localized nutrition survey conducted in North Darfur. Results show improvement in the nutritional status of populations in some localities compared to results of the previous survey. In South Darfur, nutrition surveys conducted by Merlin in Seleah and Yasin localities last November 2009 were released showing the global acute malnutrition (GAM) rate in Seleah to be 15.4 percent (compared to 13.3 percent in November 2008), while in Yasin it was

found to be 15.6 percent (compared to 16.6 percent in October 2008). The slight rise in the level of acute malnutrition could be associated with the arrival of returnees most of whom were possibly not targeted for food assistance and Blanket Supplementary Feeding Programme (BSFP). In Yasin, there was a slight decrease; however the GAM still remains beyond the emergency threshold. The slight decline could be due to the BSFP which was operational from April to August 2009" (WFP, Monthly Situation Report, February 2010).

The 2010 Work Plan for Sudan notes that "conditions in Darfur remain critical, with some areas still in acute nutritional crisis. Localised surveys have shown malnutrition rates between 10.6 and 34.5% during the 2009 hunger gap, with Northern Darfur and some areas of Southern Darfur being areas of extreme vulnerability" (UN and partners, 11 December 2009, p.84).

Non-food items and shelter

Impact of the NGO expulsions in March 2009

The Humanitarian Coordinator noted that as a result of the expulsions, "About 692,400 people who would normally have received shelter materials before the rains begin will not do so unless the UN Joint Logistics Centre finds partners to carry this out and has access to previous distribution lists" (Humanitarian Coordinator, 24 March 2009).

On 16 April, OCHA noted that "691,120 people out of 692,400 remain without distribution coverage as warehouses in El Fasher and El Geneina have not been handed over to UNJLC. The most vulnerable population including 42,605 (unverified) newly displaced IDPs in Zam Zam camp in North Darfur, are without non-food items and emergency shelter" (OCHA, 16 April 2009, p.2).

Water, sanitation and hygiene

Impact of the NGO expulsions in March 2009

The UN Emergency Relief Coordinator summarized the findings of the joint government of Sudan and UN assessment as follows:

"In the case of water, the assessment showed that the emergency resources currently deployed by the Government's water department, UNICEF, and national NGOs to supply more than 800,000 people with drinkable water may become increasingly ineffective within four weeks due to the loss of critical systems that ensured the consistent provision of mechanics, spare parts, transport, and fuel. These kinds of networks, specialized knowledge and expertise cannot be replaced or rebuilt quickly. The Government this week committed themselves to sustain their effort until the end of the year. This is welcome.

The departure of the NGOs has left a particularly serious gap in sanitation services in some areas. Without regular maintenance, latrines will overflow, threatening the spread of diseases like cholera. The rainy season starting in May is likely to make the situation significantly worse. In Zam Zam, in North Darfur, where nearly 40,000 men, women, and children have arrived in recent weeks seeking refuge from violence in South Darfur, we need to build new sanitation systems" (ERC briefing to SC, 26 March 2009).

According to the Humanitarian Policy Group:

"Water, sanitation and healthcare are expected to be of particular concern, with food needs being covered at least temporarily. All agencies expelled (apart from MSF-F/H) were involved in water

and sanitation programmes. This will have immediate consequences on the supply of water for most IDP camps in Darfur, including large camps such as Kalma and Kass in South Darfur, Zalingei in West Darfur and Abou Shook in North Darfur. Much of the water for these camps is supplied through boreholes, but these require fuel to operate; permission to transport fuel has to be obtained weekly and reserve stores are not allowed. In some camps, such as Kalma, fuel supplies are expected to have run out already, and there have been reports that the community is collecting money to keep the boreholes running. UNICEF is making arrangements with the government Water, Environmental and Sanitation (WES) department and other agencies to supply fuel for about 15 days, to keep water supplies going. The government has promised to allow communities access to fuel to keep boreholes running. Hand-pumps provide an alternative source of water, but cannot meet all needs, particularly during the current dry season, and some camps, such as Shangil Tobai in North Darfur, do not in any case have any. Shangil Tobai recently received nearly 3,000 people, many of them women and children fleeing renewed fighting.

If adequate water supplies cannot be maintained and people are forced to turn to other water sources, the risk of water-borne diseases such as cholera and diarrhoea will significantly increase, especially with the onset of the rainy season in May. Diseases spread rapidly when people are living in very basic, overcrowded camps. The situation is particularly critical in Kalma camp, where 63,000 displaced people depended on Oxfam GB (one of the expellees) for water, and where a meningitis outbreak has been reported. Although meningitis is not a water-borne disease, sick people need access to clean, safe water and sanitation" (Humanitarian Policy Group, 26 March 2009).

On 16 April, OCHA reported that:

"Although several humanitarian partners have expressed interest in filling gaps in the sanitation and hygiene sectors there has been little progress due to lack of available funding and capacity" (OCHA, 16 April 2009, p.1).

Property, Livelihoods, Education and other Economic, Social and Cultural Rights

Land and property

ODI, December 2008, p.5, box 1:

"Land and conflict in Darfur

Most Arab groups in Darfur do not own land on the basis of the hakura (landholding) system. This system, which dates back to pre-colonial times, was built upon by the British administration, which allotted dars (homelands) to various settled and transhumant tribes. Several Arab transhumant camel herding groups, in particular the camel herding Rizeigat in North Darfur, but also smaller cattle herding Arab groups such as the Salamat and Tarjam, were not assigned any land, though access to land and water along transhumant routes was generally accepted through customary practices.

The devastating droughts of the 1970s and 1980s left many pastoralists impoverished and deprived them of a sustainable livelihood base. When the conflict broke out in Darfur, landless Arab groups saw an opportunity to expand their access to land and water. The conflict therefore became partly a violent assault by landless tribal groups against groups with land.

Research shows that secondary occupation of land has taken place in West Darfur, where nomadic Arab groups like the Mahariya, the Missirya, the Salamat, the Beni Halba and the Beni Hussein have occupied grazing land originally inhabited by non-Arab sedentary groups such as

the Masalit and the Fur. The area around Awalla-Nankuseh, near Garsila, hosted more than 50,000 non-Arab communities before the conflict, but is today inhabited by nomadic groups of Arab origin [...]."

According to one UN official, up to 30,000 Arabs from Chad and Niger crossed into Darfur in 2007 where "Most have been relocated by Sudanese Arabs to former villages of IDPs (internally displaced people) and more or less invited to stay there" (The Independent, 14 July 2007). The report goes on to say:

"The arrivals have been issued with official Sudanese identity cards and awarded citizenship, and analysts say that by encouraging Arabs from Chad, Niger and other parts of Sudan to move to Darfur the Sudanese government is making it "virtually impossible" for displaced people to return home [...].

Repopulation has also been happening in south Darfur where Arabs from elsewhere in Sudan have been allowed to move into villages that were once home to local tribes. Aid agency workers said the Arabs were presented as "returning IDPs"(ibid.).

The report suggests that systematic settlement of the Arab nomads into emptied IDP villages and provision of citizenship upon their arrival could be seen as a strategic policy of the government in Khartoum aimed at changing the ethnic makeup of the region and bolstering the NCP election chances (ibid.).

Complicating the matter even further is the fact that settlers have often succeeded in registering the land and received legal documents (IWPR, 25 November 2009). That makes them not only de facto occupants but gives them a legal title over the land. Another consequence of the war-related movement of populations is the unravelling of the customary system of land tenure. A researcher at Tufts University notes that "in many places customary law has broken down irretrievably, and this is the fundamental problem. It doesn't matter if you are an IDP or Arab or who you are, land rights are a real problem. Everyone who has resettled, not only outsiders like Chadians who have come in...but also any of the IDPs and others who have moved to a different part of Darfur, none of them have land rights that have a strong foundation in customary law" (ibid.). Another aggravating factor is the poor record-keeping of the land ownership: "Most land is not officially registered with the authorities, so the only proof of ownership comes from the collective knowledge of the local community" (ibid.).

Land issues in the Darfur Peace Agreement

The Darfur Peace Agreement (DPA) asserts in a number of points that "that refugees and IDPs should have the right to return home and that anyone who had seized land by force during the hostilities should not automatically retain a right to settle there" (Alex de Waal, 7 March 2008) Paragraph 159 of the DPA reads:

"All displaced persons and other persons arbitrarily or unlawfully deprived of rights to land shall have those rights restored to them. No person or group of persons shall be deprived of any traditional or historical right in respect of land or access to water without consultation and compensation on just terms" (GoS et al, 5 May 2006).

In the DPA negotiations, the movements (SLA and JEM) delegates insisted "that the agreement go further, and recognize what they regarded as traditional ownership rights. Paragraph 158 indicates that Sudan's land laws must be reformed in order to take better account of customary land rights" (Alex de Waal, 7 March 2008).

De Waal notes that when it comes to land issues there are a number of caveats in the DPA. He particularly points out the following two that complicate the land matters: (i) the negotiators in Abuja constructed the history of Darfur's land systems; and (ii) the voice of the nomadic Darfurians was poorly represented at the negotiating table - consequently their land claims remain unresolved (Alex de Waal, 7 March 2008, *emphasis added*).

"There are caveats. At various points the DPA makes reference to the need for land ownership systems and ecological management to ensure equitable development and avoid environmental degradation. It refers to policies to address the challenges of access to pasture and water and to overcome tensions arising from competition between farmers and herders. It mentions that there may be major development projects that are inconsistent with customary land tenure. But the DPA goes further than any other land law in recognizing tribal authority over land. *Paragraph 110 recognizes that hawakeer [tribal land ownership rights] have legal standing and priority over other claims on land.*

[...]

It should be emphasized again that land was an area in which agreement was reached during the talks, not one in which the mediators presented proposals to the parties subsequent on their failure to agree. One set of problems with the land sections of the DPA lies with who was represented (or not). The movements were united on pressing for recognition of the hakura system and the government agreed. Darfur's Arabs were absent. The groups that have the greatest interest in reforming the land system, and which specifically reject the notion of tribal land domains, did not have any input into the discussion. The government implicitly represented their interests—but in practice failed to do so. No sooner had the DPA been signed than Darfur's Arabs began to voice their discontent, to the extent of accusing the government of betrayal. The mutinies of the Arabs in the last year are in part traceable to this.

Another set of problems concerns how *those who were present in Abuja constructed the history of Darfur's land systems*. Negotiators from both sides equated the old Darfurian "*hawakeer*" system with "tribal land ownership." In fact they failed to make a distinction between *hakura*—land grant awarded by the Sultan to an individual—and tribal *dar*—homeland awarded to a tribe for administrative purposes by the colonial authorities, albeit usually based on historic residence claims of some form. Historically, *hakura* and *dar* are overlapping concepts—but the reinvented *hakura* is much closer to the colonial concept of *dar* than to the historic *hakura* of the sultanate. The delegates in Abuja were in fact inventing a land history for Darfur and creating a form of tribal land authority—and indeed tribe—that hadn't existed beforehand.

[...]

[While] international thinking on pastoralism has moved on immensely in the last fifteen years, [...] official thinking in Sudan has remained stuck. [...] So while Khartoum's negotiators in Abuja considered the Darfurian Arabs their allies, they also considered them as primitives whose way of life was an embarrassing anachronism, at best to be abolished and at minimum to be regulated.

In fact it is striking that most of the DPA's provisions concerning nomadism appear, not in the Wealth-Sharing chapter, but in the Security Arrangements. This is not because negotiators or mediators thought that nomadism was a security issue rather than a socio-economic one, but because the security advisers to the talks insisted that security needed to be provided around nomadic migration routes, to protect both the nearby settled communities and the nomads themselves. It was the military men (on both sides and in the mediation) who had immediate practical concerns over security that made sure there was at least some reference to nomads in the document. (See paragraphs 287-289, which refers to freedom of movement and the protection of the ability of Darfurians to pursue "any peaceful, traditional form of livelihood.") The wealth-sharing delegates scarcely mentioned pastoralism at all (only in paragraph 149 which mentions the "important problem" of competition for pasture and water)"

In its report (dated 29 October 2009) the Panel of Experts on the Sudan notes:

"49. The fight over land and resources between Darfurians remains the root cause of the conflict and hence requires sustainable political settlements. The substantial growth of the population of Darfur over recent decades and the unresolved land rights claims of nomadic Darfurians continue to be pressing issues. One approach agreed upon by some of the actors is the provision in paragraph 197 of the Darfur Peace Agreement for resolving land and property disputes with the help of "property claims committees". Not considered to be an ideal solution to this thorny issue, this provision has so far not been implemented. The failure of the Government of the Sudan and

other Darfur Peace Agreement signatories to actively seek and implement solutions to the problems of land and resource claims is one major impediment to the success of the political process" (UN SC, 29 October 2009, p.84).

For a detailed discussion on land issues, please see:

The AU Panel Hears Controversies Over Land, Alex de Waal, 1 July 2009

Land and Power: the Case of the Zaghawa, Jerome Tubiana, 28 May 2008

Darfur Land Commission

Alex de Waal, 7 March 2008:

"The DPA [Darfur Peace Agreement] sets up a Darfur Land Commission, to oversee all land tenure questions, such as arbitrating disputes over land tenure, establishing and maintaining records of existing and historical land use, the application and reform of land laws, and recommending measures for land use planning. It should also ensure that women's customary land rights are not lost. The head of the Land Commission is to be a nominee of the movements and its membership is to include representatives of all the groups that have interests in land ownership and use."

The work of the Darfur Land Commission (DLC) that was set up in 2006 has been hampered by several factors:

- The head office was set up in Khartoum which is far away from its beneficiaries.
- Four years into its existence the DLC has not yet been involved in any land dispute.
- The DLC's current activities are limited to data-gathering. The aim is to set up a database of land usage that will help in resolving land disputes.
- The DLC is constrained with a lack of money and "apparent unwillingness from the Sudanese authorities to honour the original agreements that they made" (IWPR, 25 November 2009).

Livelihoods

Livelihood options remain limited in Darfur, and a large proportion of Darfur's population of six million people are in need of humanitarian assistance. (For example, in 2008 WFP assisted nearly four million conflict-affected people in Darfur with food aid: Darfur Humanitarian Profile No.34, January 2009, p.7.)

According to the Humanitarian Policy Group (26 March 2009, p.2):

"Threats to livelihoods and protection persist: IDPs and rural farming populations continue to face risks to their safety, and all groups face restrictions to their freedom of movement, be it to collect firewood, farm, access markets or herd livestock [...]. Livelihood strategies have considerably diversified since 2004, but options remain limited and are insufficient to meet people's basic needs [...]. Certain strategies are also unsustainable because they entail significant risks to the environment (e.g. brick-making, which uses large amounts of water and wood), jeopardise physical safety or, as is the case with some Arab pastoral populations, because they are coercive and violent [...]. As other livelihood options contract, many groups are resorting to the collection and sale of natural resources, fuelling conflict [...]. Humanitarian assistance will therefore continue to be needed for the foreseeable future, both to protect livelihoods and to save lives."

Impact of the NGO expulsions in March 2009

According to the Humanitarian Policy Group (26 March 2009, p.5):

"Many of the expelled agencies were also involved in food security and livelihood support programmes, for both camp-based and rural populations. These programmes ranged from vocational training, income generation and fuel-efficient stoves to agricultural and livestock support, including agricultural inputs, training in improved practices and veterinary care. Whilst small in scale compared to more mainstream humanitarian responses, such interventions are important in protracted crises, both to support the diversification of livelihood strategies and to utilise all possible means to meet basic needs."

Livelihoods and urbanisation in Darfur

Livelihood options are mostly found in Darfur's towns and cities, which has resulted in a rapid process of urbanisation in Darfur. For example, the Darfur Food Security and Livelihoods Assessment 2008 found a significant improvement in food security in South Darfur (improvement by 37 percent compared to 2007), which was explained in part by "A construction boom around urban centres in South Darfur [which] has created employment opportunities for IDPs in particular, as the larger camps tend to be situated close to urban areas in the State" (Government of Sudan et al., 23 February 2009, pp.2-3).

In a December 2008 report on the needs of youths in Darfur, the Women's Commission wrote: "The conflict has severely disrupted livelihoods and livelihood coping strategies in Darfur. Many IDPs lost financial assets, such as livestock; physical assets, such as farms and household possessions; natural resources, such as fruit trees and water resources; human capital due to deaths and attacks; and social capital, undermined by attacks on and displacement of groups, villages and families. Trade networks and markets have also changed dramatically as a result of the conflict. The supply chain is fractured: the displacement of producers and traders has disrupted the supply and distribution of goods, insecurity has stopped or altered trade routes and the closure and decline of markets—particularly smaller rural markets—have limited demand for goods and services. Formal and informal taxation policies, for example, government taxation on top of fees to rebel groups, have increased transportation costs dramatically. An estimated 20-30 percent of urban traders went bankrupt during the earliest days of the conflict and many more have been squeezed out of business in subsequent years. The shrinkage of previous markets and livelihood opportunities severely restricts the opportunities youth have to earn income—irrespective of the training programs they participate in. Some traders, however, have stayed in business by switching commodities, relying on protection from tribal networks and shifting markets out to IDP camps where new markets have emerged. The market in Kalma camp in South Darfur, for example, is a classic shadow economy. With no taxation, IDPs and locals alike buy goods and services in the marketplace. As one worker noted, "Everything is available in this camp," including flip flops, bolts of fabric, soccer balls, kettles, dried fish, limes, cosmetics and used washcloths. A thorough understanding of shifting market realities in Darfur is an essential first step in identifying livelihoods opportunities for youth and the types of educational and vocational training programs needed to prepare them for these opportunities" (Women's Commission, December 2008, p.10).

Alex de Waal writes (31 March 2009):

"During the war the cities have doubled in size. There has been a huge inflow from the rural areas. That is in addition to the 30% of the Darfur population that lives in IDP camps. Social scientists who have worked in the camps estimate that at least one third of the camp residents are economically integrated into the towns, others are partially integrated, and many more (those who live in small camps dispersed throughout the countryside) are using the camps as "dormitories" and have some rural-based livelihoods, returning to the camps to sleep at night. This would imply that the correct figure for urban residents in Darfur is 45%. One way of interpreting the last six years is accelerated (and traumatic) urbanization—Darfur catching up with the rest of the country.

Urban migrants constitute an invisible population. Lacking the assistance that the IDPs receive, they are often worse off than camp residents. Many of them are Arabs, displaced by rebel attacks, general insecurity, or the intra-Arab fighting that has occurred across large swathes of southern Darfur.

A large proportion of the IDPs were displaced from their villages between 2002 and 2004. They have now been five years or more in the camps and their livelihoods and social structures have changed. Their hold on their old ways of life has loosened and it is increasingly unlikely that anything resembling the old Darfur can be reconstituted. That is an immeasurable loss, the passing of a socio-cultural order. In its own way it is a terrible crime. The old village authorities have been swept aside and new "camp sheikhs" have emerged, usually with power based on control over aid resources or sometimes control over land, commerce or security. Some of the larger camps have no government presence and are self-administering and self-taxing, which makes them attractive economic zones for traders. Some of the camps have their own militia. In response to the fact that the Sudanese police cannot operate in the camps, UNAMID has begun to recruit and train "community police services" in the camps.

Secondary displacement has occurred during since 2005. The causes have been disparate including a few major military or militia operations (Muhajiriya in early 2009 is one example), inter-tribal clashes and generalized insecurity. There are also pull factors at work. Assistance and services are available along with diverse income-generating opportunities available for the famously entrepreneurial Darfurian youth. Unskilled labourers earn LS 20/day, and the peddlers who sell scratch cards or tissues can earn about the same amount. The IDP camps have become a pillar of livelihoods in Darfur, so that many households locate some family members in IDP camps while retaining a rural or urban livelihood base elsewhere. In parts of Darfur which enjoy relative security where people can gain a livelihood in the rural areas, it makes sense for families to maintain a presence in the camps—for rations and as a fallback option just in case. This pattern of displacement is not the destruction of the old order, but Darfurians' adjustment to the new order. The new Darfur is constructed around urban economies and the rents of aid, and less around the complementary farming and pastoral livelihoods of the past."

From 2006 to 2008 the Feinstein International Center carried out a research on the role played by migration and remittances in the livelihoods of conflict-affected people in Darfur, focusing on the changes and adaptations in two urban centres, between 2003 and the present. Please, see the research findings here:

Helen Young et al., *Livelihoods, Migration and Conflict: Discussion of Findings from Two Studies in West and North Darfur, 2006 – 2007*, FIS, April 2009.

Links between environmental degradation, livelihoods and displacement

Several humanitarian actors warn that sustainability of natural resources on which most Darfurians depend on for their livelihoods has been rapidly deteriorating as a consequence of a complex set of factors (see HPN, July 2008; UN and partners, 11 December 2009):

- long-term regional climate change witnessed by irregular but marked decline in rainfall
- desertification
- uncontrolled deforestation
- overgrazing of fragile soil by a fast-growing livestock population
- population movements (i.e. displacement, return)

"Environmental degradation fuels competition for resources, which is a major driver of conflicts in Sudan" (UN and partners, 11 December 2009, p.23).

UN and partners, 11 December 2009, p.38, *emphasis added*:

"Most Sudanese depend on natural resources for their livelihoods, but the sustainability of these resources is at serious risk. Desertification has long been recognised as one of Sudan's primary environmental challenges, and the Government has undertaken a series of projects to combat the phenomenon. The long-term deterioration of natural resources in Darfur has put significant

numbers of displaced, nomads and people living in rural areas at risk. Water scarcity also continues to pose a problem, and the lack of water acts as a significant driver of crisis, particularly in drier areas. Competition over resources has fuelled conflicts in Darfur, Southern Sudan and elsewhere, and addressing environmental concerns is critical to achieving longer-term stability in the country.

[...]

Population displacement can also place significant stress on the environment, as the movement of masses of people across the land degrades its quality and increases pressure on surrounding resources. IDP camps can consume enormous quantities of natural resources in once sparsely populated areas, risking irreversible environmental harm. In providing services to displaced people, it is critical to minimise damage that could permanently compromise the environment, thereby potentially complicating future service provision and social stability.

Returnees can also have a negative impact on the environment, as a single returnee family can require 30 to 40 trees to establish a home, meaning that alarming rates of deforestation can accompany large-scale returns. Given current displacement trends, as well as the history of resource competition in fuelling conflict, there is a pressing need to integrate environmental concerns more fully into humanitarian programming in 2010".

For a detailed discussion on this topic, please see:

Brendan Bromwich, UNEP, *Environmental degradation and conflict in Darfur: implications for peace and recovery*, HPN, Issue 39, July 2008.

Links between livelihoods and protection

In a December 2008 report, the Overseas Development Institute analysed the inter-relationship between people's exposure and responses to livelihoods and protection threats in Darfur, and argued that these inter-relationships provided a strong argument for more closely linking aid agencies' livelihoods and protection interventions:

p.6:

"The early stages of the conflict were associated with severe depletion of assets, either directly through looting and destruction or indirectly through loss of access to natural and economic resources. Restricted mobility has affected the livelihood strategies of all population groups, as it limits ability to farm, livestock migration, gathering of wild foods, access employment and markets [...]. Markets are barely functioning [...]. Journeys to obtain firewood, cultivate land or access markets expose civilians to the risk of murder, rape and theft. With the reduction in livelihood opportunities for all groups, competition over resources is fuelling conflict, for example between pastoralists and IDPs over firewood [...].

The conflict has resulted in threats to people's life and safety, restrictions on freedom of movement and limited access to adequate means of subsistence, all of which are key protection issues. The security context, freedom of movement as well as the effectiveness of local governance and policy are key determinants of people's livelihoods options, and in the livelihoods framework would be considered under an analysis of 'policies, institutions and processes'. Lack of safety and the inability to move to access land and markets restrict people's livelihoods strategies and have combined to undermine people's ability to survive. This study therefore analyses the links between livelihoods and protection in terms of these three protection and livelihoods themes."

p.40

"This study in Darfur demonstrates how threats to people's livelihoods and protection are closely linked. While no group has been immune to the conflict, there are clear differences in terms of the impact of the crisis on people's livelihoods and protection. In general, those with the most limited livelihoods opportunities are facing the greatest protection threats, whilst those facing the greatest protection threats have the most limited livelihoods opportunities. This review also illustrates that,

in making choices about how to respond to threats, people also balance risks to their livelihoods and to their safety and dignity.

Camp-based populations eke out a meagre living based on relief, and low-income and risky livelihoods strategies. New arrivals or those without access to humanitarian assistance are particularly vulnerable and are less well represented through the leadership system in camps. Their limited livelihood opportunities leads to greater exposure to risks associated with firewood collection and exploitative labour practices.

On a more long-term basis, camp-based populations are faced with invidious choices. Displaced for more than five years, realising their rights to previous land and property is becoming ever-more difficult [...]. Many may choose not to return home. However, the limited income opportunities in urban areas mean that these groups will remain vulnerable to exploitation and protection risks for the foreseeable future. In GOS-held areas, villagers are more food insecure than neighbouring Arab damras, and face greater risks to their livelihoods and protection. Groups living in areas with less historical co-existence with nomadic groups were most at risk, such as in Abata, where 'protection' arrangements appeared more coercive and enduring. IDPs in rural locations faced similar threats to their protection as the host population, but their livelihood opportunities were generally more constrained, which again resulted in their taking greater risks. Every village visited had faced difficult choices between whether to flee to camps or pay protection money, a decision which in many cases was not made voluntarily. A common strategy was to split families, both to minimise risk and to maximise access to as many possible livelihood opportunities as possible.

While camp-based IDPs and villagers face the most acute threats to their livelihoods and protection, pastoralist and nomadic communities have also been affected through insecurity and taxation, constraining migration for pasture and trade. This does not appear to have yet reached proportions where people's basic subsistence has been undermined, although further assessments should be undertaken to properly analyse this. The longer-term erosion of nomadic lifestyles coupled with these immediate barriers is prompting these communities to pursue other livelihood strategies, often at the expense of sedentary farming populations. This may undermine prospects for peace and recovery in the longer term by reinforcing tensions between different groups.

The inter-relationship between people's exposure and responses to livelihoods and protection threats presents a strong argument for more closely linking aid agencies' livelihoods and protection interventions. The clearest example of integrated protection and livelihoods programming is the work of the Danish Refugee Council and other agencies which choose to target their assistance to rural populations. This review has shown that the availability of assistance in rural areas has played a part in people's decisions as to whether to flee to camps or to remain, thus providing these communities with greater options for subsistence and safety. The presence of aid agencies was also believed to have played a role in the stopping of protection payments in some areas. The provision of agricultural inputs and support in rural areas has the potential to play a significant role in helping communities in rural areas meet their basic needs. If these interventions also help increase yields from the limited tracts of land that are safely accessible from villages, this work will also be important in reducing risks associated with farming further afield. Other aid organisations can learn much from DRC's efforts to foster acceptance of its work in rural areas. The provision of assistance to divided communities has helped people to stay in rural areas and thus retain access to their land and livelihoods" (ODI, December 2008).

See also: *Letter dated 27 October 2009 from the Chairman of the Security Council Committee established pursuant to resolution 1591 (2005) addressed to the President of the Security Council*, UN SC, 29 October 2009, pp.15-19.

Education

Alex de Waal observes that:

"The camps have enjoyed better services than most villages and the poorer quarters of cities, including food rations, health and water. Malnutrition and mortality levels are better than in the villages prior to the war. Education is less good but the proximity to towns means that many IDPs have made arrangements with their urban relatives to ensure their children can attend school" (de Waal, 31 March 2009).

OCHA's Darfur Humanitarian Profile No. 34 (January 2009, p.15) states:

"Preliminary data as of December 2008 showed that 168,469 children (94,395 boys and 74,074 girls) are newly enrolled in primary school across Darfur.

More than 1,100 classrooms were constructed or rehabilitated in 2008 by UNICEF, benefiting an estimated 54,670 children and more than 278,000 children received essential educational materials.

Some 1,879 teachers received training to enhance the quality of education in Darfur, while 372 members of Parent Teacher Associations (PTA) received training on issues including child-centred methodologies and school co-management.

State government support to education was demonstrated with the allocation of an additional US\$ 2 million dollars for school infrastructure and furniture by the North Darfur State Ministry of Education and the contribution of US\$ 2 million by the South Darfur Ministry of Education for school infrastructure alongside a pledge for a further US\$ 3 million dollars in 2009. The West Darfur State Ministry of Education officially recruited 1,000 former volunteer teachers and included them on the government payroll during 2008."

The December 2008 report by the Women's Commission provides an assessment of educational and skills training opportunities available to displaced youth in Darfur. The report's executive summary states:

p.1:

"Almost six years into the current conflict in Darfur, there are very few education and skills building opportunities to meet the needs of a large and growing population of young people. The research found that the few programs that do exist are able to serve only a very small number of young women and men. According to available information, there are no secondary schools in the camps for displaced people and traveling to town to attend school is almost impossible due to school fees, travel distance and insecurity. Meaningful employment opportunities are sparse for young people as the conflict has disrupted traditional livelihoods and livelihood coping strategies across Darfur.

The study showed that while vocational and technical training programs do operate in Darfur, very few humanitarian agencies specifically target young women and men. Out of 124 local and international nongovernmental organizations (NGOs), youth groups and UN agencies reviewed for this report, only 15 explicitly target youth (15-24 years old) and of those that did, 14 focus on education and/or livelihoods. Training programs that do exist face many programmatic challenges, including operating under increasingly insecure conditions and attempting to match longer-term education needs of young people with shorter-term donor funding cycles. Young women, rural youth and those with disabilities, in particular, have more difficulties accessing programs and services that do exist."

p.2:

"With approximately 1.2 million young people in Darfur, a more coordinated and comprehensive approach to meeting their needs is required. Young women and men are a critical asset to the reconstruction and development of their country. If youth are not supported and do not see any opportunities for employment in their future, it can lead to negative coping strategies such as

violence, alcohol abuse, involvement in illegal activities or recruitment into armed groups. Providing young people with educational opportunities, appropriate skills training and safe conditions in which they can learn and develop these skills will help to ensure that they are well-equipped to be active participants and leaders in the rebuilding of Darfur."

p.5:

"Educational opportunities for young people are severely limited as information available reported that there are no secondary schools inside camps. Many donors and relief organizations consider secondary education a luxury when funding for primary school is already tight, so the only chance young people have to attend secondary school is if they are able to enroll in the nearest town. Youth must first pay for and pass the basic education exam in order to progress to secondary school, and then face further challenges in securing transportation to nearby towns and sufficient funding to pay school fees. There are only a limited number of secondary schools in town, meaning that young people who are able to afford the fees and secure transportation may still find themselves unable to further their studies. As well, overcrowded secondary schools mean that many IDP youth must attend afternoon classes. This leaves girls more vulnerable to abuse, as they are frequently harassed when they return home from school in the evenings."

The report makes the following key recommendations to the government of Sudan, UN agencies, NGO and donors:

"Expand the scope and scale of education and skills building programs for young people. Programs should be comprehensive, of sufficient length and include: basic education; life skills and civic education components; and provide quality instruction to build competence in a specific trade that responds to market demand. A strong monitoring and evaluation component should be included in all programs, including tracking graduates and making adjustments to courses as needed.

Tailor programs to meet the specific needs of different groups of young people, especially marginalized groups, such as young women, rural youth and those with disabilities. Barriers for young people's participation should be identified and programs designed to address these obstacles, such as flexible schedules so young women can balance participation with other responsibilities.

Strengthen coordination and information-sharing mechanisms around youth issues. A more systematic method should be identified for the humanitarian community in Darfur to discuss and respond to young people's needs.

Promote youth self-assessment in all skills building programs. Young people should be given the tools to think critically about the selection of training programs and possible job opportunities that best match their skills and needs."

According to 2010 Work Plan for Sudan, education needs are particularly pressing among girls, nomads and people living in displacement. "In Darfur, 1,055,038 (55%), of school-age children are in school out of a possible 1,929,068 school-age children. [Federal Ministry of General Education (FMoGE) 2008/2009 Statistics.] Enrolment is particularly difficult to support in insecure and vulnerable areas. Currently, 835 schools are reported to have been closed due to a lack of access or support. [State Ministries of Education, Darfur.] Across Northern Sudan, existing facilities can absorb only an estimated 84% of the demand for school places, and expanding absorption capacity is therefore critical. [FMoGE basic Education Baseline Survey, 2007.] (UN and partners, 11 December 2009, pp.57-58)

Expulsion of NGOs could undermine the positive developments of the previous years:

"In the education sector, expulsions of NGOs left a significant gap. Some 9,100 new teachers were needed and 27 localities either partially covered or not at all covered, potentially eroding positive gains achieved during the past years" (OCHA, 30 September 2009, p.2).

Family Life, Participation, Access to Justice, Documentation and other Civil and Political Rights

Civil and political rights

Voting and participation in public affairs

Under the 2005 Comprehensive Peace Agreement, local, state and national elections were scheduled to take place by July 2009 at the latest, but these had been postponed several times and finally happened in April 2010 (ICG, 17 December 2009, p.3). The National Election Act was passed in July 2008, and the National Election Commission was appointed in late 2008. A national census, which was meant to have been completed by July 2007, was held in April/May 2008, but the results were not released until May 2009 and were rejected by the Government of Southern Sudan, Southern Kordofan and JEM (ICG, 17 December 2009, p.3). The outcomes of the census were highly important because they have been used as the basis for re-demarcation of administrative boundaries and relocation of electoral constituencies for the April 2010 elections (DRDC, February 2010, p.10).

The September 2008 report by the Special Rapporteur on the situation of human rights in the Sudan stated:

"The fifth national census in the Sudan conducted from 22 April to 6 May 2008 received widely differing reactions around the country with some stating it had been successful and others complaining of underrepresentation of certain elements of the population. In Darfur, the census operation went ahead despite the opposition of all non-signatories to the Darfur Peace Agreement and the Minni Minawi faction of the Sudan Liberation Army (SLA). Internally displaced persons (IDPs) resisted enumeration in a number of camps despite attempts by the United Nations and the international community to break the impasse, and areas in Western Darfur bordering Chad and Southern Darfur remained inaccessible to enumerators owing to the prevailing insecurity. Government officials reported a coverage rate of 85 per cent in Western Darfur and 90 per cent in Northern and Southern Darfur. The National Population Council has announced that it will estimate the number of people not reached by enumerators on the basis of the 1993 census results" (Human Rights Council, 2 September 2008, para.15; see also Sudan Tribune, 31 March 2008; and Reuters, 22 April 2008).

In March 2009, the US Institute of Peace published a report which examined the prospects for elections in Darfur. The report stated:

pp.4-5:

"The election law presents particular problems for Sudan's millions of internally displaced persons (IDPs), many of whom are originally from Darfur and may be sympathetic to opposition movements. The electoral law requires prospective voters to register in the constituency where they have lived for the last three months and present some form of personal identification. The registration lists will then be published three months prior to the election. This means that unless provisions are put in place, IDPs would have to relocate to their homes or resettle at least six months before the election to vote in their home constituencies – a highly unrealistic expectation. In reality, IDPs will likely have to vote in their current place of residence. Because those who were displaced are more likely to be opposed to the government, spreading their votes across the constituencies where they are currently living may skew the vote in Darfur in favour of the more pro-government forces who remain.

Additionally, the number of geographic constituencies for electing representatives to the National and State Assemblies will be based on the census conducted in April and May 2008. However, the census did not cover many areas in Darfur, including the IDP camps. Consequently, the

number of constituencies allocated to where IDPs are now located are likely to misrepresent their actual size, and IDPs living in camps will likely become a much smaller voice in Darfur's single-member districts.

In addition to the potential for disenfranchisement of the IDP population, the framework as it stands, with single-seat constituencies, presents a significant obstacle to the inclusion of minority voices. As opposed to multi-seat constituencies, where proportional representation would enable representations of different views within each district, a single seat constituency means that the candidate with the most votes will win the only seat. In the north and south, these districts will be largely homogenous in terms of political support for either the NCP or the SPLM, and therefore the single-member district will not present a significant obstacle. However, in Darfur political support is mixed. Therefore, without the representation of the IDPs, the final vote will likely reflect a skewed majority.

Even if IDPs and other minority supporters voted in their current locations for a single party, because their presence is so dispersed the single-seat constituencies prevent them from gaining a seat. A 2007 study conducted by Tufts on IDP profiling showed that IDPs comprise 18-23% of the population in Khartoum.³ However, only one district in Khartoum, Omdurman, has a majority of IDPs.⁴ Therefore, unless carefully drawn, the single seat constituencies might marginalize these IDP voters."

p.7:

"For the upcoming election it is also necessary to ensure that IDPs have the opportunity to register to vote as residents of their district of origin. This means that included in the consociational agreement would be measures that allow exemptions for IDPs from the current requirements and instead provide a separate mechanism for ensuring IDP registration in their home constituencies."

In a report released on 7 May 2009, the Carter Centre "welcomes the important steps taken in Sudan toward holding national elections but identifies additional key steps that the Government of National Unity (GONU) and the National Elections Commission (NEC) should take to ensure a genuine and viable electoral process" (p.1). In relation to the registration of displaced people, the report states, "Further, successful national elections will require that maximum efforts are made to register Sudanese citizens in all areas of the country, including Darfur and other areas. The NEC may need to consider special accommodations for registering voters in Darfur and any other regions with security concerns, areas hosting significant displaced populations, or other challenges" (p.6).

In an analysis of problems that remain to be addressed for credible elections to be possible in April 2010, the International Crisis Group stated (17 December 2009, p.4):

"To register, approximately two million Darfur IDPs would need to return to their areas of origin, now often occupied by others. This should have been done by August 2009, since the electoral law requires that voters be resident in an area for three months to be eligible to register. The NEC started registration in November 2009 hoping to include IDP voters, but there is a strong perception among them that by registering in camps they will lose the right to vote in their home areas and may even lose the right to their land. [...] Thus two million Darfuris may be kept from the political process, while occupiers of their lands elect local representatives.¹⁵ [15 Most IDPs in Darfur and Southern Sudanese have no identification papers. Tribal chiefs could identify voters in the South, but in Darfur, most IDPs would be disenfranchised. The NCP has argued that since 70 per cent of Darfur is accessible, and the majority of the population resides in South Darfur, the IDP issue should not delay the elections. It also says that since Sudan has held many elections without the South, it can do the same without Darfur IDPs.]"

In general, the electoral campaign itself has been marred by intimidation, vote rigging and a lack of popular participation in debates. Until the very start of the election, there was confusion about which parties were boycotting, where, and at what level (Flint, 13 April 2010). On the day of the

elections, there were delays getting ballot papers out, ballot mix-ups and names missing from the electoral roll (BBC, 12 April 2010). In its preliminary statement, released a day after the polls in Sudan closed, the Carter Center stated:

Carter Center, 17 April 2010, p.9:

"The NEC failed to provide clear and specific guidance to protect the civil and political rights of the displaced and ensure they could exercise their right to register to vote, as required by international norms. [Article 25 ICCPR, Article 23 ACHR, Article 13 AfCHPR, Article 24 ArCHR, as reflected in Principle 22 1 (d) of the Guiding Principles on Internal Displacement,...] .Of the large numbers of IDPs in Darfur, a limited percentage reportedly registered. Registration levels in the camps were low in part due to concern that registering in the camps would prevent the displaced from returning to the land from which they had fled and the presence of armed groups that oppose the elections. Several IDP camps were not visited at all by registration teams including Kass and Kalma camps.

p.19:

Given the political context in Sudan, the electoral process cannot be judged solely on technical grounds. This is particularly pertinent to Darfur, where conflict, displacement, and insecurity still dominate the lives of millions who live in the region. Although Darfur's overall security situation has somewhat improved, the reach of the Center's observation in Darfur was restricted due to security considerations. In North Darfur, a number of IDP camp leaders were arrested. However, it is evident that the government's ongoing state of emergency, the continued displacement of an estimated 2.7 million persons from their areas of origin, and intermittent armed conflict in Jebel Marra, were factors that severely compromised the electoral environment. Lingering concerns over the equity of the 2008 census process and the uneven voter registration process that saw low participation across all three states of Darfur also contributed to a weaker process. The boycott of almost all political opposition cannot be ignored. The confidence of many parties and citizens in the legitimacy of a process occurring in a region still in constant turmoil was absent."

The report concludes: "With respect to Darfur, the Center cannot endorse elections in the region as meeting national or international standards" (p.19).

See also:

- 5th Population and Housing Census in Sudan – An Incomplete Exercise, Darfur Relief and Documentation Centre, February 2010
Building on a Cracked Foundation An Analysis of the Election Registration Process in Sudan and its Impact on the Potential for Free and Fair Elections, African Centre for Justice and Peace Studies, 9 February 2010

Access to justice

The September 2008 report by the Special Rapporteur on the situation of human rights in the Sudan stated:

"Violence and sexual abuse of women and children by State, non-State and private actors, such as criminal groups and bandits, also continue almost unabated throughout Darfur. A culture of impunity is prevalent: the State fails to investigate, punish and prosecute perpetrators of human rights violations" (Human Rights Council, 2 September 2008, para.43).

"SGBV has been an ongoing part of the conflict in Darfur and remains widespread, despite several encouraging steps by the Government to address the issue. Conflict-related violence against women and girls includes rape, gang rape, attempted rape, serious assaults and beatings. Although there has been an increase in the reporting of SGBV, the majority of incidents

of sexual violence remain unreported, mainly due to fear of the social stigma associated with rape. On several occasions victims chose not to file complaints because in most cases police cannot or will not take appropriate action against perpetrators" (Human Rights Council, 2 September 2008, para.54)."

Protection of Special Categories of IDPs (Age, Gender, Diversity)

Protection of special categories of IDPs

Filling in the gaps after the expulsions of NGOs in March 2009

With the void left by the expelled international and national NGOs, the United Nations and the remaining humanitarian NGOs tried to fill in the gaps by focusing predominantly on the life-saving sectors, like food, water and sanitation. However, support for rape survivors has remained decimated and under-addressed (The New Republic, 14 October 2009). According to UN, the internally displaced women "who were already suffering from lack of adequate humanitarian services lost access to the medical and psychosocial support offered by those organizations. That support has not been replaced, either for lack of capacity on the part of the Government of the Sudan or because of distrust on the part of internally displaced persons women. One consequence is that no independent monitoring of localized violence and sexual and gender-based violence currently exists" (UN SC, 29 October 2009, p.21).

Rape in Darfur has been prevalent and systematic throughout the crisis and sexual assaults were often recorded in and around IDP camps. Even before expulsions of the NGOs the provision of SGBV support services was a continuous struggle for NGOs (The New Republic, 14 October 2009).

"A decentralized and largely informal network of GBV support services grew painstakingly over five years, and it included some of the world's most well-respected aid organizations. The U.N. relied on the network's agencies to share information so that referral pathways could be developed to meet GBV survivors' needs. As a result, women who braved the social stigma associated with reporting rape in Darfur's Muslim society could receive medical care--from life-saving emergency assistance for injuries sustained during brutal attacks (often involving multiple assailants) to HIV/AIDS prophylactic treatment to psychological support.

The agencies faced steady opposition. Staff reported being harassed by government officials and running into bureaucratic obstacles, like Khartoum's persistent delays in signing the technical agreements that are necessary for aid organizations to operate in Darfur. And President Al Bashir personally undermined their cause by insisting that allegations of mass rape were being fabricated for political purposes.

[...]

In the wake of this year's expulsions, Darfur's already fragile GBV-services network collapsed completely. Now, although there is no concrete evidence that the government intended to categorically remove GBV services, many local staffers say that, more than ever, they feel targeted and powerless. "After the expulsions, the message was clear--work on GBV, and you'll be kicked out," one aid worker told me.

[...]

The international agencies in the now-defunct GBV-services network protected the privacy of women who reported rape. This was critical because, under provisions in Sudan's Criminal Code, women who have been raped risk prosecution for adultery if they cannot prove that they didn't

consent to intercourse. (Judges can impose an evidentiary requirement that four male witnesses testify that a rape occurred--a nearly impossible legal standard for Darfuri women to reach.) If found guilty, women can be sentenced to public lashings, and even death by stoning.

The network ran health centers in IDP camps that would administer rape kits quietly and free of charge, which allowed women to seek treatment discreetly. But, now, they are forced to leave the camps and go to local hospitals if they want treatment. And, before they provide a woman with care, most local doctors require what is known as a "Form 8"--a police report documenting a rape. [...] I was told in South Darfur that, even when women are bold enough to report rape to the police, they often aren't granted a Form 8. [...] "The problem is that, even if she goes to the hospital, she doesn't get treatment for rape because the police report doesn't say it." Complicating matters further still, most women don't have independent sources of income. Consequently, even if they are willing to go to the police and then a doctor, they face the often insurmountable obstacle of having to ask their families for money to pay for transportation to a hospital, or finding the funds elsewhere" (ibid).

UNAMID tries to respond to these gaps with "gender desk officers", female policemen who generally lack experience in GBV issues. Sudanese government runs state committees that focus on gender violence, but they are seen by many observers as ineffective, lacking objectives and timeframes, and hampered by insufficient funding and poor leadership (ibid., HRW, April 2008, p.28; UN SC, 29 October 2009, p.21).

Sexual and gender-based violence

The Chairman of the Security Council Committee concerning Sudan in his October 2009 letter states:

"64. The Panel's own monitoring confirms that sexual and gender-based violence continues to be perpetrated throughout Darfur. The majority of such incidents occur in rural areas where security is insufficient. To attempt to assess the current plight of women, the Panel visited El Fasher, Kabkabiya, Masterei, Morniey, Mukjar, Saraf idad, Tawila and Zalingei, in July and August 2009, and documented more than 50 individual cases and received testimonies from hundreds of women in these areas.

[...]

66. *Internally displaced persons reported to the Panel dozens of instances of harassment, violence and rape* that occurred during the past two years while the victimized women pursued livelihood activities. In Hasa Hisa camp for internally displaced persons in Zalingei, women reported that there are up to 35 incidents per week during the rainy season, when they engage in farming activities.

67. One case that demonstrates the frequency and severity of violence against women occurred north of Al Hamadiya camp in Zalingei. A woman who had been raped and suffered a gunshot wound in 2003 while fleeing her village, was again gang-raped and stabbed in the leg on 15 May 2009, while she was collecting firewood with a group of 20 women. The assailants, three armed men in khaki uniforms, inflicted genital injuries upon her and then left her bleeding. Following the incident, she spent 45 days in hospital recovering" (UN SC, 29 October 2009, pp.20-21, *emphasis added*).

The UN Secretary-General, in his report to the Security Council of 14 April 2009, observes:

"In addition to training police, UNAMID continued to assist internally displaced persons in identifying ways and means of improving the lives of women and children. In this context, the equal participation of women in all aspects of public life continues to pose a major challenge. UNAMID has been encouraging internally displaced women to become community policing volunteers and to join security committees in camps for internally displaced persons. It is also encouraging women to start income-generating activities.

This is particularly important because the vulnerability of women in camps for internally displaced persons continues to be magnified by sexual and gender-based violence, including domestic violence. UNAMID has been working with women to encourage them to report such incidents. Incidents of rape continue to be underreported owing to the social stigma associated with the issue and distrust of Government police, including fear of being subjected to criminal prosecution if the victim is unable to meet the evidence threshold for the crime of rape as stipulated in the Evidence Act of 1993. [...]

On 11 February 2009, the inter-agency gender-based violence working group met to review progress achieved in 2008 and identify priorities for 2009. It was observed that: (a) the number of reported cases of sexual and gender-based violence has increased; (b) more people now seek services and assistance; and (c) domestic violence was more widespread but also more reported in 2008. The fact that there have been a number of cases where the perpetrators have been brought to justice has had a positive impact on the local community" (UN Secretary-General, 14 April 2009, paras 39-41).

See also:

Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur, UN SC, 13 July 2009, para.26

Report of the Secretary-General on the African Union- United Nations Hybrid Operation in Darfur, UN SC, 29 January 2010, para.42

Prevailing impunity and the lack of legal remedy for cases of sexual and gender-based violence

The Chairman of the Security Council Committee concerning Sudan in his October 2009 letter states:

"304. According to internally displaced persons, perpetrators of sexual and gender-based violence are often members of Arab militia, Government of the Sudan armed forces, signatory and non-signatory rebel groups, and Chadian armed opposition groups. They carry out physical and sexual assault, rape, threaten and shoot women with their weapons, beat them and rob them of their possessions. There appears to be an overwhelming apathy towards, and unwillingness to investigate, acts of sexual and gender-based violence. Victims and their families often refuse to contact the National Police because they distrust the police's willingness and ability to investigate cases of sexual and gender-based violence, and the burden of proof usually falls upon the victims, who must gather evidence themselves.

305. According to Sudanese law, if the alleged perpetrator of a crime belongs to a military unit of the Government of the Sudan or any of its auxiliary units, a prosecutor would need to request from the SAF Military Legal Advisor the lifting of the immunity of the accused. The Military Legal Advisor is then expected to pass on the request to the commander of the unit to which the accused belongs and to initiate his investigation into whether the immunity of the accused should be lifted in order to facilitate a civil trial.

306. It is at this stage in the administration of justice that military personnel and members of the Government of the Sudan auxiliary forces who commit sexual and gender-based violence are often afforded impunity. Requests by prosecutors to the military legal advisers of the alleged perpetrator's unit to lift immunity so as to facilitate investigations and civil trial are either ignored or are denied on the pretext of lack of sufficient evidence.

307. Further Panel inquiries revealed that the management structures of SAF and the Government of the Sudan auxiliary forces pay insufficient attention to the enforcement of the Sudanese laws against sexual and gender-based violence. When the Panel requested statistical data on prosecutions for sexual and gender-based violence or information on specific cases at

both the national and state level, no information was made available" (UN SC, 29 October 2009, p.73).

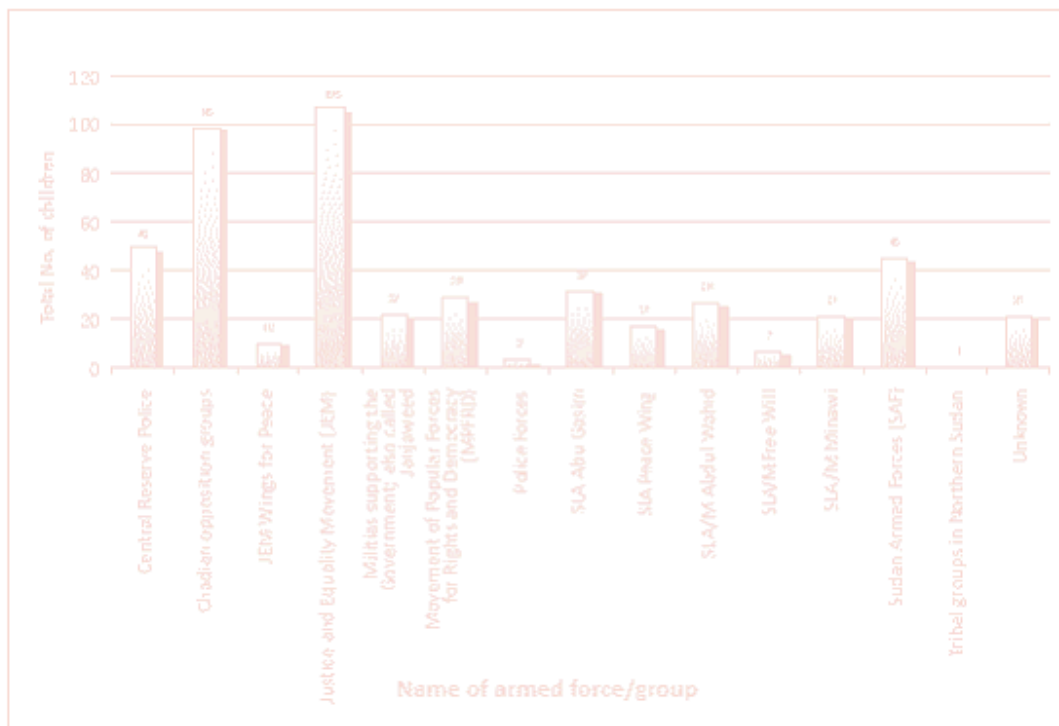
Children

In his Report to the Security Council on Children and Armed Conflict in Sudan , the UN Secretary-General noted (10 February 2009, *emphasis added*):

"Forced recruitment of children in Darfur

13. During the reporting period, United Nations field monitors reported the recruitment and use of 487 children by various armed forces and groups operating in all three Darfur states, although it is known that many cases remain unreported. Over 14 Sudanese and foreign armed forces and groups are reportedly responsible for recruiting and using children in Darfur."

Reported recruitment and use of children by armed forces and groups in Darfur during the reporting period



"Killing and maiming of children in Darfur

24. Reports indicate that ethnic groups such as the Abbala and Zaghawa, as well as rebel armed groups, including JEM, SLA/Unity and SLA/Minawi, are responsible for the killing and maiming of children in Darfur. Reports also point towards other perpetrators such as Government-backed militias and Chadian opposition groups.

25. During the reporting period, United Nations field monitors reported the killing of 42 children and injuries to 20 others throughout Darfur. In addition, through the Information Management System for Mine Action, the deaths of 9 children and injuries to 19 others were reported as a result of mine and unexploded ordnance incidents.

26. Most children were killed or injured during attacks by armed groups on villages, markets **and internally displaced persons' camps**, or in clashes between armed groups. In total, it was reported that 27 children were killed and 10 injured in 19 different incidents."

"Rape and other grave sexual violence of children in Darfur

31. Most reported incidents of rape and sexual violence against children occurred in Darfur. The United Nations was able to verify 53 cases of girls raped by armed elements in 34 separate incidents. The youngest victim was a six-year-old girl who was raped along with two other girls from the Fur community by five Arab militia men in April 2008. In addition to the verified cases, there were 26 reports of sexual violence against girls that the United Nations was not able to verify. The majority of the incidents of rape or sexual violence occurred in Western Darfur, affecting 31 children, followed by Southern Darfur, with reports involving 17 children.

32. ***One third of the total 34 reported incidents were perpetrated against internally displaced children or occurred within the vicinity of an internally displaced persons' camp. Girls who leave such camps to collect firewood are particularly at risk.***

In a December 2008 report, the Women's Commission identifies the following protection problems for IDP youth in Darfur:

p.5:

"overcrowded secondary schools mean that many IDP youth must attend afternoon classes. This leaves girls more vulnerable to abuse, as they are frequently harassed when they return home from school in the evenings."

"Girls residing near towns sometimes work for low pay washing clothes or cleaning homes, though this leaves them vulnerable to abuse."

pp.6-7:

"Young people in Darfur are not a homogenous group. Young women, rural youth and those with disabilities often have the least access to programs and services. Young women are responsible for many household chores and responsibilities, leaving few opportunities to attend to their own needs, such as education, vocational training and recreational activities. Low literacy and education levels, and early marriage further inhibit many young women from pursuing vocational training programs and participating in youth leadership structures."

"Young people living in rural areas outside of the camps not only face the same lack of opportunities as youth in the camps, but also live amidst greater insecurity and pressure to affiliate with rebel groups. This insecurity of association with rebel groups has also greatly limited the number of organizations working with rural communities or with Arab tribes; as such, those organizations that do have access are overburdened and unable to provide many services. The gender disparity is more pronounced in rural areas, where agencies have been unable to take active measures to close the gap; for example, at a rural school only 50 out of 300 students were girls compared with an estimated 46 percent female enrollment at primary schools in IDP camps."

"There also appear to be very few services targeted at youth with disabilities despite the challenges they face. Those that do exist are insufficient; for example, the United Methodist Committee on Relief supports a classroom in Ed Daien for 30 deaf children and youth—the only program targeting youth with disabilities mentioned in interviews—which lacks basic furniture, instructors and appropriate learning materials due to lack of funds."

Reports of recruitment of child soldiers by armed groups and forces in Darfur were echoed by the *Letter dated 27 October 2009 from the Chairman of the Security Council Committee established pursuant to resolution 1591 (2005) addressed to the President of the Security Council*. For more detail see: UNSC, 29 October 2009, pp.59-63.

EASTERN STATES

Overview

Humanitarian Situation in the Eastern States

The UN Secretary-General report describes the security and political situation in eastern Sudan to be calm (UN SG, 5 April 2010, p.8). The report states that there is little progress in reintegration of ex-combatants under the disarmament, demobilisation and reintegration programme (ibid.).

Basic necessities

The Humanitarian Policy Group notes that progress in the implementation of the Eastern Sudan Peace Agreement between the Government of National Unity (GNU) and the Eastern Front Eastern has been extremely slow, and that the Eastern States remain “profoundly underdeveloped” (HPG, 26 March 2009, p.3).

Humanitarian indicators for the Eastern States are among the worst in all of Sudan (see UN and partners, 11 December 2009, pp.65, 85; UN and partners, 19 November 2008, pp. 177-178; and HPG, 26 March 2009, p.3; WFP, Monthly Situation Report, March 2010, p.5):

Food and nutrition:

Food security assessments carried out in Kassala in first months of 2010 show that many households have suffered serious loss of harvest. WFP and Ministry of Agriculture’s rapid assessment in Kassala showed around 130,000 people impacted by drought in terms of food access and production.

The food security situation in Kassala and Red Sea states reflects a context of chronic poverty; there is always inadequate crop harvest. Minimal to moderate shocks, whether from floods, drought or other causes, result in huge negative impacts because of the vulnerability and susceptibility of communities. For instance, a FAO assessment in January 2008 in Hamesh Koreib and Talkok localities of Kassala indicated huge food security and livelihood needs. By August 2008, food shortages were already being felt in the region, compounded by sharp rises in food prices, some of which are 100 percent higher than the same time the previous year. Malnutrition was expected to increase further during the rainy season and before the harvest season in October. The food situation is aggravated by illegal smuggling of food items out of the region into neighbouring countries.

Water and sanitation:

Access to safe drinking water is about 38.7 percent in Kassala, 37.3 percent in Gedaref and 33.1 percent in Red Sea according to the 2006 Sudan Household Health Survey. Access to adequate sanitation facilities is even lower (26 percent in Kassala, for example); the worst access problems are in rural areas.

Health:

Eastern Sudan has high under-five mortality rates: the rate is 2.01 per 10,000 per day in Kassala state and 1.83 per 10,000 per day in Red Sea state. These indicators are close to the alarm threshold (two per 10,000 per day) and higher than the rates recorded in most other areas of North Sudan.

There are also high maternal morbidity and mortality rates in Eastern Sudan. The years 2006 and 2007 saw outbreaks of malaria, dengue fever, meningitis, cholera and tuberculosis and in 2008 there was an outbreak of acute watery diarrhoea. There is a need for ongoing monitoring for further outbreaks in 2009. The population of eastern Sudan is also very vulnerable to HIV. The authorities of the three states have promised leadership of all HIV/AIDS-related initiatives including increasing awareness, fighting stigma, encouraging voluntary counselling and testing and universal access to anti-retroviral therapy.

Physical security

Eastern borders of Sudan are among the most mine contaminated areas of Sudan. The 2009 Work Plan for Sudan notes that, "Landmines and unexploded ordnance (UXOs) in areas such as Hamesh Koreib in Kassala state and South Tokar in Red Sea state restrict access to resources such as water and pasture. UNMAO [United Nations Mine Action Office] has cleared several areas leading to IDP camps as well as the main access to Hamesh Koreib but a lot still needs to be done" (2009 Work Plan for Sudan, p.178). A number of IDPs cannot return to their places of origin due to the unexploded ordnance (UN and partners, 11 December 2009, p.65).

Impact of the NGO expulsions in March 2009

The Humanitarian Policy Group warns of the potentially serious consequences for eastern Sudan of the expulsion of NGOs in March 2009, following the issuing of an arrest warrant for President Bashir by the International Criminal Court.

The HPG states that the "expulsions have deprived the East of critical food, livelihoods, livestock and medical assistance", depriving "the Red Sea State of the technical capacity to support the Early Warning System that has been set up, raising concerns about the government's ability to predict and respond to crises in the east." The HPG also notes that the closure of the NGOs' water, livelihoods and education programmes "will hit some of the poorest and most marginalised communities in the country" (HPG, 27 March 2009).

The Humanitarian Policy Group observes that, "The expulsions are likely to have limited immediate impact on food assistance, provided that WFP is able to make arrangements for food distribution directly or through local partners. However, they will bring to a halt long-standing interventions aimed at addressing chronic food insecurity in both Red Sea and Kassala states" (HPG, 26 March 2009, p.7).

The HPG warns that the expulsion of international NGOs in March 2009 "is likely to have repercussions for the implementation of the almost moribund Eastern Sudan Peace Agreement (ESPA) signed 2006. Recovery, livelihoods and nutrition programming in Agig and Tokar localities will stop, and the rehabilitation of former Eastern Front-controlled areas such as Hamashkoreb and Telkuk will be seriously hampered. Programmes at risk include a Disarmament, Demobilisation and Reintegration (DDR) project funded by UNICEF, targeting Eastern Front ex-combatants, and covering 19,000 children in Haiya, Sinkat, Halaib and Port Sudan. As with the SPLM, the Eastern Front was not consulted about the expulsions. The Front, which is currently undergoing a political crisis, is likely to be further alienated from Eastern Sudan society, particularly youth, potentially fuelling fresh unrest" (HPG, 26 March 2009, p.7).

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KHARTOUM

Physical Security and Integrity

Physical security and integrity

Issues of physical security and integrity remain a concern for IDPs living in and around Khartoum. A number of sources point out that certain sections of the non-displaced population of Khartoum face similar problems: to some extent the problems faced by IDPs in Khartoum are dependent more on the particular locality where they live than on their status as IDPs (Tufts-IDMC, August 2008, p.10; Landinfo, November 2008, p.12). Nevertheless, reports point to the fact that IDPs are more vulnerable to fall victim to:

crime (Tufts-IDMC, August 2008, p.11);

discrimination (Aegis Trust, June 2006, p.9-10; Sudan Tribune, May 2008; HRW, June 2008, p.10; 2009 Work Plan for Sudan, November 2008, p.201);

arbitrary arrest and detention (Watchlist, April 2007, p.17; UN Special Representative on the situation of human rights in the Sudan, September 2008, p.8, parag. 25; AI report 2008, p.282; HRW, June 2008, p.10; 2009 Work Plan for Sudan, November 2008, p.201);

harassment by the authorities (Sudan Tribune, May 2008; Watchlist, April 2007, p.17);

government relocation programmes (Tufts-IDMC, August 2008, p.11; Aegis Trust, June 2006, p.17).

Landinfo (November 2008, p.17) states that:

"Security in the official camps for internally displaced persons and the other slum areas of the city is largely administrated by the inhabitants themselves [...] the authorities are very little involved in law and order in these areas, where people generally dispense their own justice."

Violence associated with the relocation programmes

According to the Watchlist on Children in Armed Conflict, since 2005 both squatter areas and more permanent settlements have been raided by government authorities, resulting in death, injury and imprisonment of IDPs (Watchlist, April 2007, p.17). Mass detentions following demolitions and relocations have also been reported (Aegis Trust, June 2006, p.9). According to UNHCR, the frequent police raids failed to respect due procedural standards and that the attitude of law enforcement agents negatively affected life in the settlements (UNHCR, November 2007, p.8).

During the November 2008 demolition of the Mandela settlement, police were reported to have beaten people who refused to leave their homes (IRIN, 4 December 2008). According to UNMIS demolitions are still ongoing in Mayo camp, causing "continuing disruption to life" (UNMIS, February 2009, p.5).

(For more information on the relocation programmes, see the section on Durable Solutions.)

Threats and intimidation by the police and the authorities

According to the International Rescue Committee, police and security forces frequently break up groups of IDPs living in camps, questioning participants on their discussions and sometimes arbitrarily arresting individuals (cited by Watchlist, April 2007, p. 17). IDPs have raised concerns

that government authorities continuously monitor the camps, not to protect the camp residents, but for the purposes of intimidation (Watchlist, April 2007, p.17).

The Tufts-IDMC study notes that more than half of the survey respondents (54 per cent) did not provide a reply to the question about the difficulties they experienced in Khartoum, probably for security reasons (Tufts-IDMC, August 2008, p.10). However, of those who responded to the question, fewer than 2 per cent of the respondents mentioned harassment by the authorities as one of the difficulties experienced in Khartoum (Tufts-IDMC, August 2008, p.10).

According to the Special Rapporteur on the Situation of Human Rights in the Sudan, several cases of arbitrary detention and ill-treatment of IDPs by Government security forces have been reported (Human Rights Council, 2 September 2008, addendum, p.27).

The US State Department reports that the police often seize IDPs' properties, using the pretext of searching for illegal alcohol brewing. Women living in IDP camps who produce home-brewed alcohol are often targeted for arrests; these women are mostly from Southern Sudan, where the consumption of alcohol is not illegal, in contrast to the situation in northern Sudan. The police are also reported to engage in extorting money from illegal alcohol brewers by threatening them with prison (US State Department, February 2009).

The Watchlist reports that IDP boys are frequently beaten by the police, and that some boys have taken to sniffing glue and other solvents in an attempt to cope with these beatings (Watchlist, April 2007, p.15).

Harassment of Darfuris following the attack on Omdurman in May 2008

Following the 10 May 2008 attack on Omdurman (Khartoum's sister city) by the Darfuri rebels from the Justice and Equality Movement (JEM), several human rights organisations accused the Sudanese authorities of arbitrary arrests and detention, beatings, dubious judicial proceedings, extra-judicial executions, torture and ill-treatment of detainees. These practices were largely targeted at Darfuris living in Khartoum/Omdurman on the basis of their ethnic origin or appearance (HRW, June 2008, p.10; IRIN, 26 May 2008; Human Rights Council, 2 September 2008 (addendum), p.67; Sudan Tribune, 12, 14, 22 and 24 May 2008, and 12 September 2008).

According to the Sudan Tribune, as many as 3,000 people from Darfur were arbitrarily detained (Sudan Tribune, 24 May 2008). According to Human Rights Watch, "interviews with released detainees and family members of those still unaccounted for has produced a list of 200 names of people detained by NISS during this time. Some former detainees estimate the total number may be as high as 3,000" (HRW, June 2008, p.10). According to the Special Rapporteur on the situation of human rights in the Sudan, "The UN has records of some 450 detainees, most of them civilians of Darfurian origin, who have been arrested in connection with the JEM attack. The actual number of arrests carried out may be much higher. Large numbers of civilians appear to have been arrested arbitrarily on the basis of their ethnic origin or perceived affiliation with JEM, and are held without access to the outside world" (Human Rights Council, 2 September 2008 (addendum), p.67). The Special Rapporteur stated furthermore that arbitrary arrests of Zaghwa men and other ethnic Darfuris were also reported in other parts of northern Sudan following the attack on Omdurman (Human Rights Council, 2 September 2008 (addendum), p.67).

Basic Necessities of Life

Basic necessities of life

Khartoum has seen strong economic growth in recent years, and there has been an increased investment in services. However, Khartoum's economic growth has not been evenly spread, and many of Khartoum's urban poor and vulnerable populations, including IDPs, continue to struggle with high levels of poverty, inadequate access to social services and limited sustainable livelihoods (2009 Work Plan for Sudan, p.201; see also Landinfo, November 2008, p.12-13).

Moreover, while both the urban poor and Khartoum's estimated 1.2 million IDPs face the same challenges of poverty and marginalisation, IDPs also face specific problems due to their displacement situation. As a result, they constitute Khartoum's most vulnerable community (UNHCR, November 2007, p.8 and January 2008, p.8).

Water and sanitation

IDPs face difficulties in accessing water due to a lack of basic infrastructure. Many IDPs have to pay to receive their water supply from donkey carts (Landinfo, November 2008, p.12; Tufts-IDMC, August 2008, p.10; Aegis Trust, June 2006, p.10). Following demolitions in 2006 by the government in IDP squatter areas, 30 per cent of IDPs were left without access to latrines (Aegis Trust, June 2006, p.10).

Food security

The food security situation, which was already precarious for IDPs (Aegis Trust, June 2006, p.10; IOM, September 2006, p. IX), showed signs of deterioration by the end of 2008, largely due to rising food prices (2009 Work Plan for Sudan, November 2008, p.204).

Shelter

IDPs are more likely to live in poorer quality dwellings than non-displaced people in Khartoum. IDPs often live in temporary structures (shanties) and are less likely to live in housing made from concrete or red bricks (Tufts-IDMC, August 2008, p.8). Some IDPs construct shelters out of bricks or mud, but this requires them to purchase water for the construction process (Aegis Trust, June 2006, p.10).

Health

Health services are limited and insufficient in the poorest areas of the city (Landinfo, November 2008, p.13; Watchlist, April 2007, p.17; Aegis Trust, June 2006, p.10). Requirements of ID papers to gain access to public services may present a further obstacle to IDPs (Landinfo, November 2008, p.13).

No recent data is available on the mortality rate or on the prevalence of some infectious diseases in the IDP camps and settlements around Khartoum, but 2006 figures show a crude mortality rate close to the emergency threshold of 1 per 10,000 per day in some camps. According to the same source, diarrhoea was responsible for 37 per cent of deaths in the IDP population in Khartoum (Aegis Trust, June 2006, p.10).

Impact of the relocation programmes

The demolition and relocation programmes carried out by the authorities have serious humanitarian and livelihood consequences for IDPs. When IDPs are forcibly moved, homes, schools, health clinics and latrines are often destroyed or damaged (Tufts-IDMC, August 2008, p.20; Aegis Trust, June 2006, p.10; Assal, March 2006, p.18-19). Demolition of, or damage to, latrines and sewage systems in particular can lead to an increase in infectious diseases (Aegis Trust, June 2006, p.10). Demolitions of homes often results in a reduction of income as people

need to spend time reconstructing shelters and guarding their property (Aegis Trust, June 2006, p.10).

In some cases IDPs received prior notice of planned demolitions, while in other cases they received no notice at all and were simply awoken by the arrival of trucks which had come to remove them (Tufts-IDMC, August 2008, p.20). No alternative shelter has been provided by the authorities for IDPs after the demolition of IDP settlements. For example, after the demolitions which took place in the Mandela settlement in November 2008, thousands of people had to live in makeshift structures made of sticks and clothes. While the conditions in the settlement prior to the demolitions were poor, residents had secure mud brick homes and some had private generators providing electricity (IRIN, 4 December 2008).

Some IDPs have been allocated new plots by the authorities, but they are left to construct new shelters themselves. Those who do not get plots are left with nowhere to go and are often relocated to distant areas in the desert on the outskirts of Khartoum, without access to even the most basic services (Tufts-IDMC, August 2008, p.20; Watchlist, April 2007, p.16; Assal, March 2006, p. 18).

(For more information on the situation of IDPs in Khartoum in relation to housing, land and property rights, see the section on Property, Livelihoods and Education. See also the section on Durable Solutions).

Lack of humanitarian assistance

Until 1997, many of the IDPs in Khartoum's camps and settlements were dependent on humanitarian assistance provided by NGOs. However, in 1997 the government adopted a policy aimed at reducing the distribution of humanitarian relief to IDPs in Khartoum, with the stated intention of encouraging IDPs to become self-reliant. The new policy was meant to result in the integration of IDPs, who were meant to be provided with their own plots. Relief was only to be distributed to the 20-25 per cent of IDPs who were deemed to be vulnerable: people who had newly arrived, those who had recently been relocated, the disabled, the elderly, orphans, widows and pregnant women (Assal, July 2004, pp.25-26; and March 2006, p.21-22).

Levels of humanitarian assistance to IDPs in Khartoum's camps and settlements declined further in the wake of the signing of the Comprehensive Peace Agreement between north and south Sudan in January 2005, and the intensification of the Darfur crisis from late-2003 onwards. NGOs started to shift their focus elsewhere, most notably to the humanitarian needs in Darfur itself, and to the repatriation of IDPs from Southern Sudan to their areas of origin. As a result, IDPs in Khartoum have been less able to rely on humanitarian assistance (Landinfo, November 2008; Aegis Trust, June 2006; Assal, March 2006, p.22).

Community-based organisations (CBOs) which seek to address some of the needs of Khartoum's IDPs face obstacles in the form of the lack of registration and legal recognition of the CBOs by the authorities (for example, in 2006 only four out of ten CBOs in Al Salam camp were reported to have been registered by the authorities), and the fact that donor funding only reaches CBOs through NGOs instead of directly from donors (Assal, March 2006, p.22-23).

By the end of 2007, UNHCR warned that while most humanitarian assistance in Sudan was being directed to Darfur, IDPs in Khartoum were in need of priority humanitarian assistance. The agency warned that the diminishing humanitarian assistance in the settlements was not being adequately compensated by a commitment from the government to provide adequate services,

while existing services fell short of addressing the social and medical needs of IDPs living in Khartoum (UNHCR, November 2007, p.8).

Impact of the expulsions of NGOs in March 2009

Following the issuing of an arrest warrant for President Bashir by the International Criminal Court on 4 March 2009, 13 international NGOs were expelled from northern Sudan, while the licences of three Sudanese relief organisations were revoked (HPG, 26 March 2009).

A number of these NGOs had been working with people in the peri-urban areas of Khartoum, including displaced people. Some examples of the impact of the expulsions:

According to Save the Children UK, the decision by Sudanese authorities to suspend its operations would affect 50,000 children in Khartoum and in Red Sea state, where Save the Children UK had been working with community groups on children's rights (including access to education and access to clean water), gender-based violence and HIV/AIDS. Save the Children stated that around Khartoum, it worked with displaced families, some of whom had fled the violence in Darfur and were living in desert-like conditions. Save the Children UK was helping to protect them against physical and sexual abuse, as well as giving young people training in skills such as carpentry and tailoring. It also was helping to reunite children and parents who were separated while fleeing their homes (IRIN, 5 March 2009 and 31 March 2009; Save the Children (UK), 4 March 2009 and 18 March 2009).

Oxfam stated that its expulsion would affect 200,000 people in Khartoum state and the east of Sudan, where Oxfam had been running programmes providing clean water, sanitation, education and microfinance (Oxfam, 4 March 2009 and 15 April 2009).

The International Rescue Committee stated that its expulsion affected 1.1 million people who it had been assisting in north and east Sudan in the fields of medical care, water, sanitation, and education programs and other vital services (IRC, 4 March 2009).

Property, Livelihoods, Education and other Economic, Social and Cultural Rights

Livelihoods and education

Education

School enrolment rates for IDP children are very low, especially for girls (2009 Work Plan for Sudan, November 2008, p.203). OCHA reports that in 2006 48 per cent of children in the Khartoum IDP camps are not attending school (OCHA, May 2006, p.7). According to IOM's 2006 survey, 35.9 per cent of the IDPs surveyed have no formal education (IOM, September 2006, p.viii), while according to a 2003 report 44 per cent of IDPs had no education at all (Care/IOM, 2003, p.14). According to Tufts-IDMC, IDPs in Khartoum are significantly less educated than non-IDPs, they are more likely to be illiterate, and fewer IDPs have completed secondary and university education than non-IDPs (Tufts-IDMC, August 2008, p.8).

“Most of the existing schools in peripheral areas where IDPs live are built of local materials, have serious shortages of materials and teachers, and no water and sanitation facilities” (2009 Work Plan for Sudan, November 2008, p.203; see also Watchlist, April 2007; Assal, March 2006). Some reports state that the quality of teaching in schools attended by IDP children has generally become very poor (Landinfo, November 2008, p.12).

The Watchlist notes that many IDP children cannot attend school because they have to work to contribute to the family income (Watchlist, April 2007, p.16). The problem is compounded by IDP families’ inability to pay school fees (for example, Assal noted that in Al Salam camp, school fees were very high: each student had to pay not only enrolment fees but also monthly fees and additional fees imposed by local authorities and school management (Assal, March 2006, p.20).

Livelihood opportunities

There is a lack of livelihood opportunities for IDPs living in and around Khartoum, and unemployment is high among IDPs. Access to formal employment is particularly difficult for those without identity papers (Aegis Trust, June 2006, p.11). As a result, more than 80 per cent of IDPs in Khartoum are reported to be working outside the formal labour market (Landinfo, November 2008, p.13). Assal estimated that 90 per cent of the IDP population in Al Salam camp, most of whom were illiterate and unskilled, were unable to obtain any kind of job (Assal, March 2006, p.22).

The 2006 IOM survey included people between the ages of 15 and 64 in the working-age population, whereas those between the ages of 0-14 were defined as children. The survey found that 18.4 per cent of Khartoum’s IDPs were employed, and, in North Sudan in general, 19.7 per cent were employed, 12.4 per cent were housewives, 31.5 per cent were students and 22.1 per cent were children under age of 14 (IOM, September 2006, p.32).

The Tufts-IDMC survey found that IDPs’ chances of finding employment were significantly correlated with education. IDPs with secondary school or university education were more likely to be in full-time employment or to be self-employed, whereas illiterate IDPs were more likely to be housewives or casually employed (Tufts-IDMC, August 2008, p.10).

Assal states that IDPs who are in employment primarily work in the agricultural sector, in small-scale commerce and in the building industry (Landinfo, November 2008, p.13). According to Assal, the 10 per cent of IDPs in the Al Salam camp who were able to find employment mostly found jobs with the police, in schools in the camp, and in factories outside the camp area (Assal, March 2006, p.22).

Landinfo also points out that even where IDPs have jobs, their salaries are often insufficient to cover the needs of their families, and that some IDP families have to subsist on only one meal during the day (Assal, March 2006, p. 22). Similarly, the 2006 IOM survey found that 16 per cent of adult IDPs and 9.4 per cent of IDP children only had one meal per day (IOM, September 2006, p.34-35).

The GoS study on IDPs in Khartoum, published in April 2010, found that while the major employment for IDPs before displacement was cultivation, once in urban centres IDPs acquired new employment as reflected in the table below (GoS, 9 April 2010):

Cumulative Total all the Camps

ALL CAMPS AND SQUATTER AREAS	PROFESSION	BEFORE	AFTER
	TYPE		
	Cultivation	69,862	404
	labourer	14,283	79,584
	No work	37,494	26,464
	student	8,826	1,564
	Organized force	3,411	7,335
	Teacher	304	11,910
	Trader	2,504	6,726
	chief	528	628
	Driver	375	2,375
	Health worker	0	295
	Total	137,588	137,588

The lack of livelihood opportunities for IDPs remains a cause for grave concern, not least because it leaves IDPs vulnerable to exploitation. IDP women are at risk of sexual exploitation, while others resort to self-reliance activities that are illegal (such as brewing beer), resulting in arrests and detentions (with payments of fines frequently required to secure release from detention). IDP children are at risk of becoming street children or may be forced into child labor, begging, or sexual transactions. They may also become victims of trafficking (UNHCR, November 2007, p.9 and January 2008, p.8 ; Watchlist, April 2007, p.15; ODI, August 2007, p.18).

The demolitions of IDP settlements carried out by the authorities from 1991 onwards, and the relocation of IDPs to areas on the distant outskirts of Khartoum, have created further obstacles for IDPs in terms of accessing livelihood opportunities. Vulnerable groups of IDPs have been particularly affected by the demolitions and relocations, including female-headed households.

(For more information on the demolitions and their impact, see the section on property rights of IDPs in Khartoum.)

It must be noted that despite the lack of livelihoods opportunities, many IDPs have decided to stay in Khartoum, because they perceive the economic opportunities in Khartoum to be better than in the rest of the country, including their areas of origin (Landinfo, November 2008, p.13).

The Tufts-IDMC survey found that IDPs and non-displaced urban poor in Khartoum face similar difficulties in terms of accessing employment (Tufts-IDMC, August 2008, pp.9-10).

Land and property

From 1991 onwards, the authorities have carried out demolitions of IDP settlements in Khartoum, with the intention to sell plots to those who can pay and relocate those who cannot afford to pay for a plot. The first demolitions took place in 1991, with the creation of the four official IDP camps, followed by the re-planning of Angola camp in 1994 and the re-planning of Haj Yousif camp in 1998. From 2004 onwards, the demolitions and forced evictions intensified: of the estimated

665,000 IDPs who have seen their houses demolished since the start of the demolitions, more than a half have been forcibly moved since 2004 (Tufts-IDMC, August 2008, p.19-20).

Forced relocation of IDPs in Khartoum continued in 2008. In February 2008, forced evictions affected an unknown number of IDP families and other urban poor living near the city centre and along the east bank of the Blue Nile (UNHCR, February 2008, p.7). This particular relocation occurred without the use of physical force. However, families lost their shelters and children were unable to continue go to school. In March 2008, UNHCR warned that more forced relocations were expected with the gradual implementation of the Khartoum development plan (UNHCR, February 2008, p.7; see also UN SC, Report of the Secretary-General on the Sudan, 31 January 2008, p.10, para. 48).

The most recent large-scale demolitions took place in the Mandela settlement in December 2008. Following the demolitions, thousands of people were left with no option but to live in makeshift structures made of sticks and cloth. While the conditions in the settlement prior to the demolitions were poor, residents had secure mud brick homes and some had private generators providing electricity (IRIN, 4 December 2008). In March 2009 UNMIS reported that disruptions to life resulting from government demolitions were ongoing (UNMIS, March 2009, p.5).

Despite government promises that land would be allocated to IDPs whose shelter had been demolished, the Aegis Trust reported in 2006 that 77 per cent of the relocated IDPs have never been allocated plots. For the IDPs in question, this means that they are unable to build a permanent shelter, or to grow subsistence crops (Aegis Trust, June 2006, p.11). They are left with nowhere to go. Many have been relocated to distant areas in the desert on the outskirts of Khartoum, without access to even the most basic services (Tufts-IDMC, August 2008, p.20; Watchlist, April 2007, p.16).

IDPs without IDs or birth certificates, IDPs who arrived after 1996 (which was the cut-off date for the registration of IDPs in Khartoum), and those who could not afford to pay for a new plot have all been excluded from the process of plot allocation (Aegis Trust, June 2006, p.7-8; Tufts-IDMC, August 2008, p.20; ODI, March 2007, p.20; Assal, March 2006, p.18). No government policy is in place to address the needs of IDPs whose houses have been demolished and who are not eligible for a new plot (Tufts-IDMC, August 2008, p.20).

According to Landinfo:

"It is evident that the authorities actively endeavour to prevent permanent structures being built in both the official and unofficial camps, because this would make it more difficult to close the camps if the areas they are situated in were to be used for other purposes. During the visit to Ummdurman as-Salam, Landinfo was able to see, for example, that water pipes had been laid to the outer edge of the camp but no further. [...] The Norwegian Refugee Council has also only been able to build temporary schools. In general, there is no electricity supply in the unofficial camps. The general trend, which is otherwise prevalent in the third world, whereby more permanent structures are gradually built in slum towns, is actively prevented in Khartoum, according to one international organisation" (Landinfo, November 2008, p.12).

Landinfo further observes that the "forced relocation of internally displaced persons and other poor people is often linked to ambiguities about property rights" and that "property rights legislation is unclear and has not been adapted to address the challenges that exist in Khartoum today" (Landinfo, November 2008, p.16).

According to Tufts-IDMC:

"According to Agnès de Geoffroy most of the land on which the first waves of southern IDPs settled has now acquired significant commercial value. IDPs mostly submit to urban planning decisions in the hope of eventually getting land ownership in subsequent plot allocations. Most know little about plot prices and official criteria of plot allocation. In most of the camps, plots are

given for free, so there is much demand, including from people outside of the camps, for a plot. Recipients have to pay the charges (around 200 USD) and then, in order to get the legal documents that will ensure real and sustainable ownership, they have to pay more for the legal process. The difficulty is getting onto the list and being able to pay the charges (and the cost of rebuilding a house). Some families have moved into the IDP camps before the demolitions and established a *racuba* — a shelter made of branches, plastic sheets and cardboard — in the hope of getting access to legal title. The system is untransparent and corrupt and privileges wealthier people" (Tufts-IDMC, August 2008, p.19).

In 2007 Khartoum state adopted the "Guiding Principles on Relocation". While these Guidelines represent an important step in affirming respect for international standards in the context of forcible relocations, the protection of disadvantaged groups depends on the effective application of these Principles (UN and Partners, 19 November 2008, p.201; 18 December 2007, p.221).

Family Life, Participation, Access to Justice, Documentation and other Civil and Political Rights

Civil and political rights

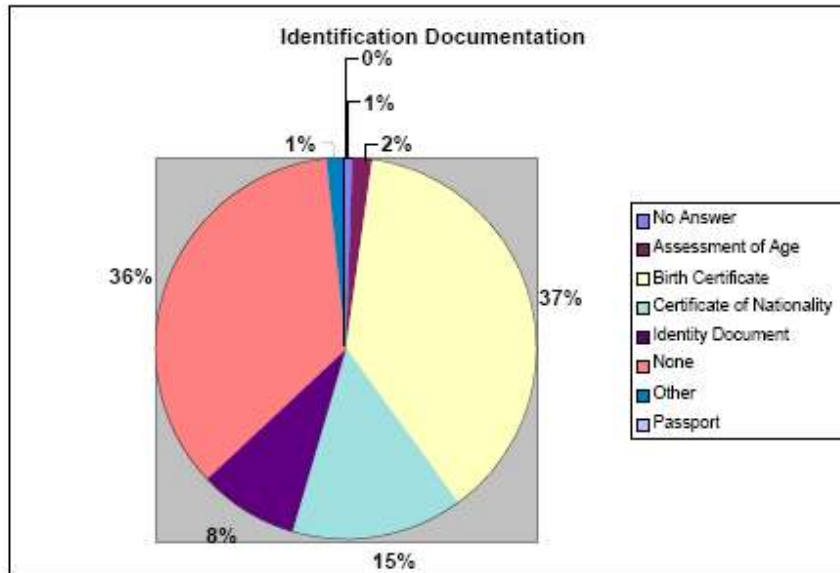
Access to documentation

Lack of access to governmental registration and documentation remains a grave concern for all urban poor (Landinfo, November 2008, p. 17), but particularly for IDPs who tend to be more affected by weaknesses in the legal system (UNHCR, November 2007, p.8, and January 2008, p.8; IRIN, 4 December 2008; 2009 Work Plan for Sudan, November 2008, p.201; Assal, March 2006, p.17; IOM, September 2006, p.VII).

A 2003 survey of IDP households in Khartoum found that:

"For all age groups, 36% of IDPs have no documentation, 37% have at least a birth certificate, 15% at least a Certificate of nationality and 8% at least an Identity Document [see the graph below]. These percentages vary greatly when the data is analysed by age. For the Under-5s, despite a significant effort by NGOs to issue birth certificates to all newly born, 39.9% have no documentation, with 57.7% having a birth certificate. Between 6-18 Years old, 33% have no documentation and 58.5% have a birth certificate. Between 19-25 years old, 39.2% have no documentation, 23.6% have at least a birth certificate, 21.7% have a Certificate of Nationality and 10.5% have an Identity Document. For those aged 26-50 years old, 36.7% have no ID, 33% have at least a Certificate of Nationality and 19.8% an Identity Document. Over 50 years old, only 44.4% have no documentation at all" (CARE and IOM, 23 February 2003, p.15).

Identity Documentation by Age



The lack of access to documentation poses obstacles for IDPs in accessing land (IRIN, 4 December 2008; UNHCR, November 2007, p.8), accessing the formal economic sector (UNHCR, November 2007, p.8) and, in some cases, in gaining access to public services (Landinfo, November 2008, p. 13).

Free Association

Assal reported that in Al Salam camp there is a growing awareness and noticeable efforts to articulate IDPs' rights (March 2006, p.22-23). Ten community-based organisations (CBOs), closely linked with IDPs, lobby and advocate for realising IDP rights. Some of the CBOs help IDPs in getting identification cards, while others work with the authorities to provide better services to IDPs. However, only four of the ten CBOs are officially recognised by the Government.

Participation in the election process

Under the 2005 Comprehensive Peace Agreement, local, State and national elections were scheduled to take place by July 2009 at the latest, but were postponed until April 2010 (BBC, 2 April 2009). The National Election Act was passed in July 2008, and the National Election Commission was appointed in late 2008. A national census, which was meant to have been completed by July 2007, was held in April/May 2008. The results were only released in May 2009; the Government of Southern Sudan rejected the results (US Institute of Peace, March 2009, p.1; Sudan Tribune, 6 May 2009; Reuters, 21 May 2009). The former director of the census commission stated in an interview that the census figure of 520,000 Southern Sudanese in northern Sudan was incorrect, and that the real number may be between one million and 1.5 million (Sudan Tribune, 24 May 2009; Chatham House, January 2010, p.19).

The electoral law presented particular problems for Sudan's IDPs. First, the electoral law required prospective voters to register in the constituency where they had lived for the last three months and present some form of personal identification. For most IDPs, this meant that they had to vote in their place of displacement, rather than their place of origin, if they managed to register at all. Second, the electoral framework is based on single-seat constituencies, with the candidate with the most votes winning the only seat. This presents a significant obstacle to the inclusion of minority voices. Compared to multi-seat constituencies, where proportional representation would enable representations of different views within each district, a single seat constituency means that the candidate with the most votes wins the only seat. In many voting districts in the north and in Southern Sudan, the districts are largely homogenous in terms of political support for either the NCP or the SPLM, and therefore the single-member district does not present a significant obstacle. However, in Darfur as well as in Khartoum, political support is mixed. Because those who were displaced are more likely to be opposed to the government, spreading their votes across the constituencies where they are currently living may skew the vote in favour of the more pro-government forces. Even if IDPs and other minority supporters voted in their current locations for a single party, because their presence is so dispersed the system of single-seat constituencies is likely to prevent them from gaining a seat. According to the Tufts-IDMC IDP profiling study, IDPs comprise 18-23% of the population in Khartoum, but only one district in Khartoum, Omdurman, has a majority of IDPs (Tufts-IDMC, August 2008, p.8). Therefore, the system of single-seat constituencies risks marginalising IDP voters (US Institute of Peace, March 2009, pp.4-5).

Observers of the voter registration commented that "there was under-registration in areas with large number of IDPs" (IDP Action, 11 March 2010). This was reportedly most prevalent in Khartoum, where the IDPs would most likely not support the ruling NCP. Khartoum State had the lowest percentage registration of any state in the country (UNMIS, 15 March 2010). The countdown to voting day was marked with confusion about which parties were boycotting the elections, where, and at what level (Flint, 13 April 2010). Two of the largest parties, the Umma Reform and Renewal Party (URRP) and the Sudan People Liberation Movement (SPLM) agreed to boycott the polls in most of Sudan's north, while other smaller groups remained in the race (Sudan Tribune, 10 April 2010).

The Referendum Law

The CPA stipulates a referendum on secession that will give Southern Sudan a chance to decide for unity or independence. The referendum law that was adopted on 29 December 2009 opened up several questions regarding: (i) the majority needed for secession, and (ii) voter eligibility.

On these two points the Chatham House report states:

"The majority needed for secession: The NCP initially proposed a super-majority to pass the secession vote: 75% of all voters on a 75% turnout. The SPLM called for a simple majority in turnout and in the vote. The law adopted in December 2009 required a simple majority vote on a turnout of 60%.

Voter eligibility: The SPLM initially wanted to restrict eligibility to voters of Southern origin in the territory of Southern Sudan. This is in some respects a secessionist position – many in the SPLM believe that Southerners resident in Southern Sudan would vote overwhelmingly for an independent state, while Southerners outside the South might be more open to the possibility of unity. The NCP proposed that people of Northern origin in Southern Sudan should be enfranchised. The NCP also proposed that all persons of Southern origin outside Southern Sudan – those in the North and those overseas – should have a vote" (Chatham House, 2010, p.16, box 6).

It was finally decided that "south Sudanese living outside the south and born before January 1, 1956, the date of Sudan's independence, must vote in the south. But south Sudanese living outside the south and born after January 1, 1956 would be able to vote in their place of

residence, whether in the north or abroad” (Sudan Tribune, 30 December 2009). In other words, only those who were born before Sudan’s independence, came to North and are now in their mid-fifties have to vote in the South (note that in Sudan life expectancy for m/f is 59/61, see WFP Sudan country page, the figures are for 2006). Some of the displaced Southerners that have lived in the North for almost three decades (since the beginning of the north-south civil war in 1983) would thus have to go back to the South to cast their vote while younger generations (i.e. children of the displaced Southerners) that have possibly never lived in the South and whose ties with the South are potentially weaker would be eligible to vote in the North.

Citizenship rights

If not earlier, the issue of citizenship rights will have to be negotiated in the referendum aftermath. This question is pertinent to at least half a million displaced Southerners in North Sudan (the census figure of 520,000 Southern Sudanese in northern Sudan was contested and several authors suggested that the real number may be between one million and 1.5 million, see for instance: Sudan Tribune, 24 May 2009; Chatham House, 2010, p.19). In the absence of any constructive debate on the matter there are only a number of speculations about what might happen. It has been suggested, for instance, that the Southerners in North Sudan could be stripped of their citizenship if the South decides for independence; they may be also expelled from the North; one author suggested a common citizenship of north and south (Chatham House, 2010, p.26; Alex de Waal, 14 December 2009). It would be in the best interest of ordinary citizens of Sudan that the terms of citizenship for Southerners in the North are decided before the referendum and possible partition of Southern Sudan to avoid uncertainties, manipulations and potential violations of citizenship rights.

Access to justice

For more information on access to justice and the right to a fair trial, see the section on Physical Security and Integrity in Khartoum and other Northern States.

Protection of Special Categories of IDPs (Age, Gender, Diversity)

Protection of special categories of IDPs

IDPs in Khartoum face many of the same protection problems as other economic migrants living in Khartoum, and indeed the larger population of urban poor. However, certain categories of IDPs in Khartoum face specific protection problems, including IDP children, IDP women and IDPs from Darfur.

Children

Many IDP children have to work in order to contribute to the family income and ensure the family survival; they are therefore not able to attend school (Watchlist, April 2007, p.16). As a result, the enrolment rate among IDPs children, especially girls, is very low (2009 Work Plan for Sudan, November 2008, p.203).

According to the Watchlist on Children and Armed Conflict:

"There are still no official numbers of street children in Khartoum. However, they are believed to number in the tens of thousands. These children, mostly IDPs from southern Sudan, are regularly seen sleeping in markets and working petty jobs. In addition, street children may be forced into begging, commercial activities or domestic labor, according to African Network for the Prevention and Protection Against Child Abuse and Neglect (ANPPCAN) and Anti-Slavery, *Report of the Eastern and Horn of Africa Conference on Human Trafficking and Forced Labor*, July 2005. These children are often from families with absentee parents who are too poor, exhausted or traumatized to care for their children, according to Bridge of Hope, an organization on the outskirts of Khartoum that cares for street children.

[...]

Although fewer in numbers, thousands of girls also live on the streets in and around Khartoum. These girls often have fewer options for work than their male peers. In many cases, these girls are forced to engage in transactional sex in order to earn money, while others sell cigarettes, fruits or sweets. Many of these girls also face increased risks of sexual violence while living on the streets, according to a 2001 multi-agency report, *Children of the Sug* (meaning "market" in Arabic)" (Watchlist, April 2007, p.15).

For further details, see also UNHCR, November 2007, p.9 and January 2008, p.8.

The Watchlist reports that in 2004 over 1,000 women were being held in Omdurman Prison near Khartoum, eighty per cent of whom were IDPs from Southern Sudan. Thirty per cent of the women in Omdurman Prison were serving sentences of up to 20 years, and their children had faced abandonment or had turned to the streets. An estimated 150-200 children under the age of two had been permitted by the authorities to stay with their mothers inside the prison, but the prison was not properly equipped for these children. The Watchlist states that the majority of the children in the prison came from IDP camps or squatter conditions, as a result of which 95 per cent were not vaccinated against preventable diseases and 77 per cent were malnourished (Watchlist, April 2007, p.15).

IDP street children are also at risk of becoming addicted to sniffing glue or other solvents (IRIN, 26 September 2006).

Women

Because of a lack of livelihood opportunities for IDPs, women in particular are at risk of exploitation, including sexual exploitation. To ensure the survival of their families, many IDP women are forced to adopt negative coping mechanisms, including engaging in illegal activities such as selling marijuana or home-brewed alcohol. This in turn leaves them vulnerable to threats by the security forces, and arrest and detention. According to the Watchlist, In 2004, Al Manar Volunteer Organization, a local NGO in Sudan, reported that over 1,000 women were being held in Omdurman Prison near Khartoum. Most had been arrested for selling alcohol or marijuana as they had no other means for feeding their children. Eighty percent of the women in Omdurman prison were southern Sudanese internally displaced women. Seventy percent of the women were serving short prison sentences—up to six months—however, 30 percent were serving sentences up to 20 years. As a result, children of these inmates have faced abandonment or have turned to the streets. Some younger children have been permitted by the authorities to stay with their mothers in jail (Watchlist, April 2007, p.15; see also US State Department, February 2009).

UNHCR has expressed concern about high levels of gender-based violence in IDP communities in Khartoum (UNHCR, November 2007, p.9).

IDPs from Darfur

Following the attack by rebels of the Justice and Equality Movement on Omdurman in May 2008, IDPs from Darfur have been at risk of arbitrary arrest and detention, unlawful beatings, torture and ill-treatment in detention, dubious judicial proceedings, and extra-judicial executions (HRW, June 2008; IRIN, 26 May 2008 and 23 September 2008; Human Rights Council, 2 September 2008; Sudan Tribune, 12 May 2008, 14 May 2008, 22 May 2008, 24 May 2008, 12 September 2008).

For more information see the section on Physical Security and Integrity in Khartoum and other Northern States.

DURABLE SOLUTIONS (RETURN, LOCAL INTEGRATION, SETTLEMENT ELSEWHERE IN THE COUNTRY)

Durable Solutions (by region)

Southern Sudan

The conflict between the government in Khartoum and the Sudan People's Liberation Army (SPLA) which started in 1983 displaced an estimated 4.5 million people: four million IDPs and half a million refugees. Following the signing of the Comprehensive Peace Agreement (CPA) in January 2005, relative stability returned to Southern Sudan for the first time in decades, and by the end of 2008 an estimated 2.24 million displaced Southern Sudanese had returned (UNMIS/RRR, 14 January 2009).

It must be noted that not all people who are included in this category of returnees have in fact returned to their places of origin in Southern Sudan. In particular, refugees and IDPs whose places of displacement were outside Southern Sudan are counted as "returnees" upon their return to Southern Sudan, regardless of whether they return to their places of origin or settle elsewhere in Southern Sudan.

The majority of these returnees in Southern Sudan are still struggling to find a truly durable solution to their plight. One measure of the difficulties faced by returnees is the fact that about 10 per cent of all IDP return movements so far (185,000 people) are estimated to be "failed returns", i.e. return movements which lead to secondary displacement because returnees do not manage to successfully establish themselves in the places of return (IOM, 24 October 2008, section 5, table 3).

Another indication of the difficulties experienced by returnees in rebuilding their lives in Southern Sudan is the fact that in the majority (60 per cent) of return movements tracked by IOM and the South Sudan Relief and Rehabilitation Commission, women and children stay in their places of return alone, while the male head of household either returns to the place of displacement, or to a different location, for reasons of employment (IOM and SSRRC, January 2009, p.12).

The return of displaced people in Southern Sudan poses a challenge to concepts and planning models that apply in other post-conflict situations. In other contexts, support for the return of displaced people is commonly framed in terms of assistance for the reintegration of formerly displaced people into their communities, which themselves are presumed to have remained intact. In Southern Sudan, the scale of displacement was such that "reintegration" does not adequately describe the processes whereby returnees begin to reconstruct their lives in their places of origin. Returnees, the duration of whose displacement is often measured not in years but in decades, in many cases must rebuild the very communities from which they were forced to flee, since so few people stayed behind.

Even where throughout the war years some people remained in returnees' places of origin, it would be misleading to refer to them as "receiving communities" insofar as this is meant to signify an ability on the part of these "stayees" to provide support to the returnees. Indeed, even if people were not displaced, they have of course been severely affected by the deprivations caused by the war. These non-displaced people are in fact amongst those who received the least assistance

during the war and who, unlike people who were displaced as refugees in neighbouring countries or as IDPs in Khartoum and other cities and towns in the north of Sudan, had little or no access to services, including health services and education.

The UN Secretary-General noted:

"Despite considerable progress, the return of internally displaced persons and refugees to their homes in Southern Sudan remains a challenge. In addition to logistical hurdles, local communities have limited capacity to absorb the returning population, increase available services or adjust to shifting demographics and urbanization. Local security and land distribution are among the most urgent issues, but continued efforts are also required to develop options for both rural and urban livelihoods, expanding local services, and promoting inter- and intracommunity reconciliation" (UNSG, 30 January 2009, para.47).

Return to place of origin

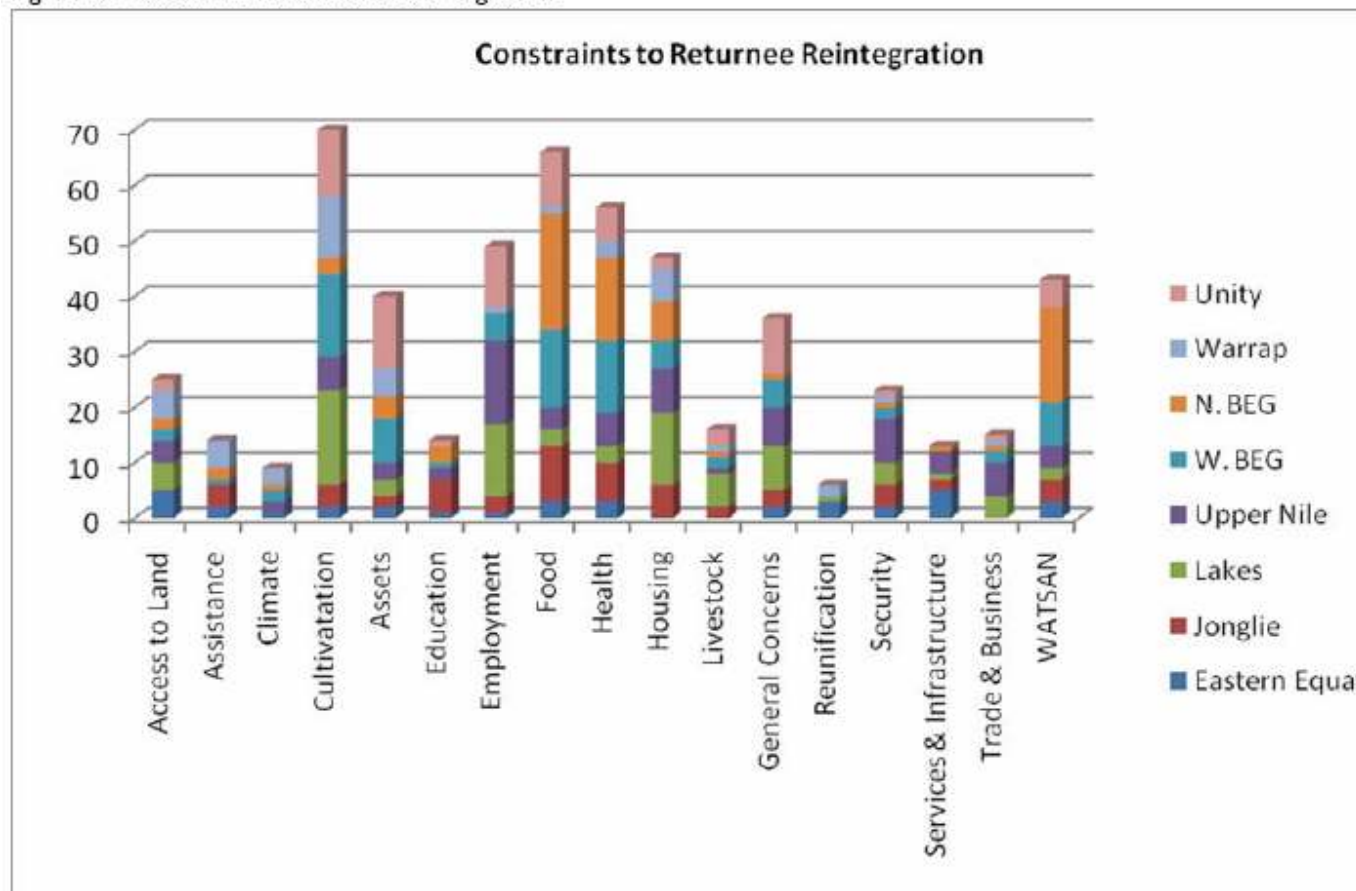
For people who have returned to their villages of origin in Southern Sudan's rural areas, the biggest obstacles are lack of access to clean drinking water, services (including health care and education), and a lack of livelihood opportunities. Returnees are not alone in facing these issues: many resident communities face the same problems. Indeed, one of the major challenges facing the Government of Southern Sudan and its international partners is the fact that recovery and reconstruction efforts start from an exceedingly low base, as a result of the extremely low levels of development in the south even before the start of the war, compounded by the impact of over two decades of conflict. Terms like "rebuilding" and "reconstruction" are to some extent misnomers, when the task at hand in much of Southern Sudan is to put in place infrastructure and services where previously there were none.

Overall, Sudan currently ranks 147th out of 177 countries included in the Human Development Index. However, the development inequalities between Sudan's regions are huge: while Khartoum and some northern states along the Nile have development indicators similar to middle-income countries, and well above the sub-Saharan average, key measures of human development in Sudan's disadvantaged regions, including Southern Sudan, are comparable to the very lowest in the world (see UN and partners, 19 November 2008, p.19). In many places of return, the large numbers of returnees are putting further pressure on scarce resources and services, which in some cases leads to communal tensions or even conflict.

According to the Annual Needs and Livelihoods Assessment 2008/2009 (WFP, March 2009, p.20):

"It was found that there were a number of constraints to the reintegration of the returnees into the resident population. Accumulative responses indicate that the primary constraint was poor cultivation, caused by a lack of seeds and tools. Other reasons were due to lack of cultivation knowledge, lack of ox and plough, poor harvest, and reliance on subsistence farming. Lack of food and lack of food assistance were found to be the second most predominant constraint to reintegration. Subsequently, health, employment and housing were found as the next three constraints. It was noted that no access to health care, poor quality of health, the increase diseases, and unavailability or cost of medicines led to health constraints. Constraints to employment were cause mostly be limited employment opportunities, low salaries and delayed payments. Shortages of tools and building materials, the limited availability of temporary shelters, and the high cost of building materials were reported to have led to housing constraints. Further constraints within all States are seen in the following table."

Figure 22 Constraints to Returnee Reintegration



Local integration (settlement in the place of displacement)

Thus far, the Government of Southern Sudan has not done enough to offer displaced Southern Sudanese a genuine choice between the three durable solutions of return, local integration and settlement elsewhere. On the contrary, the Government of Southern Sudan has so far been adamant that all displaced Southern Sudanese return to their villages of origin. International actors, including UNMIS, UNHCR and IOM, have done much to facilitate the return of hundreds of thousands of IDPs and refugees. But they too have not been sufficiently vigilant in guaranteeing displaced people's ability to make a free and informed choice between all three durable solutions. Both the Government of Southern Sudan and its international partners must realign their policies as a matter of urgency so as to provide meaningful support for local integration and settlement elsewhere, as well as for return to displaced people's places of origin.

While for many displaced people return is indeed the preferred option once certain conditions are met, for large numbers of displaced people the prolonged experience of displacement means that return to their original homes is neither practicable nor desirable. Often, after years or even decades of displacement, places of displacement have become home, with people having established new ties in terms of community, livelihood strategies, and access to education and medical services. This applies in particular to people who sought safety in Khartoum and other towns and cities in Sudan's northern states (see the section on durable solutions in Khartoum and

other northern states), and to people who went to the towns of Southern Sudan during the war and who by now have lived there for years and sometimes decades.

In Juba and other towns in Southern Sudan, IDP communities have been forcibly evicted from their homes by local authorities in recent years. In some instances, such evictions have not been carried out in accordance with the law, including requirements to provide adequate notice to the IDPs in question and to identify alternative land or shelter for these communities. (For more details, see the section on causes of displacement in Southern Sudan, and the section on land and property in Southern Sudan).

Resettlement (settlement elsewhere in Southern Sudan)

For some of the former IDPs, neither return to their villages of origin nor permanent settlement in their places of displacement (i.e. local integration) is feasible, for a variety of reason including lack of access to land, services, or livelihood opportunities. For this group, the only durable solution to displacement is settlement elsewhere in Sudan, often in the rapidly expanding towns of Southern Sudan. Some of the people who end up in Southern Sudan's urban areas are returned refugees who initially returned from their country of refuge to their villages of origin, before moving on to places with better livelihoods opportunities. Others are returning IDPs who either came directly to the towns from their places of displacement, or who end up in the towns as a result of secondary displacement after having tried but failed to settle in their places of origin (estimated by IOM to be about 10 per cent of all IDP return movements in Southern Sudan: see above).

Darfur

The Women's Commission notes that, "Given the escalating violence and insecurity, it seems unlikely that people will return home in the near future" (Women's Commission, December 2008, p.3).

However, a number of observers have sounded warnings about forcible returns in Darfur. Thus ODI writes:

"The government of Sudan continues to promote return, particularly to central or 'cluster villages', which is in turn actively discouraged by the DPA's non-signatory groups. In eastern West Darfur, where there is a high level of support for the SLA-AW, the very mention of return provoked hostility from camp leaders (Sheikhs)" (ODI, December 2008, p.4; see also Women's Commission, December 2008, p.3).

The Darfur Humanitarian Profile No.34 (January 2009) notes:

"Humanitarian actors continued to assess reports of returns and it appears that the large majority of these are of a seasonal or temporary nature. Through initiatives undertaken by the Return Working Groups, protection actors continued to advocate with HAC and State authorities on the principles of safe, voluntary and dignified return and freedom of movement. In this respect, particular attention during the period was devoted to potential or announced relocations from IDP camps - notably in Nyala, Kass and Zalingei areas. The HAC announcement at the end of the year of a likely relocation of IDPs from Kass camp to Kass rural areas in South Darfur was followed up at inter-agency level and missions are planned for 2009 to assess the authorities' relocation plans" (DHP No.34, January 2009, p.16).

In his report to the Security Council of 13 July 2009, the UN Secretary-General noted, "On 9 June 2009, the UNAMID voluntary returns working group, led by the UNAMID Deputy Joint Special Representative, travelled to Donki Dreisa and Muhagiriya (Southern Darfur) where some 1,500 residents were reported to have returned to their homes. On 17 June, the team visited Seraf

Jidad, Western Darfur, where the inhabitants of approximately 2,100 households have reportedly returned

to their homes. In both locations the team met traditional leaders and returnees and discussed how to facilitate a secure environment for the return of internally displaced persons. All UNAMID activities related to returns are undertaken in accordance with its mandate and in full coordination with the humanitarian community" (UN Security Council, 13 July 2009, para. 27).

The Secretary-General also noted that, "Many internally displaced persons camps, some now five years old, are now entrenched, while at the same time, small-scale but consistent spontaneous returns are occurring in some locations" (UN Security Council, 13 July 2009, para. 46).

Following the testimony to the Senate by the US Special Envoy to Sudan, Eric Reeves accused the Special Envoy of providing an overly optimistic assessment of the situation in Darfur, noting in particular that, "Humanitarians were dismayed at Gration's insistent talk about the "voluntary" return of some 2.7 million displaced persons languishing in camps throughout Darfur. There is no humanitarian capacity to oversee such returns and ensure their voluntary nature; Khartoum refuses to provide security in areas it controls; and Darfuris in the camps complain bitterly that they are being asked to return to lands without protection, and which have oftentimes been taken over by Arab tribal groups. The notorious Janjaweed have not been disarmed and pose a constant threat. Even in the camps themselves, security is tenuous; women still face rape, men are tortured and murdered, and looting is commonplace. In the past, it has been Khartoum that has pushed for returns under these conditions; now, perversely, it is the US special envoy" (Eric Reeves, 6 August 2009).

The US Special Envoy to Sudan responded by saying, "For those who are concerned that we are seeking the untimely return of IDPs, I assure you that that is not the case. I share the same concerns about the idea of having the more than 2.5 million people living in IDP camps attempt returns in an insecure and uncoordinated fashion. We will never abandon or seek to endanger IDPs. Our task for now is to begin the work to create conditions that are conducive for their eventual safe return, including access to food and safe water, addressing land rights, protection of human rights, and freedom from gender-based violence" (US Special Envoy to Sudan, 10 August 2009).

Transformation of camps into urban settlements

The protracted nature of the large-scale displacement in Darfur means that many of Darfur's IDP camps have in fact become urban settlements in all but name. Alex de Waal argues (31 March 2009):

"A large proportion of the IDPs were displaced from their villages between 2002 and 2004. They have now been five years or more in the camps and their livelihoods and social structures have changed. Their hold on their old ways of life has loosened and it is increasingly unlikely that anything resembling the old Darfur can be reconstituted."

De Waal goes on to say:

"The new Darfur is constructed around urban economies and the rents of aid, and less around the complementary farming and pastoral livelihoods of the past."

He concludes:

"Whatever political resolution [of the conflict in Darfur] is achieved, many IDPs—perhaps the majority—will have a future in the cities. If we recognize this reality, it can only help in finding workable solutions to the immediate challenges of livelihoods, services and protection for these people."

"Even if there were a peace agreement tomorrow it is likely that the majority of the IDPs would not return home. Many would remain in the camps, which might simply become urban neighbourhoods (as has happened in Khartoum). Others might relocate to the adjacent urban areas, or divide their families between the rural areas and the towns. We would see a new tussle

for authority and allegiance among the IDP camps leaders with a vested interest in the status quo and those wishing to see more dynamic or durable solutions. Whatever might be the next steps, it is important to begin thinking creatively and contextually about how to grapple with the challenge of Darfur's displaced."

Eastern states

For many IDPs in the eastern states, landmine contamination and a lack of basic services in their areas of origin present obstacles to return (2007 Work Plan, p. 264).

The 2008 Work Plan noted that, "The more established IDP have developed a fragile safety net, but those arriving more recently have not, and are largely dependent on humanitarian aid" (2008 Work Plan, p.191).

The 2009 Work Plan noted, "Eastern Sudan continues to suffer from the consequences of two decades of political and social turmoil. The large numbers of IDPs, returnees and refugees have little or no assets; most are surviving on humanitarian assistance and have few possibilities of self-reliance. Most of the rural population in the region is also experiencing chronic poverty and food insecurity. The underlying causes are dwindling agricultural and livestock production and productivity, and limited economic opportunity" (2009 Work Plan, p.180).

Following the decision by the government of Sudan in March 2009 to expel 13 international NGOs and revoke the licences of three Sudanese organisations, the Humanitarian Policy Group observed that the expulsions might have a negative impact on the search for durable solutions: "The departure of the international NGOs is likely to have repercussions for the implementation of the almost moribund Eastern Sudan Peace Agreement (ESPA) signed 2006. Recovery, livelihoods and nutrition programming in Agig and Tokar localities will stop, and the rehabilitation of former Eastern Front-controlled areas such as Hamashkoreb and Telkuk will be seriously hampered. Programmes at risk include a Disarmament, Demobilisation and Reintegration (DDR) project funded by UNICEF, targeting Eastern Front ex-combatants, and covering 19,000 children in Haiya, Sinkat, Halaib and Port Sudan. As with the SPLM, the Eastern Front was not consulted about the expulsions. The Front, which is currently undergoing a political crisis, is likely to be further alienated from Eastern Sudan society, particularly youth, potentially fuelling fresh unrest" (HPG, 26 March 2009, p.7).

Khartoum and other northern states

Khartoum is the scene of one of the world's largest protracted internal displacement situations. According to IOM's 2006 *IDP Intentions Survey*, the average time in displacement for IDP households in Khartoum was 17 years, with most of the displacement dating back to the period between 1981 and 1990 (IOM, 27 September 2006, pp.8-9; see also Tufts-IDMC, August 2008, p.21-22 ; Assal, July 2004, p.11-12). As a result of these long periods of displacement in Khartoum, many IDPs have established relatively strong links in Khartoum, while at the same time their ties to their areas of origin have weakened (Assal, July 2004, p.32). Significant numbers of IDP children and youths were born in Khartoum and have known no other life; they have very limited connections with their parents' areas of origin (Tufts-IDMC, August 2008, p.22. See also ODI, August 2007, Chapters 6 and 12, and September 2008, Chapters 2 and 11).

Since the signing of the Comprehensive Peace Agreement (CPA) in January 2005, there have been noticeable numbers of IDPs returning from Khartoum to Southern Sudan. (For more information on the process of finding durable solutions in the south, see the section on durable solutions in Southern Sudan). However, the majority of IDPs from Southern Sudan who still live in Khartoum today will probably remain in Khartoum (United Nations and Partners, 19 November 2008, p.201). Indeed, according to the Tufts-IDMC profiling study of IDPs in Khartoum (conducted in March 2007), 50 per cent of the IDPs living in Khartoum wanted to remain in the capital, while only 22 per cent expressed a desire to go back home (Tufts-IDMC, August 2008, p.54). IOM's *IDP Intentions Survey*, carried out in 2006, found that 62.5 per cent of IDP households said that they would return, 11 per cent of households said that they had not decided yet and 25 per cent of households said that they would not return (IOM, 27 September 2006, p.11.)

Some of the reasons behind IDPs' disinclination to return to Southern Sudan include doubts about the sustainability of the CPA; concerns about continuing insecurity in areas of origin in Southern Sudan; lack of services, including access to potable water, health and education; and lack of livelihoods opportunities (IOM, 27 September 2006, p.VII; Tufts-IDMC, August 2008, p. 22; United Nations and Partners, 19 November 2008, p.201). At the same time, the relative stability and economic opportunities in Khartoum encourage many IDPs to stay in Khartoum (United Nations and Partners, November 2008).

Some IDPs, having returned to their place of origin in Southern Sudan, return to their place of displacement in Khartoum after having encountered too many obstacles to their reintegration in their home areas (Tufts-IDMC, August 2008, p. 21). IOM estimates that 10 per cent of all return movements since the signing of the CPA have led to secondary displacement, while according to USAID up to 30 percent of all organised returnees have relocated a second time from areas of origin to areas of displacement (IOM, 24 October 2008, p.10, table 3; USAID, 6 February 2009, p.4).

Obstacles to durable solutions in Khartoum

IDPs who decide to remain in Khartoum face a number of obstacles to the achievement of a durable solution. These relate to security; identity papers; access to the basic necessities of life; access to services, including health and education; land and property; and livelihoods. (For more information, see the relevant sections for Khartoum on physical security and integrity; basic necessities of life; economic, social and cultural rights; and civil and political rights).

The Three Areas

UN Secretary-General in his report to the Security Council notes:

"The return of some 50,000 civilians displaced during the May fighting has been slow, with up to 10,000 returning to the Abyei area north of the Kiir River, and about 5,000 each to Abyei town and the villages north of the river between July and December 2008. An estimated two thirds of the returned population fled once more following the incidents of 12 December. Internally displaced persons have not returned in significant numbers since. Many of the internally displaced persons who had remained in nearby Agok appear to have left for Wau, Juba and Khartoum. The rainy season, the proliferation of unexploded ordnance, delays in appointing the civil administration, and general fears about the area's security have contributed to a reluctance among the Abyei residents to return" (UN SG, 30 January 2009, p.4).

NATIONAL AND INTERNATIONAL RESPONSE

National Response

Facilitation of international humanitarian assistance

On 28 March 2008 the Government of Sudan and the United Nations adopted a *Joint Communiqué on Facilitation of Humanitarian Activities in Darfur*. On 22 September 2007 the Ministry of Humanitarian Affairs (MHA), the Humanitarian Aid Commission (HAC) and the Joint Procedures Centre (JPC) issued the *General Directory of Procedures*, outlining the bureaucratic requirements for NGOs operating in Sudan. The Joint Communiqué and the General Directory of Procedures were credited with improving the working conditions for NGOs in Darfur, although humanitarian operations have at times been obstructed by local government authorities in Darfur (Darfur Humanitarian Profile No.34, January 2009, p.5). At the federal level, two joint committees operated, the High Level Committee and the Joint Tripartite Joint Technical Committee (involving the Government of Sudan, the UN and NGOs) to follow up on the implementation of the Joint Communiqué (Human Rights Council, 2 September 2008, addendum, para. 36).

On 17 November 2008 the Minister of Humanitarian Affairs issued a decree extending the 2004 Darfur Moratorium until 31 January 2010. The Moratorium removed obstacles to humanitarian activities (United Nations and Government of Sudan, 3 July 2004). The 17 November 2008 decree reaffirmed the Government's commitment to facilitating the flow of humanitarian relief and to enabling the UN and national and international NGOs to perform their humanitarian role (DHP No. 34, p.5).

According to the Darfur Humanitarian Profile No.34, by January 2009 "The number of national and international humanitarian workers in [Darfur had] increased to a record 17,700, following a temporary drop after the introduction of Security Phase IV in July. Sudanese nationals still constitute around 94 percent of the total numbers of humanitarian workers in Darfur. Some 85 NGOs and Red Cross/Crescent Movement and 16 UN agencies (including IOM) continue to support the 4.7 million conflict-affected populations in Darfur, making it the largest humanitarian operation in the world" (DHP No.34, January 2009, p.6).

Save Darfur, Human Rights First and Human Rights Watch stated in December 2008, "The Sudanese government continues to obstruct the delivery of assistance through bureaucratic constraints, harassment of humanitarian staff and lack of compliance with the Joint Communiqué regarding facilitation of humanitarian activities it signed with the U.N. on March 28, 2007. The result is an insecure environment for Darfuris and humanitarian workers alike. Since the beginning of the year, 170 aid workers have been abducted and 11 killed" (2 December 2008, p.3).

"The deterioration of the security situation and the increased targeting of humanitarian workers are making it more and more difficult for aid agencies to reach the people who need help the most in Darfur. The extension on November 17 of the moratorium facilitating humanitarian aid—a key element of the Joint Communiqué signed with the UN—until January 2010 is welcome but its implementation remains to be tested. Indeed, the Sudanese government's continued lack of compliance with the Joint Communiqué signed with the UN—which includes this moratorium—and continued harassment of humanitarian agencies seriously hampers their efforts" (2 December 2008, p.12).

"The Sudanese government is failing to comply with the 2007 Joint communiqué on facilitation of humanitarian activities, as evidenced by its restrictions on humanitarian access, harassment of humanitarian workers and bureaucratic constraints" (2 December 2008, p.12).

Expulsion of humanitarian NGOs

On 4 March 2009, the International Criminal Court issues an arrest warrant for President Bashir, for war crimes and crimes against humanity. Immediately after the announcement by the ICC, 13 international NGOs were expelled from northern Sudan, including Darfur, the eastern states, and the Three Areas. Three Sudanese relief organisations were disbanded. President al-Bashir subsequently stated that he intended to "Sudanise" humanitarian aid delivery in the country within one year (UN Secretary-General, 17 April 2009, para. 50; Reuters, 16 March 2009).

The expulsions have directly affected 7,610 aid workers (308 international staff and 7,302 Sudanese nationals) in all of northern Sudan, including Darfur. The 16 agencies together accounted for 40 per cent of aid workers, delivering more than half the total amount of aid (HPG, 26 March 2009).

In response to the expulsions, the United Nations adopted a three-track approach, focusing on 1) persuading the Sudanese government to reconsider its decision to expel the 13 NGOs; 2) mitigating immediate risks that could create a crisis; and 3) reconfiguring the aid architecture, in close coordination with the Government of National Unity and consultations with the donor agencies and NGOs, in order to ensure continuity of services (UN Secretary-General, 17 April 2009, para. 51).

Since the 4 March expulsions, the Government of Sudan has refused to allow any of the affected organisations to return to Sudan, despite repeated appeals by the NGOs, the UN and donor governments. The Government has indicated that the remaining NGOs could expand their operations, and that new NGOs may be given permission to come in to fill some of the gaps left by the expelled NGOs (Reuters, 7 May 2009). However, President Bashir later retracted his earlier statements to this effect (The Independent, 26 May 2009).

The Humanitarian Policy group noted:

"While the expulsions may not immediately lead to a large-scale humanitarian catastrophe, there are, however, a number of other short- and medium-term implications in terms of security, access and the application of principles and minimum standards in relief. There are also longer-term issues around what this means for humanitarian action in Sudan and possibly beyond. The expulsions profoundly undermine humanitarian coordination and communication in the country as most of the expelled agencies were major actors on state and national coordinating bodies. The expelled organisations included the three INGO representatives on the UN Humanitarian Country Team, half of the INGO Steering Committee and most of the players in state-level Inter-Agency Management Groups (IAMGs) and INGO steering committees. Affected agencies were also leading major consortium projects and contributing to communication and coordination between agencies in the Three Areas and the East" (HPG, 26 March 2009).

Commenting on the question of capacity of the remaining agencies in Darfur to fill the gaps created by the expulsions, the Humanitarian Practice Network noted:

"The question is not simply whether remaining agencies have the capacity to replicate the services provided by their expelled and disbanded counterparts, but whether they should seek to do so at all. On the one hand, the humanitarian imperative makes it clear that human suffering must be addressed. On the other hand, simply trying to continue operations as before sets a dangerous precedent in terms of humanitarian space. If the UN and other NGOs rush to replace the expelled and disbanded agencies, the Sudanese government may well conclude that it can act against aid agencies with impunity, confident that others will step forward to fill the resulting gaps. This is of particular concern given the Sudanese government's longstanding antipathy

towards those agencies that address issues around gender-based violence, and protection more generally, and agencies that speak out publicly about the situation. This in turn raises fundamental questions about the role of aid agencies in conflicts like Darfur. At what point does humanitarian action become so neutered that it simply serves as a political tool of the regime in power?" (HPN, 6 May 2009).

International Response

Peacekeeping missions: UNMIS

Peacekeeping missions: UNMIS

Sudan is the only country in the world with two international peacekeeping forces: the United Nations Mission in Sudan (UNMIS) and the African Union-United Nations Hybrid Operation in Darfur (UNAMID).

Most of UNMIS's mandate falls under Chapter VI of the UN Charter. Its primary task is to support the implementation of the Comprehensive Peace Agreement between the NCP and the SPLA. There is also a Chapter VII component to the mandate (authorising use of force), whereby UNMIS is tasked with protecting civilians under imminent threat of physical violence; facilitating the voluntary return of refugees and displaced persons; and contributing towards international efforts to protect and promote human rights in Sudan.

UNMIS has come under criticism for failing to fulfill its mandate in relation to the protection of civilians in particular during the outbreak of violence in Abyei in May 2008 which led to the displacement of over 50,000 people. At an informal meeting of the U.N. Security Council US Special Envoy for Sudan, Richard Williamson, said, "We pay a billion dollars a year for UNMIS and they didn't leave their garrison while 52,000 lives were shattered and nearly a hundred people perished. U.N. peacekeepers and UNMIS staff in their garrison were as close as 25 feet (7.6 metres) away. Sudanese homes were burned to the ground and looting took place, despite the fact that UNMIS has a mission ... to intervene to protect innocent people" (Reuters, 17 June 2008; see also HRW, February 2009, p.43).

An NGO coalition report argues that the problem lies at the field level, not in the mandate of the UNMIS as such. "Awareness or understanding of the mission's civilian protection responsibilities is limited or non-existent, with some UNMIS personnel entirely unaware of the Chapter VII component of the mandate, or believing that protecting civilians from 'tribal violence' or the LRA falls outside of the mission mandate and is a distraction from its core business of supporting CPA implementation [Oxfam interviews with UNMIS military and civilian personnel, Rumbek, Lakes state and Yambio, Western Equatoria, September 2009]" (NGO coalition, 2010, p.15).

Several UN Security Council resolutions also urged UNMIS to make full use of its capabilities to provide protection to civilians (NGO coalition, 2010, p.15; UN, November 2009, pp.329-330). On 30 April 2009 the Security Council adopted Resolution 1870. It extends the mandate on UNMIS while focusing on several civilian protection relevant issues – "such as addressing the presence of the LRA as per resolution 1663 (2006) and encouraging the development of a comprehensive strategy on protection of civilians" (UN, November 2009, p.331).

As at 20 March 2010, 9,855 of the authorized 10,000 UNMIS military personnel were deployed, including 470 military observers, 191 staff officers and 9,194 troops. UNMIS had also deployed 95 per cent of its mandated strength (690 police advisers, including 99 women out of 715) to 25 team sites throughout the Mission area (UN SG, 5 April 2010, paras.50 and 55).

UNMIS's mandate currently runs until 30 April 2011 (UN SC, 29 April 2010).

More information about UNMIS can be found on its website: <http://unmis.unmissions.org/>

In his report to the Security Council of 17 April 2009, the UN Secretary-General noted that, "On 3 February, the Sudan Police approved the joint UNMIS/United Nations-African Union Hybrid Operation in Darfur (UNAMID)/UNDP community policing proposal for north Sudan and Darfur to train internally displaced persons, open community aid posts, and promote awareness programmes. The Sudan Police also requested the expansion of UNMIS police training programmes to five additional states in north Sudan as well as the conduct of training and co-location in three additional internally displaced person camps in the Khartoum area" (UN SG, 17 April 2009, para. 39).

In his report to the Security Council of 14 July 2009, the UN Secretary-General noted, "The implementation of the community policing model for internally displaced person camps, developed by UNMIS Police, has commenced successfully. The Government of the Sudan Police has requested that the model also be implemented by the African Union-United Nations Hybrid Operation in Darfur (UNAMID) for the Darfur area and UNMIS and UNAMID have taken steps to follow up on that request" (UN SC, 14 July 2009, para. 40).

Peacekeeping missions: UNAMID

The African Union-United Nations Hybrid Operation in Darfur (UNAMID) replaced the African Union Mission in the Sudan (AMIS) in January 2008. Details about UNAMID's operations can be found on its website: <http://unamid.unmissions.org/Default.aspx>

UNAMID's mandate

Acting under Chapter VII of the Charter of the United Nations, the Security Council, by its resolution 1769 of 31 July 2007, decided that UNAMID is authorised to take the necessary action, in the areas of deployment of its forces and as it deems within its capabilities in order to:

- (i) protect its personnel, facilities, installations and equipment, and to ensure the security and freedom of movement of its own personnel and humanitarian workers;
- (ii) support early and effective implementation of the Darfur Peace Agreement, prevent the disruption of its implementation and armed attacks, and protect civilians, without prejudice to the responsibility of the Government of Sudan.

The Council also decided that the mandate of UNAMID shall be as set out in paragraphs 54 and 55 of the report of the Secretary-General and the Chairperson of the African Union Commission of 5 June 2007, namely as follows:

- (a) To contribute to the restoration of necessary security conditions for the safe provision of humanitarian assistance and to facilitate full humanitarian access throughout Darfur;
- (b) To contribute to the protection of civilian populations under imminent threat of physical violence and prevent attacks against civilians, within its capability and areas of deployment, without prejudice to the responsibility of the Government of the Sudan;

- (c) To monitor, observe compliance with and verify the implementation of various ceasefire agreements signed since 2004, as well as assist with the implementation of the Darfur Peace Agreement and any subsequent agreements;
- (d) To assist the political process in order to ensure that it is inclusive, and to support the African Union-United Nations joint mediation in its efforts to broaden and deepen commitment to the peace process;
- (e) To contribute to a secure environment for economic reconstruction and development, as well as the sustainable return of internally displaced persons and refugees to their homes;
- (f) To contribute to the promotion of respect for and protection of human rights and fundamental freedoms in Darfur;
- (g) To assist in the promotion of the rule of law in Darfur, including through support for strengthening an independent judiciary and the prison system, and assistance in the development and consolidation of the legal framework, in consultation with relevant Sudanese authorities;
- (h) To monitor and report on the security situation at the Sudan's borders with Chad and the Central African Republic.

Further details about UNAMID's mandate can be found here: www.un.org/Depts/dpko/missions/unamid/mandate.html

In its Resolution 1828 (2008), paragraph 17, the UN Security Council requested the UN Secretary-General to report every sixty days on the deployment and operations of UNAMID, the political process, the security and humanitarian situation in Darfur, and compliance of the parties with their international obligations. The reports issued in 2009 can be found here: www.un.org/Docs/sc/sgrep09.htm

Obstacles to UNAMID's effectiveness

Obstacles to UNAMID's effectiveness

UNAMID's *authorized strength*, according to UN Security Council Resolution 1769 (2007) is "up to 19,555 military personnel, including 360 military observers and liaison officers, and an appropriate civilian component including up to 3,772 police personnel and 19 formed police units comprising up to 140 personnel each" (UN Security Council Resolution 1769 of 31 July 2007, para. 2).

However, its *actual strength* as of 21 January 2010 stood at 15,553 military personnel representing 79 per cent of the authorized strength of 19,555; 4,625 police personnel representing 71 per cent of the authorized strength; and 4,045 civilian personnel (1,117 international staff, 2,522 national staff and 406 United Nations Volunteers), representing 73 per cent of the approved strength of 5,546 (UN SC, 29 January 2010, paras.3, 5 and 7).

Not only does the number of troops deployed continue to fall short of the levels authorized by the UN Security Council, but UNAMID also continues to struggle to obtain the equipment it needs to function effectively. On 2 March 2010, the chief of UNAMID in Darfur urged the international community to support his operation with necessary equipment to monitor the ceasefire agreements that was being negotiated in Qatar (Sudan Tribune, 2 March 2010).

The UN Secretary-General noted that, " The continued lack of key military enabling units, including two medium transport units, an aerial reconnaissance unit, 18 medium utility helicopters and a Level II hospital, continues to be a source of serious concern"(UN SC, 13 July 2009, para.34).

The UN Secretary-General in his 29 January 2010 report to the UN Security Council noted that "The security environment continues to present significant risks to United Nations and humanitarian staff in Darfur. UNAMID personnel were deliberately attacked on several occasions during the reporting period. [...] On 5 December 2009, unknown gunmen shot and killed two UNAMID peacekeepers and injured another while the team was supplying water to internally displaced persons near the UNAMID team site at Shangil Tobaya, Northern Darfur" (UN SC, 29 January 2010, para.31).

UNAMID has not been able to meet the expectations of IDPs in Darfur in terms of its ability to protect them from violence. See for example the report by IRIN (20 October 2008), which quotes one IDP as saying, "These peacekeepers have been here for three or four years. Since they entered our country, they have not helped us in any way. They can't stop the government or those who attack us. They are just there. Today, they come take information. Tomorrow, more information. It's too much talk."

The UN Secretary-General in his 14 April 2009 report to the UN Security Council noted that he was "extremely concerned" about the impact on UNAMID of the expulsion of 13 international NGOs and the revocation of the licences of 3 Sudanese organisations. The Secretary-General stated that "A significant disruption in the provision of humanitarian assistance will almost certainly lead to a serious heightening of tensions among internally displaced persons, particularly in the larger camps for the displaced. These added tensions could increase the risk of violence in the camps and their environs, complicating the ability of UNAMID to perform its protection mandate" (UN Secretary-General, 14 April 2009, para. 61).

For an in-depth analysis of UNAMID's mandate, please see: [Protecting Civilians in the Context of UN Peacekeeping Operations Successes, Setbacks and Remaining Challenges](#), United Nations (UN), November 2009.

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