

SUDAN:

4.9 million IDPs across Sudan face ongoing turmoil

A profile of the internal displacement situation

27 May, 2009

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OVERVIEW

4.9 million IDPs across Sudan face ongoing turmoil

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Causes of displacement: Sudan's conflicts

About 4.9 million people remain internally displaced in Sudan as a result of the country's numerous conflicts; together they make up the single largest internally displaced population in the world.

Sudan's conflicts, in the south, the west and the east, have all been fuelled by a common cause: the political and economic marginalisation by the central government in Khartoum of Sudan's peripheral regions, leading them to demand a more equal distribution of the country's national wealth and greater political autonomy.

In Southern Sudan, armed conflict broke out soon after Sudan gained independence in 1956. That conflict ended in 1972, but in 1983 civil war started again 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), signed in January 2005. The CPA provided for a six-year interim period with an autonomous southern government, nationwide democratic elections to be held by July 2009 (which have now been postponed until February 2010), and a referendum in Southern Sudan in 2011 on self-determination for the south. The CPA provides arrangements for wealth sharing, including of Sudan's oil wealth, and guarantees Southern Sudan's representation in the branches of Sudan's federal government (Chatham House, January 2009; International Crisis Group, 26 July 2007). The "Three Areas" on the border between the north and south, namely Abyei, Southern Kordofan and Blue Nile, were given a special status under the CPA. Tensions in these areas have remained high; in May 2008 renewed conflict broke out in Abyei (UNSG, 17 April 2009, paras. 15-21; International Crisis Group, 21 October 2008).

The CPA did not address the demands of the people of eastern Sudan, or the people of Darfur in western Sudan. Discontent in the eastern states turned to violent conflict in 1995. In October 2006 the Government of Sudan and an insurgent coalition known as the Eastern Front signed the Eastern Sudan Peace Agreement (ESPA), but implementation of the agreement has been slow and the eastern states remain profoundly underdeveloped. By the end of 2008 there were still up to 420,000 people displaced within a region that is among the poorest in Sudan (HPG, 26 March 2009, p.3; UNSG, 30 January 2009; Pantuliano, September 2005; International Crisis Group, 25 June 2003 and 5 January 2006).

In Darfur armed conflict broke out in early 2003, when two loosely allied rebel groups, the Justice and Equality Movement (JEM) and the Sudan Liberation Army (SLA), took up arms against the government. As with Sudan's other conflicts, the causes of the war in Darfur lay in a history of neglect by the central government, and a failure to share resources and wealth. In May 2006 the Government of Sudan and the faction of the SLA led by Minni Arkou Minnawi (SLA/MM) signed the Darfur Peace Agreement (DPA). However, instead of bringing peace to the region, the DPA led to the fragmentation of rebel groups and sparked new waves of violence (HPG, 26 March 2009, p.2; Women's Commission, December 2008, p.3).

In January 2009, heavy fighting between JEM rebels and the Sudan Armed Forces (SAF) broke out after JEM took over the town of Muhajiriya from the government-aligned SLA/MM (HPG, 26 March 2009, p.2; IRIN, 28 January 2009; OCHA, 20 March 2009, p.1). On 17 February the government and JEM signed the Agreement of Goodwill and Confidence Building in Qatar, committing the parties to finding a peaceful, political solution to the conflict. JEM initially suspended its participation in the peace process following the issuing of an arrest warrant for President Bashir on 4 March 2009 by the International Criminal Court and the subsequent decision by the government to expel 13 international non-governmental organisations (NGOs) and dissolve three national NGOs operating in north Sudan (see below under National Response). However, JEM later reversed its decision, and JEM and the Sudan government met again in Doha in May 2009. No agreement was reached (IRIN, 18 May 2009; UNSG, 17 April 2009, para. 28; UNSG, 14 April 2009, paras. 2, 5).

Southern Sudan

The total number of IDPs in Southern Sudan is difficult to determine, due to ongoing population movements. Inter-communal violence has caused significant new displacement in Southern Sudan, leading 187,000 people to be newly displaced in 2008 alone (Office of the UN Resident and Humanitarian Coordinator, January 2009). The proliferation of small arms has made tribal clashes, cattle raids and other conflicts over resources more deadly (UN and Partners, 19 November 2008, p.253). Attacks by the Ugandan Lord's Resistance Army (LRA) against civilians in Western and Central Equatoria have led to the displacement of more than 35,000 Southern Sudanese and more than 16,000 refugees from Democratic Republic of the Congo (DRC) who fled LRA attacks in north-eastern DRC (OCHA, 4 March 2009). Southern Sudan also hosts IDPs from Darfur, and from the Three Areas, including people who fled the fighting in Abyei in May 2008.

Of the estimated four million IDPs and half a million refugees displaced by the war between the north and the south, a total of 2.24 million people are thought to have returned since the signing of the Comprehensive Peace Agreement (CPA) in January 2005 (UNMIS/RRR, 14 January 2009). However, the returnees have faced numerous obstacles to achieving durable solutions; IOM estimates that ten per cent of all return movements thus far have been unsuccessful and have led to secondary displacement (IOM, 24 October 2008, p.10). Limited livelihood opportunities and a lack of services in the return areas, including health and education, are among the most pressing difficulties for returnees (ODI, August 2007 and September 2008).

The South Sudan Annual Needs and Livelihood Assessment 2008/2009 found that IDPs and returnees are "much worse off" than resident populations in terms of food security: while 11 per cent of resident populations are severely food insecure, the percentage for returnees is 22 and 31 for IDPs and refugees. IDPs and returnees were also found to be far less likely to grow their own food, as a result of which current high cereal prices have had a disproportionate impact on returnee and IDP households. Generally, IDPs and returnees were found to be amongst the most vulnerable in all southern states (WFP, March 2008, pp.vii-x, 8, 16, 19-20).

The authorities in Southern Sudan have so far focused exclusively on return to areas of origin as the only durable solution for IDPs and returning refugees. However, many IDPs would prefer to integrate in the towns they fled to, or to settle in other urban areas, to better access services and livelihoods. However, Southern Sudan has yet to establish a legal and regulatory framework for land use and ownership. The periods during and after the war saw widespread land grabs, illegal occupations, coerced sales, and multiple sales of the same property, fuelling various types of land disputes that have had an especially negative impact on IDPs and refugees.

In some cases local authorities have undermined the principle of free and voluntary return in safety and dignity by demolishing IDPs' homes, notably where IDPs had been squatting on

private land or on land designated for public use, without giving sufficient notice and without providing alternative shelter to the people concerned. In other cases, IDPs and returnees returning from places of displacements to towns in Southern Sudan, including Yei and Nimule, have found their land occupied by SPLA soldiers or former soldiers, who have used threats and intimidation to stop the returnees from contesting the occupation of their land (HRW, February 2009, pp.31-32; Sudan Tribune, 20 January 2009; ODI, September 2008 and December 2007).

The South Sudan Relief and Rehabilitation Commission and the Southern Sudan Human Rights Commission, responsible for humanitarian assistance and the protection of human rights respectively, are both struggling with a lack of resources and manpower, undermining their capacity to provide effective assistance to IDPs and returnees.

The Three Areas

The Three Areas saw some of the heaviest fighting during the 21-year conflict, and by the end of 2008 it was estimated that over 200,000 people remained internally displaced in Blue Nile State, and more than 100,000 in Southern Kordofan.

Political tensions in the Three Areas remain high. When the CPA was signed in January 2005, no agreement had been reached on the boundary for Abyei, which is close to lucrative oil fields and an important oil pipeline. The matter has since been handed over to the Permanent Court of Arbitration in The Hague; a final decision from the Court is expected by July 2009. Increasing tensions escalated in May 2008 into armed clashes between the Sudanese Armed Forces (SAF) and the SPLA, leading to the displacement of between 50,000 and 60,000 people and the almost complete destruction of the town. By December 2008 up to 20,000 IDPs had returned, but renewed violence in December caused an estimated two-thirds of the returnees to flee once more, most of them to Southern Sudan (UNSG, 30 January 2009, and 17 April 2009, paras. 14, 17).

In Southern Kordofan, local authorities have reported an improvement in the security situation and inter-tribal relations within the state. Agreements have been reached on the annual migration of the Misseriya (an Arab nomadic tribe) through Southern Kordofan, which had been a significant source of tension. However, the abundance of arms, local dissatisfaction with the lack of a noticeable peace dividend, and continuing inter-tribal friction mean that Southern Kordofan remains prone to conflict. Recurrent low-scale conflicts in the area are of concern in light of the sizeable presence of troops of both parties in or near the state (UNSG, 30 January 2009, para. 21; UNSG, 17 April 2009, para. 18).

Darfur

In Darfur, some 317,000 people were newly displaced in 2008, often for the second or third time since the conflict started in early 2003, taking the total number of IDPs to 2.7 million by January 2009 (out of a total population of about six million). A further two million Darfurians are directly affected by the conflict, and 250,000 Darfurians live in refugee camps in Chad (Darfur Humanitarian Profile No.34, January 2009). In the first three months of 2009 a further 65,000 people were displaced (ERC, 26 March 2009).

IDPs in Darfur continue to be vulnerable and exposed to violence as a result of deliberate attacks by both government forces and rebel groups. In August 2008, Sudanese government forces opened fire in Kalma camp, killing 33 civilians and wounding at least 85 people. Rape and sexual violence continue to be systematic and widespread, leaving women and children in and around IDP camps and settlements especially vulnerable. Children continue to be recruited and used by all parties to the conflict. Human rights and protection monitors have frequently been unable to do

their work due to widespread insecurity and to efforts by the government or armed groups to deny them access (HRC, 2 September 2008, and 2 September 2008 (addendum)).

The steadily deteriorating security situation in Darfur means that the numbers of IDPs and conflict-affected people are growing continuously while access to rural areas is increasingly hampered. The threats to people's safety have imposed severe limitations on rural livelihood strategies and have led to a rapid population growth in Darfur's major towns and IDP settlements. While in 2003 about 18 per cent of Darfurians lived in urban areas, today Darfur is about 35 per cent urbanised, with one in four Darfurians living in Nyala. Darfur's socio-economic fabric has thus been profoundly changed by the conflict, and it is likely that the future of many of Darfur's IDPs will be in the cities, even after a political agreement has been reached (DHP No. 34, January 2009, p.18; de Waal, 31 March 2009).

The Darfur Food Security and Livelihood Assessment (DFSLA) 2008 found major differences between the food security of IDPs in camps, IDPs in communities and resident communities, with IDPs in camps remaining the most vulnerable: 42 per cent of them were food secure compared with 51 per cent of IDPs in communities and 63 per cent of residents. The DFSLA report warned that during the lean season (usually April through September) food insecurity would probably affect higher numbers of people and would become more severe (Government of Sudan et al., 23 February 2009, pp.1-2).

The Government of Sudan continues to promote the return of IDPs, particularly to central or "cluster villages", which is in turn actively discouraged by the DPA's non-signatory groups (ODI, December 2008, p.4). At the end of 2008, the government's Humanitarian Aid Commission (HAC) announced a probable relocation of IDPs from Kass camp to Kass rural areas in South Darfur, raising concerns about voluntary and dignified return and freedom of movement (DHP No.34, January 2009, p.16).

Some IDPs in Darfur tried, without success, to prevent the 2008 census from taking place in Darfur, fearing that the results were unlikely to be representative as long as hundreds of thousands of people remained displaced, and that the census would instead legitimise the presence of people who had occupied IDPs' homes and land. While the census went ahead, the results have yet to be released (Human Rights Council, 2 September 2008, para.15).

Khartoum

Khartoum continues to host about 1.2 million IDPs from all areas of Sudan, but mostly from the south. While significant numbers of IDPs have returned from Khartoum to Southern Sudan since the signing of the CPA, a majority of the remaining IDPs do not intend to return to their areas of origin and are looking to settle permanently in Khartoum (UN and Partners, 19 November 2008; Tufts-IDMC, August 2008). Moreover, a significant number of IDPs who returned to the south have come back to Khartoum due to the lack of livelihoods opportunities and lack of access to services in their areas of origin (Tufts-IDMC, August 2008). For IDPs who returned to the south by means of organised returns, the proportion of "re-returnees" may be as high as 30 per cent (USAID, 6 February 2009).

Nevertheless, living conditions remain difficult for the majority of Khartoum's IDPs. While Khartoum has seen strong economic growth in recent years, with increased investment in services, this 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 few sustainable livelihoods (UN and partners, 19 November 2008, p.201; Landinfo, 3 November 2008, pp.12-13).

IDPs in Khartoum also continue to be at risk of government demolition and relocation programmes. These started in 1991 and have intensified from 2005 onwards; an estimated 665,000 IDPs have had their homes demolished in such programmes, half of them since 2004 (Tufts-IDMC, August 2008). Demolition and forced relocation programmes continue; in December 2008 thousands of people were made homeless when the Mandela settlement was demolished, forcing people to live in makeshift shelters made of sticks and cloth in a slum 20 kilometres south of Khartoum (IRIN, 4 December 2008).

National response and humanitarian access

In March 2009, following the issuing of an arrest warrant by the International Criminal Court for President Bashir for war crimes and crimes against humanity, the Government of Sudan expelled 13 international NGOs and revoked the licences of three Sudanese aid agencies. 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). Despite appeals from the international community to reverse the decision, none of the expelled agencies have been allowed to resume their operations.

Independent observers have 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). Moreover, beyond the immediate impact on the humanitarian situation in Sudan, "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).

In 2008 the government began the process of drafting a national IDP policy.

International Response

Sudan is the only country in the world with two international peacekeeping forces: the UN Mission in Sudan (UNMIS) and African Union-United Nations Hybrid Operation in Darfur (UNAMID).

UNMIS is tasked with supporting the implementation of the CPA; 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's mandate currently runs until 30 April 2010. UNMIS has come under criticism for failing to fulfil 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 (Reuters, 17 June 2008; HRW, February 2009, p.43).

UNAMID replaced the struggling African Union Mission in the Sudan (AMIS) in January 2008, and has currently been authorised until 31 July 2009. Its mandate includes supporting the implementation of the Darfur Peace Agreement. UNAMID's effectiveness has been severely limited by the failure of the international community to contribute sufficient troops and equipment (UNSG, 14 April 2009, paras. 47, 53 and 54; Sudan Tribune, 16 March 2009). UNAMID also

continues to face restrictions on its freedom of movement imposed by the Government of Sudan and its security forces (UNSG, 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 (Muslim, animist, Christian), ethnicity (Arab, African), tribes, and means of livelihoods (nomadic pastoralists, sedentary farmers). Though oil was discovered in southern Sudan in 1978, the majority of Sudanese remain desperately poor. Sudan ranks 146 on the 2008 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 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 and a more equal distribution of the country's national wealth.

Sudan's longest-running civil war between the (mainly Arab, mainly Muslim) north and the (mainly African, mainly animist and Christian) 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 deaths of 2 million Sudanese and the displacement of 4.5 million people (4 million IDPs and half a million refugees). By the end of 2008, an estimated 2.24 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 have now been postponed until February 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 the branches of 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 2008 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 government and the faction of the insurgent Sudan Liberation Army led by Minni Arkou Minnawi (SLA/MM) failed to bring an end to the conflict.

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 of conflict. In the thematic discussions that follow (on physical security, basic necessities of life, etc), separate sections have therefore been dedicated to the IDPs in Khartoum, as well as to Darfur, Southern Sudan 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 period 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 www.unmis.org/english/cpa.htm)

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 have now been postponed until February 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 uncertainty continues over the extent to which 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 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 receiving communities over access to scarce resources, including water and land (see for example ODI, August 2007).

For this and other reasons (mostly 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, October 2008, p.10; 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 conflicts frequently lead to the displacement of several hundred, sometimes several thousand, people at a time. In his report to the Security Council of 30 January 2009, the UN Secretary-General notes:

"Tribal conflicts remain a significant security problem throughout Southern Sudan. In Warrab State, 16 died in clashes between Lou Areik and Apuk Padoy on 20 October. Fighting erupted

again on 8 December when Dinka Lou Areik and Dinka Apuk Bol clashed in Adhaul village, killing six and wounding seven. Security in Nyirol, Urror, Akobo and Pibor counties (Jonglei State) remains unstable. On 10 November, a dispute among armed civilians in Unbill escalated into widespread fighting among clans, displacing over 7,500 households. The start of seasonal migrations has heightened the potential for inter-tribal friction, particularly in the border areas. An incident at the Comprehensive Peace Agreement celebrations on 9 January sparked violence between Dinka and Shilluk in Malakal. Ensuing violent clashes between the two tribes left 12 dead, an unknown number wounded and about 6,000 displaced. In addition, recent tribal tensions underline the importance of addressing land rights, migration issues and the peaceful coexistence of tribes." (UNSG, 30 Jan 2009, para. 7)

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 Cooperation, 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 Lakes state 2009 (SouthSudan.net, 25 January);

clashes in Warrap state and Lakes state (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).

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. The donor community pledged a total of \$88.3 million for 2009 and 2010, conditioned upon the continued development of certain key 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 participants 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 the 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 issuing for 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 the state of Northern Bahr el Ghazal. The UN and the South Sudan Relief and Rehabilitation Commission were embarking on a contingency planning exercise (IRIN, 13 March 2009; FEWS Net, March 2009).

On 23 March 2009, IRIN reported that according to UNMIS, the Southern Sudanese 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).

On 13 March, IRIN reported that according to the UN, more than 100,000 people in Southern Sudan were vulnerable as a result of the LRA attacks, including over 36,000 IDPs and 16,000 refugees. An additional 50,000 people in host communities were reported to be vulnerable and in need of humanitarian assistance (IRIN, 13 March 2009; Sudan Tribune, 20 January 2009; OCHA, 16 January 2009).

Maps of the displacement caused by the LRA attacks are available at [OCHA, 19 February 2009](#) and [OCHA, 16 January 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 Jeble 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 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).

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 refers 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 30 January 2009, 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. Agreements had been reached on the annual migration of the Misseriya (an Arab nomadic tribe) through Southern Kordofan, which had been a significant source of tensions in the state. However, the Secretary-General also noted 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 a 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 has since been handed over to the Permanent Court of Arbitration in The Hague; a final decision from the Court is expected by July 2009 (see UNSG, 17 April 2009, para.17).

Increasing tensions escalated in May 2008 into armed clashes 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 fire fight 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 others went to the north (UNSG, 30 January 2009).

In January 2009 the UN Secretary-General noted, "Internally displaced persons have not returned in significant numbers since [the December 2008 fighting]. 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" (UNSG, 30 January 2009, para.16; see also BBC, 9 January 2009). By April 2009 little had changed in terms of returns: the UN Secretary-General reported that, "Despite the [Abyei Area] Administration's best efforts to encourage returns, concerns about the area's security and uncertainty about its future legal status appear to have had a negative effect on returns" (UNSG, 17 April 2009, para.14). Tensions remain high in the area: the UN Secretary-General reported in April 2009 that, "The Misseriya seasonal migration through the Road Map Area has, to date, proceeded without significant incident. However, limited access to water, disputes over disarmament, lingering anger over last year's fighting, and perceptions of unequal treatment by the Government and the international community remain significant sources of friction. UNMIS has worked closely with local tribal leaders and Abyei Administration authorities to encourage negotiations and diffuse tensions, and is currently supporting the organization of a multi-state inter-tribal conference to address migration and cross-border issues" (UNSG, 17 April 2009, para.15).

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 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

Out of Darfur's total population of about 6 million people, about 2.7 million were internally displaced by January 2009, while an additional 250,000 Darfuris 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 of 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 Muhajeria 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). The announcement and SPI recommendations laid the foundation for a peace conference in Qatar, which took place in February 2009. However, the authenticity of this commitment 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 north Sudan, it later reversed its decision, and JEM and the Sudan government met again in Doha in May 2009. No agreement was reached (IRIN, 18 May 2009).

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

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, including Darfur, while the licences 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).

Darfur's Arabs, non-Arabs 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. 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."

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 2009)

4.9 MILLION IDPs IN SUDAN AT THE START OF 2009

The figures presented here give an overview of the total number of IDPs in all of Sudan by 1 January 2009. For developments since then, please see the separate entries for Southern Sudan, the Three Areas, Eastern Sudan, Darfur and Khartoum respectively.

OCHA's [Displaced Populations Report, July - December 2008](#) (December 2008, p.6) gives a total figure of 4,576,250 IDPs for all of Sudan, based on the following figures:

Region	Humanitarian planning figures
Abyei	50,000
Blue Nile	206,250
Darfur	2,700,000
Eastern States (Kassala/Port Sudan/Gedarf/Red Sea)	420,000
Khartoum & Northern States (Gezira/Northern Kordofan/River Nile/ Sennar/ White Nile States)	1,200,000

However, note that these figures do not include any estimates for the number of IDPs in the ten states of Southern Sudan and in Southern Kordofan. As such, these figures are an underestimate of the total number of IDPs in the whole country by the end of 2008.

Based on 2008 estimates provided by IOM and UNMIS/RRR (see the information on [IDP numbers in Southern Sudan and the Transitional Areas](#)), there were at least

96,827 IDPs in Southern Kordofan (IOM);

39,405 IDPs in Central Equatoria (UNMIS/RRR);

23,713 IDPs in Eastern Equatoria (UNMIS/RRR);

29,516 IDPs in Northern Bahr el Ghazal (IOM, based on an assessment of 188 villages, with IDPs 4.5 per cent of the population)

7,323 IDPs in Western Bahr el Ghazal (IOM, based on an assessment of 20 villages, with IDPs 8.1 per cent of the population)

3,834 IDPs in Unity (IOM, based on an assessment of 62 villages, with IDPs 2.0 per cent of the population)

11,709 IDPs in Warrab (IOM, based on an assessment of 167 villages, with IDPs 2.6 per cent of the population)

The total for Southern Sudan and Southern Kordofan is about 212,327 IDPs. Added to OCHA's figure of 4,576,250 IDPs for the remaining areas of Sudan, this gives a total of 4,788,577 IDPs, or **about 4.8 million IDPs**. This, however, *does not include* IDP figures for the four southern states of Western Equatoria, Jonglei, Upper Nile and Lakes, while the IOM figures for the four southern states Northern Bahr el Ghazal, Western Bahr el Ghazal, Unity and Warrab only cover a limited number of villages in each state.

Another way of arriving at a total IDP figure for all of Sudan at the end of 2008 is by looking at new displacement in Southern Sudan in 2009. According to the Office of the UN Resident and Humanitarian Coordinator, "Since January 2008, 187,000 people have been displaced by tribal and armed conflict in Southern Sudan." Adding OCHA's figure of 4,576,250 IDPs (for Darfur, Eastern States, Khartoum and other northern states, Blue Nile and Abyei) to IOM's figure of 96,827 IDPs for Southern Kordofan and the UN RC/HC figure of 187,000 for Southern Sudan gives a total of 4,860,077, or **about 4.9 million IDPs**. But note that this figure *does not include* people who were already displaced in Southern Sudan before January 2008 and who remained displaced in 2008. At the same time, it is unclear how many of the 187,000 newly displaced people in Southern Sudan in 2008 had been able to return to their homes by the end of the year and were thus no longer displaced.

Note that [UNHCR's Global Appeal for 2009](#) uses a considerably lower planning figure of 3,422,000 IDPs for all of Sudan as of January 2009 (p.3):

Type of population	Origin	Jan 2009		Dec 2009	
		Total in country	Of whom assisted by UNHCR	Total in country	Of whom assisted by UNHCR
Refugees	Eritrea	184,828	110,400	200,828	111,100
	Chad	45,250	36,015	45,150	36,010
	Ethiopia	16,523	10,050	17,643	9,100
	Various	11,379	3,270	19,939	4,680
Asylum-seekers	Ethiopia	1,000	500	400	200
	Eritrea	100	60	100	60
	Somalia	50	30	50	30
	Various	90	20	60	15
Returnees (refugees)		80,250	80,000	54,240	54,000
IDPs		3,422,000	2,366,300	3,192,000	2,246,300
Returnees (IDPs)		80,000	70,000	89,917	56,785
Others of concern	War-affected in Darfur	42,000	42,000	42,000	42,000
Total		3,883,470	2,718,645	3,662,327	2,560,280

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).

Global estimates for the number of IDPs in Southern Sudan

According to the 2008/2009 South Sudan Annual Needs and Livelihoods Assessment (March 2009), IDPs make up 4.2 per cent of the population of Southern Sudan, while returnees who returned less than 12 months ago make up 4.9 per cent (see table 3 on p.5 of the ANLA report):

Table 3

Residence status	
Residents	90.9 %
Returnees	4.9 %
Displaced	4.2 %

According to the same report, about 17 per cent of the population of Sudan are returnees who returned after the signing of the Comprehensive Peace Agreement between the north and the south in January 2005 (see ANLA report, table 4 on p.5):

Table 4. Year of arrival of local population	
Year	Proportion of (Returnee??) Population (%)
Before 2005	83.0 %
2005	4.1 %
2006	4.2 %
2007	4.4 %
2008	4.3 %

The UN Emergency Relief Coordinator said on 10 May 2009 that, "Since January 2009, up to 1000 people have been killed and *over 100,000 people displaced* in seven states in Southern Sudan due to LRA attacks and inter-ethnic clashes" (OCHA, 10 May 2009; emphasis added).

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 June 2008, a total of 1,847,055 people had returned to the 10 states of Southern Sudan plus Southern Kordofan and Abyei ([IOM, Total Returns to South Sudan Post CPA to June 2008](#), p.9). However, IOM estimates that 10 per cent of the return movements lead to secondary returns; it therefore estimates that during the same period there were 1,699,291 successful returns (IOM, p.10).

As to the current numbers of IDPs, IOM's 2008 Village Assessment Report states that out of 2,665,107 people surveyed in four Southern states and in Southern Kordofan, about 6 per cent,

or 149,209 people, were IDPs (see [IOM, Village Assessments and Returnee Monitoring in Southern Kordofan and Four States in Southern Sudan, 2008](#), p.10):

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%

For the Southern states of Central Equatoria and Eastern Equatoria, UNMIS/RRR stated that as of October 2008 there were 39,405 IDPs in Central Equatoria and 23,713 IDP in Eastern Equatoria who had been displaced by the civil war ([UNMIS/RRR, Outstanding IDP Caseloads, October 2008](#)).

IDPs Displaced by Inter-Communal Violence

The Office of the UN Resident and Humanitarian Coordinator stated in January 2009: "Since January 2008, 187,000 people have been displaced by tribal and armed conflict in Southern Sudan."

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. 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, There Is No Protection, February 2009](#), pp.17-18).

The total number of people displaced by inter-communal violence in Southern Sudan changes from week to week. As an example, in early March 2009 OCHA reported IDP situations in Malakal (Upper Nile), Mvolo (Western Equatoria), Wullu (Lakes), Wau (Western Bahr el Ghazal), Wuror and Akobo (Jonglei) and Tonj (Warrap) ([OCHA, 4 March 2009](#)).

IDPs Displaced by LRA Attacks

According to OCHA ([Humanitarian Situation and Response Monitoring Matrix, 4 March 2009](#)), as of 18 February 2009 there were 35,453 IDPs in the states of Central Equatoria and Western

Equatoria as a result of LRA attacks (as well as 16,135 refugees from the Democratic Republic of Congo who had fled LRA attacks in northeastern DRC).

According to the Southern Sudan Relief and Rehabilitation Commission, as of 10 March 2009, LRA attacks directed against civilians in Southern Sudan since December 2008 had displaced at least 38,391 civilians in Western and Central Equatoria States (UNSG, 17 April 2009, para.68).

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).

The March 2009 FEWS Net report warned of a possible influx of IDPs from Darfur, mainly to Northern Bahr el Ghazal, as a result of the disruption of humanitarian operations following the expulsion of aid agencies from northern Sudan in the wake of the issuing of an arrest warrant for President Bashir by the International Criminal Court on 4 March 2009 (FEWSNET, March 2009, p.1 and pp.2-3; see also IRIN, 23 March 2009).

Secondary Displacement

IOM estimates that 10 per cent of IDP return movements in the period between the signing of the CPA (January 2005) and June 2008 have led to secondary returns (IOM, Total Returns to South Sudan Post CPA to June 2008, p.10).

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

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](#)).

Southern Kordofan

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).

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."

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).

Recent 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
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				Up to 1.5 million

	2007	No information			
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

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 for 2008

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):

(January – December 2008)

	IDP	Refugee	Total
Organized Return			
Southern Sudan	27,844	57,369	85,213
South Kordofan, Blue Nile	801	4,816	5,617
	28,645	62,185	90,830
Other Organized '08			39,887
<i>Sub Total</i>			130,717
Estimated Spontaneous	319,860	5,578	325,438
Grand Total			456,155

*

**

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	62,185	90,830
	81,432	139,140	220,572
Other Organized '07			27,475
Other Organized '08			39,887
<i>Sub Total</i>			287,934
Estimated Spontaneous			1,950,000
Grand Total			2,237,934

*

*

NOTE:

- * Estimates Based on ADRA/IOM Kosts Tracking Figures & RRR Field Offices
- ** Estimated figure including both IDP and Refugee in 2008
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 and Refugee since 2004

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/SSRC, UNHCR and partners" ([UNMIS/RRR, January 2009](#), p.3).

UNMIS/RRR return estimates for 2009

Update on the return figures for 1 Jan - 16 March 2009 ([UNMIS/RRR, 16 March 2009](#)):

(January – 16 March 2009)

	IDP	Refugee	Total
Organized Return			
Southern Sudan (a)	3,245	11,895	15,140
South Kordofan, Blue Nile	0	158	158
	3,245	12,053	15,298
Other Organized '09			1,809 *
Sub Total			17,107
Estimated Spontaneous	0	0	0 **
Grand Total			17,107

NOTE:

- i Laboré Movements
 - * Estimates Based on ADRA/IOM Kosti Tracking Figures & RRR Field Offices
 - ** Estimated figure including both IDP and Refugee in 2009 (to be consolidated)
- Source of Information: RRR field offices IOM, UNHCR, WFP, UNICEF, UNRCO, States RRWG and Partners in the South in coordination with SSRRC

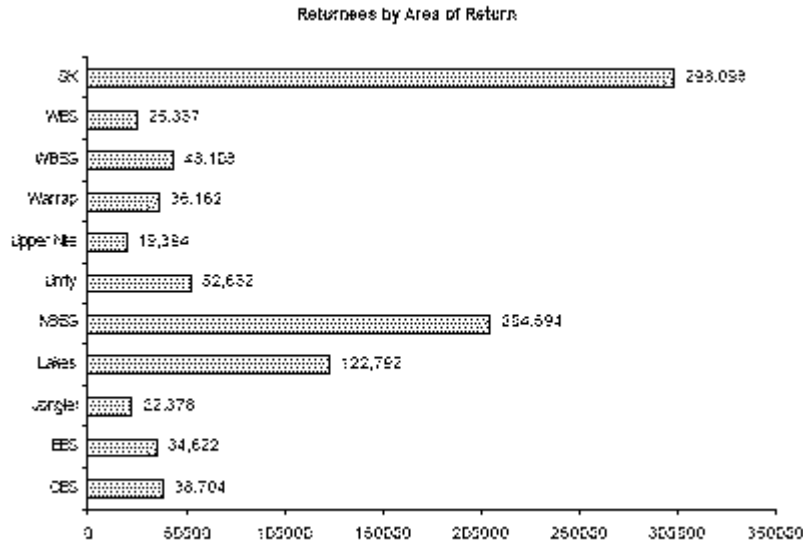
IOM and SSRRC: Area of Return Tracking Programme

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 programme currently covers 293 of the 513 payams in Southern Sudan (57%), and all 31 payams in South Kordofan (see [IOM and SSRRC, January 2009](#), p.4).

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).

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 that women return without male head of household. Interviews showed that there is a tendency that male head of households leave women with the children in the place of return to either return back to the place of displacement or to a different location for employment reasons. Female headed households represent 60 % of the total tracked households" ([IOM and SSRRC, January 2009](#), p.12).

See the April 2009 report by IOM and SSRRC for updates on return tracking figures up until April 2009, with the following figure representing the cumulative totals of spontaneous returnees tracked between February 2007 and April 2009, by state (IOM and SSRRC, April 2009, p.8):



IOM estimates for total returns between January 2005 and June 2008

IOM estimates that since the signing of the Comprehensive Peace Agreement (in January 2005) and June 2008, a total of 1,847,055 people returned to Southern Sudan and Southern Kordofan (IOM, October 2008, p.9, table 2):

State	Current Tracked Returnees	% of state coverage up to June 2008	Projected Number of Returnees up to June 2008
Northern Bahr El Ghazal	140,617	35%	401,763
Southern Kordofan	298,098	100%	298,098
Central Equatoria	17,805	10%	178,050
Jonglei	5,460	3%	182,000
Warrab	18,890	15%	125,933
Upper Nile	11,488	8%	143,600
Western Equatoria	14,919	12%	124,325
Unity	26,024	23%	113,148
Lakes	74,952	82%	91,405
Abyei	14,607	20%	73,035
Western Bahr El Ghazal	34,267	55%	62,304
Eastern Equatoria	20,824	39%	53,395
Total	677,951²		1,847,055

However, IOM estimates that on average about 10 per cent of all return movements lead to secondary displacement, based on the following statistics for four states (IOM, October 2008, p.10, table 3):

State	Total Returnees	Successful returns	Failed returns	% of failed to successful
Northern Bahr El Ghazal	167,353	138,234	29,719	18%
Southern Kordofan	320,260	310,194	10,066	3%
Western Bahr El Ghazal	55,925	50,933	4,992	9%
Warrab	191,702	191,644	58	0.03%

As a result, IOM estimates that in total, between January 2005 and June 2008, there have been 1.7 million successful return movements (IOM, October 2008, p.10, table 4):

State	Est. Secondary Displacement	Projected Number of Returnees up to June 2008	Actual Returns
Northern Bahr El Ghazal	40,176	401,763	389,622
Southern Kordofan	29,810	298,098	274,250
Central Equatoria	17,805	178,050	163,886
Jonglei	18,200	182,000	167,440
Warrab	12,593	125,933	115,859
Upper Nile	14,360	143,600	132,112
Western Equatoria	12,433	124,325	114,379
Unity	11,315	113,148	104,096
Lakes	9,140	91,405	84,082
Abyei	7,304	73,035	67,182
Western Bahr El Ghazal	6,230	62,304	57,319
Eastern Equatoria	5,339	53,395	49,123
Total	184,705	1,847,055	1,699,291

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	455,994	191,649	11,709	251,736
Unity	62	60	191,996	10,507	3,834	176,755
Western Bahr al Ghazal	20	20	90,560	50,933	7,323	32,304
Total	1,525	930	1,665,107	692,377	149,209	1,823,521
Percentage			100%	26%	6%	68%

SOUTHERN SUDAN

Physical Security and Integrity

Physical security and integrity

The 2009 Work Plan for Sudan states (p. 253, *emphasis added*):

"The overall security situation in Southern Sudan improved in the first half of 2008, but pockets of conflict, injustice and rights violations continued and are of concern. In the years since the Comprehensive Peace Agreement (CPA) was signed, the region has made considerable progress. Prospects for peace and development are good, but may be lost if localised eruptions of violence and the conflict between the Ugandan Government and the Lord's Resistance Army (LRA), which often spills onto Sudanese territory, is not resolved. [...]"

Besides the threat of LRA violence, inter and intra-community conflicts have continued to disrupt many states, including Lakes, Eastern Equatoria, Warrab and Jonglei, *triggering localised population displacement*. Inter-state border disputes also spark clashes between communities; the most recent was a dispute between Central Equatoria and Eastern Equatoria over the area of Kit One. Response mechanisms have been initiated but will need to be strengthened in 2009. Community leaders at local levels must be effectively involved. The proliferation of small arms has exacerbated the traditional practice of cattle raids and made tribal clashes and conflicts over resources more deadly."

In a February 2009 report on insecurity and human rights in Southern Sudan, Human Rights Watch expresses a number of concerns about the security situation in Southern Sudan and the failure on the part of the security forces to protect civilians (HRW, February 2009, *emphasis added*):

pp.2-3:

"Southern Sudan's security landscape remains extremely fragile. In addition to threats emanating from national political tensions or attacks by the Ugandan rebel group Lord's Resistance Army (LRA), many southerners' security and livelihoods are affected by localized communal fighting, often linked to competition over land, livestock, or other resources. Large numbers of weapons remain in civilian hands, turning many disputes violent and deadly. Soldiers and renegade soldiers from the SPLA also contribute to insecurity with infighting or by crimes against civilians for personal gain."

The Southern Sudan Police Service (SSPS) lacks resources and training to effectively provide security. In their absence, GoSS officials, who are almost all former military themselves, turn to SPLA soldiers to manage security threats. The soldiers are untrained in civilian law enforcement and often undisciplined. For example, a policing operation carried out by SPLA soldiers in Eastern Equatoria in June 2008 spiraled out of control, leading to the deaths of at least 12 civilians, arbitrary arrests, torture *and the displacement of 4,000 people*. Nine soldiers also lost their lives.

Very weak rule of law institutions and insufficient attention by GOSS authorities to rule of law issues have given rise to an environment of impunity, particularly for soldiers who view themselves as "liberators" of the South and above the law. In this environment, soldiers and other security forces commit serious crimes, often opportunistically, against civilians."

p.15:

"One of the GoSS's greatest challenges is to demonstrate to its citizens the "peace dividend" in an extremely fragile security environment in which its own forces are often not able to protect civilians from violence that leads to human rights violations, and are often themselves responsible for human rights violations. In a potent reminder of this fragile environment, the CPA's fourth anniversary celebration at Malakal was marred by a conflict between Shilluk and Dinka ethnic groups over ancestral land rights. An argument between members of the two groups prompted police to fire guns, injuring six civilians. The incident sparked further clashes between the two groups in areas outside Malakal, in which eleven people were reported killed, houses were burned, *and thousands of civilians were displaced.*

p.17:

"Armed criminal groups and renegade soldiers with unknown affiliations also present security threats in many parts of Southern Sudan, committing various abuses against civilians. For example, according to a report issued by the Southern Sudan Legislative Assembly's Human Rights and Humanitarian Affairs Committee, groups of renegade soldiers known as "forgotten warriors" attacked civilians in Upper Nile, looting homes and raping females. In Eastern Equatoria, a group of former SPLA calling itself "No Unit" perpetrated a string of attacks on villages in April 2008, collecting supplies along the way. In late June 2008, a group of disgruntled soldiers, Ugandan rebels and bandits, attacked a village in Central Equatoria, looting goods and abducting scores of men, women, and children, *causing hundreds to flee.*

Large numbers of underpaid soldiers who lack training in their peacetime police-oriented role also represent a threat to security by committing human rights abuses and other crimes [...]. 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. In one clash, in May 2007, armed Toposa massacred 54 Didinga women and children in Buda county, Eastern Equatoria, while in April 2008 a communal conflict in Lakes State led to approximately 95 deaths.

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.*

Boundaries are often a cause of inter-communal fighting. In December 2008 a staff member of the Southern Sudan Human Rights Commission was shot when he tried to mediate a dispute between Mundari and Bari communities over a county boundary north of Juba. A dispute over boundaries was at the root of the clash between Shilluk and Dinka communities near Malakal that killed at least 11 civilians in January 2009. In Warrap State, a long-standing dispute between two Dinka sections over grazing lands led to renewed violence in spring 2008, causing at least 7 deaths, in part fuelled by disagreements over the creation of a county boundary line.

An underlying cause of insecurity that leads to human rights violations is that former soldiers have not yet benefited from Disarmament, Demobilization and Reintegration (DDR) programs envisioned in the CPA. Plans include demobilization of 180,000 soldiers and 2,900 children, but the process is highly sensitive and requires more donor support for reintegration and livelihood. The inclusion of southern former SAF soldiers has been an especially contentious matter, with thousands remaining in Juba, Wau, and Malakal and still armed. Following the New Years day violence in Juba, GoSS passed resolutions that included calling for DDR and resolving the status of the former SAF soldiers.

Observers expect little progress on reforming or downsizing the SPLA anytime before the 2011 referendum in view of the political uncertainty facing the South and security threats—real or perceived—that have roots in the civil war with the North. As one long-term development agency worker told Human Rights Watch, “they are still in a war mentality and they do not want DDR, they do not want civilian oversight.” ”

Basic Necessities of Life

South Sudan Annual Needs and Livelihoods Assessment 2008/2009

The Annual Needs and Livelihood Assessment (ANLA) 2008/2009 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 (WFP, March 2008, p.vii).

The assessment analyses the “food security status” of households in terms of three dimensions: consumption, food access and coping strategies (pp.9-10).

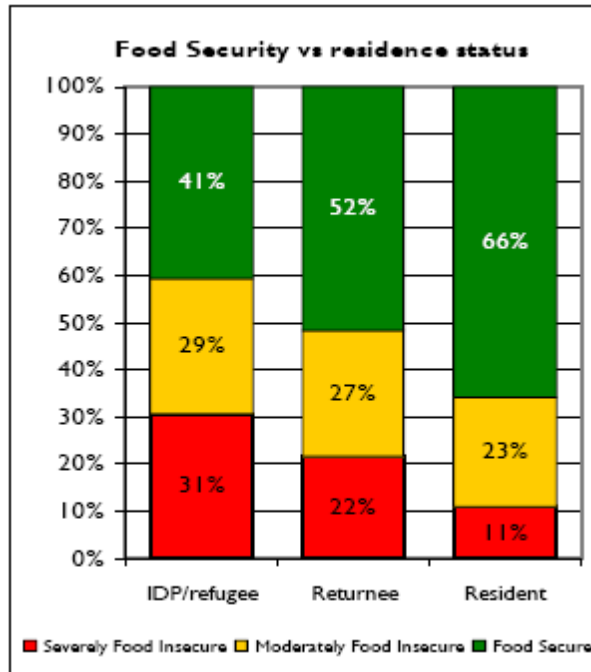
Some of the major findings of the assessment in relation to IDPs and returnees in Southern Sudan are as follows:

The majority of all households reported that agricultural production was worse than last year, with 80 per cent reporting food shortages over the 12 months prior to the assessment (p. vii).

There are significant differences between the IDPs, returnees and residents in terms of food consumption; 17.2 per cent of the residents had poor consumption status, while for IDPs the percentage was 28 per cent. Returnees fall between IDPs and residents, with 23 per cent having poor food consumption (p. viii, p.11)

The percentage of the population affected by severe food insecurity among the eight states ranged from four per cent in Unity State to 17 per cent in Warrap State, with returnees and/or IDPs representing the most vulnerable in all states (p.x).

The assessment report states that IDPs and returnees “are much worse off” than resident populations in terms of food security. While 11per cent of resident populations are severely food insecure, the percentage for returnees is 22 and 31 for IDPs and refugees (p.16).



According to the assessment report (p.16):

"The displaced obviously have had their livelihoods severely disrupted, and many of these depend on assistance to cover their basic needs. Despite that these households being priority group for both food and other humanitarian assistance, they remain nevertheless the most vulnerable group. This reaffirms the need for WFP and other humanitarian agencies to continue prioritizing displaced households and returnees for the provision of food security assistance.

This also shows how vulnerable returnees are able or not able to cope during reintegration, and is a strong confirmation of the appropriateness of the current WFP food aid support to all returnees. Although some of them are not at risk, their general situation is much worse than the residents. Thus, by targeting all these returnees WFP is addressing a serious food security problem, at the same time as the food assistance is supporting the crucial reintegration process for all, no matter of their vulnerability status. Not only is this because the returnees themselves are food insecure, but also because it places a high burden on local communities. Kinship support through sharing of food and other resources negatively impact 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.

The results [...] also show that the current WFP practice of providing 3-months food aid support to returnees may not be adequate. It is only after 1 year that this difference in food security status between returnees and residents is no longer significant."

A comparison of food sources between IDPs, returnees and resident households found that IDPs and returnees relied more on the market and less on crop production than the resident population. Indeed, the assessment found that 79 per cent of the resident population cultivated, while 74 per cent of the IDP population did not (p.ix), and 53 per cent of returnees did not (p. vii, p.8, pp.19-20).

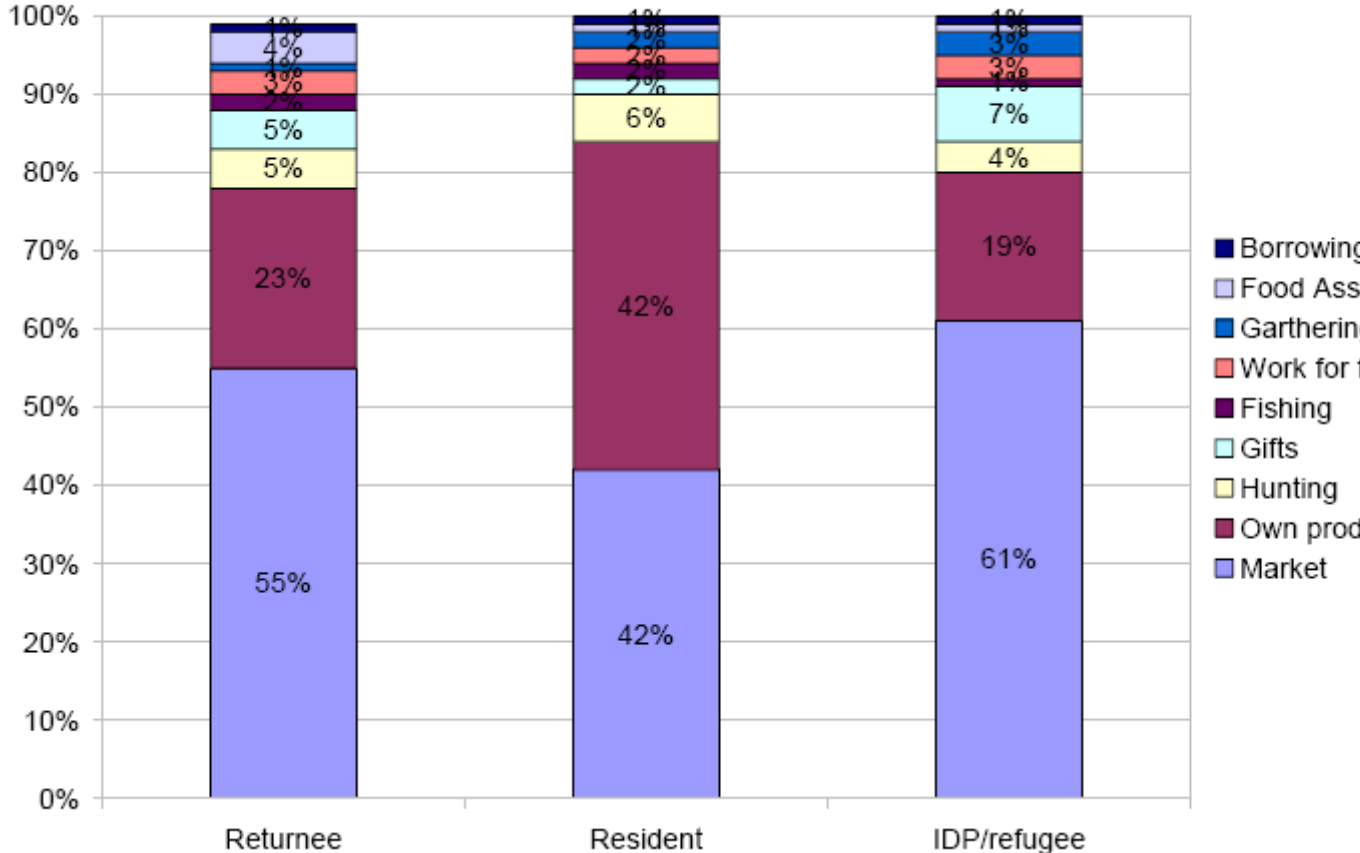
	does not cultivate	cultivates	Total
IDP/refugee	73.6%	26.4%	100.0%
Resident	20.8%	79.2%	100.0%
Returnee	53.2%	46.8%	100.0%
Total	24.7%	75.3%	100.0%

This finding is even more significant in light of the fact that, despite the positive outlook in terms of cereal availability as evidenced by the 38 percent increase in cereal production in Southern Sudan in 2008/2009 compared to the previous year and a surplus cereal balance situation, cereal prices remain at a very high level. This has serious implication for households that rely on cereal purchases from the market for their food consumption (net buyers), including a high percentage of IDP and returnee households (p. viii).

The assessment report states:

"Residents reported to use the market as a source of food to the same extent as they rely on their own production. Hunting and fishing were practiced more by the returnees (4 and 2%) and residents (6 and 2%), while IDPs reported to rely on these to a lesser degree (hunting 4% and fishing <1%). It was reported that returnee households benefited more from food assistance than IDPs, while the latter practiced gathering more than the returnee population" (p.20).

Figure 21 Food Sources – Residential Status



In terms of shelter, the assessment report states (p.18): "It was found that 57 percent of the returnees were hosted by resident households, 33 percent were living in temporary shelters, 7 percent lived in community shelters and 3 percent were living in camps."

Key findings by state (pp.x-xi):

Northern Bahr el Ghazal

The household food security of the IDPs and extremely vulnerable residents needs to be addressed through emergency food assistance.

Re-integration of returnees and GFD to IDPs and vulnerable resident households affected by floods should be the main focus.

The strategy for management of acute malnutrition in NBEG needs to be strengthened and more focus should be placed on outreach and outpatient activities.

Prevention of acute malnutrition through blanket distribution during hunger gap season should be prioritized.

Warrap:

Food Assistance should be a priority as it has a potential impact on acute/short-term problems (in addition, this short-term assistance would benefit households that suffer from chronic malnutrition).

The household food security of the IDPs and extremely vulnerable residents needs to be addressed through emergency food assistance.

Re-integration of returnees and GFD to IDPs and vulnerable resident households should be the main focus.

Addressing acute malnutrition (both severe and moderate) should be given high priority.

Preventive targeted programmes to reach out children at risk of malnutrition directed at development of age based preventive targeted nutrition programmes that combine maternal and child health services with targeted food assistance (focus on a recuperative model only might not produce effective results in addressing the burden of malnutrition in the State).

The strategy for management of acute malnutrition needs to be strengthened and more focus should be placed on outreach and outpatient activities.

Prevention of acute malnutrition through blanket distribution during hunger gap season should be prioritized in priority areas.

Unity:

Despite of the high acute malnutrition rate, the level of food security does not warrant emergency food aid response but rather a livelihood support programme.

Food aid should be directed towards recovery programmes.

Addressing acute malnutrition (both severe and moderate) should be given high priority.

Eastern Equatoria and Western Bahr el Ghazal:

Focus should be on addressing food and nutrition security of IDPs and spontaneous returnees.

Jonglei:

Addressing acute malnutrition (both severe and moderate) should be given high priority.

Preventive targeted programmes to reach out children at risk of malnutrition directed at development of age based preventive targeted nutrition programmes that combine maternal and child health services with targeted food assistance (this might mean that Food Security is a cause of chronic problems because of lack of dietary diversity and micronutrients, while acute malnutrition might be due to other reasons).

Focus should be on addressing food and nutrition security of refugees, IDPs and spontaneous returnees.

Upper Nile:

The household food security of the IDPs and extremely vulnerable residents needs to be addressed through emergency food assistance.

Re-integration of returnees and GFD to IDPs and vulnerable resident households affected by floods should be the main focus.

Lakes:

The household food security of the IDPs and extremely vulnerable residents needs to be addressed through emergency food assistance.

Re-integration of returnees and GFD to IDPs and vulnerable resident households affected by floods should be the main focus.

The strategy for management of acute malnutrition needs to be strengthened and more focus should be placed on outreach and outpatient activities.

Prevention of acute malnutrition through blanket distribution during hunger gap season should be prioritized.

Other inter-agency assessments

Impact of possible influx of displaced Darfuris into Northern and Western Bahr el Ghazal

In March 2009, the Famine Early Warning System expressed concerns about possible food insecurity in the states of Northern and Western Bahr el Ghazal in the months ahead, due to a "combination of 2008 harvest shortfalls, continued population returns of northern Bahr El Ghazal's originally displaced populations, persistence of a significant chronically food insecure population, a forthcoming typical hunger season and the potential influx of people from Darfur" (FEWSNET, March 2009, p.2).

The March Update warned that people from the southern parts of Darfur might move to Southern Sudan, mostly into Northern Bahr el Ghazal, following the disruption of humanitarian operations in Darfur caused by the expulsion of international and Sudanese relief agencies on 4 March 2009. On 23 March 2009, IRIN reported that Western Bahr el Ghazal state was already experiencing an influx of displaced people from South Darfur state.

FEWSNET states that:

"Though the number of potential IDPs is unclear, even small inflows of IDPs could have a severe impact on food security in localized areas because 250,000 people in Northern and Western Bahr El Ghazal State are already moderately food insecure and peak food shortages typically occur between April and August. While the impact of the influx of IDPs on host populations in Western Bahr El Ghazal State's Raga County might not be immediately evident within the first few months, it could be devastating over a longer period because the county is sparsely populated and a large IDP population could quickly exhaust existing resources in these areas. Overall, a significant inflow of IDPs could make Northern and Western Bahr El Ghazal become highly or extremely food insecure" (FEWSNET, March 2009, p.3).

LRA displacement in Central and Western Equatoria

By mid-March 2009, the UN's Deputy Resident Coordinator and Humanitarian Coordinator for Southern Sudan, Lisa Grande, was quoted as saying that more than 100,000 people in the states

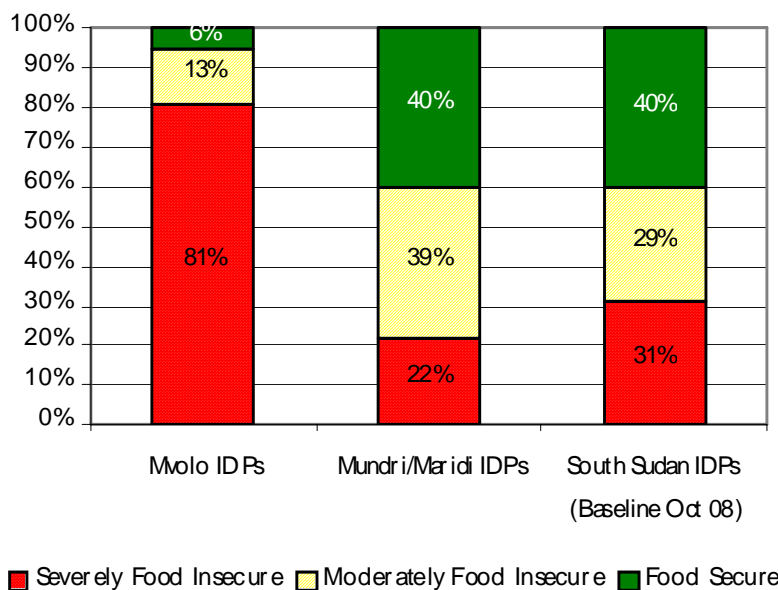
of Central and Western Equatoria were vulnerable as a result of LRA attacks, including over 36,000 IDPs, more than 16,000 refugees from the DRC, and an additional 50,000 people in host communities (IRIN, 13 March 2009; see also the results of an initial assessment done in January: OCHA, 16 January 2009).

Soon after the first waves of displacement caused by LRA attacks, in January 2009, the governor of Western Equatoria appealed for assistance, saying that the state's capacity to respond to the needs of the displaced had been exhausted. Governor Kumba stated that while Western Equatoria state was "normally known for its ability to sustain internal food security and even produce food surplus", this had changed as a result of "continuous displacement of people from farm areas to urban centers and the presence of Congolese refugees", and the fact that thousands of Sudanese refugees who had only recently been repatriated from neighbouring countries still needed to be "resettled and rehabilitated" and had not yet been able to grow their own food. The governor warned that, "Children with malaria, pneumonia and other preventable diseases have no access to medicines and medical facilities, food supplies are getting very low even for the local inhabitants, most displaced persons have no shelter and the situation is likely to get worse after the onset of the coming rain-season" (Sudan Tribune, 20 Jan 2009).

The UN stepped up its assistance to the affected populations (see for example RC/HC, 12 February 2009), but by mid-April officials were warning that delivering aid to these vulnerable people was "being hampered by insecurity, heavy rain and the poor state of roads" (IRIN, 20 April 2009).

Between 30 March and 5 April 2009, WFP, UNICEF, the Ministry of Health (MOH) and the South Sudan Commission for Census, Statistics and Evaluation (SSCCSE) conducted a rapid food security and nutrition assessment in Mundri, Maridi and Mvolo in Western Equatoria state, to assess the situation of IDPs in these three areas (LRA displacement in Mundri and Maridi, and displacement caused by inter-tribal clashes in Mvolo). The assessment found that the Mvolo IDPs in particular were suffering from much higher levels of food insecurity than other IDPs in Southern Sudan (see WFP, April 2009, p.2):

Fig 1: Food security of IDPs compared to baseline



Displacement caused by tribal clashes in Jonglei

Following inter-tribal clashes in two payams of Pibor County (Jonglei state), an inter-agency assessment was conducted. A total of 453 people were reported to have been killed in the clashes, and the majority of the population of Lekuangole payam (estimated at 30,000 before the attacks) fled their homes. 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 (see OCHA, 8 April 2009).

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).

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).

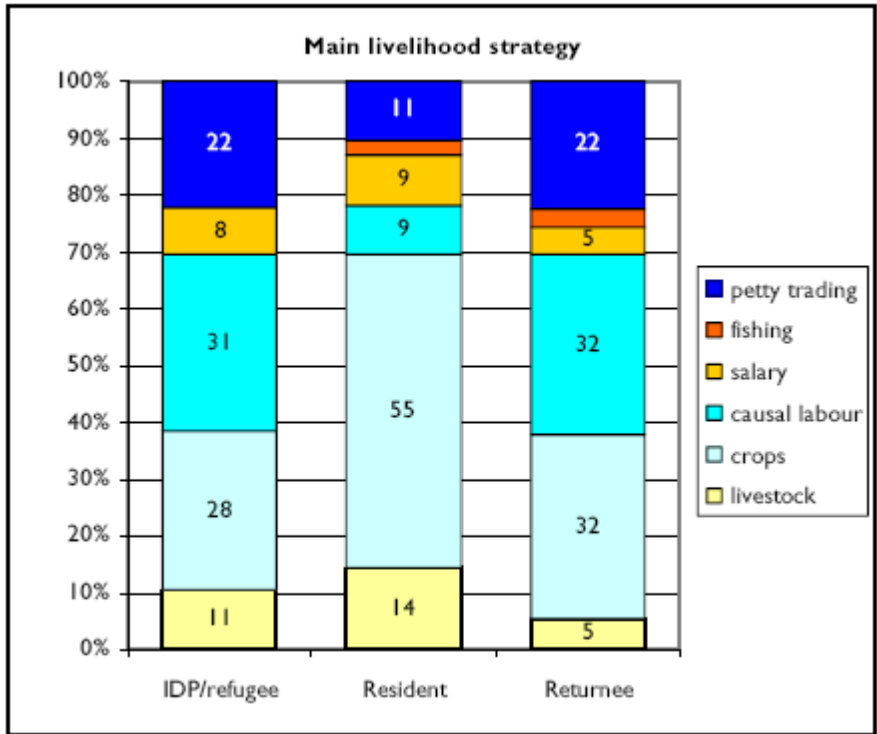
For a detailed discussion of land issues faced by IDPs in Juba, see the September 2008 report by the Overseas Development Institute, *The Long Road Home, Phase II*, chapter 7 (pp.29-36).

Livelihoods

South Sudan Annual Needs and Livelihoods Assessment 2008/2009

According to the South Sudan Annual Needs and Livelihoods Assessment 2008/2009 report: "The displaced obviously have had their livelihoods severely disrupted, and many of these depend on assistance to cover their basic needs. Despite that these households being priority group for both food and other humanitarian assistance, they remain nevertheless the most vulnerable group. This reaffirms the need for WFP and other humanitarian agencies to continue prioritizing displaced households and returnees for the provision of food security assistance" (p.16)

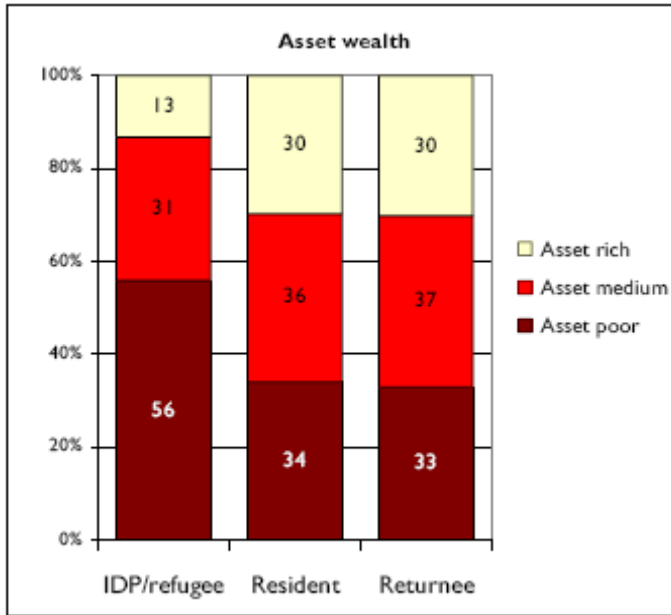
"Livelihood strategies between IDPs, returnees and residents also varied. While all groups were reported to practiced cultivation; possessed livestock; and took part in petty trading, casual labour and salaried work, only the resident and returnee populations made a livelihood out of fishing. Moreover, there were disparities found within the distribution of the various livelihood strategies. For example, 55 percent of resident households reportedly practiced cultivation, while only 28 percent of the IDP households practiced the same. In addition, only 9 percent of resident households took part in casual labour, while 31-32 percent of the IDP and returnee population did the same, respectively. Petty trade was found to be higher amongst the IDP and returnee population. Twice as many with these groups taking part in this livelihood 50 percent than the residents" (p.18).



Assets

The ANLA report states (p.18):

"When ranked according to asset wealth, it was found that the returnees held approximately the same distribution of wealth characteristics as the resident population. The displaced households, however, were ranked as 56 percent with poor assets (21-22% higher than resident and returnee households)."



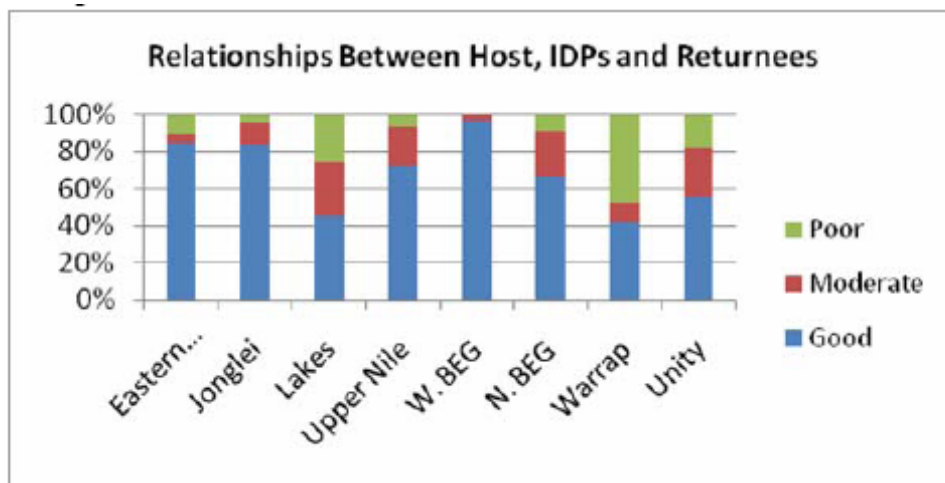
Relationships between host communities, IDPs and returnees

The ANLA report states (pp.35-36):

"Generally, it was found that the relationships between the host, IDP and returnee populations was good, as expressed in the below graph.

Data pertaining to overall well-being, however, found that 68 percent of those surveyed that livelihoods have been adversely affected, 20 percent thought livelihoods had increased, and 12 percent thought that they were the same.

The general opinion of those surveyed was that the livelihood situation for the returnees and the IDPs would change for the better over time."



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 revitalizing 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

In a January 2007 report focusing on education and livelihoods in Southern Sudan, the Women's Commission for Refugee Women and Children notes, "Today, education conditions in Southern Sudan are abysmal" (p.3). The report notes that 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" (ibid.).

In a statement released on 5 May 2009, UNICEF warned that the progress which had been made in terms of improving access to education in Southern Sudan since the signing of the Comprehensive Peace Agreement (CPA) in January 2005 is at risk of being undone by the high levels of violence in the southern states (UNICEF, 5 May 2009).

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 no 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."

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

Civil and political rights

A national 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).

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

Protection of special categories of IDPs

The 2009 Work Plan for Sudan states:

p.253:

"The human rights situation has seen positive developments in 2008, with the passing of legal protection mechanisms such as a penal code, a Criminal Procedure Act and a Child Act. That said, there are still isolated incidents of harassment by armed forces, militia groups and others, and protection mechanisms for victims of sexual violence need to be strengthened."

p.259:

"The abduction of women and children, linked to tribal clashes and LRA presence, are worrying. Various forms of gender-based violence including domestic violence and early marriage continue to be a significant problem in Southern Sudan. The Child Act 2008, passed by the Southern Sudan Legislative Assembly, provides a much needed legal framework, but in practice many children are not protected from violence, abuse, neglect, recruitment to armed forces and exploitation."

According to ODI:

"Some key informants say that women and children have integrated better than men. But there are also reports of negative trends affecting women. Early marriage is said to be increasing, partly because girls have little access to higher education or steady work. Domestic violence is said to be common within marriages. While residents associate rising domestic violence with returnee refugees and high levels of alcohol consumption, it is not clear that early marriage is related to the return process; it was a common survival/coping strategy amongst Sudanese refugees in settlements in Uganda during the war" (ODI, September 2008, p.14).

In relation to the displacement in the states of Central and Western Equatoria as a result of LRA attacks between late-2008 and early 2009, the UN noted that the attacks had affected more than 100,000 people in Southern Sudan, more than half of whom were children. The UN noted that the protection of vulnerable people – especially children and former abductees – had been a "major gap" in the emergency response, with up to 2,000 unaccompanied or separated children needing help (IRIN, 13 March 2009).

Recruitment and use of children by armed forces or armed groups

In relation to the recruitment and use of children by armed forces or armed groups, see the report by the UN Secretary-General to the Security Council on Children and Armed Conflict in the Sudan (10 February 2009, paras 9-11):

"9. United Nations field monitors reported the recruitment and use of 101 children by SPLA, including 68 boys who were registered for demobilization by the end of the reporting period. [...]

10. Although the SPLA high command has committed to preventing recruitment and to releasing the remaining children from its ranks, reports suggest that some local commanders are still recruiting children. Child protection officers in the United Nations Mission in the Sudan (UNMIS) have been able to access barracks and identify children who were associated with the armed

group, but there have been significant delays in securing their release. In certain states SPLA continues to use children in military activities even after these children have been formally identified for release and family reunification.

11. Another concern is that many children continue to return to the barracks after their release, primarily due to a lack of food and the shortage of livelihood opportunities. Furthermore, authorities in Southern Sudan have reported the "spontaneous demobilization" of children associated with SPLA. As a result, these children are not formally registered and are not therefore included in reintegration programmes."

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).

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 (2009 Work Plan for Sudan, p. 113).

Southern Kordofan

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).

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).

Reintegration of returnees: livelihoods, services and land

A report published in August 2007 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).

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). Below are a number of excerpts from the report, 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).

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).

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.

The Darfur Humanitarian Profile 34 (situation as of 1 January 2009) noted:

“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.”

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” (HRC, 2 Sep 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” (HRC, 2 Sep 2008, para.54).

The addendum to the Special Rapporteur’s rapport 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.3:

“UNAMID, currently deployed at less than 50 percent of its mandated strength, still lacks the capacity to protect vulnerable civilians. Its forces have come under attack from armed actors on all sides of the conflict, and 14 UNAMID troops and police have been killed since the beginning of the year”

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.”

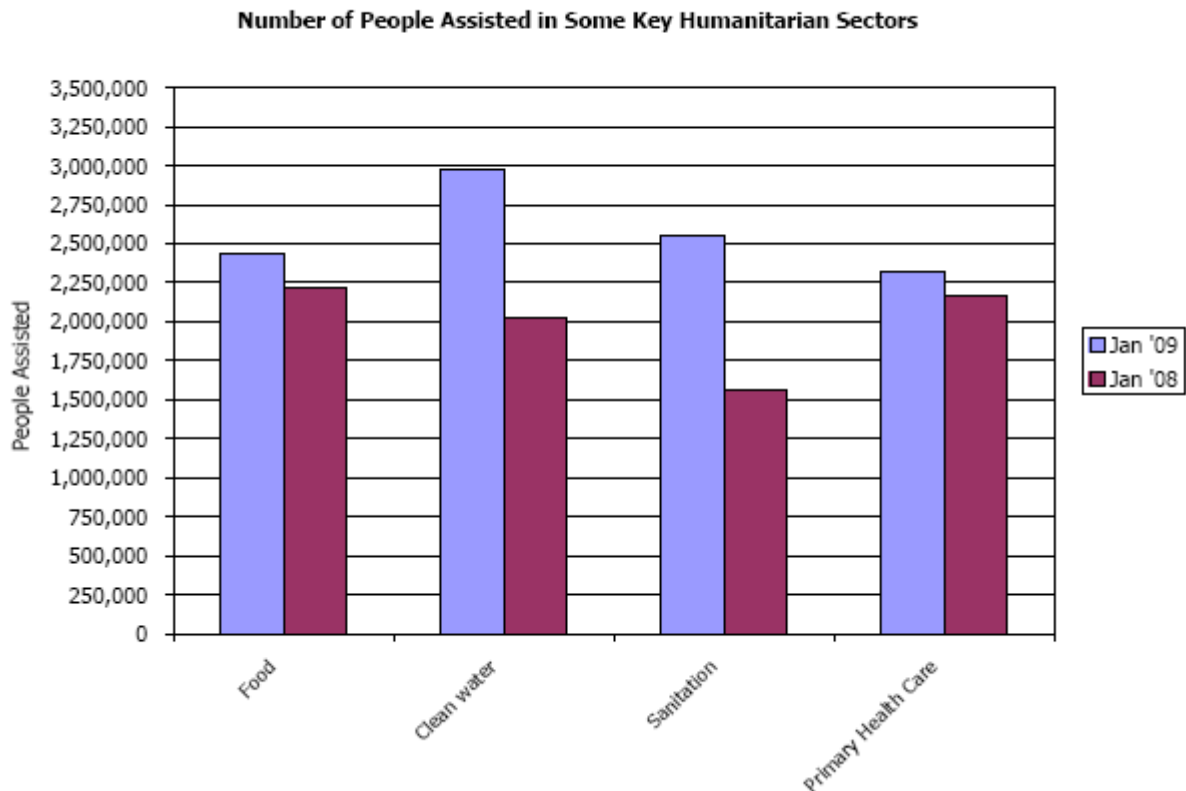
Basic Necessities of Life

For detailed information on the humanitarian situation in Darfur, including access to basic necessities of life, see OCHA’s quarterly *Darfur Humanitarian Profile*, available [here](#).

Out of Darfur’s total population of six million people, by the beginning of 2009 2.7 million people were internally displaced, while the total affected population was 4.7 million (Darfur Humanitarian Profile 34, situation as of 1 January 2009, p.3). By the start of the year, the number of people in receipt of humanitarian assistance ranged from more than 2.25 million for primary health care to almost 3 million for clean water (see Chart 4 of the Darfur Humanitarian Profile 34, p.7).

By early 2009, 85 NGOs, the Red Cross/Crescent Movement and 16 UN agencies (including IOM) operated in Darfur, making it the largest humanitarian operation in the world. Access by the UN of affected populations in Darfur had improved slightly from 65 per cent in October 2008 to 68 per cent in December 2008 (Darfur Humanitarian Profile 34, Jan 2009, p.6 and p.4).

CHART 4. Number of People Assisted in Key Humanitarian Sectors January 2008 – January 2009



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 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).

The government of Sudan and the UN carried out a joint assessment between 11-18 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". 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 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.

The full extent of the consequences of the expulsions will only become clear over time, and will depend in part on the extent to which the UN agencies and the remaining NGOs are able to take over from the expelled NGOs. Nevertheless, on 24 March 2009 the UN Humanitarian Coordinator for Sudan, Ameerah Haq, warned that, "While Government officials and partners from the NGO sector are working to cover gaps, the risks of increased morbidity and mortality are high."

A further uncertain factor in this regard is the response of the beneficiaries of aid themselves. In some IDP camps in Darfur, IDPs are reported to have decided to refuse all access to the Sudanese government, as well as to deliveries of aid provided by the government, and to Sudanese aid organisations seen as under the control of the government. In Kalma camp, for example, IDPs refused all humanitarian assistance for nearly three weeks in protest against the expulsions. By 7 April food distributions in Kalma camp had resumed, but by mid-April access for all other forms of assistance (water and sanitation, health and nutrition, and education) was still being negotiated with the camp residents (Reuters, 19 March 2009; OCHA, 16 April 2009).

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: 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; OCHA, Situation Report No. 4 (28 March – 14 April 2009), 16 April 2009.

Food

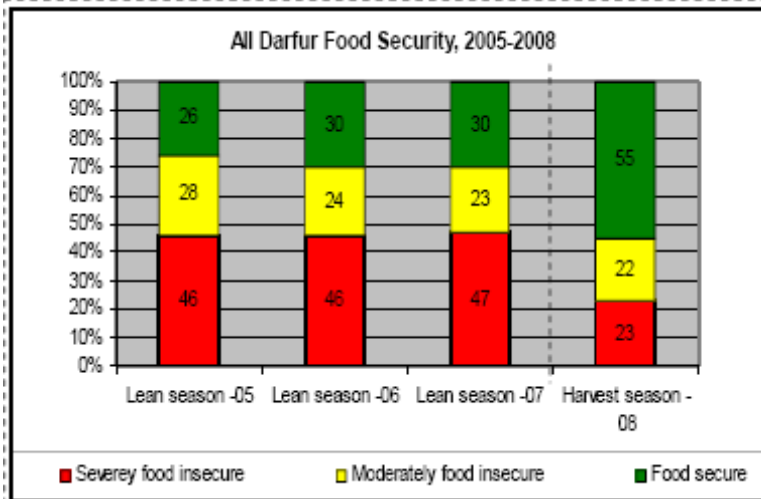
Situation prior to NGO expulsions in March 2009

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

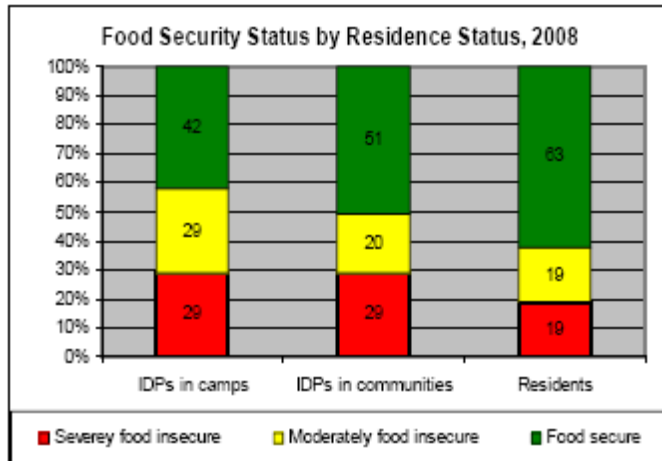
Between 26 October and 11 November 2008, the Humanitarian Aid Commission (HAC), the Federal Ministry of Agriculture and Forestry (MOAF), the World Food Programme (WFP) and the Food and Agriculture Organisation of the United Nations (FAO) jointly undertook a Food Security and Livelihood Assessment (DFSLA) 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

Four of the expelled NGOs (CARE, Save the Children (US), Action Contre la Faim and Solidarites) were crucial partners to WFP in Darfur, carrying out 35 percent of WFP food distributions in Darfur and reaching a total of 1.1 million people, plus 5,500 malnourished children and mothers on supplementary feeding. According to WFP, people were at serious risk of going hungry as a result of the expulsions. The agency feared that people might move to camps which still have an NGO presence, causing problems of overcrowding, which in turn might lead to an increase in health risks. In an effort to avoid these scenarios, WFP organised an emergency distribution of two-month rations from 15 March, through local Food Relief Committees and with the help of staff borrowed by WFP from some of the expelled NGOs on a temporary basis. A second emergency distribution was planned for May. Nevertheless, WFP warned that these emergency distributions were far from an ideal response, as they allowed for only limited accountability (WFP, 31 March 2009).

The UN Emergency Relief Coordinator echoed WFP's concerns about problems with accountability in relation to the emergency food distribution, stating that, "this emergency distribution will not reach all beneficiaries, and specialized monitoring capacity to ensure the most vulnerable do not fall through the cracks has been lost" (ERC briefing to the Security Council, 26 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).

Health and nutrition

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

The UN Emergency Relief Coordinator observed that:

"In the health sector, we have lost significant capacity to monitor and mitigate disease outbreaks, to treat diseases, and to prevent loss of life, particularly in light of the current outbreak of meningitis across the region. This loss will be compounded further during the rainy season, when water borne diseases increase. The departure of the NGOs has left 650,000 people with lower levels of access to basic health services. Rural areas will most likely be hardest hit, where the expelled NGOs operated a number of mobile clinics" (ERC briefing to the Security Council, 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).

On 16 April, OCHA reported that (OCHA, 16 April 2009, p.2):

460,000 out of the 650,000 people still lack access to health care due to the 4 March decision;

Approximately 800 health staff need to be recruited in order to fill the gap;

Increased cases of meningitis have been confirmed throughout Darfur.

The Humanitarian Policy Group noted furthermore:

"Six of the expelled NGOs (ACF, CARE, SC-US, MSF-H and -F and SUDO) were supporting emergency nutrition programmes for moderately or severely malnourished individuals in the three Darfur states. Overall, 34 therapeutic feeding programmes and 19 supplementary feeding programmes were lost throughout Sudan as a result of the expulsion of these agencies. Some were working with WFP to set up a blanket feeding programme for all children under five. Unless specialised agencies still present in Darfur can expand their programmes, there is a risk that acute malnutrition will increase further" (Humanitarian Policy Group, 26 March 2009, p.5).

In its Health Cluster Bulletin for March-April 2009, the World Health Organisation stated that, "The gaps in health services coverage following the expulsion or closure of 13 International aid

agencies (INGOs) and 3 local ones, continue to threaten the health of populations in Darfur" (WHO, 30 April 2009, p.1; see also IRIN, 4 May 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."

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 [...]."

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."

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."

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."

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 have now been postponed until February 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, but the results were not released until May 2009 and had yet to be agreed to by the Government of Southern Sudan (Sudan Tribune, 6 May 2009)

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).

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

Protection of civilians: impact of the expulsions of NGOs in March 2009

The Humanitarian Policy Group said of the impact of the expulsion in March 2009 of 13 international NGOs and the revocation of the licences of 3 Sudanese agencies:

"Ensuring the protection of civilians will also become more difficult. While the mandated protection agencies – ICRC, UNHCR and UNICEF – are still present, many of the expelled agencies were involved in activities designed to reduce exposure to threats and address the consequences of such exposure, for instance work on gender-based violence (emergency medical assistance and support to survivors) and child protection (child-friendly spaces to provide recreational and social assistance and to address issues of exploitative labour or forced recruitment). Other work included facilitating contact between IDPs and peacekeepers to increase the regularity and protective benefit of monitoring by peacekeepers, and facilitating dialogue and local-level peace initiatives in divided communities. Protection activities were already severely constrained, but their complete absence in some camps could well increase the potential for violence and abuse. A further protective function played by international actors involved highlighting protection concerns to national and international actors through dialogue and advocacy. This has helped to ensure that Darfur is understood as a crisis involving mass human rights abuses, rather than solely a humanitarian emergency. With the expulsion of so many international staff, even this minimal level of protection has been removed. It is questionable whether UN agencies are able to fill the gap given their limited presence in Darfur, and the restrictions placed on all organisations carrying out protection activities" (HPG, 26 March 2009, p.5).

Sexual and gender-based violence

The Darfur Humanitarian Profile (No. 34, January 2009) states:

"An increase in Gender Based Violence (GBV) incidents has been reported in West and South Darfur IDP camps, in the Kass area of South Darfur as well as in some areas of North Darfur (Tawilla), with common patterns involving women travelling outside the camps to farm or collect firewood. In several instances, GBV issues became increasingly difficult to address, for reasons including an obstructive attitude of authorities towards actors involved in monitoring, referral and response. [...] Protection actors have highlighted the impact on beneficiaries, evident from the findings of numerous interagency missions, most notably in South Darfur (Kass area): deprivation of essential medical services and an utter loss of victim confidence in reporting sexual crimes and seeking treatment and legal redress" (Darfur Humanitarian Profile No. 34, January 2009, p. 16).

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).

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"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).

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"The UN documented consistent accounts of harassment, intimidation, and sexual and physical assaults on IDPs particularly female IDPs by armed militias, often dressed in military uniform from Arab nomadic groups" (Human Rights Council, 2 September 2008, addendum, para.19).

"Increased efforts are needed to seriously address these crimes as women and girls, particularly the displaced, continue to be raped and subjected to other forms of sexual violence especially when they venture outside the confines of the IDP camps to undertake income generating activities. There have been a few cases where perpetrators of rape have been prosecuted, however in the majority of cases the authorities are still not responding appropriately" (Human Rights Council, 2 September 2008, addendum, para.19).

"There are currently no Government firewood patrols in Darfur. UNAMID Police have however carried out these activities in some of the areas where they are deployed in the camp" (Human Rights Council, 2 September 2008, addendum, p.47).

In April 2008, Human Rights Watch released a report documenting the prevalence of sexual violence throughout Darfur (Human Rights Watch, April 2008). The press release stated:

"Five years into the Darfur conflict, women and girls need protection from rape and brutal attacks still being committed by government forces and armed groups throughout Darfur, Human Rights Watch said in a new report released today.

Neither government security forces nor international peacekeepers have provided sufficient protection for women and girls, who remain extremely vulnerable to rape and other abuses during large-scale attacks and even in periods of relative calm, Human Rights Watch said. Survivors of sexual violence face numerous obstacles to justice, leaving them without meaningful redress. Where the perpetrators are soldiers or militia, the chances of prosecution are still more remote" (HRW, 6 April 2008).

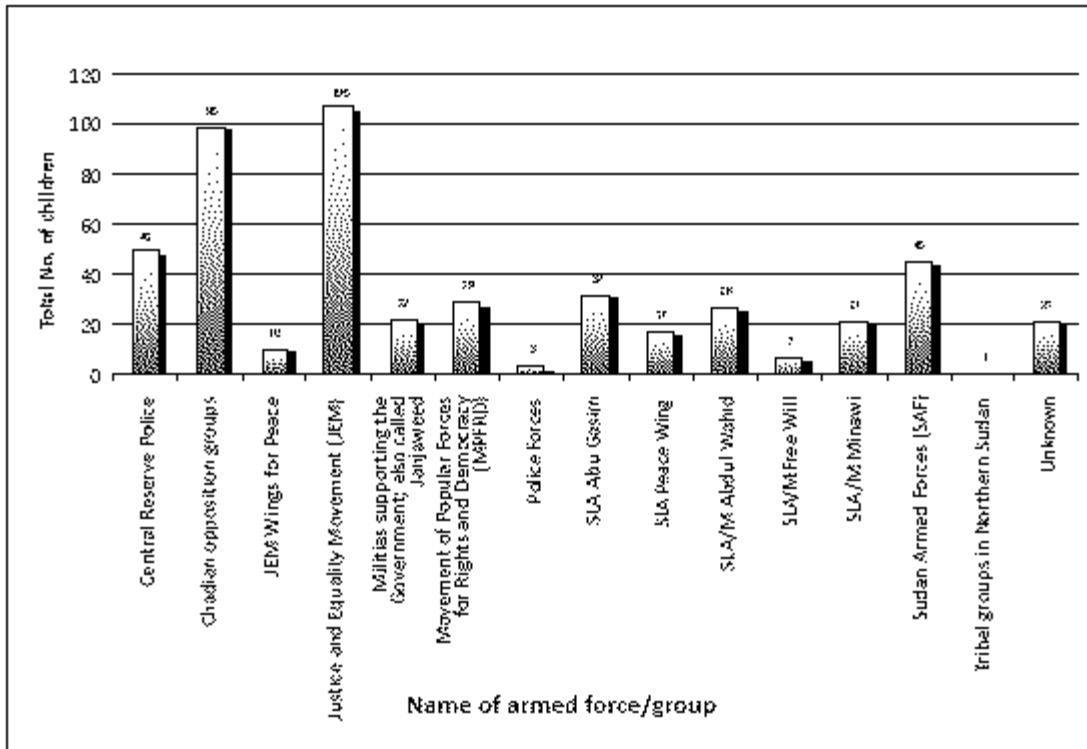
Children

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."

EASTERN STATES

Overview

Humanitarian Situation in the Eastern States

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 the 2009 Work Plan for Sudan, pp. 177-178; and HPG, 26 March 2009, p.3):

Food and nutrition:

Kassala and Red Sea states have the highest malnutrition rates in the country, and global acute malnutrition (GAM) rates exceed the emergency threshold of 15 per cent.

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. An 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

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).

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).

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 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

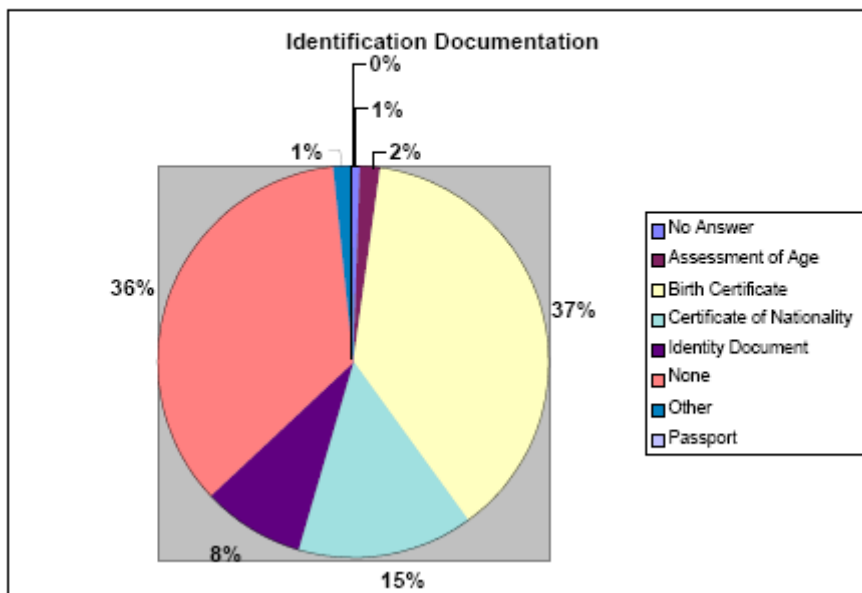
Access to documentation

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 these have now been postponed until February 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).

The new electoral law presents particular problems for Sudan's IDPs. First, 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. For most IDPs, this means that they will have to vote in their place of displacement, rather than their place of origin, if they manage 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 will win the only seat. In many voting districts in the north and in Southern Sudan, the 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 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).

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

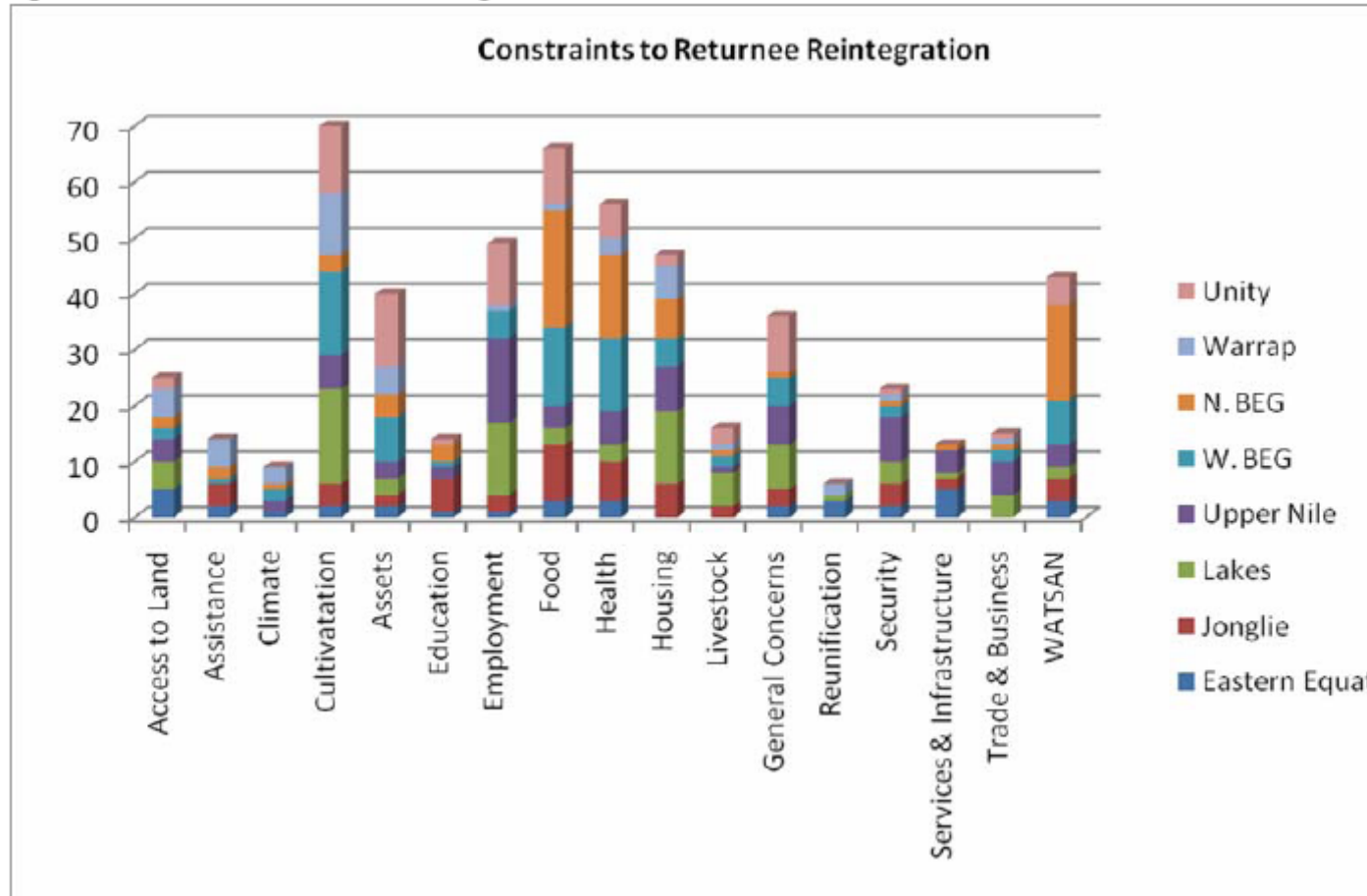
For people who have returned to their villages of origin in Southern Sudan's rural areas, the biggest obstacles are lack of access to clean drinking water, services (including health care and education), and a lack of livelihood opportunities. Returnees are not alone in facing these issues: many resident 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).

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).

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).

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

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).

The mandate of UNMIS is to support the implementation of the Comprehensive Peace Agreement between the NCP and the SPLA. UNMIS is also 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.

As of 6 April 2009, 9,281 out of the authorised 10,000 UNMIS military personnel were deployed in the Sudan, including 560 military observers, 184 staff officers and 8,537 troops. UNMIS had also deployed 96 per cent of its mandated police strength (685 police advisers, including 60 women, out of 715) to 22 sites throughout UNMIS's mission area (UN Secretary-General, 17 April 2009, paras. 33 and 36).

UNMIS's mandate currently runs until 30 April 2010.

More information about UNMIS can be found on its website: www.unmis.org/english/en-main.htm

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 Secretary-General, 17 April 2009, para. 39).

UNMIS has come under criticism for failing to fulfil 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).

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

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 31 March 2009 was 13,134 military personnel out of a total authorized strength of 19,555, representing 67 per cent of UNAMID's total military authorized strength; 2,478 police personnel out of a total authorized strength of 6,432; and 3,388 civilian personnel, representing 61 per cent of the approved strength of 5,557 (UN Secretary-General, 14 April 2009, paras. 47, 53 and 54).

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 16 March 2009, UNAMID Force Commander General Martin Luther Agwai was quoted as saying that while 64 per cent of troops had been deployed, many of these troops did not have the equipment they needed, with only one out of the 12 battalions on the ground in Darfur having received 90 per cent of its equipment (Sudan Tribune, 16 March 2009).

The UN Secretary-General noted that, "The provision of outstanding equipment, in particular military helicopter assets, remains critical to increasing the mobility and operational impact of the mission. I reiterate my appeal to Member States who are in a position to provide these mission-critical capabilities to do so without further delay" (UN Secretary-General, 14 April 2009, para. 65).

The UN Secretary-General in his 14 April 2009 report to the UN Security Council noted that UNAMID also "continued to face restrictions on its freedom of movement. These restrictions were imposed mainly by the Government of the Sudan forces before and after military engagements with different movements, and were justified to UNAMID on security grounds" (UN Secretary-General, 14 April 2009, para. 34).

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).

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