

## SUDAN:

# Slow IDP return to south while Darfur crisis continues unabated

A profile of the internal displacement situation

17 August, 2006

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## OVERVIEW

### Slow IDP return to south while Darfur crisis continues unabated

*More than one year after the signing of a Comprehensive Peace Agreement (CPA) which ended 21 years of civil war between the central government and the southern-based Sudan People's Liberation Movement/Army, there are still an estimated five million internally displaced people in Sudan, including 1.8 million from the separate conflict in the western Darfur region. The CPA paved the way for the return of those uprooted from their homes in the south. The overwhelming majority of the estimated 1 to 1.2 million IDPs who have returned since the signing of the CPA have done so without support from the international community. An institutional framework to support the return and reintegration of the IDPs and refugees has been put in place, but remains largely unused as lack of infrastructure and livelihood opportunities, as well as the presence of mines and insecurity have prevented the UN from promoting the large-scale return of IDPs and refugees. Some two million IDPs from the south reside in the capital, Khartoum, where they are exposed to forced relocations within the city as part of a government urbanisation programme.*

*The CPA did not include other rebel groups and left many local grievances unresolved. These have already led to renewed conflict in the south as well as in other parts of the country. In Darfur, an armed rebellion by local groups against the central government has been met by a brutal scorched-earth counter-insurgency campaign. The conflict has lasted for more than three years and caused hundreds of thousands of deaths, the internal displacement of 1.8 million people, and an outflow of more than 200,000 refugees to neighbouring Chad. Cross-border raids by Sudanese government-supported militias have sparked internal displacement in Chad and an influx of Chadian refugees to Darfur. The armed groups – particularly the government-supported militias – attack IDP camps, killing, looting and raping the inhabitants, and deliberately target humanitarian workers. A 7,000-strong African Union (AU) peace-keeping mission has not had the means to protect the civilian population, and the UN is negotiating with an intransigent central Sudanese government to accept a stronger UN-mandated force. The AU force's failure to provide physical protection from attacks has fuelled anger and frustration among the affected people. A peace agreement of May 2006 has not had any tangible results as only one of the rebel factions signed and intra-ethnic clashes have followed. The international community has launched the world's largest humanitarian operation in the area and managed to mitigate the worst material consequences of the violence, although mortality rates remain above emergency levels, and the humanitarian conditions in the IDP camps are worsening.*

### Background and main causes of displacement

Forced displacement in Sudan is either directly or indirectly a result of fighting between government troops and allied local militias on the one hand and various insurgent groups on the other hand. This primary conflict line is largely a result of the administrative divisions separating the north from the south imposed by the British-Egyptian colonial administration which was established in 1898 and pre-colonial structural disparities which have been perpetuated in the post-independent period. Simplistically, the north is dominated by Arab Muslims, with cultural, economic, political and historical ties to other Arab states, whereas the south is dominated by black Africans, predominantly Christian, with stronger ties to Central and East Africa, as far as the elites are concerned. A pattern of exploitation of the south by the north had already been established before the signing of the British-Egyptian agreement which largely carved out the current state borders. The slave trade of southern black Africans by the economically more powerful Arab north marked the peak of the exploitation, but not the end of it. The colonial administrative separation of north and south slowed down, but did not redress the violent and

repressive history. The British-Egyptian administration deliberately isolated the southern provinces of Equatoria, Bahr al Ghazal, and Upper Nile from Arab influence without attempting to modernise the economy and the political system in the south. Conversely, it invested far more in the Arab north, seeking to modernise and liberalise the political institutions in accordance with British standards. The result was a Sudan of two paces upon departure of the colonial administration: an Arab and Muslim north, economically and politically stronger than the isolated, underdeveloped and demographically weaker black African south.

In 1956, the colonial administration handed political power over both the north and south to a northern Arab elite which has never sought to redress these inequalities. On the contrary, the post-independence Arab authorities have up to the present with varying degrees of intensity abused the state structures they inherited and continued the pre-colonial policy of repression of non-Arabs in all parts of the country through Arabisation, Islamisation and political and economic marginalisation. Hence, the Sudanese state provided the means by which the northern Arab elite in control of the government could expand its power base at the expense of non-Arabs. Largely as a result of this, Sudan has been at war with itself practically throughout the post-independence period, with various rebel groups in different parts of the country taking up arms against the central authorities.

In 1983, only some years after oil was discovered in the southern provinces, the central government retracted the autonomy the south had achieved in a peace agreement of 1972 and imposed the Islamic Sharia law nationwide. As a response, southern troops mutinied and formed the Sudanese People's Liberation Movement/Army (SPLM/A) to fight against the Arabisation and Islamisation of Sudan, regain the lost autonomy and increase the southerners' share of the political and economic power within a unified Sudan or eventually in a new separate secular state. The prospects for a peaceful resolution of the conflict were dramatically reduced in 1989 after a coup by the National Islamic Front (NIF). The NIF, which was led by the current president of Sudan, General Omer al-Bashir, revoked the constitution, banned opposition parties and embarked on a repressive Islamisation campaign.

These measures fuelled discontent and opposition in the south, and eventually plunged the country further into conflict, causing the death of an estimated two million people and generating the largest internal displacement crisis in the world with around four million IDPs and the exodus of over 500,000 refugees to the neighbouring countries. A majority of the IDPs are southerners aligned with or supportive of the SPLM/A; about half of them fled the war zone in the south to the north and mostly settled around Khartoum (UN, 30 November 2004).

In January 2005 the two parties signed a Comprehensive Peace Agreement (CPA) which marked the official end of the conflict. The agreement provided for an autonomous south with its own constitution, government and armed forces during a six-year period after which a referendum will be held on the final status of the south. The agreement also provided for the inclusion of the SPLM/A in a Government of National Unity, inaugurated in July 2005, as well as the inclusion of representatives of the north in the new government of southern Sudan which was sworn in in October 2005. However, the National Congress party representing the former Arab-dominated government still controls power structures at the central level, while the SPLM/A secured a majority of the ministries in the new southern government, as provided for in the CPA (IRIN, 24 October 2005; Sudan Tribune, 27 October 2005). More than one year after the signing of the agreement, there are still unresolved issues. Particularly contentious are the distribution of oil income and a border area between the south and the north which is believed to contain huge oil reserves. While the CPA divides the oil income on a 50-50 share, the government of Southern Sudan does not have the means to control the accuracy of their share. Southern leaders have said they would be willing to go back to war if the wealth-sharing arrangements and border demarcation issues are not resolved (Sudan Tribune, 14 July 2006). Moreover, the north's possibilities of controlling the oil reserves would be significantly reduced if the south decided to

secede as provided for in the CPA. Conversely, this provision hinges on the successful implementation of the agreement which is very much dependent on the successful return and sustainable reintegration of the remaining two million IDPs in Khartoum. As a result, their right to freely choose their place of residence may be threatened.

### **Other conflicts and human rights abuses**

The CPA was a two-party agreement, excluding rebel groups from other non-Arab marginalised peoples, and has not resolved old grievances in the western and eastern parts of the country against the central government.

In the western Darfur region, a peace agreement of May 2006 (Darfur Peace Agreement), has – contrary to expectations – led to an escalation of violence. Only one of the rebel factions signed the agreement and new rebel groups have flared up resulting in fighting between former allies (IRIN, 3 August 2006). Between 70 and 80 per cent of the estimated two million IDPs in Darfur support the rebel faction that did not sign the agreement, according to the UN Special Representative in Sudan, Jan Pronk (Pronk, 28 June 2006), and the entire agreement is about to collapse. Indeed, the splits within the Sudanese Liberation Army – the main rebel group – have led to intra-ethnic fighting, human rights abuses and exacerbated the humanitarian situation of IDPs. At the same time armed groups frequently subject humanitarian workers to harassment, looting and hijacking of their vehicles, resulting in reduced access to IDP camps and an ever-worsening humanitarian situation. By way of example, the rebel faction that signed on to the agreement with the government was responsible for the killing of more than 70 people and raping of 30 women in the beginning of July in a village in West Darfur, reportedly with the support of government troops and local Arab militias, according to Amnesty International. The attack caused the displacement of more than 8,000 villagers to IDP camps in the area (AI, 31 July 2006). Between late 2005 and May 2006, an estimated 250,000 people have been forced to flee, sometimes for a second or third time since the conflict erupted in 2003 (UNOCHA, 2 July 2006). The intra-ethnic clashes following the peace agreement of May 2006 have been preceded by three years of heavy fighting between two main rebel groups, the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) on the one hand and government troops and local militia on the other hand. The rebellion emerged in February 2003 in response to decades of marginalisation and underdevelopment of the region as well as the lack of government protection against recurrent raids by nomads (ICI, 25 January 2005). The government responded with a massive counter-insurgency campaign including air and ground attacks, but relied mainly on local nomad Arab militias, or “Janjaweed”. The offensive has been accompanied by deliberate and indiscriminate attacks on civilians, including massacres, rape, torture, abductions, forced recruitment and systematic looting and burning of villages.

A 7,000-strong African Union peace-keeping mission has not been able to protect the civilian population and the UN is negotiating with an intransigent central Sudanese government to accept a stronger UN-mandated force (UNSC, 22 June 2006). The desperate situation for the displaced in the camps, the recurrent raids, looting, rapes and humiliation have in some cases turned the population against the largely impotent AU force and humanitarian workers. In one particular brutal incident, three Sudanese aid workers were beaten to death by a mob in an IDP camp in West Darfur State (IRIN, 3 August; 21 July 2006).

In total an estimated 1.8 million people –713,000, 666,000 and 409,000 (UNOCHA, 31 January 2006) in West, South and North Darfur respectively – have been displaced as a direct or indirect consequence of the scorched-earth counter-insurgency tactics used by the government and its allies. Another 220,000 have fled Darfur into neighbouring Chad where they receive protection and assistance from UNHCR under extremely difficult conditions (UNHCR, 8 August; 29 June 2006). Militias supported by the Sudanese government have conducted cross-border attacks in Chad, forcing at least 50,000 Chadians to flee internally and another 15,000 to seek refuge in the

war-torn Darfur region (Reuters, 6 July 2006; UNHCR, 14 July 2006). Water supplies and firewood are scarce and the extra burden on the host community fuels animosity against the Sudanese refugees (UNSC, 15 June 2006).

The conflict in Darfur can be traced to the early 1980s when drought and concomitant desertification led to intensified competition for land and scarce resources and ensuing divisions between predominantly Arabs and black Africans. The tensions were further fuelled in 1988 when the government decided to empower and arm the Arabs to fight against an incursion by the Sudan People's Liberation Army (SPLM/A) in Darfur. The arming of the Arabs disrupted the local balance of power and rendered peaceful local resolution mechanisms obsolete. Most of the government-supported perpetrators of displacement in Darfur come from tribes that were armed to fight the SPLM/A in the late 1980s (Sean O'Fahey, BlackElectorate.com, 3 August 2004).

In Kassala and Red Sea states in eastern Sudan tensions have been high between the Eastern Front that brought together the Beja Congress and Free Lions on the one hand and government forces on the other. The tensions have been accumulated over decades as a result of social, political and economical exclusion and ensuing weakened means of production. The region has some of the highest mortality and illiteracy rates in the country. Access to health facilities is extremely limited with most health centres concentrated in Port Sudan. The pauperisation of the region has been exacerbated by mechanised agricultural schemes and mechanisation of the port in Port Sudan, according to a study on the causes and consequences of underdevelopment in eastern Sudan (Pantaulino, September 2005). Animosity against the central government is particularly strong among young Beja people, many of them destitute and unemployed, notably in Port Sudan.

In late 2004 and early 2005 accumulated grievances led to bloody confrontations and the government deployed thousands of troops to quell the uprising and the potentially devastating threat to the oil installations in the region (Sudan Tribune, 2 October 2005; Justice Africa, 23 February 2005). However, the Eastern Front, the major rebel group in the region, was as of June 2006 engaged in peace talks with the government, which may reduce the possibilities of a full-fledged rebellion (UNMIS, 23 June 2006).

In the contested oil-rich Abyei region, tensions are high between farmers and pastoralists, who fear that their access to pastures will be blocked if the majority of the area's non-Arab population vote to join the South in the referendum scheduled for 2011 (Sudan Tribune, 6 April 2006).

Moreover, the UN Secretary-General's Representative in Sudan has warned that there may be vested interests among both military commanders and negotiators in not reaching results in peace talks (UNMIS, 6 June 2006).

### **Return movements and prospects in the south**

The international community has set up an institutional framework to support the return and reintegration process of millions of displaced people to the south. However, the overwhelming majority of the IDPs who have returned have done so on their own. The UN estimates that between 1 and 1.2 million IDPs who remained in the south have returned spontaneously to their places of origin following the peace agreement of January 2005, but the figure is not based on a registration survey (VOA, 20 July 2006). Another 150,000 refugees have returned spontaneously from abroad without assistance from the UN refugee agency (UNHCR, 14 July 2006). The UN has organised the return of only 10,000 refugees from the neighbouring countries, far below the projected 60,000, and around 40,000 IDPs who were residing in insecure areas (UNOCHA, June 2006, 10 October 2005, 1 September 2005). In an apparent response to the low figures, the government of Southern Sudan – set up as part of the Peace Agreement – and various state authorities in the south have started helping IDPs to return independently of the UN. More than

300,000 people have been assisted outside the UN system as of April 2006, according to an informed estimate – a figure which was not expected to rise during the rainy season from June to October 2006 (UNMIS, 30 April 2006). The government of Southern Sudan strongly and openly encourages IDPs to return to the south, seemingly in preparation of the census planned for November 2007 (SV, 21 May 2006) and without enough focus on the sustainability of the process.

While the return process itself poses tremendous logistical challenges such as enormous distances, high transportation costs, mined and flooded roads, the reintegration process is a source of major concern for all the involved agencies. There are millions left, particularly in Khartoum, who are increasingly wary of the conditions in their home areas. Their concerns are not unfounded; the civil war devastated the southern countryside, leaving hardly any schools, health clinics, water and sanitation facilities intact. In addition, after many years of displacement, land and property restitution poses a challenge. The United Nations Mission in Sudan established by the Security Council in March 2005 to support the implementation of the Comprehensive Peace Agreement, including the voluntary return of refugees and IDPs, is seriously under-funded. Consequently, UN officials have warned that IDPs who decide to return will end up in urban slums in the south unless humanitarian assistance and recovery go hand in hand and the donor community responds urgently to the massive needs.

The UN Mission in Sudan has started facilitating returns by providing limited humanitarian support to those who decide to go back and strengthening the local authorities' capacity to receive them. The government announced in October 2005 a decision to resume the demolition of IDP camps and squatter areas in Khartoum after the end of the rainy season in November and forcibly relocate IDPs to resettlement areas as part of what it describes as ongoing urban development efforts. An estimated 900,000 IDPs and urban squatters have been forcedly relocated since 1989 – 250,000 since the decision to resume demolition at the end of last year and up to May 2006 (UNOCHA, 1 April 2006; IRIN, 7 October 2005)

While the government has plans to urbanise and upgrade the new settlements, these areas in most cases do not even provide the most basic services and it is feared the relocation will create a major humanitarian crisis and push even more people into returning to the south prematurely.

Conditions in areas of origin are clearly not conducive to the reintegration of the IDPs who are faced with the dilemma of whether to remain in the north, and be exposed to forced relocation by the government, or return to the devastated south. Despite the pressure from the authorities and the dire conditions in the camps around Khartoum, some of the returning IDPs have found the conditions worse in their home areas and have decided to go back again to the squalid conditions in the north. The main reasons for this are a lack of opportunities for earning a livelihood, insecurity, tax extortion, drought and lack of services (UN briefing, 18 October 2005).

### **Forced displacement and military, political and economic objectives**

Forced displacement has been and continues to be an integral part of war strategies, particularly those of the government, and serves two immediate purposes. The physical capture or control of the civilian population is also the capture of the enemy's support base. The local militias used by the government to uproot the civilian population often come from communities already at odds with them, in most cases over access to land or water. Therefore, the uprooting frees land and access to water or other resources which are in turn occupied and used by the perpetrators and their communities or other supporters of the authorities. The displacement of civilians as war strategy started to be systematically implemented by the government in 1985-1986 in southern Kordofan and is currently in full swing in the western Darfur region (UNSC, 14 October 2005; Johnson, 2004, pp. 151-153).

The strategy transforms internal displacement from being a secondary consequence of the fighting to a military and economic objective with its own local and national logic.

In Greater Upper Nile the link between forced displacement and oil exploration has been highlighted by successive UN Special Rapporteurs on Human Rights in Sudan and several NGOs. Observers have consistently reported that the Khartoum government deliberately depopulated oil-rich areas, using violence and sophisticated weapons to assert control and enable oil firms to exploit new sites. The government used proxy wars and divide-and-rule tactics to weaken the southern-based opposition, notably by sowing tensions between Nuer and Dinka ethnic groups (ICG, 10 February 2003; HRW, 25 November 2003).

The overall strategy has been accompanied by a series of laws which have undermined the land rights of small farmers and rendered them more exposed to long-term consequences of internal displacement, particularly in western Sudan, southern Kordofan, southern Darfur and southern Blue Nile (Johnson, 2004, p. 49). For instance, the Unregistered Land Act of 1970 gave the state ownership of most of the rural land, paving the way for it to establish large mechanised farming schemes in these areas and open land for oil exploitation. Another law of 1974 restricted nomads' and small farmers' access to land and in 1990 the Civil Transactions Act removed customary land rights from the protection of the state courts (Johnson, 2004, p.130). With these measures, the state has given itself the means to legally occupy and dispose of land abandoned by IDPs.

Other legal measures have undermined security of land tenure during displacement. By way of example, the government has been reluctant to consider the southerners squatting around Khartoum as IDPs, and decrees issued in 1987 and 1990 recognise as such only those who had arrived before those years. According to the decrees, people who arrived later, whether forcibly displaced or not, were denied the right to own land and construct permanent shelter. This, in combination with the government's demolition of IDP camps and squatter areas around Khartoum, has undermined the IDPs' possibilities of sustaining their livelihoods. However, it has rendered large numbers of IDPs willing to accept low-paid or unpaid jobs on large labour-intensive agricultural schemes to the benefit of the government and even the army (Johnson, 2004, pp.133, 155-156).

### **International and national response**

The international community represented by UN organisations, the UN Security Council, private and public aid organisations, the African Union and national governments has responded massively but not enough to stop a humanitarian crisis of enormous proportions in Darfur and ensure the sustainability of the return and reintegration of uprooted people in the south. In January 2006, there were more than 14,000 aid workers in the greater Darfur region. The UN Security Council has adopted seven resolutions on Sudan, issued two presidential statements in response to the regional destabilising consequences of the various national conflicts and set up a separate UN structure (UNMIS) to support the implementation of the Comprehensive Peace Agreement (CPA). The African Union has deployed troops to protect the resident population and IDP camps in Darfur and international pressure led to the Darfur Peace Agreement of May 2006. Donors have disbursed more than \$500 million for the Humanitarian Action Component of the Sudan Work Plan 2006 (OCHA, 4 August 2006). Yet, the latest escalation of intra-ethnic fighting in Darfur, as well as attacks against IDPs, resident populations and humanitarian workers, have hindered access to the IDP camps. Humanitarian conditions in the camps are worsening (UNICEF, 22 May 2006), the return and reintegration process of IDPs to the south is slow, and the situation in the east has potential for a new conflict if the ongoing peace talks are derailed (Pronk, 1 August 2006).

The delivery of humanitarian assistance in Darfur and recovery efforts in the south have not only been hampered by logistical challenges such as a long rainy season lasting from May/June to October, national armed groups and bureaucratic obstacles set up by the government in Khartoum, but also by rebel groups from neighbouring Chad and Uganda. The Ugandan Lord's Resistance Army – a long-time ally of the Khartoum government in its fight against the SPLM/A – has caused widespread insecurity in southern Sudan, killing aid workers and local civilians (IRIN, 26 April 2006). This has further reinforced the UN's decision not to promote return to the south. While waiting for conditions in areas of return to improve, the UN and NGOs have been preparing for the expected return of hundreds of thousands of IDPs under highly volatile circumstances. The agencies have deployed staff to collect information about the number, gender, age and destination of returnees along routes of return (UNMIS, 22 April 2006). UN assistance to IDPs returning spontaneously includes mine protection, return and reintegration packages in urban centres close to the final destinations as well as micro-credit schemes to support the local economy. Nevertheless, as demonstrated by reports of IDPs returning to camps in Khartoum, humanitarian assistance alone may not be sufficient. There is a clear risk that lack of investment in infrastructure and livelihood opportunities in the south could derail the process of reintegration of IDPs and refugees, thus putting the overall peace process in jeopardy (Sudan Tribune, 27 July 2006).

In an apparent response to the UN's policy of not actively promoting return to the south and the corresponding low number of IDP returns, some southern states have started organising return of IDPs without the participation of the UN (UNMIS, 5 June 2006). However, the UN is concerned that lack of infrastructure and livelihood opportunities and the presence of mines may lead people to return to areas of displacement or cause aid-dependency in the south (UNMIS, 22 April 2006). The Sudan Relief and Rehabilitation Association (SRRA) set up by SPLM/A in 1985 to coordinate and facilitate humanitarian assistance has had limited impact. Little has changed with the formation of the new and strongly supportive government of Southern Sudan which is far from being in command of the means and institutional capacity to respond adequately to the massive needs.

The Government of National Unity (GNU) on the other hand may have the resources, but lacks the will to protect and assist displaced populations. In Darfur, for example, the government's continued support of the militias responsible for displacements and harassment of IDPs makes any expression of commitment to solving the displacement crisis ring hollow (IRIN, 3 August 2006; UNSC, 14 October 2005).

The Humanitarian Aid Commission set up by the central government in 1995 to protect and assist IDPs has not achieved any tangible results, as demonstrated by the continued forced demolition of IDP camps in Khartoum and the ongoing attacks on IDPs in Darfur. While the presence of thousands of aid workers resulted in increased access and improved conditions in the IDP camps in 2005, the escalation of the violence following the peace agreement of May 2006 not only jeopardises the humanitarian operations in the area, but risks destabilising the already fragile achievements of the CPA in the run-up to the referendum on the status of the south in 2011.

# CAUSES AND BACKGROUND

## Background

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### **Britain and Egypt ruled Sudan jointly from 1899 to 1955**

- Initially nearly all administrative personnel in Sudan were British army officers attached to the Egyptian army
- In 1901 civilian administrators started arriving in Sudan from Britain and formed the nucleus of the Sudan Political Service
- Egyptians filled middle-level posts while Sudanese gradually acquired lower-level positions
- The problem of undefined borders became source of conflict
- 

For a more a comprehensive account of Sudan's history, click [here](#).

### **US Library of Congress, June 1991:**

"In January 1899, an Anglo-Egyptian agreement restored Egyptian rule in Sudan but as part of a condominium, or joint authority, exercised by Britain and Egypt. The agreement designated territory south of the twenty-second parallel as the Anglo-Egyptian Sudan. Although it emphasized Egypt's indebtedness to Britain for its participation in the reconquest, the agreement failed to clarify the juridical relationship between the two condominium powers in Sudan or to provide a legal basis for continued British presence in the south. Britain assumed responsibility for governing the territory on behalf of the khedive.

Article II of the agreement specified that "the supreme military and civil command in Sudan shall be vested in one officer, termed the Governor-General of Sudan. He shall be appointed by Khedival Decree on the recommendation of Her Britannic Majesty's Government and shall be removed only by Khedival Decree with the consent of Her Britannic Majesty's Government." The British governor general, who was a military officer, reported to the Foreign Office through its resident agent in Cairo. In practice, however, he exercised extraordinary powers and directed the condominium government from Khartoum as if it were a colonial administration. Sir Reginald Wingate succeeded Kitchener as governor general in 1899. In each province, two inspectors and several district commissioners aided the British governor (mudir). Initially, nearly all administrative personnel were British army officers attached to the Egyptian army. In 1901, however, civilian administrators started arriving in Sudan from Britain and formed the nucleus of the Sudan Political Service. Egyptians filled middle-level posts while Sudanese gradually acquired lower-level positions.

In the condominium's early years, the governor general and provincial governors exercised great latitude in governing Sudan. After 1910, however, an executive council, whose approval was required for all legislation and for budgetary matters, assisted the governor general. The governor general presided over this council, which included the inspector general; the civil, legal, and financial secretaries; and two to four other British officials appointed by the governor general. The executive council retained legislative authority until 1948.



After restoring order and the government's authority, the British dedicated themselves to creating a modern government in the condominium. Jurists adopted penal and criminal procedural codes similar to those in force in British India. Commissions established land tenure rules and adjusted claims in dispute because of grants made by successive governments. Taxes on land remained the basic form of taxation, the amount assessed depending on the type of irrigation, the number of date palms, and the size of herds; however, the rate of taxation was fixed for the first time in Sudan's history. The 1902 Code of Civil Procedure continued the Ottoman separation of civil law and sharia, but it also created guidelines for the operation of sharia courts as an autonomous judicial division under a chief qadi appointed by the governor general. Religious judges and other sharia court officials were invariably Egyptian.

There was little resistance to the condominium. Breaches of the peace usually took the form of intertribal warfare, banditry, or revolts of short duration. For example, Mahdist uprisings occurred in February 1900, in 1902-3, in 1904, and in 1908. In 1916 Abd Allah as Suhayni, who claimed to be the Prophet Isa, launched an unsuccessful jihad.

The problem of the condominium's undefined borders was a greater concern. A 1902 treaty with Ethiopia fixed the southeastern boundary with Sudan. Seven years later, an AngloBelgian treaty determined the status of the Lado Enclave in the south establishing a border with the Belgian Congo (present-day Zaire). The western boundary proved more difficult to resolve. Darfur was the only province formerly under Egyptian control that was not soon recovered under the condominium. When the Mahdiah disintegrated, Sultan Ali Dinar reclaimed Darfur's throne, which had been lost to the Egyptians in 1874 and held the throne under Ottoman suzerainty, with British approval on condition that he pay annual tribute to the khedive. When World War I broke out, Ali Dinar proclaimed his loyalty to the Ottoman Empire and responded to the Porte's call for a jihad against the Allies. Britain, which had declared a protectorate over Egypt in 1914, sent a small force against Ali Dinar, who died in subsequent fighting. In 1916 the British annexed Darfur to Sudan and terminated the Fur sultanate"

### **The central government has fuelled tensions between local tribes in Darfur, 1980-2005**

- Drought and desertification have led to increased competition over natural resources between sedentary farmers and nomads
- Resource-based conflicts have acquired an ethnic dimension as animal herders are generally Arabs, and farmers are commonly Africans
- The mass displacements have disintegrated traditional social structures and conflict resolution mechanisms
- Droughts in the 1970's and 1980's caused mass exodus of African and Arab tribes, originating from Chad and northwest Darfur who later settled down in West Darfur
- These immigrants sided with the government when the conflict erupted in 2003
- The government responded to the rebellion by arming the immigrants to clear civilian population

#### **UNHCR, 29 July 2005:**

"The Arab/African dichotomy has characterized life in the region [Southern part of West Darfur] for a long time. The main causes of the conflicts are competition over natural resources and land. African tribes are traditionally sedentary farmers whose livelihoods are mainly based on rain-fed agriculture. Arabs are mainly nomadic herders and during their seasonal movements, they often

encountered problems with the sedentary farmers. Drought and desertification have worsened the situation, forcing the nomads to change their pattern of seasonal movements. Resource-based conflicts have acquired an ethnic dimension as animal herders are generally Arabs, and farmers are commonly Africans. The Arab-Fur conflicts (1980-1989) and the Arab-Masalit conflicts (1993 - 1999) can be basically attributed to this form of competition over land and natural resources. Nevertheless, before the 2003 crisis, the traditional system of managing resources facilitated the relatively peaceful coexistence between nomads and farmers. African farmers sold agricultural food items to the Arabs, who brought animals into the market. During the farming season, from July to February, Nomadic movements were restricted to certain annually-marked traditional routes, called migration routes. After the harvesting season, the nomads were allowed to use all of the grazing land, except for the fenced vegetable/fruit gardens. During the rest of the year, nomads moved along the agreed upon migration routes. Water points were shared by everyone. Conflicts and disputes among tribes and individuals were settled by the traditional authorities, such as Omda, Sheiks or the Sultan (the latter one only for serious problem related to killing, land or water) and with the help of the ajawid (or mediator). In cases of murder, the traditional system provided as well for the possibility of a rakuba. If there is a rakuba among two tribes, the family or the tribe of the perpetrator has to pay only for the karamat. The karamat is the money for the funeral and the food necessary to the family and the relatives of the victim during the mourning period. If the murder was committed intentionally, the family or the tribe of the victim may ask for a dia or blood money, which is generally 100 cows or the corresponding amount of money, without any distinction for men, women and children. In cases of destruction of crops by animals, it was required that the aggrieved party find the animals in the act of destroying the crops. If this was the case, the animals were placed in an enclosure known as a zariba. The two parties involved in the dispute were then invited to sit together to discuss the incident in order to determine the compensation (money or crops in kind) for the damages. The animals were kept in this enclosure until the dispute was solved. Until 1980, relations among African and Arab tribes were quite good. The worsening of this relationship happened gradually from the 1980s onwards. After the 2003 crisis, the large scale displacement of the African population has caused a radical change in the ways in which Arab and Africans normally interact. Many of the African traditional authorities are now displaced in the camps or in other towns and villages and have lost control over the territory and the people they used to supervise. This has caused a partial loss of their authority. At the same time, larger numbers of Arabs have joined the army and the police forces, which has altered the balance of power between the two groups and resulted in a tangible distrust by the African population of the Arab communities and Government authorities. Tama, Gimir and other tribes that during the conflict sided with the Government The African Sahelian belt droughts of the 1970's and 1980's led to the mass exodus of African and Arab tribes, originating from Chad and northwest Darfur, into the IDP camps south of Geneina. During the 1990's, they started to vacate the camps and settled in places as far as Um Dhukun and Umdafuk.

Initially, the African tribes such as Tama and Gimir were on good terms with the dar owners, with whom they shared a similar way of life, the same religion and ethnic background. Marriages between members of the different tribes were common. The local administration, however, was still solidly in the hands of the original Fur and Masalit inhabitants, in accordance with the traditional dar system. Similar to the native inhabitants, the new African arrivals were also farmers and could freely settle in the region. The best and most fertile land, however, remained allocated to the original inhabitants, as did administrative authority and functions. Essentially, the new African arrivals were well integrated with the dar owners, but occupied a lower social and economic status. When the conflict erupted in August 2003, many of the "new" African tribes chose not to side with the traditional African tribes of the area. Tama, Gimir, Mararit, Eringa, Kajaksa, Borgo, Mesiria Jabal, Mimi, Singar, Dajo, are among the African tribes that took this position in the conflict and are considered by the other African groups as "collaborators". Their position was presumably influenced by the prospect of gaining better land through collaboration as well as the fact that

their limited numbers put them at risk of losing their animals in the conflict. Moreover, these tribes were not specific targets because the African rebels were from the Fur, Masalit and Zaghawa tribes. The position assumed by these African tribes during the conflict has inevitably resulted in a deterioration in relations with the other main African groups. Their relationship at the moment is tense, and there is a tendency to perceive each other as enemies."

**ICG, 30 September 2004:**

"Darfur province became latest chapter in Sudan's civil wars when Sudan Liberation Army/Movement (SLA) and Justice and Equality Movement (JEM) rebels took arms against government February 2003. Rebels claimed years of political, economic and social marginalization of the region. Rebels made up of predominantly African sedentary tribes, such as Fur, Zaghawa and Massaleit. After string of military victories in spring 2003, government responded to rebellion by arming Arab "Janjaweed" militia to clear civilian population bases of African tribes thought to be supporting rebellion. Policy led to displacement of between 1.5-2 million civilians in Darfur, and death of at least 50,000. Ceasefire agreement signed between government and Darfur rebels April 2004 failed to stop violence."

**The British colonisers prepared the three SPLM/A dominated provinces in the south for eventual integration with British East Africa, 1898-1956**

- The southern Sudan's provinces--Equatoria, Bahr al Ghazal, and Upper Nile--were largely closed off for foreigners by the British administration
- The colonial administration also discouraged the spread of Islam, the practice of Arab customs and the wearing of Arab dress in the three provinces
- A 1930 directive stated that blacks in the southern provinces were to be considered a people distinct from northern Muslims

**US Library of Congress, June 1991:**

"From the beginning of the Anglo-Egyptian condominium, [1898]the British sought to modernize Sudan by applying European technology to its underdeveloped economy and by replacing its authoritarian institutions with ones that adhered to liberal English traditions. However, southern Sudan's remote and undeveloped provinces--Equatoria, Bahr al Ghazal, and Upper Nile--received little official attention until after World War I, except for efforts to suppress tribal warfare and the slave trade. The British justified this policy by claiming that the south was not ready for exposure to the modern world. To allow the south to develop along indigenous lines, the British, therefore, closed the region to outsiders. As a result, the south remained isolated and backward. A few Arab merchants controlled the region's limited commercial activities while Arab bureaucrats administered whatever laws existed. Christian missionaries, who operated schools and medical clinics, provided limited social services in southern Sudan.

[...]

British authorities treated the three southern provinces as a separate region. The colonial administration, as it consolidated its southern position in the 1920s, detached the south from the rest of Sudan for all practical purposes. The period's "closed door" ordinances, which barred northern Sudanese from entering or working in the south, reinforced this separate development policy. Moreover, the British gradually replaced Arab administrators and expelled Arab merchants, thereby severing the south's last economic contacts with the north. The colonial

administration also discouraged the spread of Islam, the practice of Arab customs, and the wearing of Arab dress. At the same time, the British made efforts to revitalize African customs and tribal life that the slave trade had disrupted. Finally, a 1930 directive stated that blacks in the southern provinces were to be considered a people distinct from northern Muslims and that the region should be prepared for eventual integration with British East Africa.

Although potentially a rich agricultural zone, the south's economic development suffered because of the region's isolation. Moreover, a continual struggle went on between British officials in the north and south, as those in the former resisted recommendations that northern resources be diverted to spur southern economic development. Personality clashes between officials in the two branches in the Sudan Political Service also impeded the south's growth. Those individuals who served in the southern provinces tended to be military officers with previous Africa experience on secondment to the colonial service. They usually were distrustful of Arab influence and were committed to keeping the south under British control. By contrast, officials in the northern provinces tended to be Arabists often drawn from the diplomatic and consular service. Whereas northern provincial governors conferred regularly as a group with the governor general in Khartoum, their three southern colleagues met to coordinate activities with the governors of the British East African colonies."

### **History of the Sudanese conflicts, 1880-2004**

- Sudan owes its existence as one unit to colonial history
- The country is divided by religion, ethnicity, tribe and economic activity
- Around 70 per cent are Muslim, 25 per cent animist, 5 per cent Christian
- Most significant conflict has been that between north and south, with first civil war lasting from 1956-1972, and second civil war from 1983
- Sudan suffers from identity crisis
- People in power see themselves as Arabs
- This self-perception does not reflect the realities of the subordinated people

### **ICG, 30 September 2004**

"Sudan, Africa's biggest country, owes its existence as one unit to colonial history. Sudan is divided by religion (70 per cent Muslim, 25 per cent animist, 5 per cent Christian), ethnicity (between African- and Arab-origin Sudanese), tribe and economic activity (between nomadic and sedentary cultures). Country has been in near constant conflict since it became independent 1956. Most significant conflict has been that between north and south, with first civil war lasting from 1956-1972, and second civil war from 1983.

Loose Ottoman-Egyptian administration collapsed 1880s after national-religious revolt led by self-appointed Islamic Mahdi. Anglo-Egyptian forces captured Khartoum 1898 and established jointly-administered condominium. British kept north and south separate until fused 1947, with political power given to northern elite ahead of independence in January 1956. Fearing marginalisation by more populous north, southern army officers mutinied 1955, eventually forming Anya-Nya guerrilla movement. General Abboud seized power Khartoum 1958 instituting policy of Islamisation.

After Abboud was forced out by popular uprising 1964. Number of Arab-dominated governments succeeded each other until coup of General Nimieri 1969. Following failed coup attempt by Communists 1971 which left Nimieri isolated politically, he began to seek peace with neighbouring countries (Ethiopia and Uganda) and southern rebels. Addis Ababa peace agreement was signed with Anya-Nya March 1972, allowing for Anya-Nya integration into national army and autonomy for south.

However, systematic violation of agreement by government, combined with increasing Islamic shift in late 1970's and discovery of oil in southern Sudan eventually led to resumption of war. Agreement was unconstitutionally revised 1977, and northern troops deployed to oil-rich town of Bentiu. Southern troops mutinied against government early 1983. Nimieri abrogated Addis Ababa agreement June 1983, dissolving south's constitutional guarantees and declaring Arabic official language. Islamic Sharia law was announced as sole source for Sudanese law September 1983. Southern grievances crystallised around Sudan People's Liberation Army/Movement (SPLA) group led by John Garang. Nimieri was overthrown by popular uprising 1985 and democratic government, led by Umma Party's Sadiq al-Mahdi, was voted into power 1986.

Moves towards peace agreement between SPLA and government were dashed when National Islamic Front (NIF) led bloodless coup June 1989, day before bill to freeze Sharia law was to be passed. Led by General Omer al-Bashir, NIF unravelled steps towards peace, revoked constitution, banned opposition parties, and moved to Islamise justice system. NIF simultaneously stepped up north-south war, proclaiming jihad against non-Muslim south.

SPLA was weakened 1991 by fall of Mengistu regime Ethiopia, and major split within its ranks, which led to serious inter-ethnic fighting in south. SPLA nevertheless kept afloat through alliances of convenience with northern movements opposed to NIF, and strong regional support. Eritrea became de facto base for Sudanese opposition after Eritrea accused Khartoum of supporting Islamic Jihad insurgents. Ethiopia accused Sudan of assistance in June 1995 assassination attempt on visiting Egyptian President Mubarak. Khartoum's harbouring of Osama bin Laden and other Islamic fundamentalist groups throughout early to mid-1990's led to gradual international isolation, culminating in US cruise missile attack 1998 following terrorist bombings of US embassies in Nairobi and Dar-es-Salaam.

On and off negotiations between government and SPLA under Kenyan-led regional Inter-Governmental Authority on Development (IGAD) body derived little progress from 1994-2001. Machakos Protocol of July 2002, which granted self-determination referendum for the south after six year interim period, while Islamic Sharia law to remain in north, provided framework for future negotiations. Subsequent protocols on Security Arrangements, Wealth Sharing, Power Sharing, disputed area of Abyei, and disputed Nuba Mountains and Southern Blue Nile areas were completed by May 2004."

**Francis Deng, Nonresident Senior Fellow at the Brookings Institution, 13 April 2006**

"Sudan is a country that is suffering from an acute crisis of identity, and I'll elaborate, quickly, what I mean by that.

This identity crisis has two dimensions.

One is that the way people who are in power and who have dominated Sudanese politics since independence, the way they perceive themselves, they identify themselves as Arabs, is in sharp contradiction or has a discrepancy with what they really are, when you look at them.

And these are people whose ancestors came from Arabia or some Arab countries, without women, and they came and intermarried with Africans and produced a hybrid race, that when you look at them, if you don't know the details and you're casually looking with them, you can't tell who is an African, who is an Arab. I had the same problem in Darfur. I mean, I would go there, and some look browner than others, some darker, but by and large, you couldn't tell.

It's like going to Burundi and asking the foreign minister, I saw some people look very Tutsi, as we were told they were, some looked very Hutu, and many in between that I couldn't tell.

So I asked the foreign minister, Can you understand a Tutsi from a Hutu? And he said yes, you can, but with a margin of error of 35 percent.

MR. DENG: Now when I raised this question in the Sudanese context, I was told that the margin of error is 65 percent.

The other aspect of the crisis is that this self-perception that does not reflect the realities of the people themselves, is then imposed on the whole nation to define the nation as an Arab, then Islamic country, and the two go hand in hand. In Sudan, Arabism as a race or ethnicity, Arabic and Islam, constitute the identity that you would call the Arabic Islamic identity.

Now because of lack of time, this complexity that we have in the Sudan was reduced into a dualism, called the North Arab Islamic North and the South African South.

Even though you have elements in the North, as we now hear in Darfur, but of course among the Nuba mountains, in southern Blue Nile, in the Beja region, all of these were subsumed under the rubric of the northern Arab Islamic identity.

And the South was again seen as primarily African animists, and now with Christianity coming in. The crisis comes not because of differences but because of the implications in the sharing of power and wealth and the status of citizenship. So what happened was the British ruled these two parts as one country in two. They developed the North, the South was by and large neglected, except for introducing missionaries to bring Christianity. This was the case until literally the dawn of independence, when the British simply just exited and allowed the country to become a unitary system."

### **Origins of the conflict in eastern Sudan (2004)**

- The Beja people in eastern Sudan has its own distinct history of oppression and marginalisation by the government
- The National Democratic Alliance and the SPLM/A opened an 'eastern front against the government in the mid 1990s
- The principal armed groups are the Sudan Allied Forces, the Beja Congress, the Rashaida Free Lions Movement (FLM) and the Fatah Forces
- There is a growing risk of conflict between the GoS and opposition movements in the region
- Inter-tribal conflict over land ownership, land use and land borders

### **ICG, 25 June 2003:**

"Northeastern Sudan, another area whose concerns have been outside the peace talks[between SPLM and the government], has also known recurrent civil unrest and fighting. The traditional home to the Beja people, eastern Sudan has its own distinct history of oppression and marginalisation

from which the political and military wings of the Beja Congress have emerged to fight alongside other armed groups in the East."

### **UN, 30 November 2004, p.161:**

"Significant armed conflict has been present in eastern Sudan since the mid-1990s, when the National Democratic Alliance and the SPLM/A opened an 'eastern front' in the war against the GoS and subsequently took control of pockets of territory, such as the area of Hameshkoreb near the Eritrean-Sudanese border. In 2004 there were no major new outbreaks of fighting in the region. However with the talks between the GoS and the SPLM/A in Kenya in 2004 not covering the east, and with the example of the escalation of the conflict in Darfur, it has become apparent

that there is a growing risk of a sharp increase in conflict between the GoS and opposition movements in the region unless their political and economic grievances are addressed.

The large number of armed groups in the region further contributes to the risk of increased conflict. In addition to SPLM/A troops based in the Hameshkoreb area, the principal armed groups are the Sudan Allied Forces, the Beja Congress, the Rashaida Free Lions Movement (FLM) and the Fatah Forces. In July [2004] the FLM signed an agreement with the Darfur-based Justice and Equality Movement supporting armed opposition to the GoS. Adding to the tensions are the continuing poor relations between the GoS and the Eritrean government, which the GoS accuses of providing assistance to some of the eastern-based opposition forces, but which in turn accuses the GoS of supporting several Eritrean armed opposition groups.

[...]

Following the growth of oil production in other regions of Sudan, and exploration work which has indicated the existence of oil reserves in the east, the GoS has indicated that it may pursue oil production in the region. However if this occurs, it may have ramifications for the scope for increased conflict in the region."

#### **ISS, March 2004:**

"Forms of conflict in eastern Sudan can be subdivided into three main categories:

- Inter-tribal conflicts; between Beja tribes and tribes other than Beja; principally the Rashaida.
- Inter-tribal conflicts among the Beja tribes.
- Intra-tribal conflict: conflicts that occur within the tribe between clans and lineage groups belonging to the same tribe.

With certain exceptions, these three forms of conflict are usually associated with land ownership, land use, land borders and conformity to the rules governing access to land and its use. In the inter-tribal conflict between the Beja and Rashaida, between the different Beja tribes and within the Beja tribes, land is the major factor. Inter-tribal conflict between the Rashaida and the Beja has arisen principally over tribal land ownership and the political office of *nazara* associated with it. Land ownership and the political position of the tribe are intimately interrelated and the tribe that owns or has established claim to land has its recognised political position relative to other tribes reflected in the political office of *nazara*."

#### **The origins of the war between SPLM/A and the central government, 1955-2000**

- In 1955, a military unit composed of southerners mutinied against the new Sudanese independent government
- In simplistic terms, the language and culture of the north are based on Arabic and Islam
- A civil war raged until 1972 when the south was granted autonomy
- The civil war resumed in 1983 when President Nimeiri imposed the Islamic Shari'a law, retracting the autonomy granted to the south in 1972
- The SPLA was formed in 1983 when Lieutenant Colonel John Garang of the national army was sent to quell a mutiny in Bor

For a more comprehensive account of the war between the central government and SPLA, see; [Prolonged wars: The war in Sudan](#)

#### **FAS, January 2000:**

"With the exception of a fragile peace established by negotiations between southern Sudanese insurgents (the Anya Nya) and the Sudan government at Addis Ababa in 1972, and lasting until

the resumption of the conflict in 1983, southern Sudan has been a battlefield. The north-south distinction and the hostility between the two regions of Sudan is grounded in religious conflict as well as a conflict between peoples of differing culture and language. The language and culture of the north are based on Arabic and the Islamic faith, whereas the south has its own diverse, mostly non-Arabic languages and cultures -- with few exceptions non-Muslim, and its religious character was indigenous (traditional or Christian).

The origins of the civil war in the south date back to the 1950s. On August 18, 1955, the Equatoria Corps, a military unit composed of southerners, mutinied at Torit. Rather than surrender to Sudanese government authorities, many mutineers disappeared into hiding with their weapons, marking the beginning of the first war in southern Sudan. By the late 1960s, the war had resulted in the deaths of about 500,000 people. Several hundred thousand more southerners hid in the forests or escaped to refugee camps in neighboring countries. By 1969 the rebels had developed foreign contacts to obtain weapons and supplies. Israel, for example, trained Anya Nya recruits and shipped weapons via Ethiopia and Uganda to the rebels. Anya Nya also purchased arms from Congolese rebels. Government operations against the rebels declined after the 1969 coup, and ended with the Addis Ababa accords of 1972 which guaranteed autonomy for the southern region.

The civil war resumed in 1983 when President Nimeiri imposed Shari'a law, and has resulted in the death of more than 1.5 million Sudanese since through 1997. The principal insurgent faction is the Sudan People's Liberation Movement (SPLM), a body created by the Sudan People's Liberation Army (SPLA). The SPLA was formed in 1983 when Lieutenant Colonel John Garang of the SPAF was sent to quell a mutiny in Bor of 500 southern troops who were resisting orders to be rotated to the north. Instead of ending the mutiny, Garang encouraged mutinies in other garrisons and set himself at the head of the rebellion against the Khartoum government. Garang, a Dinka born into a Christian family, had studied at Grinnell College, Iowa, and later returned to the United States to take a company commanders' course at Fort Benning, Georgia, and again to earn advanced economics degrees at Iowa State University. By 1986 the SPLA was estimated to have 12,500 adherents organized into twelve battalions and equipped with small arms and a few mortars. By 1989 the SPLA's strength had reached 20,000 to 30,000; by 1991 it was estimated at 50,000 to 60,000.

Since 1983, the SPLA has been divided into 3 main factions: the SPLA Torit faction led by John Garang; the SPLA Bahr-al-Ghazal faction led by Carabino Kuany Bol; and the South Sudan Independence Movement led by Rick Machar. These internal divisions have intensified fighting in the south, hampering any potential peace settlement. The SPLA remains the principal military force in the insurgency.

In April 1997 the South Sudan Independence Movement/Army (SSIM/A), which broke away from the SPLA, and several smaller southern factions concluded a peace agreement with the Government. These former insurgent elements then formed the United Democratic Salvation Front (UDSF). However, the SPLM, its armed wing, the SPLM/A, and most independent analysts have regarded the April 21 Agreement as a tactical government effort to enlist southerners on its side. The SPLM/A and its northern allies in the National Democratic Alliance (NDA) carried out successful military offensives in areas along the borders with Ethiopia and Eritrea and in large parts of the south during the year. Neither side appears to have the ability to win the war militarily."



## Violence and the creation of identities in Darfur

- People could move socially from one tribe to another
- Turning point in the relation between the different tribes when the government armed local nomads in 1988 to fight the SPLA
- These weapons were later used to settle conflicts with farmers which traditionally had been settled by mediation
- Ethnicity has increasingly been politicised as part of the construction of the modern Sudanese state
- International humanitarian actors have failed to understand the relation between the repression of the Darfurian identities by the central government and the eruption of violence

### **BlackElectorate.com, 3 August 2004**

"Cedric Muhammad: In a recent op-ed you wrote published by The International Herald Tribune you [Professor Sean O'Fahey] gave a snapshot of how difficult it is to neatly classify and differentiate members of tribes and ethnic groups in Darfur, writing, "For example, once a successful Fur farmer had a certain number of cattle, he would "become" Baqqara, and in a few generations his descendants would have an "authentic" Arab genealogy."

In addition the pictures I have seen of those being styled as 'Arab' militia members are dark-skinned Black men, by the standards of most people living in the West.

Also I know that writers like A.M. Ahmed and S. Harir have suggested that the population in Darfur can also be divided into four groups: 1) The Baggara (cattle nomads), 2) the Abala (cattle nomads), 3) the Zurqa (the local name for non-Arab peasants derived from the Arabic word for black), and 4) the inhabitants of the urban centers.

And, finally I know that you have been a leader in stressing that linguistic, migration, and occupational factors are essential aspects of identifying ethnic structures in Darfur. So, in light of that, what do you think of the insistence by many, in depicting what is happening in Darfur as Arabs vs. Black Africans?

Professor Sean O'Fahey: It is both very recent and very misleading. For example, the use of the term "Zurqa" "Blacks" to distinguish non-Arab peoples from Arabs has a long history in the region, but only recently has it acquired racial/racist overtones. We will come back to this below. Colour classifications have a long history in the Sudan - see for example O'Fahey and Spaulding, *Kingdoms of the Sudan* (London 1974) - but without necessarily racist implications.

Cedric Muhammad: Mohamed Suliman, several years ago offered an interesting perspective dealing with how ethnicity and race can go from being perceived or secondary factors in a conflict to becoming the primary or central force. I think his thesis is applicable to what is happening in Darfur. Here is some of what he presented in a 1997 paper he submitted to an international workshop:

"Ethnicity, far from presenting a historical leftover, has been recast as a modern phenomenon, with people re-tribalising in the face of pressure so that ethnicity is no longer seen as a cause, but rather as a consequence of war, (Fukui & Markakis, 1994 also Gurr and Harff, 1994). However, with the passage of time an inversion of ethnicity from being an effect into being a cause is indeed possible.

Many violent conflicts continue over long periods of time, hence the need to understand what time does to causes, perceptions and manifestations of violent conflict.

The passage of time blurs some processes, enforces others and obliterates some altogether. We can only guess what the consequences of today's acts will be, given the number of subjective factors in action and the very real possibility that a subjective factor may invert and become an objective one and vice versa.

... some factors, like ethnicity, and cultural and religious affiliations - initially abstract ideological or political categories effective mainly in the realm of perception - can be transformed by the passage of time into objective, 'material' social forces. Ethnicity, for example, often the product of violent conflict, can end up becoming an objective cause of enduring or future violence, proving that, with time, effects can become causes.

Ethnic, religious and cultural dichotomies remain, however, very potent in people's perceptions of violent conflict. However, the longer a conflict endures, the higher the ethnic barrier will rise and the greater the possibility that the ethnic divide will augment the initial causes of the conflict and may even surpass them, with time, to become the dominant factor."

Professor O'Fahey, Do you think that this is what is happening in Darfur today, that ethnicity is being inverted from an effect to an actual cause in violence?

Professor Sean O'Fahey: Yes, the term I would use is the politicization of ethnicity. The question then arises, who does the politicizing? The marginalization of Darfur, exacerbated in the early 80s by drought and concomitant desertification, led to cleavages between Arab and non-Arab groups politically, despite efforts by leaders on both sides, for example the former governor, Ahmed Ibrahim Derreig, to overcome the cleavage. A turning point came in 1988 with the decision by the then Prime Minister, Sadiq al-Mahdi, to arm the nomads to fight against the Sudan Peoples Liberation Army (SPLA) to the south. Thus emerged the Murahillin, semi-government militia who turned their guns on the "African" farmers to the north. Localized conflicts or disputes over wells and grazing rights, traditionally settled by mediation, now began in the late 80s to coalesce into a wider conflict which increasingly took on an ideological/racist tone."

**Justice Africa, December 2004:**

"This paper is an attempt to explain the processes of identity formation that have taken place Darfur over the last four centuries. The basic story is of four overlapping processes of identity formation, each of them primarily associated with a different period in the region's history. The four are the 'Sudanic identities' associated with the Dar Fur sultanate, Islamic identities, the administrative tribalism associated with the 20 th century Sudanese state, and the recent polarization of 'Arab' and 'African' identities, associated with new forms of external intrusion and internal violence. It is a story that emphasizes the much-neglected east-west axis of Sudanese identity, arguably as important as the north-south axis, and redeems the neglect of Darfur as a separate and important locus for state formation in Sudan, paralleling and competing with the Nile Valley. It focuses on the incapacity of both the modern Sudanese state and international actors to comprehend the singularities of Darfur, accusing much Sudanese historiography of 'Nilocentrism', namely the use of analytical terms derived from the experience of the Nile Valley to apply to Darfur.

The term 'Darfurian' is awkward. Darfur refers, strictly speaking, to 'domain of the Fur'. As I shall argue, 'Fur' was historically an ethno-political term, but nonetheless, at any historical point has referred only to a minority of the region's population, which includes many ethnicities and tribes. However, from the middle ages to the early 20 th century, there was a continuous history of state formation in the region, and Sean O'Fahey remarks that there is a striking acceptance of Darfur

as a single entity over this period. Certainly, living in Darfur in the 1980s, and traveling to most parts of the region, the sense of regional identity was palpable. This does not mean there is agreement over the identity or destiny of Darfur. There are, as I shall argue, different and conflicting 'moral geographies'. But what binds Darfurians together is as great as what divides them. [...]

### **Conclusion;**

First, who are the Darfurians? I argue that Darfur has had a remarkably stable continuous identity as a locus for state formation over several centuries, and is a recognizable political unit in a way that is relatively uncommon in Africa. But the incorporation of Darfur into Sudan, almost as an afterthought, has led not only to the economic and political marginalization of Darfurians, but the near-total neglect of their unique history and identity. Just as damaging for Darfurians as their socio-political marginalization has been the way in which they have been forced to become Sudanese, on terms that are alien to them. To overcome this, we must move to acknowledging a politics of three Sudans: North, South and West. It is probably a naïve hope, but a recognition of the unique contribution of Darfurians and the inclusive nature of African identity in Darfur, could provide a way out of Sudan's national predicament of undecided identity. Short of this ambition, it is important for Darfurians to identify what they have in common, and undertake the hard intellectual labour of establishing their common identity.

Second, what we see is the gradual but seemingly inexorable simplification, polarization and cementing of identities in a Manichean mould. Within four generations, a set of negotiable identities have become fixed and magnetized. We should not idealize the past: while ethnic assimilation and the administration of the Sultanate may have been relatively benevolent at the centre, at the southern periphery it was extremely and systematically violent. Similarly, while Sufism is generally and correctly regarded as a tolerant and pacific set of faiths, it also gave birth to Mahdism, which inflicted a period of exceptional turmoil and bloodshed on Sudan, including Darfur. Violence has shaped identity formation in the past in Darfur, just as it is doing today. Also, from the days of the Sultanate, external economic and ideological linkages shaped the nature of state power and fed its centralizing and predatory nature. Today, the sources and nature of those external influences are different. A 'global war on terror' and its correlates influences the political and ideological landscape in which Darfur's conflict is located, including the very language used to describe the adversaries and what they are doing to one another and the unfortunate civilians who are in the line of fire. The humanitarians and human rights activists, as much as the counter-terrorists and diplomats, are part of this process whereby Darfurian identities are traumatically transformed once again. Hopefully there will be a counter-process, which allows for Darfurians to carve out a space in which to reflect on their unique history, identify what they share, and create processes whereby identities are not formed by violence."

### **Origins of the rebels groups in Darfur, 1995-2005**

- The government aligned with nomadic groups of Arab origin against the Fur, Zaghawa and Massaleit in disputes over natural resources
- The Fur had fought in the mountainous fertile belt of Jebel Marra for more than a decade against marauding Arab militias
- The Massaleit formed self-defence militias in response to raids by Arab nomadic groups in 2000

- The Arab-Massaleit conflict was a precursor of massive ethnic cleansing campaign in 2003-2004 by the Arab militias

#### **ICG, 7 October 2005:**

"An underlying cause of the [Darfur] rebellion was the government's consistent alignment with nomadic groups of Arab origin against the Fur, Zaghawa and Massaleit in their frequent disputes over natural resources. The Fur had fought in the mountainous fertile belt of Jebel Marra for more than a decade against marauding Arab militias attracted by the area's rich natural resources. By July 2000, when attacks resumed on Fur villages, the tribe's ragtag youth self-defence groups merged to form a broader movement. In the mid-1990s self-defence militias formed in western Darfur among the Massaleit people in response to raids by Arab nomadic groups.<sup>3</sup> The Arab-Massaleit conflict received little international notice at the time but was a precursor of the 2003/2004 massive ethnic cleansing campaign. A series of conflicts between the Zaghawa Tuer and Awalad Zeid from late 1999 through May 2001 in the Kornoï area of Dar Gala, and the subsequent breakdown of traditional conflict resolution processes spurred some Zaghawa Tuer to take up arms.<sup>4</sup> In August 2001, a small group of Zaghawa travelled from North Darfur to Jebel Marra to help train Fur recruits against the Arab raiders.<sup>5</sup> Many Zaghawa had acquired professional military training in the Chadian or Sudanese armies, a fact that has caused them to predominate in the upper ranks of the insurgency to this day. The visitors were initially welcomed by the Fur, and the training went on until May 2002. When it became clear that the movement was evolving into an armed rebellion against the central government, however, many grew uneasy with the rebels' presence, fearing reprisals. Nevertheless, a conference of 42 people in Butke, Jebel Marra in March 2002 created the new movement, giving the position of chairman to a Fur, the military command to a Zaghawa, and the deputy chairmanship to the Massaleit, with each tribe to pick its representative. The Zaghawa chose Abdallah Abakar as military commander, the Fur Abdel Wahid Mohamed el-Nur as chairman, and the Massaleit Mansour Arbab as deputy chairman, though he was soon replaced by the current deputy, Khamees Abdallah. Minni Arko Minawi, the current secretary general of the movement<sup>6</sup> and the chief rival to Abdel Wahid, succeeded Abdallah Abakar after the latter's death in January 2004.<sup>7</sup> This structure remains the basis of the SLA leadership. In August 2002, the then governor of North Darfur, General Ibrahim Suleiman, met with Fur tribal leaders in Nyertete and urged them to convince the Zaghawa armed youths to leave Jebel Marra, in return for which he promised an end to impunity for Arab raids. Meanwhile, prominent Zaghawa politicians in Khartoum were sent to persuade the Zaghawa to negotiate with the government. The Zaghawa did leave Jebel Marra for North Darfur in October 2002 and start talks with the government with a view to disbanding the armed elements. Abdel Wahid and most of his Fur soldiers were left behind. However, the negotiations were likely tactical for the rebels, an effort to buy time while preparing for battle. Minni's Zaghawa branch grew quickly, receiving substantial support from Zaghawa in the Chadian army, and soon began its remarkable string of successes against the government throughout North Darfur. As the military prowess of the Zaghawa-wing grew, the Fur continued to operate in the Jebel Marra area, while the Massaleit, under former SPLM<sup>8</sup> Commander Adam "Bazooka", conducted operations in their tribal areas of West Darfur."

#### **The SPLM criticizes the Khartoum government for slow implementation of the Comprehensive Peace Agreement ( May 2006)**

- Disagreement on oil revenues may lead to separation between the south and the north in the referendum scheduled for 2011
- Only 330,000 barrels of oil produced per day, according to the Khartoum government, yet, the SPLM claims that 450,000 barrels produced a day

## **SHRO-Cairo, May 2006**

"January 29, the SPLM leader Salva Kiir criticized strongly the government's slowness in the execution of the CPA. Kiir said the South did not receive its budget as agreed. In a press conference at the Republican Palace, he spoke about a conflict between the two partners on the oil produced in the South. Only 330,000 barrels of oil were produced per day, affirmed the minister of finance. And yet, the SPLM claimed that 450,000 barrels were produced a day.

Kiir said that such statements would move the southerners to choose separation in the upcoming referendum. Kiir also complained from marginalization of the SPLM in the government activities: "Yes, I am part of the government; but that I have influence is another matter." Kiir referred the slow implementation of development and construction projects in the South to the lacking of oil funds for the South, besides the failure of the international community to fulfill earlier pledges in this respect. Concerning the absence of the SPLM from the ongoing negotiations to resolve the Darfur Crisis, he said "the National Congress has not provided an opportunity to the SPLM to work with it in Darfur."

## **Conflict in Darfur 2003 escalated in one of the worst humanitarian emergencies in the world (2005)**

- Conflict erupted in February 2003 between the Sudan Liberation Army/Movement (SLM/A), the Justice and Equality Movement (JEM) and the GoS and supporting militia
- The two groups cited lack of government protection against recurrent attacks by nomadic groups, underdevelopment, socio-economic and political marginalisation of Darfur people to take up arms against the government
- The government responded by arming local nomadic Arab tribes
- As of October 2004, 1.6 million people were internally displaced and 200,000 had fled to Chad

### **UN, 30 November 2004, p.98:**

"Roughly one third of the entire population of Darfur has been affected by the conflict, which began in February 2003 between the Sudan Liberation Army/Movement (SLM/A), the Justice and Equality Movement (JEM) and the GoS and supporting militia. As of 1 October 2004, 1.6 million people were displaced within Darfur, 200,000 Darfur refugees had fled to Chad and 420,000 other civilians were affected either directly or indirectly by the conflict.

[...]

March 2004 marked a turning point, as international attention increasingly shifted to Darfur. Sustained pressure on the GoS by the international community resulted in considerable easing of access restrictions, and a commensurate increase in humanitarian agencies engaged in the relief effort. As of November, there were more than 60 international humanitarian organisations registered to work in Darfur; [...].

Politically there were several important developments in Darfur in 2004, yet peace remains elusive. A Humanitarian Ceasefire Agreement was signed in April between the GoS, the SLM/A and the JEM. It has been violated numerous times. The ceasefire included a protocol on humanitarian assistance in Darfur. Two Security Council Resolutions [...] were passed, calling on the parties to cease all violence, protect civilians and seek a political solution to the crisis. The GoS, IOM and the UN signed an agreement on 21 August guiding the verification, monitoring and

determination of voluntariness of IDP returns. On 20 October the African Union Security Council issued a Communiqué expanding the size and mandate of the African Union Mission in Sudan (AMIS). Though initially established to monitor adherence to the April Ceasefire, the increased number of AMIS troops now have a more protective role in relation to both civilians affected by conflict and to humanitarian actors. Peace talks conducted under the aegis of the African Union in Abuja in August closed after three weeks without resolution; the Abuja talks seeking a resolution to the crisis resumed in late October, leading to the welcomed signing of two protocols related to the improvement of the humanitarian situation and the enhancement of the security situation in Darfur. Unfortunately, on the very day that the protocols were signed there were several very worrying incidents of insecurity in Darfur, further underlining the imperative of a political agreement between the parties – an agreement that the AU is diligently pursuing with the GoS and rebel groups.

In spite of the Ceasefire Agreement and the multiple agreements entered into between the GoS and the UN, and notwithstanding international attention and pressure, ceasefire violations continue, and are on the rise, severely threatening civilians and rendering the provision of humanitarian assistance more difficult.”

**HRW, 25 February 2005:**

“Last week, eyewitnesses in South Darfur told Human Rights Watch how government-backed Janjaweed militia attacked villages in the Labado area in December and January, and singled out young women and girls for rape. Male relatives who protested were beaten, stripped naked, tied to trees and forced to watch the rape of the women and girls. In some cases, the men were then branded with a hot knife as a mark of their humiliation.

In violation of the April ceasefire agreement and a November 9 commitment to cease hostile aerial activity in Darfur, the Sudanese government in mid-December 2004 used Antonov aircraft, Mi-24 helicopter gunships and Janjaweed militia to attack the civilian population in the Ishma and Labado areas of South Darfur. Thousands of people were forced to flee their homes. On the outskirts of the South Darfur state capital Nyala, the sound of bombs exploding in Labado and Ishma were heard all day on December 17.”

**Commission of Enquiry, 25 January 2005:**

“It appears evident that the two rebel groups in Darfur, the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) began organizing themselves in the course of 2001 and 2002 in opposition to the Khartoum Government, which was perceived to be the main cause of the problems in Darfur. While only loosely connected, the two rebel groups cited similar reasons for the rebellion, including socio-economic and political marginalization of Darfur and its people. In addition, the members of the rebel movements were mainly drawn from local village defence groups from particular tribes, which had been formed as a response to increases in attacks by other tribes. Both rebel groups had a clearly stated political agenda involving the entirety of the Sudan, demanding more equal participation in government by all groups and regions of the Sudan. Initially the SLM/A, at that stage named the Darfur Liberation Front, came into existence with an agenda focused on the situation of the people of Darfur, and only later expanded its agenda to cover all of the Sudan. The Justice and Equality Movement based its agenda on a type of manifesto - the “Black Book”, published in 2001 – which essentially seeks to prove the disparities in the distribution of power and wealth, by noting that Darfur and its populations, as well as some populations of other regions, have been consistently marginalized and not included in influential positions in the central Government in Khartoum. It is noteworthy that the two movements did not argue their case from a tribal point of view, but rather spoke on behalf of Darfurians, and mainly directed their attacks at Government installations. It also appears that with regard to policy formulation, the *New Sudan* policy of the SPLM/A in the South had an impact on the SLM/A, while the JEM seemed more influenced by trends of political Islam. Furthermore, it is possible that the fact that the peace negotiations between the Government and

the SPLM/A were advancing rapidly, did in some way represent an example to be followed by other groups, since armed struggle would apparently lead to fruitful negotiations with the Government. It should also be recalled that despite this broad policy base, the vast majority of the members of the two rebel movements came from essentially three tribes: The Fur, the Massalit and the Zaghawa.

[...]

Most reports indicate that the Government was taken by surprise by the intensity of the attacks, as it was ill-prepared to confront such a rapid military onslaught. Furthermore, the looting by rebels of Government weaponry strengthened their position. An additional problem was the fact that the Government apparently was not in possession of sufficient military resources, as many of its forces were still located in the South, and those present in Darfur were mainly located in the major urban centres. Following initial attacks by the rebels against rural police posts, the Government decided to withdraw most police forces to urban centres. This meant that the Government did not have *de facto* control over the rural areas, which was where the rebels were based. The Government was faced with an additional challenge since the rank and file of the Sudanese armed forces was largely composed of Darfurians, who were probably reluctant to fight "their own" people.

67. From available evidence and a variety of sources including the Government itself, it is apparent that faced with a military threat from two rebel movements and combined with a serious deficit in terms of military capabilities on the ground in Darfur, the Government called upon local tribes to assist in the fighting against the rebels. In this way, it exploited the existing tensions between different tribes.

68. In response to the Government's call, mostly Arab nomadic tribes without a traditional homeland and wishing to settle, given the encroaching desertification, responded to the call. They perhaps found in this an opportunity to be allotted land."

***For more background information on the Darfur conflict see ICG report from 25 June 2003 "Sudan's Other Wars" [\[External Link\]](#)***

***See IRIN "Special report II: Chad and the Darfur conflict" 16 February 2004, [\[External Link\]](#)***

### **Proxy wars in Sudan might get out of hand after the signing of a peace agreement (May 2004)**

- SPLA committed to downsize and bring militias under their control under the new peace agreement
- Proxy wars for which GoS and SPLA can escape responsibility will not stop over night as the crisis in Upper Nile and Darfur confirm
- Pro-GoS and pro-SPLA militias fighting and extorting taxes in Shilluk in Upper Nile along the Tonga road feel marginalized by the peace-negotiations
- In Unity State on the oil-road between Malakal and Bentiu fighting between tribal militias and militias hired by oil companies is creating havoc and displacement
- In Equatoria the LRA continues to commit atrocities and fighting over grazing land between the Zandes and Dinka tribes is ongoing

#### **IRC, 31 May 2004, p.20-21:**

"Several interviewees pointed to the recent use of militia in Upper Nile and in Darfur to substantiate their general fear that the militia will be used to fight proxy wars.

69. As one observer put it: "There is more than enough kindling found in local grievances if the GoS or the SPLM/A want to spark a crisis that cannot be directly blamed on them – the question is how much do they want to resist that temptation." Indeed, while some tribal skirmishes (between tribes and within tribes) are triggered by competition over local resources, major inter-tribe conflicts are often manifestations of a continued war by proxy between North and South.

70. A case in point is the current fighting between pro-GoS Shilluk militia and SPLA-supported Shilluks in Upper Nile, which has generated a new wave of displacement to Malakal. [...] The Tonga road is a major area of tension, where both the GoS militia and SPLA extort illegal taxes.[...] It is said that the militia in this area feel particularly marginalized by the peace-negotiations, questioning what they will gain from a peace agreement. Allegedly, the current violence in Upper Nile is yet another example of fighting instigated at national level, whereby bribes and privileges are used to create tension within Southern tribes.[...]

71. Similar dynamics play out in Unity State, notably in Bentiu and around the oil fields, where militia, reportedly hired by the oil companies, and inter-tribe fighting between Bol Nuer and Adok Nuer, continue to cause displacement of civilians. Fighting in early 2004 along the "oil-road" between Malakal and Bentiu displaced more civilians, whose prospects of return are grim.

72. Eastern Equatoria remains, currently, the most dangerous area in the South because of the Lord's Resistance Army (LRA), which continues to pose a real threat to civilians, humanitarians, as well as a future UN Mission. The reported atrocities committed by LRA only serve to maintain the climate of fear in the South. Meanwhile, though the GoS-allied Equatorian Defense Force has been under control since the cessation of hostilities, the Zandes and Dinka tribes continue fighting over grazing land in Western Equatoria.

73. Another area of tension is Juba. A major crossing-hub in the South, the atmosphere in Juba is especially militarised and stifling, contributing to a particularly subdued population. Although GoS and SPLM/A officials reject Joseph Kony and the LRA, Kony, allegedly, retains connections to Southern Sudan and travel in-and-out of Juba.

74. In Wau, it is said that the militia has been absorbed by GoS. In comparison to garrison towns located outside Bahr-el-Ghazal, the situation indeed appears calm and less militarised. Civil authorities, law-enforcement officials and the military have proven receptive to training program on human rights and peace building conducted by IRC and CARE. By contrast, fear and insecurity among IDPs and the general population is particularly prevalent in garrison towns like Juba and Malakal."

### **Three contested areas of Abyei, the Nuba mountains and Southern Blue Nile reflects the nation-wide conflict, 1985-2006**

- The three areas lie in the geographic North but the population has fought alongside the SPLA since the mid-1980s
- The central government has exploited local resources, imposed religious and cultural beliefs and consistently pitted local tribes and ethnic groups against each other
- Recommendations by the Boundary Commission dealing with Abyei have not been implemented (2006)

### **ICG, 25 June 2003**

"The Three Areas[Abyei, the Nuba mountains, and Southern Blue Nile] lie in the geographic North but have been fighting alongside the SPLA since the mid-1980s. Much of the tension there is fed by the same factors that led to the long running war in southern Sudan: a central government that



has exploited local resources, imposed its religious and cultural beliefs on historically diverse populations and consistently pitted local tribes and ethnic groups against each other for short term tactical gain. Many communities across Sudan feel deeply marginalised a result of these practices. Failure to achieve change peacefully has pushed more and more of them into armed confrontation with central authorities. Their fear of being shunted aside in an SPLA-government peace has led them to intensify conflict as a way of calling attention to their problems before any agreement is signed[...]

In many ways, the Three Areas are also a microcosm of Sudan's war as a whole. Abyei is predominantly Dinka populated, ethnically connected to both the greater Bahr El-Ghazal region and much of the SPLA leadership. The Nuba Mountains and Southern Blue Nile have majority Muslim populations, of African rather than Arab heritage, which have joined the war directly as a result of what they view as neglect and unfair treatment by the central government. Many root causes of the broader conflict, such as religion, race, resource distribution, and political marginalisation, are present in the Three Areas. Successfully addressing their problems [at the peace talks between SPLM and the government] would send a clear sign that the government was willing to alter practices which have made so many Sudanese feel that Khartoum is a hostile force in their daily lives."

**The Brookings Institution, 13 April 2006**

"One of the elements of the CPA [Comprehensive Peace Agreement] was creating a Boundary Commission dealing with Abyei, and this came out with a result that has led to some additional tensions. It has not been implemented, and it is part of a larger question, when you look at the states that are on the North-South border about drawing the demarcation line because as in all of Sudan, you have different tribes, and you have different tribes that have been on different sides of the conflict over the course of decades, so this is not an easy reconciliation process.[Robert B. Zoellick, Deputy Secretary of State U.S. Department of State at conference on Sudan]"

[Links](#) to maps of the territories.

## **Causes of displacement**

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### **The government of Sudan responsible for forced displacement in oil rich areas (2003)**

- Oil became the main objective and a principal cause of the war after 1999
- Exploitation of oil by foreign companies in southern Sudan increased human rights abuses and forced displacements
- Population in the oil-rich areas perceived by the government as sympathetic to the rebels
- Strict relation between forced displacements and concessions to international oil companies

**Human Rights Watch, September 2003:**

"The first export of crude oil from Sudan in August 1999 marked a turning point in the country's complex civil war, now in its twentieth year: oil became the main objective and a principal cause of the war. Oil now figures as an important remaining obstacle to a lasting peace and oil revenues have been used by the government to obtain weapons and ammunition that have enabled it to intensify the war and expand oil development. Expansion of oil development has continued to be accompanied by the violent displacement of the agro-pastoral southern Nuer and Dinka people from their traditional lands atop the oilfields. Members of such communities continue to be killed or maimed, their homes and crops burned, and their grains and cattle looted.

The large-scale exploitation of oil by foreign companies operating in the theatre of war in southern Sudan has increased human rights abuses there and has exacerbated the long-running conflict in Sudan, a conflict marked already by gross human rights abuses—two million dead, four million displaced since 1983—and recurring famine and epidemics.

Forced displacement of the civilian population, and the death and destruction that have accompanied it, are the central human rights issues relating to oil development in Sudan. The government is directly responsible for this forced displacement, which it has undertaken to provide security to the operations of its partners, the international and mostly foreign state-owned oil companies. In the government's eyes, the centuries-long residents of the oilfields, the Nuer, Dinka, and other southern Sudanese, pose a security threat to the oilfields because control and ownership of the south's natural resources are contested by southern rebels and government officials perceive the pastoral peoples as sympathetic to the rebels. But the Sudanese government itself has helped to create the threat by forging ahead with oil development in southern territory under circumstances in which its residents have no right to participate in their own governance nor share the benefits of oil development. Brute force has been a key component of the government's oil development strategy.

The oil in the ground and flowing through the pipeline to the Red Sea supertanker port has driven expulsions from Western Upper Nile/Unity State, the area of the main oil production today. In earlier campaigns in the 1980s government troops and horsebacked militia of the Baggara, Arabized cattle nomads of Darfur and Kordofan, invaded from the northwest, destroying communities and expelling much of the population from the initial exploration areas, in Blocks 1, 2, and 4, dangerously situated on the north-south border of Sudan. (Map B)

In the 1990s the government embarked upon a more sophisticated displacement campaign, through the use of divide-and-conquer tactics: it bought off rebel factions and exacerbated south-south ethnic differences with arms supplies. Mostly Nuer factions with political and other grievances against the Dinka-officered rebel Sudan People's Liberation Movement/Army (SPLM/A, referred to as SPLA when discussing the military wing), emerged and a bloody south-south war ensued, concentrated in the oilfield areas. Campaigns of killing, pillage, and burning, enabled by government troops and air support for their southern allies who served as front troops, cleared the way for Western and Asian oil corporations to develop the basic infrastructure for oil extraction and transportation: rigs, roads, pumping stations, and pipelines.

The relationship of the war and displacement campaign to oil development is evident: the oil areas targeted for population clearance are those where a concession has been granted and a pipeline is imminent and/or nearby. The availability of the means of transport of oil to the market makes the nearest undeveloped block economically viable. The agro-pastoralists living there then become the target of forced displacement. Since 1999, when the pipeline was nearing completion and Blocks 1, 2, and 4 came on line with 150,000, then 230,000 barrels of crude oil produced daily, the main military theatre has been in the adjacent Block 5A. Oil revenues enable the government to increase its military hardware: it tripled its fleet of attack helicopters in 2001 with the purchase abroad of twelve new helicopters—used to deadly effect in the killing of twenty-four civilians at a relief food distribution site in early 2002, to cite only one example.

In a number of cases, international oil companies in Sudan have denied that any abuses were taking place in connection with oil exploration and production. Despite considerable evidence to the contrary, oil company executives have claimed that they were unaware of any uncompensated forced displacement as a result of oil operations. They have also claimed to have undertaken investigations establishing that abuses are minimal or nonexistent. As noted below, such efforts do not stand up to scrutiny. Increasingly, under pressure from nongovernmental organizations (NGOs) and some concerned governments, oil company representatives have claimed instead that they are playing a positive role in difficult circumstances to monitor and rein

in abuses. As detailed below, such claims have consistently been self-serving. Human Rights Watch believes that oil companies in Sudan, seeking to make a profit in areas of the country wracked by civil war and often brutally cleared of indigenous peoples, have an obligation to see that rights abuses connected with oil production cease."

For other reports on some of the government's campaigns to depopulate oil-rich areas, see "[Conflict and displacement in Western Upper Nile, Sudan](#)" and "[Hiding between the streams](#)"

### **Ugandese rebels attack villages in southern Sudan (September 2005)**

- The Lord's Resistance Army (LRA) rebels attacked the areas of Lanya and Loka situated west of Yei
- The rebels caused the displacements of farmers and took control of several villages in southeastern Sudan before fleeing towards DRC
- The rebels have operated in southern Sudan since 2000

#### **Sudan Tribune, 19 September 2005:**

"About 50 LRA (Lord's Resistance Army) rebels commanded by Joseph Kony's deputy Vincent Otti have crossed into the DR Congo's Oriental Province, army commander Lt-Gen Aronda Nyakairima has said.

Nyakairima said this on Sunday 18 September after meeting SPLA (Sudan People's Liberation Army) officers from Juba at Heritage Inn in Arua town on Saturday 17 September. He said notorious LRA commander Abdema was also part of the group that crossed the White Nile River for the first time on Tuesday last week 13 September, into the southern Sudanese town of Yei where they torched houses and abducted many people. "SPLA commanders have confirmed that Otti and his group crossed Yei-Malid road at Milo eight, 14 km from the Congolese border, towards Garamba National Park," Nyakairima said.

He said LRA chief Kony, who seems to be changing strategy, was suspected to have crossed the White Nile at a different location north of Juba. "We have also learnt that as the Ottis were crossing in the south, Kony was crossing in the north to an area we are yet to find out," he added. Nyakairima said another group led by Odiambo of the Bar-lonyo massacre, was by Saturday trying to cross the White Nile to join their colleagues near the Congolese border."

#### **IRIN, 15 September 2005:**

"A group of about 40 raiders believed to be fighters of the Ugandan Lord's Resistance Army (LRA) rebel movement attacked villages in southern Sudan earlier this week, setting homes on fire and abducting several people, officials said on Thursday.

"They attacked during broad daylight [on Tuesday] the areas of Lanya and Loka situated west of Yei. They burned houses and abducted an unspecified number of people as they headed further west towards the border with the Democratic Republic of Congo (DRC)," said George Riak, an official of the Sudan People's Liberation Movement/Army (SPLM/A), in Kampala.

He noted that a young girl who was one of those taken captive had since been released. There were no reports of casualties during the raid, he said.

"They are still moving towards the border with the DRC, and we still don't know whether the intention is to enter Congo. But we are trying our best not to allow them to enter the DRC," said Riak.

There were fears earlier that the LRA's objective was to cut off a major road leading to the southern Sudanese city of Juba, but according to Riak, this had not happened by Thursday.

Other reports indicated that the LRA attacked and took control of several villages in southeastern Sudan and stole food crops from farms after residents fled.

From late 2000, the LRA had largely retreated to southern Sudan, where it maintained its headquarters and training bases and enjoyed the support of the Sudan government. Around the same time, however, the Sudanese government began to end its assistance to this rebel movement, under an agreement with the Ugandan government, which reciprocally agreed to end its support for the Sudanese rebel Sudan People's Liberation Movement/Army (SPLM/A). Seeking food, and moving from its bases near Juba to the more remote Imatong Mountains in Sudan, the LRA looted food from and displaced hundreds of Sudanese families in attacks in southern Sudan in late 2001 and early 2002, causing casualties and destroying villages.

[...]

The Sudan government had supported the LRA in retaliation for the Ugandan government's support of the SPLM/A, which has been fighting the Sudanese government since 1983. The presidents of the two countries agreed in 1999 to end support of these two groups and to restore normal diplomatic relations. The Sudan government was also motivated, after September 11, 2001, to disassociate itself from the LRA, deemed a terrorist organization by the U.S. State Department. By then, Khartoum had already started to cut off food, medicine, and other support for the LRA inside Sudan, even though the Ugandan government had not taken any visible steps to cut off aid to the SPLA. The LRA had largely retreated into Sudan after an outbreak of Ebola hemorrhagic fever in Gulu, northern Uganda, in late 2000, and northern Uganda became relatively quiet."

### **Violence targeting IDPs escalates in Darfur during peace-talks (September 2005)**

- The Government may have resumed the use of military Aeroplanes against civilian targets in Darfur
- The Government army supported by the Janjaweed militia attacked village causing the displacement of 6,000 people in October 2005
- The Darfurian rebel group, Sudanese Liberation Movement, (SLM) engage government soldiers and government supported militias in heavy fighting
- 29 IDPs were killed and around 1,000 forced to flee their camp in one attack in September 2005
- The SLM and another rebel group, the Justice and Equality Movement, launched their uprising to protest what they saw as the economic and political marginalisation of Darfur by the central government

### **DRDC, 3 October 2005:**

"The Darfur Relief and Documentation Centre (DRDC) received information that on Sunday 2nd October 2005 at about 6 am, the government army supported by the Janjaweed militia attacked Bollay village (About 70 km south of Kabkabyia), North Darfur State. They killed 7 persons and injured more than a dozen others. They looted property and burned most of the villages in the

surrounding area. This attack rendered more than 6,000 individuals as internally displaced persons. They were forced to flee their destroyed villages to the southern part of the Jabal Mara massive. It was reported that the government army resumed the use of military Aeroplanes against civilian targets in Darfur, which represents a serious setback and violation of UN Security Council resolutions."

**UNMIS, 29 September 2005:**

"On 28 Sept., Aro Sharow IDP camp, six km from Selea, as well as the neighbouring village of Gosmino were attacked and burned down by armed tribesmen. Preliminary reports indicate that 29 have been killed and 10 seriously injured. The IDP camp has an estimated population of 6,000. About 1,000 people are reported to have fled the fighting in the camp and villages into the surrounding countryside.

- In a press statement issued on 29 Sept., SRSG Pronk strongly condemned the attack on Aro Sharow IDP camp and neighbouring areas. He called on the Sudanese Government and the local authorities in Darfur to exert all efforts needed to protect the IDP camps in close cooperation with the AU mission in Darfur and called on the parties to the Abuja talk to prevent any further escalation of the situation and to persevere in their quest for a peaceful settlement of the Darfur conflict. In his press statement, the SRSG further stressed the need to ensure that the perpetrators of the attack are identified, reported to the Security Council's Panel of Experts, and brought to justice."

**Sudan Tribune, 21 September 2005:**

"There has been an uptick in violence, both rebel and government militia-associated. [...]"

Sudanese government accused rebels of deliberately attempting to undermine peace talks after the insurgents claimed responsibility for an attack on a government-held town.

The Sudanese Liberation Movement, the main rebel group in Darfur, claimed to have killed 80 government soldiers in two days of fighting around the town of Sheiria and in the Khazzan Jedid region of southern Darfur.

The news undermined attempts by the AU to coax the SLM and the Khartoum government into negotiating a political solution to the 30-month-old conflict at a peace conference in Abuja.

Ereli said that Roger Winter, the special representative of Deputy Secretary of State Robert Zoellick, was in Khartoum Wednesday and would shortly visit the region "to deal with this and see if we can help to contain the violence and get the parties to act responsibly."

"The AU continues to be there in force and to be exercising a very important monitoring role. Those forces are growing, both in terms of number, as well as capabilities. And their mission, I think, is critical to this process," Erlei said.

The SLM and another rebel group, the Justice and Equality Movement, launched their uprising to protest what they saw as the economic and political marginalisation of Darfur and its mainly black African population by the Arab-led government in Khartoum.

Government forces responded with a scorched earth campaign in which Arab militias such as the Janjaweed stepped up attacks against minority villages suspected of supporting the rebels.

Up to 300,000 people have died in Darfur since the beginning of the rebellion in February 2003, while more than two million others have been displaced, sparking one of the world's worst humanitarian crises."

## **Forced relocation of IDPs in Khartoum, 1989-September 2005**

- Continued forced relocations of internally displaced persons and squatters in settlements around Khartoum in August 2005
- Thousands of people have been forcibly moved to sites in desert areas tens of kilometres outside Khartoum
- Devastating economic consequences for the IDPs
- Since 1989, at least 665,000 IDPs have been forcibly relocated in Khartoum State, of whom at least 300,000 since 2004

### **UNSC, 12 September 2005:**

"Contrary to previous commitments made by the Governor of Khartoum State, there have been new forced relocations of internally displaced persons and squatters in settlements around Khartoum. Thousands of people have been forcibly moved to sites in desert areas tens of kilometres outside Khartoum where there are no, or wholly insufficient, life-sustaining services. These relocations, and the violence accompanying them, increase tensions in the greater Khartoum area, violate the right of the displaced to return voluntarily, and in dignity and safety, and also have the potential to undermine the transition towards peace and stability in the whole country. I urge the Government to cease all forced relocations, and I urge the parties to unite in their efforts to address both the security and the protection dimensions of this potentially destabilizing problem."

### **UNOCHA, 15 September 2005:**

"During the past month, [August 2005] hundreds of families forcibly displaced from Omdurman, the northwest portion of the Sudanese capital, were relocated by police to the El Fateh 3 site, a desert plain 55 km north of the city. This latest round of forced displacement by Khartoum State authorities began on 16-17 August with the removal of some 700 families from the Shikan squatter area in Omdurman to El Fateh 3. More families have been forcibly evicted from other areas to this new location. There are now an estimated 830 families — or some 5,000 people — residing in an area lacking minimum basic social services. The Ministry of Planning and Public Utilities has stated that all families would be allocated plots. However, according to IDPs, only those from Shikan have been informed that they would be receiving plots, and many have not been told where those plots would be located. IDPs from areas other than Shikan have been told nothing. In the interim, people have erected haphazard and flimsy burlap- and plastic-covered huts that provide little shelter from the harsh living conditions they are experiencing. The economic consequences of forced displacement have been dire for the IDPs of El Fateh, who depend on income from casual labour in domestic services and construction in Omdurman for their survival. Since their removal from Shikan and other areas of Omdurman, they have been unable to work, as the cost of round-trip transport to and from the city — 500 Sudanese Dinars, about US \$2.00 — is at least the same if not higher than their potential daily wage. The provision of basic services throughout El Fateh is grossly inadequate, particularly in El Fateh 3, where there are no latrines, roads, schools, health centres or electricity. The UN Children's Fund (UNICEF) has thus far managed to put several water bladders in place, but with water being delivered via cistern trucks once per day by the Government water authority, overall need remains unmet. Since 2004, the Government of Sudan has been forcibly evicting IDPs from areas in Khartoum to El Fateh as part of a replanning process in the state, with a major relocation of some 12,000 people having taken place in early January 2005. The practice of demolition and relocation in Khartoum IDP camps and squatter areas has been ongoing for the

past two decades. Since 1989, at least 665,000 IDPs have been forcibly relocated in Khartoum State, of whom at least 300,000 since 2004. At present, of the four million IDPs in Sudan (excluding Darfur), approximately two million currently reside in and around Khartoum, including 325,000 in four official IDP camps and 1.7 million in about 30 squatter areas.”

### **Civilians population deliberately targeted by the warring parties, 1989-2001**

- Main causes of displacement in Sudan
- Military action with the clear intent to displace civilians a major cause of displacement in southern Sudan
- People forced into flight by looting and terror
- Indiscriminate aerial bombings of rural towns
- Disruption of subsistence farming
- Chronic population drain from the south towards southern Kordofan and Darfur and further north to Khartoum

#### **OCHA 28 September 1999 paras. 7-9:**

"The causes for internal displacements are multiple and complex, as are the driving forces behind them. A typology might, among others, include categories such as:

Mass evictions: Displacement may be 'simply' a collateral effect of indiscriminate warfare. However, it is military action with the clear *intent* to displace civilians which has become a major cause of displacement in southern Sudan. As the example of evictions from Bor County during the early nineties illustrates, the practice is used by all parties to the conflict, including militias engaged in factional or tribal warfare. More recently, some sources suggest that systematic attempts are underway to evict the indigenous population from the oil-rich Western Upper Nile region.

The forced regroupement in 'peace villages', as undertaken by governmental forces in the Nuba Mountains. There is some debate whether or not civilians are actually retrieved by force in a systematic manner. But even if civilians are 'only' entrapped because the lack of supplies and the danger of being caught between lines forces them to regroup – there is a military strategy behind the process.

Forcing people into flight by looting and terror, as in January/February 1998 during the rampage of the Kerubino militia in Bahr El Ghazal. Another example for this practice are the raids along the Babanusa-Wau railroad, by Murahaleen militia accompanying governmental supply trains. More indirect forms of obliging people to leave their homes by attrition, as reported from the Nuba Mountains whose population, even if self-reliant in food production, is cut off from other essential supplies, such as medication, salt, etc.

Continuous harassment, such as indiscriminate aerial bombings of rural towns.

The disruption of subsistence farming, and the cutting off of civilians from emergency supplies, denying them access to international aid. Compounded by drought cycles, this has resulted in dramatic hunger migration, often over great distances, as in Bahr El Ghazal 1988 and 1998.

The cumulative effect of all displacement factors is a state of chronic insecurity and poverty in the rural south. This in turn has led to a chronic population drain from the south towards the transition zone (southern Kordofan and Darfur), and further north to Khartoum. The northwards movement of the displaced has created other types of humanitarian problems. Thus, for example, the displaced in the transition zone are often exposed to economic exploitation by local landowners. In the Greater Khartoum area large numbers of displaced persons are considered illegal squatters. They are under the threat of forced relocation to settlement sites lacking the necessary

infrastructure. Without concerted and systematic efforts to create more stable conditions for them, they risk to remain in a state of vulnerability and dependency.

It is not always easy to determine if displacement in the Sudan is of a forced or a voluntary nature. Seasonal migration as well as emigration to the north in search of better opportunities have a long tradition. Thus, many people originating from the south have taken roots in the Khartoum area in spite of all adversities, and their status as 'IDPs' has been sometimes questionable. Both the 'displacement tradition' in the Sudan and the problem of 'status-determination' are topics obscured by today's political debates. Yet they cannot be avoided. "

**USCR 24 September 2001:**

"Government planes continued to bomb civilian and humanitarian sites in southern Sudan, although reportedly less frequently than last year. Various sources reported that up to 40 aerial bombings occurred during May-July, including attacks against camps for displaced persons. The Sudanese government announced a bombing cessation on May 24 but proclaimed a bombing resumption on June 11."

**The National Islamic Front coup in 1989 and strengthening of SPLA led to increased displacement during the early 1990s**

- In 1993 the Sudanese military expanded its offensive in the south
- The government bombed SPLA towns and villages
- By June, 1993 the population of Juba, usually some 100,000, had swelled to as many as 250,000
- An estimated 450,000 displaced were located elsewhere in eastern Equatoria

**Ruiz 1998, pp.147, 151 & 152:**

"On June 30, 1989 [...], a military coup deposed the elected civilian government of Sadiq al-Mahdi and brought al-Bashir and the NIF-backed National Salvation Revolutionary Command Council (NSRCC) to power. The NIF took significant steps to consolidate its military and political position. It purged the military and other security forces of many of their more moderate officers, banned almost all trade, professional, and labor organizations, and purged women from many government posts. It 'Islamicized' the judiciary and the universities. Many observers have argued that the NIF's fundamentalist leaders are intent not only on maintaining northern Arab Muslim control but also on eradicating southern culture and imposing Arab culture and Islam nation-wide. Within a few months of coming to power, the NSRCC/NIF leaders made clear their, more aggressive military intent. Within months, the NSRCC disbanded the RRC [Relief and Rehabilitation Commission], and appointed new, ultraconservative commissioners to head agencies dealing with the displaced. It then restricted the activities of NGOs and even forced some out of the north. RRC officials visiting Washington in December 1989 said that the government 'would not allow any humanitarian program in the southern Sudan that does not support our [the government's] military objectives.'

[...]

By 1992, the NSRCC/NIF's third year in power, the government had received arms from Libya, Iraq, and China and was ready to win back the territory it had lost to the SPLA. A rearmed Sudanese military went on the attack and powered its way up the White Nile

[...]

In 1993 the Sudanese military expanded its offensive in the south. Tens of thousands of Equatorians fled Kapoeta and Torit toward the frontiers with Uganda and Kenya. The government bombed SPLA towns and villages and was able to displace the SPLA from a number of areas. By June, the population of Juba, usually some 100,000, had swelled to as many as 250,000. An



estimated 450,000 displaced were located elsewhere in eastern Equatoria, and 220,000 others were located at the 'Triple A camps' (Ame, Aswa, Atepi) and at Mundri, Yambio, and other locations. The government offensive created an additional 50,000 internally displaced in the Kaya/Morobo area in August 1993, most of whom headed toward the Ugandan border. Eventually, nearly 400,000 southern Sudanese fled to Uganda and Kenya."

**UN, 18 November 2003, Vol.I, p.16:**

"There has been continuous conflict in the Sudan between the Sudan People's Liberation Movement/Army/Army (SPLM/A/A) and the Government of Sudan (GoS) since the breakdown in 1983 of the Addis Ababa agreement. Under the auspices of the Inter-Governmental Authority on Development (IGAD), supported by observers of key donor governments (USA, UK, Italy and Norway), the GoS and the SPLM/A have over the last two years engaged in a peace process, which led to signing of the Machakos Protocol in July 2002. The Protocol provides the framework for a peace agreement based on a six-and-a-half year transitional period that is anticipated to provide significant autonomy for the South until a referendum on self-determination is held.

Nonetheless, the situation in the Sudan is further complicated by the interrelated layers of conflict, which exist beyond those explicitly covered in the peace process. Conflict in Greater Darfur reached significant levels by the end of August 2003, although a cease-fire agreement was reached between the GoS and the Sudan Liberation Army/Movement (SLM/A) in September. Incursions into eastern Greater Equatoria by the Ugandan based Lord's Resistance Army (LRA) continue to terrorise local communities, destroy livelihoods and jeopardise humanitarian operations. The Equatoria Defence Force (EDF), which operates in the same theatre, is also a source of instability in the south. Sporadic and severe fighting linked to oil field developments erupts periodically in western and eastern Upper Nile. In addition, militia and other rogue elements in parts of Upper Nile and elsewhere throughout the country perpetuate insecurity and instability. This is compounded by inter and intra ethnic clashes originating in 'traditional' cattle-raiding activities, now severely exacerbated by the proliferation of small-arms."

**IRIN, 31 December 2004:**

"The minority Arabs engaged in low level skirmishes with sedentary farmers until the 1970s. But since the mid-1980s, following a prolonged drought in 1983, skirmishes with subsistence farmers developed into larger-scale battles as the nomads were pushed further south.

At the same time, successive northern governments began using Arab militias to crush rising dissent in the region, including an SPLA-led rebellion in 1991-1992. Analysts say this gave the Arab nomads leverage with the government, which rewarded them with local administrative positions, financial gains and arms, at the expense of the "African" tribes.

"Government policies were instrumental in transforming 'traditional' tribal conflict over access to receding grazing land and water into a new type of conflict driven by a broader ethnic agenda," says the International Crisis Group (ICG) think tank."

**See IRIN "Special report III: Chronology of events" from 1955-2004, 25 February 2004**  
[\[External Link\]](#)

**See IRIN, Chronology of key events in 2004, (11 Jan 2005)** [\[External Link\]](#)

**See Reuters "Chronology: Key events during Sudan's conflict" in the bibliography below.**

**The Government accused of ethnic cleansing in Darfur (2005)**

- Mass executions by armed forces and aerial bombardment of densely populated areas

- Attacks were carried out by Government-backed Janjaweed militias armed and supplied by the government
- Close links between the Popular Defence Forces (PDF) and the perpetrators

**UNCHR, 25 April 2003, p.4-8:**

“However, sources also reported attacks against civilians and targeting of local tribes, to the point that some accused the Government of implementing a clear policy of ethnic cleansing aimed at eliminating African tribes from Darfur. According to information received mass executions by armed forces and aerial bombardment in areas that are densely populated have continued to take place for the past few years.

[...]

The Government’s interpretation of the conflict as caused by armed groups engaged in robbery and its response to solve the Darfur issue by resorting to Special Courts, group trials, death sentences and cruel and inhumane punishment such as cross amputation, are totally inadequate and resulted in serious human rights abuses. I was informed by the Minister of Justice that Special Courts have now been abolished.”

**Commission of Inquiry, 25 January 2005:**

“This section clarifies the concept of ‘Janjaweed’ and the implications for the determination of international criminal responsibility. As explained below, the Commission has gathered very substantial material which it considers substantiates use of the term ‘Janjaweed’, in the limited context of the Commission’s mandate, as a generic term to describe Arab militia acting, under the authority, with the support, complicity or tolerance of the Sudanese State authorities, and who benefit from impunity for their actions. For this reason, the Commission has chosen to use the term ‘Janjaweed’ throughout this report, and also because it reflects the language used by the Security Council in the various resolutions concerning Darfur and, most of all, because it is constantly referred to by victims.

[...]

The fact that the Janjaweed are described as Arab militias does not imply that all Arabs are fighting on the side of the Janjaweed. In fact, the Commission found that many Arabs in Darfur are opposed to the Janjaweed, and some Arabs are fighting with the rebels, such as certain Arab commanders and their men from the Misseriya and Rizeigat tribes<sup>29</sup>. At the same time, many non-Arabs are supporting the Government and serving in its army. Thus, the term “Janjaweed” referred to by victims in Darfur certainly does not mean “Arabs” in general, but rather Arab *militias* raiding their villages and committing other violations.

[...]

The Commission has established that clear links exist between the State and militias from all three categories. The close relationship between the militias and the PDF, a State institution established by law, demonstrates the strong link between these militias and the State as a whole. In addition, militias from all three categories have received weapons, and regular supplies of ammunition which have been distributed to the militias by the army, by senior civilian authorities at the locality level or, in some instances, by the PDF to the other militias.[...].”

***For more background information on the Darfur conflict see ICG report from 25 June 2003 “Sudan’s Other Wars” [\[External Link\]](#)***

***See IRIN “Special report II: Chad and the Darfur conflict” 16 February 2004, [\[External Link\]](#)***

**Oil exploitation leads to displacements and human rights violations, 1980-2006**

- The Government has pitted various ethnic groups against each other in the oil areas to weaken southern-based opposition

- The Government has been accused of using proxy militias to depopulate the oil areas to make way for further oil exploitation
- Chinese investments fuelling war economy and inducing displacements
- Recurrent bombing of civilians and relief sites particularly in oil-rich areas (2001)

**Sudan Human Rights Organisation, 22 April 2006**

"The Americans and other western administrations have been asking the Chinese leadership to revise policies on Sudan and Iran. But the Sudanese, more than all world powers and economic entities, are the ones most directly affected by the political and economic policies of China on Sudan.

Apart from the nuclear power conflict in the Chinese-Iranian-Western relations, the unabated fears about the Gulf oil, and the other international agenda, what concerns us here is a Sudanese viewpoint on the reasons for the requested revisions on the Chinese policies on Sudan.

There are clear political concerns with the Chinese mechanical support of Sudan in the international arena, especially the United Nations Security Council, as well as major economic questions about the Chinese oil methodologies in South Sudan and other parts of the country.

Of particular importance is the way the revenues of these investments have been used by China to support the repressive rule of Sudan with virtually non-economic or social development projects in the oil-producing region, South Sudan, for almost a decade.

Recently, the Chinese working team on the construction of the Hamadab Dam at the Manasir/Robatab area in the Nile Province of North Sudan faced some forms of popular resistance from the local inhabitants who had been prevented from using the Nile drinking water for their animals by construction provisions imposed by the repressive rule of Sudan in agreement with the Chinese firm.

The Chinese company, however, went as far as inciting the authorities that responded promptly with armed forces to displace the inhabitants and their animals from the dam construction area."

**ICG, 28 January 2002, pp.132-136**

"These attacks have intensified in the Western Upper Nile in the past year, and at times troops and militia have been reported to use oil company facilities as launching areas. As this and many other reports concluded, and evidence collected during an October 2001 ICG field trip supports, the government strategy is designed to drive away the local non-Arab rural populations to make the oil fields easier to defend. Numerous human rights sources have documented the scale of the destruction in the oilfields of the Upper Nile, including three successive UN Human Rights Rapporteurs for Sudan."

**UNCHR 29 March 2001**

"During my [the Special Rapporteur on the situation of Human Rights in the Sudan] visit I gathered further evidence that oil exploitation leads to an exacerbation of the conflict with serious consequences on the civilians. More specifically, I received information whereby the Government is resorting to forced eviction of local population and destruction of villages to depopulate areas and allow for oil operations to proceed unimpeded. I was informed that all the villages around Nhialdiu, in Nimne, south of Bentiu, have been burnt to the ground and crop has been destroyed. Similarly, all the villages along the road up to Pulteri, in the surrounding of the oil fields at Rier, have been razed. Often, the situation is further exacerbated by on-going fighting between the SPLM and the SPDF, which causes more displacement with the result that the entire central section of western Upper Nile can no longer be accessed and needy civilians are now beyond reach of OLS for either insecurity reasons or denial of access by the Government. With a new

road in the process of being constructed in relation to the drilling platform at the Nile, east of Rier, more villages are likely to be burnt. It seems that, under the conditions of the on-going war, oil exploitation is often preceded and accompanied by human rights violations, particularly in terms of forced displacement. On the other hand, Government officials informed me of the social benefits linked to the oil exploitation and assured me that displaced individuals are compensated accordingly."

**IRIN, 14 November 2001, pp. 1,3**

"The Sudanese ambassador to the United Nations, Elfatih Mohamed Ahmed Erwa, said his delegation saw certain aspects of the report as fiction. He also considered that Baum's request for a breakdown of oil revenues spent on people in the south "violates sovereignty and is an unacceptable interference in matters within the jurisdiction of the government".

Baum told the General Assembly that internally displaced persons (IDPs) in Sudan, now living in camps, had fled from oil regions of the country, yet did not benefit from oil revenues. Since IDPs were part of the mandate of the Special Rapporteur, it was appropriate to ask how such money was spent, he added.

In a war situation such as that in Sudan, oilfields attracted [military] attention, which resulted in civilian victims and left people with no option but to flee. In that context, he had the right to ask the government about oil expenditures, since it claimed to be using the money for development purposes, Baum added."

[...]

According to reliable sources, oil revenue was insufficiently used to improve the social and economic situation of the population - especially in the south, Baum reported.

Relevant sources agreed that the exploitation of oil reserves had led to "a worsening of the conflict, which has also turned into a war for oil", he added.

No matter what oil companies did in terms of providing social services in the areas in which they operated, they would continue to face international criticism by doing business in Sudan until military warfare ended there, he said.

The government of Sudan has denied that oil revenues are used to fuel the war, claiming instead that they are being spent on developing the south. Baum said he had seen little evidence so far to support that assertion, and remained interested in seeing some, but Sudan (and other countries which supported it in the General Assembly) maintained that the expenditure of government revenues was an internal issue for sovereign governments."

**UNCHR, 6 January 2003, p.18**

"In his previous reports, the Special Rapporteur repeatedly stated that oil was exacerbating the conflict, insofar as the war in the Sudan is mainly the result of a fight for the control of power and resources.

93. The Special Rapporteur recalled the Declaration on the Right to Development, as well as relevant Commission on Human Rights resolutions. In view of the latest United Nations Development Programme, Arab Human Development Report, the Special Rapporteur wishes to highlight once again the link between development and governance, defined as "the exercise of economic, political and administrative authority to manage a country's affairs at all levels. Good governance is, among other things, participatory, transparent and accountable. It is also effective and equitable and it promotes the rule of law. Good governance ensures that political, social and economic priorities are based on broad consensus in society and that the voices of the poorest and the most vulnerable are heard in decision-making over the allocation of development resources."

## **Conflict and conflict induced hunger behind displacements in the Nuba Mountains area/South Kordofan (1987-2002)**

- SPLA concentrated troops in the Nuba Mountains in 1987 and began organising raids against a number of Government garrisons
- Arrival of Government made those who lived in the plains seek shelter in the mountainous areas
- Abduction of women and children are a major problem in the villages near the 'frontline'
- Reported that a Government offensive by the beginning of 2001 caused new displacement, but the Government view is that some 30.000 Nuba have voluntarily returned from SPLA areas to government controlled parts of the Nuba Mountains (April 2001)
- US Special Humanitarian Coordinator warns of war-induced famine in the once most fertile Nuba Mountains and condemns oil-linked military attacks which displaced up to 50,000 in May 2001

### **UNCERO 8 November 1999, p. 108:**

"Like the rest of Sudan, the Nuba Mountains have been the scene of much internal displacement because of the conflict, hunger, and conflict-induced hunger. The SPLA concentrated troops in the Nuba Mountains in 1987 and began organising raids against a number of Government garrisons in 1988. The following year saw an escalation of the fighting and the area under the control of SPLM became isolated from the rest of the country. The arrival of Government forces caused a major disruption in Nuba people's lives and a large number of those who lived in the plains abandoned their farms and their homes to seek shelter in the mountainous areas."

### **UNCERO 8 November 1999, p. 101:**

"In several locations, women and community leaders also mentioned that abduction of women and children are a major problem in the villages near the 'frontline' [around the Nuba Mountains]. In a couple of occasions in Heiban County, the Mission was provided with names, locations and dates of alleged abductions. Abductions of women and children were also reported in Nagorban County especially in the villages at the foot of the mountains that are sometimes raided by combatants and other armed groups. They also seem to occur when women and children are ambushed while fetching water or collecting wild fruit.

These abductions were alleged to happen in the following ways:

- Shanabla and armed Arab militias are said to regularly raid the lowland plains and abduct women and children as well as take cattle and goats. The families of the abducted people subsequently have no information on the whereabouts of the victims
- Soldiers allegedly often ambush women at water points and very frequently rape them and leave them for dead. Relatives or community members have found the women in many cases. In other cases, the soldiers are said to take the women with them to their garrisons. Unless they escape, the whereabouts of these women are usually not known
- Involuntary displacement to peace camps in southern Kordofan - GOS forces allegedly come into the SPLM-controlled areas where they uproot entire communities to relocate them to the GOS-controlled Peace Camps. In many cases, the presence of these people in the peace camps is known through various communication networks or from reports of those who manage to return to their communities."

### ***By the beginning of 2001 it was reported that:***

#### **IRIN 19 January 2001:**

"Thousands of people have fled rebel-held areas in Sudan's Nuba mountains and sought sanctuary in government-controlled territory, a Sudanese government official said on Wednesday. State-run Sudanese television on Tuesday night showed thousands of civilians, mostly women,

naked children and elderly people, in the Nuba mountains town of Kaduqli, about 900 km southwest of the capital Khartoum, Associated Press (AP) said. The television report said about 30,000 such people had fled to Kaduqli and its surrounding areas after the army defeated a rebel force in the Nuba mountain area. Muhammad Harun Kafi, a former member of the Sudan People's Liberation Army (SPLA), told AP that more people were expected to follow after the government victory: 'These people have been under check by the rebel movement, not allowing them to move outside and... and not provided with any services.' Kafi is now a minister of state in the Khartoum government.

A statement by the SPLA received by IRIN on Thursday denied that government forces had scored recent victories, including in the Nuba mountains. It said the government had started a dry-season offensive before the end of December when civilian targets were bombed at Kawdah and neighbouring villages: "The few ground attacks that were staged by the GOS [Government of Sudan] army and the Popular Defence Force [PDF] have been repulsed with heavy casualties," the statement said. The SPLA said 'claims by GOS that its forces have "liberated" 30,000 Nuba civilians from rebels are... ludicrous'."

**IRIN 16 February 2001:**

"A government military offensive picked up in December and moved into Western Kaduqli County, Nubah Mountains, said one humanitarian worker with experience in the area. 'What we see is the government attacking farms and homes, and forcing people to come to the government-controlled areas,' said the source."

**ACT 21 March 2001:**

"Renewed fighting between the GoS and the Sudan Peoples Liberation Army (SPLA) started in January 2001 in the Nuba Mountains. Eleven villages that have 4,283 families with a total of 28,867 civilians were displaced from the SPLA held areas to areas around the town of Kadugli. The IDPs are mostly women, children and elderly. The expected dry season's offensive by the warring parties is likely to displace more people."

**ACT 5 April 2001:**

"Since December last year, rebel forces in the area have experienced a series of defeats. As a result some 30.000 Nuba have returned to government controlled parts of the Nuba Mountains. "Voluntary returnees" according to the local government, which is busy resettling these people in villages within their control."

***Forced displacement into "peace villages" as government troops systematically destroy 2500 households in the Nubah Mountains:***

**IRIN-CEA 4 Jun 2001:**

"The last fortnight had seen the biggest government offensive in the Nubah Mountains since 1992, when the Islamist regime in Khartoum declared a jihad, or holy war, the British 'Guardian' newspaper reported from Kawdah (11.06N 30.31E) in the Nubah Mountains on Monday. More than 7,500 government and allied militia troops launched the offensive on 17 May, closing all the airstrips that had been used to bring food and medical supplies into the blockaded mountains, it said. Thousands of Nubah were forced to flee the army advance, as soldiers destroyed almost 2,500 homes and systematically burned food stores in an apparent effort to force the Nubah people into government "peace villages", the report stated. On 26 May, the day after Khartoum announced it was halting aerial attacks on rebel bases in the Nubah Mountains, it dropped eight bombs on the Limon Hills, west of Kawdah, it added. The Sudan People's Liberation Army (SPLA) had halted the government attack on 27 May, but expected another offensive, the 'Guardian' reported. It quoted the NGO Justice Africa as saying that the government was trying to seal off the area by taking all the airstrips, and that dozens of Nubah civilians had been abducted during the offensive."

**IRIN-CEA 23 July 2001:**

"US Special Humanitarian Coordinator Andrew Natsios on 21 July warned that a failed harvest in Sudan could result a humanitarian disaster such as that in the mid-1980s, when about a quarter of a million people died from drought, starvation and disease. Natsios said failed rains threatened starvation in parts of the north, while government attacks were exacerbating hunger in the south, Reuters reported. Natsios said he had raised as a particular concern the issue of government attacks on the Nubah Mountains in the south. He cited reports from aid workers, who had alleged that the army was displacing populations to clear the way for oil drilling, and said military attacks in May had displaced 40,000 to 50,000 people, Reuters reported.

Natsios said the lowlands in the Nubah Mountains, one of the most fertile areas in Sudan, had been turned into a "no-man's-land", with fields lying fallow as people sought shelter in the hills, the report said. "There are people dying, not in large numbers at this point, but if there is no humanitarian access, the analysis that has been done indicates there will be a rapid deterioration in food security, and the death rates will go up," Associated Press (AP) quoted him as saying. (The government has severely restricted access to the area for military reasons and relief agencies are rarely able to deliver food or non-food assistance to the vulnerable people.)"

**Abductions and enslavement of civilians cause displacements, 1985-2005**

- Thousands of people are still awaiting release and new abductions have taken place in 2003 and 2004
- In Bahr-el-Ghazal Murahaleen (Misseriya Arabs from Southern Kordofan) used to abduct Dinka children
- Abductions in Upper Nile are clan related with Murle warriors traditionally abducting children and women from the Dinka, Nuer and Shilluk tribes
- Up to 14,000 Dinka and Jur Luo children abducted by militias since mid-1980s

**Anti Slavery International, 6 June 2005:**

"Despite strong and repeated censure by the International Labour Organization's supervisory mechanisms between 1997 and 2005, abductions and forced labour remain a reality in Sudan. Thousands of people are still awaiting release and new abductions have taken place in both 2003 and 2004.

The Government has claimed that "abductions have stopped completely" 1. However, information compiled from various sources provides evidence that abductions have continued in 2003 and 2004.

The 2005 ILO Committee of Experts report 2 itself refers to "...the convergence of allegations and the broad consensus among United Nations bodies, the representative organizations of workers and non-governmental organizations concerning the continuing existence and scope of the practices of abductions and exaction of forced labour".

On 2 January 2004, at least 13 people, the majority of whom were children, were reportedly abducted by Janjaweed militia from Ma'un village near Kornoy, according to Amnesty International. Amnesty International received reports of other abductions of children in West Darfur in the weeks prior to this.

In March 2004, seven UN Special Rapporteurs along with the Secretary General's representative on internally displaced persons issued a joint statement expressing concern over widespread human rights abuses, including reports of abductions, in the Darfur region of Sudan. The UN estimates that since 2003, nearly one million people have been displaced by fighting between the Government and its militias and two armed opposition groups (the Sudan Liberation Army and the Justice and Equality Movement).

In an interview on 2 April 2004, the UN Emergency Relief Co-ordinator, Jan Egeland, noted that large numbers of civilians have been killed and "scores of women and children have been abducted, raped and tortured." The UN Co-ordinator said that the Janjaweed militia was primarily responsible for carrying out these attacks and that there was a consistent pattern of grave human violations against the civilian population, which he considered to be ethnic cleansing."

**IRC, 31 May 2004, p.35-6:**

"122. Abductions are often connected to conflicts over grazing land, forced recruitment, militia, internal disputes between tribes and reproduction problems. It is said that, abductions are an immediate reaction to war and fighting, and thus can resume should the situation deteriorate. Indeed abductions have been used as a military tactic and tool.

123. During the war, numerous abductions took place in Bahr-el-Ghazal, where Muraheelen (Misseriya Arabs from Southern Kordofan) accompanying the train of GoS reinforcements from the North to the South, used to abduct Dinka children and bring them to the North. Although the practices came to an end in early 2000, many children remain missing.

[...]

131. Abductions in Upper Nile are mainly clan-related. Ongoing abductions by the Murle tribe from the Pibor area remain a cause of concern to many child rights actors. It is generally claimed that the abductions are related to fertility problems among the Murles. It is also argued (disputed by some) that the Murles are fierce warriors, who have always abducted women and children from the Dinka, Nuer and Shilluk tribes in Upper Nile and even Toposa tribes in East Equatoria."

**UN November 2001 p. 82:**

"Another serious war-related protection concern is the abduction of children and women. In northern Bahr al-Ghazal, community sources estimate that militia from western Sudan abducted approximately 14,000 Dinka and Jur Luo children and women in raids since the mid-1980s. Many abduction victims are subjected to severe and multiple human rights violations, ranging from murder, injury, rape, forced pregnancy, forced labour and female genital mutilation. The number of abduction victims still held in captivity today is difficult to determine. Many remain missing, others have found their way back to freedom over the years. In late 2000 and the first half of 2001, militia escorting a military train convoy were responsible for killings in villages north of Wau, the theft of thousands of head of cattle and the abduction of between 200 and 400 children and women for forced labour. In 1999, the Ministry of Justice established the Committee for the Eradication of the Abduction of Women and Children (CEAWC). So far 940 children and women have been retrieved from abductors of which 670 have been reunified with their families. In Upper



Nile, members of the Murle tribe from the Pibor have abducted hundreds of Nuer and Dinka children, most of whom remain missing."

**US DOS February 2001, sect.1b:**

"There were [during 2000] reports that during raids on civilian settlements, government forces abducted persons, including women and children [...] In the last 15 years, between 5,000 and 15,000 Dinka women and children have been abducted; between 10,000 and 12,000 persons, most of whom are Dinka, remained abducted at year's end. Observers believe that some of the abductees were sold into slavery, while others were used as forced labor or drafted into the military. In some cases, observers believe that the abductees escaped or eventually were released or ransomed, and that in other cases some were killed. In February the Government's PDF forces allegedly attacked several villages in eastern Aweil and Twic counties, northern Bahr El Ghazal, abducted over 300 women and children, killed 16 civilians, stole cattle, and looted and burned villages. In November there were unconfirmed reports that the PDF attacked the village of Guong Nowh, abducted 24 persons, killed several persons, and stole cattle."

**UN CHR 17 May 1999, paras. 61-66:**

"[R]aids by the militia are a major source of violations of human rights. In Bahr-al-Ghazal, the Murahaleen militia (or the Mujahideen) often accompany the State-owned military supply train escorted by the Popular Defence Forces (PDF), which travels slowly down to Wau and from Wau back to Babanusa. According to consistent and reliable sources, the Murahaleen ride on horseback along both sides of the railroad tracks, fanning out within a radius of up to 50 km, and systematically raid villages, torch houses, steal cattle, kill men and capture women and children as war booty. Often, abducted women and children are taken up to the north and remain in the possession of the captors or other persons. The PDF are also said to take part in the raids.

[...]

NGO reports communicated to the Special Rapporteur contain lengthy and detailed testimonies of men, women and children abducted in similar circumstances, who regained freedom only by escaping or through ransom. The captors are often referred to as PDF, Murahaleen militia, or sometimes even as soldiers. It is therefore difficult to establish whether regular troops also take part in the raids. According to certain accounts, the perpetrators were said to be wearing uniforms; whereas Murahaleen and other militia usually wear plain clothes. Although an auxiliary force, the PDF are directly under the control of the Sudanese authorities."

## **Peace efforts**

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### **IDPs violently oppose Darfur Peace Agreement (May 2006)**

- The Darfur Peace Agreement (DPA) was signed 5 May 2006 between the government of Sudan and a faction of the Sudan Liberation Movement and Army (SLM/A) led by Mr. Minni Minnawi
- The other SLM/A faction led by Mr. Abdul Wahid M. A. Al-Nur and the Justice and Equality Movement (JEM) refused to be part of the agreement
- The rebels who did not sign the agreement were concerned about;
  - 1) the right to compensation for the victims
  - 2) participation in the political decision-making process
  - 3) proportionate share in national economic wealth
  - 4) the status of Darfur as one region with its border lines as defined in 1956

- 5) a greater role for the movements in disarming the Janjaweed and protecting the civilian population in Darfur
- The agreement was negotiated and signed in the absence of a real ceasefire arrangement respected by all the parties to the conflict
- Mr. Minnawi signed it under pressure from African and western political leaders
- Members of the Fur and Masalait tribes who represent the overwhelming majority of the IDP in Darfur violently oppose the agreement

### **Darfur Relief and Documentation Centre, 30 May 2006**

"The African Union (AU) brokered Darfur Peace Agreement (DPA) was signed on Friday 5th May 2006 in Abuja (Nigeria) between the government of Sudan and a faction of the Sudan Liberation Movement and Army (SLM/A) led by Mr. Minni Minnawi. The other SLM/A faction led by Mr. Abdul Wahid M. A. Al-Nur and the Justice and Equality Movement (JEM) so far refused to be part of the agreement unless some of their concerns are satisfactorily met. The SLM/A concerns are about the right of the victims of the armed conflict in Darfur to satisfactory compensation, quality participation of the people of Darfur in the political decision-making process, proportionate share for Darfur in national economic wealth, restoring the status of Darfur as one region with its border lines as defined in 1956, and a greater role for the movements in disarming the Janjaweed and protecting the civilian population in Darfur. On 15th May 2006 the AU Peace and Security Council (AUPSC) held a Ministerial Meeting in Addis Ababa to endorse the DPA and also to consider measures for its implementation. The meeting decided that 31st May 2006 would be the final ultimatum for signature of the agreement as proposed by the AU mediation team and invited the holdout rebel groups to express their commitment to the peace process and join in the deal. If the disgruntled rebel groups continued their objections to sign the DPA, the AU decided that it would ask the UN Security Council (UNSC) to slap targeted sanctions on them. The DPA was reached under unhealthy conditions with dramatic increase in violence and insecurity in Darfur. It was negotiated and signed in the absence of a real ceasefire arrangement respected by all the parties to the conflict. It seems that efforts of the AU mediation team to persuade the parties to reach a negotiated political settlement based on mutual consent and informed opinion were obstructed by the delaying tactics and unwillingness of the government negotiators to accommodate the basic political demands put forward by the Darfur insurgent movements. Some provisions addressing these demands were discussed and approved by the parties and the AU mediation during the negotiations, but for unknown reasons they were not included in the final DPA text. The government of Sudan embraced the DPA as presented by the AU mediation while Mr. Minnawi signed it under pressure from African and western political leaders. He did so only after the US and UK observers introduced important changes to the text and assured him that their governments will scrupulously follow-up implementation of the deal. In a flagrant violation of the norms of fair and impartial mediation, the AU mediation team allowed intensive pressure, threats, intimidation and blackmailing to be used in a bid to persuade the parties especially the Darfur insurgent groups to sign the agreement. In yet another bad precedent the AU mediation allowed individual members of the SLM/A negotiation team to sign the DPA in their personal capacity or on behalf of hitherto unknown splinter rebel groups.[...]

The signing of the DPA by only one rebel faction is increasingly polarizing the inter-tribal relationships in Darfur. The situation is particularly disturbing among the IDPs and other war-affected communities. Members of the Fur and Masalait tribes who represent the overwhelming majority of the victims of the armed conflict that live in the miserable IDP camps in Darfur violently oppose the agreement. Furthermore, dispute about the feasibility of the DPA has emerged among members of the SLM/A faction that signed the agreement. On Tuesday, 9th May 2006 Mr. Ibrahim Ahmed Ibrahim, Secretary of External Relations and top advisor to Mr. Minnawi on international affairs addressed an open letter to the UN Secretary General urging the world body to freeze implementation of the DPA. He indicated that his group had been pressurized into signing an "incomplete agreement" that would probably not solve the crisis in the region. On 20th

May 2006 Mr. Minnawi's spokesperson Mr. Mahjoub Hussein accused the government of Sudan and the Janjaweed of launching a major military offensive against some of their bases in Katal Area (Dar Assalam) about 150 km east of Al Fashir in North Darfur State. The military attack was carried out on 18th May 2006 and the SLM/A claimed to have confiscated military vehicles and other military provisions owned by the government army. According to AMIS on Friday 19th May 2006 the Janjaweed launched two separate attacks that killed a total of 35 African villagers. In a separate incident on 19th May 2006 villagers attacked a Janjaweed militia in Kalaka, South Darfur State. During this attack 11 villagers and 8 Janjaweed were killed in what believed to be a retaliatory reaction to a 5th May Janjaweed raid that killed Mr. Minnawi's brother on the very day he signed the DPA. To face the mounting rejection by the people of Darfur of the DPA, the AU mediation team resorted to unconventional methods in such situations. On Wednesday, 10th May 2006 they issued an open letter addressed to the rebel groups who rejected the agreement, explaining in detail the benefits the deal is designed to bring to them and to the people of Darfur. The AU meditations are also planning to issue pamphlets addressed to the IDPs and the war-affected communities in Darfur propagating for the DPA and asking the people to support it. This was an open attempt to win wider acceptance for the deal after it was greeted with contempt and violent demonstrations throughout IDP concentration points in Darfur and also among Darfurian communities inside the country and in the Diaspora. By engaging in such explanatory adventure the AU mediation team mistakenly assumed that the Darfur insurgents and indeed the people of Darfur are unaware of the contents of the proposed agreement. This would yet be another unjustifiable AU misunderstanding of the delicate situation in Darfur. For the beleaguered people of Darfur such an attitude amounts to adding insult to injury."

#### **IRIN, 8 August 2006**

"The DPA [Darfur Peace Agreement] has little popular support among civilians in Darfur, many of whom continue to live in camps for internally displaced persons (IDPs) and refuse to return to their villages for fear of renewed attacks. Tensions in many of the camps for the region's two million IDPs have risen. As a result of the killings last month, many Sudanese staff of international NGOs and UN agencies fear for their safety if they enter camps.

"Most of these people were killed inside camps by mobs," Da Silva said. "There are 13,000 national staff compared to 1,000 international [in Darfur]. It is not possible to function without national staff."

#### **Sudan Tribune, 5 October 2005**

"Sudanese government and Darfur rebel groups met Tuesday for a second day of direct talks in Nigeria, with the visiting Dutch prime minister urging all parties to agree a power-sharing deal by the end of the year. The sixth round of peace talks on Darfur were officially launched in mid-September but until this week, government and rebel negotiators in Nigeria's capital had not held any direct discussions. Instead, they attended several days of seminars on peace negotiating and then waited as Darfur's main rebel group argued about the makeup of its delegation. Addressing the parties at the start of negotiations on Tuesday, Dutch Prime Minister Jan Peter Balkenende urged all sides to make an effort to bring peace by the end of the year.

"The international community wants to see results, it cannot go on spending resources on problems which should already have been resolved and still can be resolved in the coming months," said Balkenende.

The Dutch premier began a three-day visit to Nigeria on Monday that government officials said will include bilateral talks.

After decades of low-level clashes over land and water pitting nomads and villagers against one another in Darfur, rebels from ethnic African tribes launched a large-scale conflict in early 2003, accusing the Arab-dominated central government of neglect.

The central government is accused of responding by unleashing Arab tribal militias known as Janjaweed to murder and rape civilians and lay waste to villages.

More than 180,000 people have died in Darfur and another 2 million people have been displaced in the fighting."

***For more on the Darfur peace efforts, click [here](#)***

### **The Comprehensive Peace Agreement of January 2005 ended 38 years of war between GoS and SPLM/A**

- The Government of the Sudan and the SPLM/A signed a series of six agreements that led to the Comprehensive Peace Agreement of January 2005
- The agreements have been supported by the Inter-Governmental Authority on Development (IGAD)

#### **UNMIS, 31 May 2005:**

"In 1993, the Heads of State of the Intergovernmental Authority on Drought and Development (IGADD) became involved in the latest initiative to bring the parties together. This was the beginning of a long process that has led to the signing of the Comprehensive Peace Agreement in 2005.

The United Nations has closely followed and supported the regional peace initiative under the auspices of the Inter-Governmental Authority on Development (IGAD). The Secretary-General's Special Adviser, Mr. Mohamed Sahnoun, and other senior officials represented the UN at summit meetings of the IGAD countries, and carried out consultations with regional governments and organizations in support of the peace process. They also took part in meetings of the IGAD-Partners Forum, composed of donor countries and organizations supporting the IGAD peace process and assisting the regional organization to enhance its capacity in several areas.

#### **The Six Agreements:**

Under the mediation of the Intergovernmental Authority on Development (IGAD), the Government of the Sudan and the SPLM/A signed a series of six agreements:

##### **§ The Protocol of Machakos:**

Signed in Machakos, Kenya, on 20 July 2002, in which the parties agreed on a broad framework, setting forth the principles of governance, the transitional process and the structures of government as well as on the right to self-determination for the people of South Sudan, and on state and religion

##### **§ The Protocol on security arrangements:**

Signed in Naivasha, Kenya, on 25 September 2003

§ **The Protocol on wealth-sharing:**

Signed in Naivasha, Kenya, on 7 January 2004

§ **The Protocol on Power-sharing:**

Signed in Naivasha, Kenya, on 26 May 2004

§ **The Protocol on the resolution of conflict in southern Kordofan/Nuba Mountains and the Blue Nile States:**

Signed in Naivasha, Kenya, on 26 May 2004

§ **The Protocol on the resolution of conflict in Abyie:**

Signed in Naivasha, Kenya, on 26 May 2004 "

To read the full text of these six protocols, [click here](#)

**Progress for dialogue between SPLM and splinter groups (September 2005)**

- For the first time since the SPLM/A split in 1991, senior military commanders from both SPLM/A and other armed groups met in June 2005
- Issues of fundamental differences between the Southern Sudan Defence Force and SPLM/A were not resolved

**UN SC, 12 September 2005:**

"A south-south dialogue meeting facilitated by the Moi Africa Institute was convened in Nairobi on 30 June to bring together senior SPLM/A security officials and commanders of various militia groups active in southern Sudan. For the first time since the 1991 SPLM/A split, more than 60 senior military commanders from both SPLM/A and other armed groups gathered under the chairmanship of Mr. Garang. The meeting was, however, unable to resolve the issue of fundamental differences between the Southern Sudan Defence Force and SPLM/A. Later in the reporting period, Major General Paulino Matip, leader of the Southern Sudan Defence Force, sent encouraging signals following Mr. Kiir's accession to the leadership of SPLM/A and his inauguration as First Vice-President. For his part, Mr. Kiir expressed readiness to discuss outstanding issues with the Southern Sudan Defence Force, including those yet to be resolved by the south-south dialogue. It is anticipated that the south-south dialogue itself will resume in Khartoum in September."

**Ceasefire in the east (June 2006)**

- The Sudanese government and east Sudan rebels have signed a ceasefire deal
- The two sides have also agreed to negotiating a full peace agreement
- The rebels-made up of the region's largest ethnic group, the Beja and Rashidiya Arabs-hold a strip of territory along the Eritrean border
- The rebel Justice and Equality Movement (JEM), active in Darfur, has also emerged as a key player in eastern Sudan

**Aljazeera, 19 June 2006**

"The Sudanese government and east Sudan rebels have signed a ceasefire deal following talks in the Eritrean capital, Asmara. The two sides on Monday also agreed on a set of principles for negotiating a full peace agreement. The deals were signed by Mustafa Osman Ismail, a Sudanese presidential adviser, and Musa Mohamed Ahmed, the head of the Eastern Front. "We are only at the beginning of the road, we have a long way to go," Ismail said. "The Eastern Front will continue discussions for a lasting peaceful settlement," added Ahmed. The talks began on June 13 after Omar al-Beshir, the Sudanese president, and his Eritrean counterpart, Assaias Afeworki, held a rare meeting in Khartoum, which analysts believe boosted the chances of a truce. Several Libyan-sponsored initiatives had failed to end the sporadic fighting that has plagued Sudan's impoverished eastern states, where the rebels hold a strip of territory along the Eritrean border. The Eastern Front rebel alliance is made up of the region's largest ethnic group, the Beja and Rashidiya Arabs. It has similar aims to its counterparts in the western Sudanese region of Darfur - greater autonomy and control over the area's resources. The rebel Justice and Equality Movement (JEM), active in Darfur, has also emerged as a key player in eastern Sudan. It demands a seat at the presidency as part of any peace settlement, but has not been invited to the Asmara talks."

### **The government opposes a UN force to replace the poorly resourced African Union force (May 2006)**

- Government's hostility towards the UN resulted in Mr. Jan Egeland, UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, being denied access to the country
- The government also refused to allow a UN assessment mission study the needs on the ground for a possible transition of troops from the AU to the UN

### **Darfur Relief and Documentation Centre, 4 May 2006**

"Despite the deteriorating security situation in Darfur and the solemn declaration of the AU field commanders in Darfur that they are unable to handle the growing security challenge in the region, the government of Sudan repeatedly rejected the international calls for the deployment of a UN peacekeeping force in Darfur. Marshal Omar Al Bashier said many times that his government will not accept the deployment of international troops in Darfur under any pretext. For this purpose Sudan has launched a campaign of diplomatic and media attack against the UN and its officials. This campaign reached its climax in the first week of April 2006 when the government of Sudan refused to allow Mr. Jan Egeland, UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, to enter the country and visit Darfur. They even refused to allow him to fly over Darfur in his way to visit the Darfur refugees in eastern Chad. Sudan repeatedly refused to allow an assessment mission of the UN Department of Peacekeeping Operations to visit Darfur and study the needs on the ground for a possible transition of troops from the AU to the UN."

### **Controversy over the status of contested three central regions (2004)**

- The Protocols signed in May 2004 for Abyei, Blue Nile State and the Nuba Mountains/South Kordofan State have left many underlying tensions unresolved
- Conflicts between pastoralist and farmers over the use of natural resources including land, which will be exacerbated with the return of IDPs

- Nuba Mountain Region, Southern Blue Nile (Funj Region) and Abyei are territories geographically belonging to the North
- The Protocols have set out the basic governance and wealth sharing arrangements for the three areas during the planned interim period

**UN, 30 November 2004, pp. 142-143:**

“The ‘transitional areas’ of Sudan covered in this section comprise Abyei, Blue Nile State and the Nuba Mountains/South Kordofan State. Because of the particular circumstances of these areas, there are many underlying tensions, which the protocols agreed in 2004 have only partially resolved. It will, therefore, be particularly important that the international community understands the political dynamics, at local as well as state levels, and works in a way that promotes peace and the successful implementation of the agreements reached. Key to many of these tensions are the underlying conflicts between pastoralist and farmers over the use of natural resources. Although overall there is more poverty and fewer services in the SPLM/A areas, there are marginalised groups in all parts of the transitional belt and their needs must be understood. The physical isolation of the SPLM/A controlled part of Abyei and of Southern Blue Nile leads to shortages, or extremely high prices, for many goods.

**The GoS-SPLM/A protocols**

The most important development in 2004 was the agreement by the GoS and the SPLM/A in May 2004 of two protocols covering the areas: the Abyei Protocol and the Nuba Mountains/Southern Kordofan and Blue Nile Protocol. These protocols set out the basic governance arrangements for the three areas during the planned interim period, following the signature of an overall GoS-SPLM/A peace agreement. The arrangements cover the structure of the respective state-level governments, legislatures and courts, as well as shares of national wealth.

The two protocols are different in nature. The protocol for Abyei provides for the area to be accorded a special administrative status during the interim period, whereby the residents shall be considered citizens of both Western Kordofan (which is now merged with Southern Kordofan/Nuba Mountains) and Bahr al-Ghazal with representation in the legislature of both States. At the end of the interim period residents will be entitled to vote on a referendum (separate to but simultaneous with the one on self-determination of southern Sudan) where they will decide whether Abyei shall retain a separate administrative status within the North or be part of Bahr al-Ghazal. An Abyei Resettlement, Construction and Development Fund will be established to handle relief, repatriation, resettlement, reintegration, rehabilitation and reconstruction programmes in the Area. The residents of Abyei are defined as the members of the Ngok Dinka community and other Sudanese residing in the area; and the criteria of residence shall be worked out by the Abyei Referendum Commission. This clause in actual fact postpones the solution of the delicate issue as to whether the semi-nomad Misiriya are entitled to vote on the Abyei referendum (which is believed to upset the balance in favour of unity with the North) and is liable to lead to significant tensions in the intervening period. The other critical issue is defining the boundaries of Abyei, a task left to the Abyei Boundaries Commission, which is charged with the task of reporting within two years

The division of the revenues from oil produced in Abyei is laid down as 50% to the National Government; 42% to the future Government of Southern Sudan; 2% to Bahr al-Ghazal Region; 2% to Western Kordofan (henceforth presumably Southern Kordofan/Nuba Mountains); 2% locally with the Ngok Dinka; 2% locally with the Misiriya. This makes it particularly important that good governance practices are developed in order to ensure that these resources are used for the benefit of the majority. As has been seen elsewhere in Africa, oil can be a curse as well as a blessing, a source of conflict as well as the potential for development.

The protocol covering Nuba Mountains/Southern Kordofan and Blue Nile States contain no similar special provisions. A major stumbling block in the 2004 talks was the SPLM/A demand to

grant the population of the two areas the right to be consulted over the agreement reached, including the option of self-determination. However, the two areas are not part of the southern Sudan as per the borders of 1956 and legally they are not bound by the clause on self-determination in the Machakos Protocol of July 2002. The only concession made, therefore, was the right of the two legislatures to endorse the settlement or to engage with the National Government with a view to rectifying any shortcoming. The power-sharing percentages within the areas were so controversial, particularly for Southern Kordofan/Nuba Mountains, that they were the last substantive point to be agreed upon by the parties. The breakdown ultimately agreed was 55% to the National Congress Party and 45% to the SPLM/A. There is no provision for other parties. No consensus could be reached on the name of the state which the GoS refers to as Southern Kordofan and the SPLM/A as Nuba Mountains.

### **Security**

In the absence to date of a GoS-SPLM/A agreement for the permanent cessation of hostilities, the Nuba Mountains ceasefire has continued and is monitored by the Joint Military Commission (JMC). Abyei and Blue Nile State continue to be under the general 'cessation of hostilities' agreed in October 2002 and are covered by the Verification and Monitoring Team as part of its monitoring of adherence to the GoS-SPLM/A cease fire in southern Sudan. The number of cease fire violations in the Nuba Mountains in particular has declined and cross line access has become much easier, resulting in a big increase in trade. This has been largely due to the work of the JMC. However, as of November 2004, cross line access in Abyei and Blue Nile remained problematic. There have also been reports of militia training and movements in all of the transitional areas, although not all reports have been substantiated. Renewed or increased conflict in any of the three areas therefore remains possible."

### **Deng D., 7 January 2004, p.40:**

"The status of the border areas, Ingessana Highlands, Nuba Mountains and Abyei, has been the source of substantial disagreement in the Machakos negotiations. The SPLM appears to have tacitly accepted the Government position that the three areas do not fall squarely in "the South", but have insisted on credible mechanisms for self-determination for those areas. Whether or not the status of these areas is concluded at Machakos, it is clearly understood by all southerners consulted during this examination that peace in southern Sudan will be elusive if these fault lines are not addressed. First, each of these areas is culturally, linguistically and psychologically non-Arab, and is committed to be part of southern Sudanese entity, whether in a separate Sudan or under a framework of 'one Sudan – two systems'. Second, these areas are involved in the armed struggle, and will continue to fight from their regions, and possibly from further south if left under the assault of the GOS. Third, these areas are resource rich, and their status carries powerful economic considerations. Fourth, the people of the border areas have demonstrated that they will resist northern domination and occupation by all means necessary. War in these areas would likely have ripple effects, both practically and psychologically, which may pull southern groups, particularly those of Bahr el Ghazal and Upper Nile, back into conflict with the north."

### **SFP, 31 January 2003, p.1:**

"The same difficult issues remain: power-sharing, wealth-sharing and security arrangements during the Interim Period, and the status of the marginalised areas of the Nuba Mountains Region, the Funj Region (also known as southern Blue Nile) and Abyei. The Government of Sudan (GoS) objected to these areas being included in the discussions, and delayed their arrival until a face-saving formula was found whereby these would be discussed separately. [...] SPLM/A and the mediators insist that while the marginalised areas are not part of the south according to the 1956 colonial boundaries, they are nevertheless part of the conflict. Peace cannot come unless all aspects of the conflict are dealt with. The Nuba people held a convention in November 2002 and the Funj in December – both regions affirmed their wish to stay within the SPLM/A-administered territory and demanded the right of self-determination. While the people of Abyei have not yet held a convention, there is little doubt that they share these sentiments. The



Nuba conference was attended by delegates from both sides of the front line, and the level of agreement was notable. Dr John Garang visited the gathering in Kauda, his first trip to the Nuba Mountains during the current war. A new United Sudan National Party was formed, headed by veteran Nuba politician Fr Philip Abbas Ghaboush. The name "Nuba Mountains Region" was chosen to replace the old "Southern Kordofan". A Nuba activist who attended the All Nuba Conference, Awad Abdel Rahman, was arrested by GoS security officers and detained in a ghost house in Port Sudan. A leading Nuba delegate to the IGAD talks, Tisso Nadim, was murdered in Nairobi in January 2003. Delegates from GoS-controlled territory were prevented from attending the southern Blue Nile convention in Kurmuk, at which the people of the region reclaimed their historic name "Funj". "

**See ICG report from 25 June 2003 Sudan's Other Wars [[External Link](#)]**

# POPULATION FIGURES AND PROFILE

## General

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### Cultural and socio-economic characteristics of the IDPs in Darfur

- The Masalit, Zaghawa and Fur are the three largest African peoples in Dar Fur
- Most of them are Muslims
- A majority of the Masalit people are farmers have been forced from their homes in Darfur

### Strategy Leader Resource Kit, 11 May 2006

"The Masalit people are found in Chad in Ouaddaï Prefecture, Adré Subprefecture, around Adré. In Sudan, the Ethnologue reports the language is spoken in Dar Fur Province, Dar Masalit and Nyala District, with scattered colonies in Dar Fongoro. The language is also spoken to the south and east of there, and in Gedaref Region, Geneina, Mistere and Habila Kajangise.

In the three years of war from 2003 to 2006, a majority of the Masalit people have been driven from their homes. Sources on the ground report that many are relocated in Sudanese towns of Masteri, Congo Haraza, Beïda and Arara. Others have fled into Chad among the 1-2 million refugees in various camps and towns there.[...]

The Masalit are farmers, as their neighbouring tribes are. Before the recent fighting in Dar Fur, the Masalit were self-sufficient in subsistence farming, including raising cattle. In the fighting, their cattle have been stolen and their homes, tools and crops have been destroyed.

The Masalit, Zaghawa and Fur, the three largest African peoples in Dar Fur, claim Islam formally. They have traditionally intermarried and had extensive social interaction with the Arab tribes of cattle-herders, commonly called Baggara. The Masalit, however, as well as their other African neighbour tribes, retain many of their traditional practices, in spite of concerted efforts by the Arab-dominated Sudan government to Arabize the peoples.

For instance, like the Nuba and other peoples in Southern Sudan, they brew a traditional beer called marissa. This beer is high in Vitamins B and has long been a staple in the Masalit diet. They did not consider this drink as an "alcohol" in the sense of the Islamic prohibition.

The focus changed when the Shariah (Islamic Law) provisions were strictly implemented under Jaafar Nimeiry's Islamization program in the 1970s. The African tribes in Dar Fur, who considered themselves devout Muslims, resisted this intrusion into their lifestyle.

The Masalit differ from the stricter northern Arab version of Islam, also, in the greater freedom of the women of the Dar Fur tribes. They commonly make bricks and are engaged in house-building, not an Arab woman's task."(Strategic Leader Resource Kit, 11 May 2006)

## Global figures

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### More than 5 million estimated IDPs in Sudan (April 2006)

The civil war in Sudan has generated the largest internally displaced population in the world during the past two decades. Most IDPs are not sheltered in camps which makes it harder to monitor numbers. Despite the scale of the problem, no systematic mechanisms to monitor population movements have been set up in the country and most figures are estimates and projections. As of April 2006, there was no official consensus on the overall number of IDPs in Sudan.

With these reservations in mind and based on UN statistics from July 2005 and April 2006, there are an estimated 5 355 000 IDPs as of April 2006.

| Location (1)                            | Location (2)                    | IDP Number |
|---|---------------------------------|------------|
| Khartoum                                |                                 | 2 000 000  |
| Northern                                |                                 | 200 000    |
| Red Sea                                 |                                 | 277 000    |
| Kassala                                 |                                 | 76 000     |
| Gedaref                                 |                                 | 42 000     |
| Sennar                                  |                                 | 60 000     |
| Blue Nile                               | (South & North)                 | 235 000    |
| White Nile                              |                                 | 110 000    |
| Upper Nile                              | (Malakal)                       | 95 000     |
| West Kordofan                           |                                 | 107 000    |
| South Kordofan                          |                                 | 82 000     |
| Unity                                   |                                 | 135 000    |
| Bahr el Ghazal                          | (Wau / Aweil)                   | 210 000    |
| Eastern Equatoria                       | (Juba/Lafon/Torit/Budi?Kapeota) | 26 000     |
| Western Equatoria* No figures available | (Ezo/Tambura)                   |            |
| Jonglei* No figures available           |                                 |            |
| Greater Darfur                          |                                 | 1 800 000  |
| TOTAL                                   |                                 | 5 355 000  |

**All numbers except for the Greater Darfur figures are taken from: "UN Support for Spontaneous Returns 2005/2006 Operational Plan" of 4 July 2005**

### **Interview with UNHCR Humanitarian Coordinator for Sudan in "Voice of America", 20 July 2006**

"David Gressly is the UNHCR's humanitarian coordinator for Sudan. [...] so far only a little over a million have voluntarily returned home to the south.

He says it's been more difficult to facilitate refugees than the internally displaced because of the lack of security in southern Sudan along the northern border with Uganda, mainly because of the Lord's Resistance Army.

He adds that the UNHCR "had hoped to repatriate more than 60,000 people this year from refugee camps in Central African Republic, Congo and Uganda, but because of insecurity could only return 10,000."

***UNOCHA IDP figures in Darfur as of 1 April 2006:***

" It is estimated that more than 150,000 people have been newly displaced between January and March [2006]. At first hand, it seems surprising that these numbers are not reflected in this profile, since the total numbers of IDPs remains at 1.8 million. The reality is that many of the newly displaced have fled for the second or third time. Others are still dispersed and have not yet been registered. The worrying factor is that the total number of people in need of assistance, 3.6 million, has not diminished when seasonal conditions – the post-harvest season – should have led to the contrary.

2. The stagnant numbers of IDPs hide significant gaps. In Jebel Marra, some 40,000 IDPs are now beyond reach of humanitarian assistance. It should also be underlined that headcounts or registrations in camps or settlements are not undertaken every month. This, together with continuous movements which are not easily verified result in significant delays before they appear in statistics. In other words: today's displacements are only reflected months later. More representative of the general situation in Darfur are the residential affected populations. Their figures continue to grow, albeit slightly, reflecting an emergency situation that is far from being resolved." (UNOCHA, 1 April 2006).

## **Geographical distribution**

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### **Around 1.8 million people are internally displaced in the Darfur region (August 2005)**

**UNSRSG, 1 August 2005:**

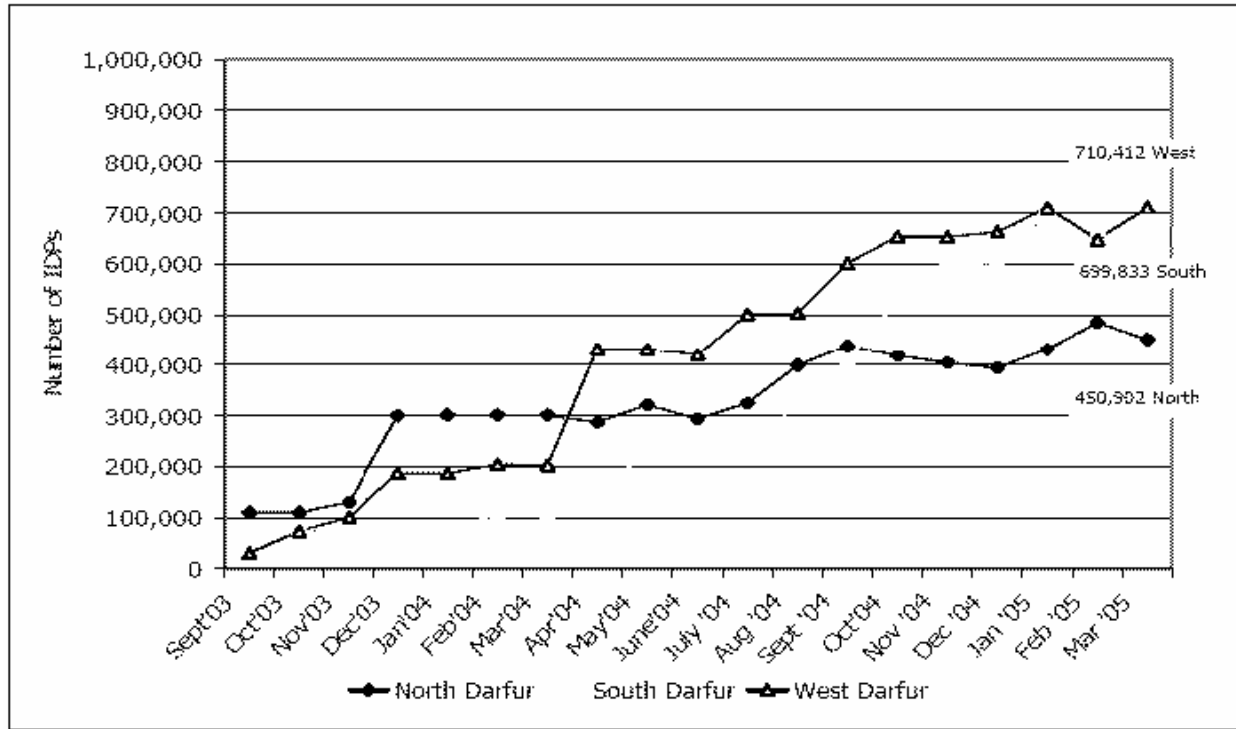
"The number of IDPs has slightly declined to just over 1.8 million, a trend that reflects the outcome of new registrations in some sites. In North and West Darfur the IDP population decreased by around 40,000 each, in South Darfur it increased by 15,000."

**UN, 30 November 2004, p.98:**

"Roughly one third of the entire population of Darfur has been affected by the conflict, which began in February 2003 between the Sudan Liberation Army/Movement (SLM/A), the Justice and Equality Movement (JEM) and the GoS and supporting militia. As of 1 October 2004, 1.6 million people were displaced within Darfur, 200,000 Darfur refugees had fled to Chad and 420,000 other civilians were affected either directly or indirectly by the conflict."

**WHO, 1 April 2005:**

"



**Commission of Inquiry, 25 January 2005:**

“It is noted that there are 101 locations, most of them camps, throughout the Darfur region hosting IDPs, which include 22 locations in North Darfur, 42 locations in South Darfur and 37 locations in West Darfur. Some camps host up to 70,000 persons while others are more “modest” in size and are host to “only” a few thousand IDPs.

[...]

The Commissioner-General [of the Government Humanitarian Aid Commission] further stated that a total of 400,000 IDPs had returned home; a figure the United Nations could not confirm.”

**1.8 million IDPs live in and around Khartoum (2004)**

- There are between 1.8 million and 2 million IDPs in Khartoum
- About 270,000 IDPs in Khartoum live in about four official camps and the rest live in miserable squatter areas
- IDPs make up to 40 percent of Khartoum’s total population
- There were four official camps hosting IDPs: Omdurman es Salaam (120,000 people) Wad el Bashier (74,800 people) Mayo Farms (133,000 people) and Jebel Aulia (45,000) and squatter areas include Soba Arradi (64,000 people)
- The main areas of origin in order of importance were Equatoria, Central, Kordofan and Bahr el Ghazal
- Women represent one third of the Khartoum IDP population An estimated 300,000 IDPs live in northern states of Gezira, Khartoum, Northern, Northern Kordofan, River Nile, Sinnar, Western Kordofan and White Nile

**UN, 30 November 2004, p.177:**

"The areas of Sudan covered here [including the states of Gezira, Khartoum, Northern, Northern Kordofan, River Nile, Sinnar, Western Kordofan and White Nile, with an estimated combined population of 14.5 million in 2003] host some 2.1 million IDPs, of whom around 1.8 million are estimated to live in Khartoum State alone. Of these, some 260,000 live in four official IDP camps, while the remainder live in squatter and designated settlements around Khartoum."

**UN R/HC, Khartoum, 18 July 2003, p.4,5:**

"There are an estimated 1.8 million internally displaced persons (IDPs) in Khartoum State [...]. They are mainly from the western and southern regions of Sudan including Greater Kordofan, Greater Bahr el Ghazal, Greater Darfur, Unity and Nile states (Jonglei, Blue and Upper Nile and Unity states) and from Greater Equatoria.

[...]

Approximately 255,438 IDPs live in four official camps, Mayo Farms, Jebel Awlia, Dar el Salam and Wad al Bashir on the outskirts of Khartoum. The rest live in squatter and designated settlements around Khartoum [...]

The IDP male to female ratio is 1:3, while children under 5 years constitute 17-20% of the population. The average household size is 6 to 7 persons. Dar el Salam camp has the highest population with 14,286 households followed by Jebel Awlia with 7,429 [...]."

**GoS Ministry of Humanitarian Affairs, 2 September 2003, p.3,6:**

"an estimated 2 million IDPs live in Khartoum State"

**F.A.R. et al, 19 January 2005, p.19:**

"Wad el Bashier (est. 74,800 people) camp

[...]

Omdurman es Salaam (est. 120,000 people) Camps

[...]

Soba Arradi (est. 64,000 people)

[...]

Mayo Farms (est. 133,000 people)

[...]

In the four areas, the majority of the IDPs (22%) came from Equatoria, with Central Sudan (20%) and Kordofan (18%) being the next largest populations. 13% came from Bahr el Ghazal, 10% were from Darfur, and 9% were from Upper Nile. One percent or less of the IDPs originated from either northern or eastern Sudan.

Of those surveyed who were Equatorians, most lived in the southern areas of Khartoum with 40% living in Mayo Farms and 32% living in Soba Arradi. The majority of those from Kordofan live in OeS (37%) and WeB (34%), and OeS has the highest percentage of those from Darfur (60%). Within each camp the majorities come from the following regions:

The average household size was reported as being 7.3 people. Soba Arradi seems to have the largest household size, with an average of nine people, while WeB averaged six, and both OeS and Mayo Farms averaged seven persons.

In OeS the average number of children under five is 1.5 per family (or 22% of the camp population), the figures are 1.7 for Mayo Farms (or 23% of the camp population), 2.0 for Soba Arradi (or 23% of the camp population) and 1.7 (or 26% of the camp population) for WeB."

**FAR and CARE, 27 January 2004:**

"There are an estimated 4 million IDPs (internally displaced people) in Sudan, with almost half of those living in official camp and squatter areas in greater Khartoum. [...]

The rest of the IDPs live in squatter areas and other parts of town. Their houses are generally built of mud and sticks or cardboard structures.

**Wad el Bashier (WEB)**, with a population of approximately 45,000 (conservative estimate – see further details below in the report), is located along the southwest edge of Omdurman. There are several re-planned and squatter areas adjacent to the camp where the vast majority of inhabitants are displaced and where an additional equal number than at WeB reside.

**Omdurman Es Salaam (OES)**, with an estimated population of 100,000, is close to WEB camp. Families displaced from other parts of Sudan, including those affected by urban re-planning policies in Khartoum are directed to OES, resulting in a rapid population growth in recent years.

**Jebel Aulia**, with a population of approximately 45,000, is located in the southeast of Khartoum and is occupied by war-affected populations from the Nuba Mountains and South of Sudan. Much of this camp has already been “re-planned” with much of the former camp residential area being utilized by a private company Sundas – for agricultural activities

**Mayo Farms**, with an estimated population of 80,000, is located immediately south of Khartoum and occupied by war-affected population from the South and Nuba Mountains. Adjacent areas to Mayo Farms Camp have been re-planned and sold/allocated to citizens, including IDPs, over the past years.”

**CARE/IOM, 28 February 2003, pp.10-12,15,16, 24, 26,27:**

“The most populous Khartoum camps are El Salaam with 14,286 households and Jebel Aulia with 7,429 IDP households. In total the Khartoum camps surveyed by CARE equate to a total of 49,090 households, (326,209 IDPs in total, giving an average household size of 6.5).

[...]

Each household surveyed was represented by a single member, of which, the majority were female; only 35.5%% of all those interviewed were male. 48.4% of those interviewed declared themselves the Head of Household.

[...]

83.8% of the respondents interviewed are married, 5.9% are single, 5.8% are widowed and 2.9% are separated. However, of those claiming to be married, many households did not have both husband and wife declared as members of the household. This may be because of confusion among respondents as to the definition of separated. It is believed that more than the declared 2.9% of IDP households have husbands and wives that are separated, albeit for only temporary periods.

[...]

The major ethnic groups are Dinka and Nuba (representing 25.4% and 20.6% of the households respectively).”

**ACC/SCN 25 July 2000:**

"There continue to be nearly two million displaced southern Sudanese people in camps in and around Khartoum. "

**UN November 1999, p.123:**

"Approximately 40 percent of Khartoum's population of five million IDPs. Approximately 200,000 live in four official IDP camps. The remainder is scattered among several squatter and other residential areas. They are traditionally farmers, pastoralists and fishermen and earn marginal livings as casual and seasonal labourers, petty traders and low-income wage earners. Household size is an average of six to seven."

**IRIN-CEA 24 November 1998:**

"The displaced in Khartoum are mainly people who fled conflict or drought in southern Sudan and southern Kordofan since 1983. Among them are also a number of people displaced by drought in western Sudan or deforestation in central Sudan. Making up 41 percent of the capital's current population, they also represent almost half of Sudan's displaced population which, at about four million, is the world's largest, according to UN estimates."

## **Large-scale new displacements due to violence linked to oil-exploitation in Unity State/Western Upper Nile (2004)**

- Scorched-earth campaigns in Upper Nile displaced 100,000 people during 2004
- Conflict between militias not represented in the peace talks displaced between 110-180,000 people between October 2002 and February 2003 in Unity State
- ICG estimates half a million displaced in Unity State during 2002 first ten months
- 25,000 IDPs entered Mayom fleeing conflict in Mankien (Sept 2002)
- UN OCHA estimated between 150,000 and 300,000 people displaced in Western Upper Nile between January and April 2002
- Between 50-60,000 people were displaced in Rubkona Province by government deliberate attacks on civilians
- 60,000 vulnerable people and IDPs reported in Koch, Upper Nile in December 2002
- 13,000 IDPs in 5 camps in Malakal (Nov 2002)
- 40,000 Nuer displaced from fighting in Upper Nile have sought refugee in Bahr el Ghazal
- Over 127,000 people fled Western Upper Nile to Northern Bahr el Ghazal (Sept 2002)

### **Christian Aid, 6 May 2004:**

“During April more than twenty villages were destroyed, several hundred civilians killed and approximately 120,000 people forced to flee their homes, around Malakal region on the west bank of the Nile, southern Sudan.”

### **UN, 3 June 2003, p.2:**

“The omission of provisions in the Naivasha accords to ensure accountability for human rights abuses continues to plague the South. The government and its Southern ethnic militias, starting in early 2004, conducted a scorched-earth campaign that displaced 100,000 civilians from the Shilluk lands in the Upper Nile.” (HRW, 16 November 2004) “Conflict again erupted in Unity State/Western Upper Nile (December 2002-March 2003) between militia neither represented at the peace-talks nor signatories to agreements reached therein. Between October 2002 and February 2003, an estimated 110-180,000 persons had been displaced or ‘redisplaced’ as a result of sporadic armed conflict.”

### **UN, 3 June 2003, p.16:**

“**Greater Upper Nile:** Unity State/Western Upper Nile hosts the highest number of newly displaced persons i.e. roughly 70,000 since August 2002 [...], and an additional 6,000 since January 2003.”

### **UNR/HC, Bieh, 3 July 2003:**

“In addition, Bieh State hosts over 10,000 IDPs.”

### **UN H/RC, Rweng, 27 June 2003, p.4:**

“As mentioned above, the continuing GoS offensive in Ruweng has caused displacements within the county. However, despite its instability, Ruweng still hosts approximately 12,000-13,000 displaced people from Nimni (Leech State) and the Nuba mountains.”

### **UN H/RC, Latjor, 27 June 2003, p.5:**

“At least 17,000 internally displaced persons (IDPs) had been registered in the state by October 2002”.

### **FEWS, 20 February 2003:**



“Continued fighting in the northern parts of Liech (Western Upper Nile) displaced about 50,000 people in January of this year. This is likely to result in the accelerated consumption or loss of grain stocks.”

**USCR, 1 January 2003:**

“The worst violence occurred in the lucrative oil fields of Western Upper Nile Province, where 150,000 to 300,000 people fled in the first four months of the year [2002], according to estimates by relief agencies. An additional 70,000 residents of Western Upper Nile became uprooted later in the year.”

**ICG, 14 November 2002, p.5:**

“Fighting in the oilfields region of the South escalated at the beginning of 2002[...] With both sides’ capabilities improved, and the government determined to expand oil exploitation at any cost, estimates are that the last ten months have seen the displacement of nearly half a million civilians in Western Upper Nile.”

**UN, November 2002, p.36:**

“Beneficiary figures are difficult to determine due to high mobility and denied access. However in the garrison towns (Bentiu, Rubkona, Pariang, Mayom, Kumagon) the affected populations are estimated at 100,053 people. Most recent fighting in and around Mankien caused the displacement of over 25,000 IDPs into Mayom.

[...]

Mayom, Bentiu and Rubkona, for the above- mentioned reasons and IDPs living in camps i.e. 1,458 in Tong, 26,575 in Bentiu, 25,004 in Rubkona, 11,856 in Pariang, 34,000 in Mayom, 942 in Kumagon and 218 in Tor.”

**USAID, 14 August 2002:**

“According to UN OCHA, between 150,000 and 300,000 people were displaced in Western Upper Nile from January to April 2002”

**UN, November 2002,p.35:**

“[...] 13,000 IDPs in five camps in Malakal (Upper Nile)”

**OCHA, 17 September 2002:**

“An influx of 24,000 IDPs entered Mayom as a result of conflict around Weinken in Upper Nile.”

**Over 650,000 IDPs in Bahr al Ghazal (2003)**

- Twic County hosts about 33,000 recent IDPs who fled conflict over oil in Leech State (2003)
- In January 2003, 50,000 people were displaced due to fighting in Leech
- About 50,000 IDPs arrived in Tonj from Western Upper Nile between July and August 2002, adding to the already 30,000 IDPs from the same area
- About 18,500 IDPs in Aweil East in March 2002
- 120,000 displaced reported around Wau town in 2002
- 17,000 people were recently displaced from Tambura and Liech into Wau and Gogrial areas of Bahr El Ghazal region

**USCR, 1 January 2003:**

“A government military offensive and militia raids against the local population in Bahr el-Ghazal pushed tens of thousands from their homes. Up to 120,000 new and long-term displaced persons congregated near the government-held town of Wau. Bahr el-Ghazal Province contained more

than 650,000 displaced persons by year's end, according to estimates by UN humanitarian workers."

**UN, November 2002, p.29:**

"The affected caseload requiring humanitarian assistance and services (550,000 persons) includes 6,281 IDPs in Aweil, 119,724 in Wau, 15,000 in Raja and 438,755 in Rumbek, Cueibet, Yirol and Tonj Counties. Other vulnerable groups are children and the handicapped, pregnant and lactating mothers, and minority ethnic groups who are given unequal access to resources."

**IRIN, 30 April 2003:**

"In January 2003, fighting in the northern part of Leech led to the displacement of 50,000 people"

***Raga County***

**UNR/HC, Raga, 25 July 2003, p.3:**

"Following the fall of Raga under the SPLM/A in June 2001, about 18,500 internally displaced persons (IDPs) fled the town to South Darfur where they were resettled in the four designated camps of Um Herona, Firdos, Buram and Radom. An estimated 11,000 fled to other areas within Bahr el Ghazal. Local authorities estimate that a further 20,000 people fled into Western Equatorial and 5,000 crossed into Central African Republic."

***Wau County***

**FEWS, 17 July 2003:**

"WFP reports that about 17,000 people were recently displaced from Tambura and Liech into Wau and Gogrial areas of Bahr El Gazal region. There are also reports that people have recently returned from northern Sudan, but there are no confirmed figures to accompany these reports."

**UNR/HC, Twic, 27 June 2003, p.5,6:**

"Twic County has hosted Nuer IDPs from neighbouring Leech since 1999. In 2000, about 7,000 IDPs and 30,000 returnees were reported by SRRA10. The number of IDPs moving into the County has increased as fighting around the Leech oilfields has escalated. Currently, Twic hosts approximately 33,000 recent IDPs and 13,000 returnees. According to the last Annual Needs Assessment (ANA) report, the recent IDPs are Nuers who entered Twic County from August 200211. They fled Leech State due to fighting in areas around Mayom town. In addition, about 13,000 returnees arrived in Twic County from November 2001 to September 2002, according to the same report."

***Tonj County***

**UNR/HC, Tonj, 4 July 2003, p.4:**

"Some 50,000 people are reported to have fled into Tonj from Western Upper Nile between July and August 2002. The IDPs fled due to the GoS offensive in the oil rich areas of Leech and Ruweng. Tonj County is stressed as it was already hosting over 30,000 IDPs from the same area who arrived over the previous two years. [...] Approximately 15,000 IDPs arrived in Luacjang payam between May and October 2001.

They came in rather late for cultivation and relied on WFP food aid. [...] Some 22,982 IDPs were reported in Tonj County in 2000. They were displaced from Upper Nile between April 1999 and June 2000, and may still be in Luacjang payam. In addition, some 7,113 returnees were reported to have returned from Wau, Gogrial and Western Equatoria during the same period."

***Aweil South***

**UNR/HC, Aweil South, 27 June 2003, p.4:**

"The latest report on IDP's indicates that there are approximately 5,000 IDPs in Aweil South County [...] in March 2002. The 2002/03 ANA report documented that 6,600 people were

displaced from Kuajok and Gogrial payams of Gogrial County to Baarmayen, Mangar Gier, Gakrol and Wathmuok payams of Aweil South County following the fight for Gogrial town. This would be in addition to Aweil South IDPs who were displaced within the County. The World Food Programme (WFP) served approximately 10,000 Internally Displaced Persons (IDPs) in Aweil South between January and July 2002. [...] The 2002/03 ANA report recommended provision of IDP kits to IDPs from Kuajok and Gogrial payams. A total of 3,696 returnees were reported in Aweil South in 2002. They came from northern Sudan and are integrated into the host community..”

#### ***Aweil East***

##### **UNR/HC, Aweil East, 8 July 2003, p.4:**

“Some 18,500 IDPs were reported in Aweil East in March 2002. Some were from the western lowland areas of the county while others were from Aweil West. They were mainly displaced by PDF along the Wau – Babanusa railway line.[...] In addition, some 6,036 IDPs were reported in Aweil town. [...]”

##### **WV, 10 May 2002:**

“An estimated 120,000 people are displaced due to fighting between the Government of Sudan (GOS) and the Sudan People's Liberation Army (SPLA) around Wau in Bahr el Ghazal province, according to an official from OLS (Operation Lifeline Sudan). The GOS forces are attempting to take the town of Gogrial, but reports from the ground indicate that the SPLA are holding them off as heavy rains are starting in the area. The hope is that this will put a stop to the fighting and that the GOS will retreat to their stronghold in Wau for the duration of the rainy season. Helicopter gunship bombing is taking place on the road between Gogrial and Wau, opening up the route for the retreating Government troops.”

#### **IDPs in Greater Equatoria (2003)**

- About 20,000 IDPs in Mabilia camp (2003)
- About 50,000 IDPs lived in Tambura and Ezo camps as of February 2003
- Kapoeta County has sheltered 16,000 IDPs in two camps for over ten years in addition to 5000 displaced in Kapoeta town
- Kajokeji County hosts about 27,748 IDPs
- A total of 140,159 IDPs lived in Magwe County (2003)
- At least 20,000 people were displaced by LRA attacks in 2002
- Over 45,528 IDPs lived in Juba town and its environs, 21,368 of whom in 5 camps (2003)
- 55,522 IDPs beneficiaries of humanitarian assistance in Main towns of the Equatoria region (Nov 2002)
- 11,570 IDPs fled the conflict to Juba after fighting in Torit on 1st September 2002

#### ***Tambura County***

##### **UN R/HC, Tambura, 27 June 2003, p4:**

“Currently, Mabilia camp in northern Tambura hosts approximately 20,000 IDPs from Raja in northern Bahr el Ghazal [...]. About 46% of all households in the Mabilia IDP camp are female-headed households. This is because the majority of males remain at the frontline or died in the battle for Raja town from around August 2002 to date.”

##### **FEWS, 20 February 2003:**

“An estimated 40,000 and 10,000 people are residing in camps in Tambura and Ezo respectively. About 15,000 of these are people who fled from Raga to Tambura in July 2001.”

### ***Kapoeta County***

**UNR/HC, Kapoeta, 14 July 2003, p.6:**

"Kapoeta County hosts two Internally Displaced Persons' (IDP) camps, Narus and Natinga, which have a combined estimated population of 16,000. The IDPs are mainly Dinka from Bor County. The camps have been in existence for over 10 years, and the IDPs are relatively settled in the area. The IDPs however, are not allowed to keep cattle or cultivate by the local Toposa, and consequently rely on food aid and trade for survival. In addition, Kapoeta County has approximately 5,000 people displaced from Kapoeta town, following the SPLA capture of the town in 2002."

### ***Kajokeji County***

**UNR/HC, Kajokeji, 4 July 2003, p.3:**

"Kajokeji County hosts 27,748 IDPs in Kerwa, Mangalatore, Bamurrye and Limi old and new camps [...]. The long-term IDPs include the Bor Dinka who have been in the Equatoria region since the 1990s, and Equatorians from Juba and Torit counties. The population has decreased from over 70,000 in 1996 to the current number over the last few years because of ongoing voluntary repatriation to Bor County."

### ***Torit***

**UNR/HC, Torit, 3 July 2003, p.5:**

"Torit has experienced internal displacement with many of its residents fleeing to neighbouring counties and countries. This is due to the insecure nature of the county, caused by LRA raids and the battle for Torit town between the SPLM/A and GoS in September 2002. NGOs working in Torit report around 10,000 displaced persons in various villages and camps in Momoria 1 and 2, Imotong, Katire and Gile, Chilok 1 and 2 and Tseretenya. Meanwhile, there are also reports of around 700 returnees from Uganda and according to OCHA Sudan in Khartoum there are 6,000 IDPs in the GoS town of Torit and 5,433 IDPs in the GoS held Lafon [...]."

### ***Magwe County***

**UNR/HC, Magwe, 3 July 2003, p.5:**

"Magwe's location has caused it to play host to large numbers of IDPs and refugees who reside primarily in three camps located in Nimule, Labone and Parajok as well as Magwe village and its environs. Displaced persons and returnees found in the county originate from Uganda and Bor County. The largest percentage of the IDPs are Bor Dinka who were pushed south as a result of fighting between the Dinka and Nuer in 1989/1990, 1991, and the 1995 fighting between the SPLM/A and GoS in Bor County and Eastern Equatoria.

Recent fighting between the LRA and UPDF has caused the Magwe residents to join the number of displaced. [...]

Currently, the county has approximately 140,159[...] IDPs, a figure higher than the resident population."

### ***IDPs in Juba area***

**UN R/HC, Juba, 23 July 2003, p4:**

"Since 1997, the persistent insecurity has resulted in displacement of population from various parts of Juba County. There are presently about 21,368 IDPs living in the five IDP camps of Wonduruba, Katigiri, Lugware, Kera and Tuliang which are supported by Norwegian People's Aid (NPA) [...] The majority of the IDPs are from Juba town and the surrounding villages.

Civilians escaping attacks by the Lord Resistance Army (LRA) in northern Uganda and skirmishes between the GoS and SPLM/A over the control of Torit, Kapoeta and Lafon, have sought refuge in Juba town and its environs. It is estimated that camps in Juba town and its environs host over 45,528 IDPs".

**USCR, 1 January 2003:**

"At least 20,000 residents fled LRA attacks during 2002."

**UN, November 2002, p.31:**

"Beneficiaries of humanitarian assistance number over 300,000, of whom 20,000 are IDPs in Juba, 18,000 in Kapoeta, 13,210 in Torit and 4,312 in Lafon."

**ACT, 25 November 2002:**

"During the Machakos peace talks between the Government of Sudan (GoS) and SPLM/A the warring parties intensified their military activities and, during the second phase of the talks the SPLA captured the strategic town of Torit on 1 September 2002 displacing the inhabitants of the town and surrounding villages in the process. On protest the GoS pulled out from the Machakos peace talks and demanded the return of the town to government control. Approximately 11,570 people were displaced to Juba, the capital of Southern Sudan (about 134 km from Torit)."

**IDPs in Eastern Sudan (2004)**

- There were about 63,000 IDPs in Kassala state as of November 2004
- 45,000 IDPs are believed to live in Kassala state (Nov 2003)
- Government estimates numbers of new and old IDPs in Kassala at 60,000 (2003)
- 12,000 newly displaced in Kassala scattered along the 200km line south of Hamish Koreib
- Up to 60,000 people displaced near the Sudan-Eritrea border in 1998 by fighting between government forces, and the National Democratic Alliance

**UN, 30 November 2004, p.161:**

"Although no large population displacements occurred in eastern Sudan in 2004, the region still hosts some 63,000 IDPs in Kassala State and several thousand more in Port Sudan."

**UN, 18 November 2003, Vol.II, p.42:**

"Kassala is a catchment area for IDPs, refugees and migrants. The population of some 1.6 million are mostly farmers and agro-pastoralists. More than 45,000 are IDPs and considerable numbers are Eritrean refugees."

**IFRC, 5 August 2003:**

"Official government statistics indicate the town has a population of 350,000 people, in addition to 59,294 internally displaced persons (IDPs) from a civil conflict last year, and 24,000 Eritrean refugees (the IDPs and refugees have not, however, been affected by the floods due to their location on higher ground)."

**UN, 3 June 2003, p.16:**

"**Kassala State:** 11,000 new IDPs fled armed conflict in Hamash Koreb Province between October and November 2002."

**UN, November 2002, p.32:**

"Kassala is a catchment area for IDPs, refugees and migrants. The population of 1,620,000, mostly farmers and agro-pastoralists, more than 45,000 are IDPs"

**OCHA, 24 November 2002:**

"The early October 2002 conflict on the border of Kassala state and Eritrea resulted in displacement of civilians from Hamish Koreib province. By 29 October, some 12,000 people had

been uprooted from homes in an area stretching north of Kassala town to Hamish Koreib, with many IDPs walking a distance of up to 200km to seek refuge. Living conditions are basic to extreme and there is an urgent need for food and non-food items.

[...]

Many displaced remain scattered along a 200km line south of Hamish Koreib.”

**USCR 1999, p.92:**

"In northeastern Sudan, near the Sudan-Eritrea border, fighting [in 1998] between government forces and NDA [National Democratic Alliance] insurgents aligned with the SPLA left up to 60,000 people displaced during the year. Most of the uprooted families lived in six camps near Kassala town."

**IDPs in Transition Areas (2003)**

- 115,000 IDPs in Blue Nile State (2003)
- War in Blue Nile has displaced 17% of the population over the last five years (2003)
- UN estimates 30,000 IDPs in Ed Damazin camp (Nov 2002)
- 80,000 IDPs in North Kordofan according to the Humanitarian Aid Commission government agency
- Five camps in government-controlled northern Abyei housed an estimated 70,000 people by end 2002
- 80,616 IDPs and 17,149 displaced returnees beneficiaries of humanitarian assistance in greater Kordofan region
- Overall more than 158,000 Nuba people displaced since 1983
- Sixty percent of the 173,000 IDPs relocated to "peace villages" were war-affected Nubas by 1999

***Blue Nile:***

**WFP, 19 March 2003:**

"But in the last five years, war between the Sudan Government and the Sudan People's Liberation Movement/Army (SPLM/A) has displaced over 17 percent of the population and played havoc with the region's food security."

***Southern Blue Nile:***

**UNR/HC, Blue Nile, 18 July 2003, p.5:**

"When the GoS took over Geizan County from SPLM/A, in May 2002 there was considerable population movement. An estimated 10,000 – 15,000 internally displaced persons (IDPs) from Geizan moved initially to two camps: Nazila and Himora. Military activity in Keili and Karenkaren payams in September and October 2002 caused further displacement when IDPs left Himora camp. IDPs are now located in three camps: El Jaman, Nazila and Mayaas[...]."

**UN, 3 June 2003, p.16:**

"**Blue Nile:** High levels of malnutrition, inadequate and insufficient water supply, appalling sanitation conditions, and lack of medicine, health and education facilities affect a total of 79,000 persons including 50,000 new IDPs and 1,871 returnees. Agencies began delivery of assistance to Blue Nile for the first time. They started pre-positioning relief items including drilling rigs and other necessary equipment, to assist both GoS and SPLM/A held areas."

**UN, November 2002, p.35:**

"At least 30,000 IDPs in Ed Damazin in Blue Nile"

### **Greater Kordofan**

**UNR/HC, Nuba SPLM/A, 30 June 2003, p.4-6:**

"Three categories of the people displaced within the Nuba Mountains have been identified in the SPLM/A areas[...]. These include

i. Original inhabitants in the hills who now have three to ten times the original population living around them and sharing the same limited resources, and people who no longer have access to their traditional land and livelihoods e.g. the returnees of Shuwa in Saada *payam*

ii. Displaced people in pre-final return stage: these are people who have returned close to their original homesteads, and those who are displaced very close to their original homes, but for security purposes have elected to stay in a more concentrated settlement area.

iii. People who were and remain displaced by the conflict. Included in this group are those who fled into the mountains and those who settled in government areas to escape the violence."

### **Nuba Mountains Region (formerly South Kordofan)**

**OCHA, 14 November 2002:**

"The total number of IDPs in Nuba number over 80,500."

**UNR/HC, Nuba, 22 July 2003, p.6:**

"The number of displaced varies. For instance, Abu Gebeha province was in 2002, estimated to host approximately 30,000 IDPs living in 12 camps [...], while Dilling province had an estimated 33,000. However, WFP estimates the IDPs and returnees during 2002/2003 is 70,000 and 50,000 for the northern and southern sectors respectively."

**AFP 28 November 2001:**

"A few years later they [the Nuba] joined forces with the SPLA. From a population of one million in the past, they now number less than half that number, and according to the United Nations World Food Programme, more than 158,000 have been displaced or left homeless by the latest fighting in the 18-year civil war in Sudan.

"There are certainly more [Nuba people] [...] now living around Khartoum than in the Nuba mountains" 600 kilometers (460 miles) from the capital, said Christian Delmet of the French National Scientific Research Centre (CNRS)."

**IRIN-CEA 22 June 2001:**

"The NRRDO said that an estimated 400,000 people remaining in SPLM/A-controlled territory in the Nubah Mountains had been effectively cut off from the rest of Sudan. Over the last year, it said, Sudanese government forces had increased their military targeting of these people and abducted many, taking them to "peace camps" in government-controlled territory. Houses, farms, food stores and livestock had been "systematically destroyed", and over 50,000 people had been displaced, many for the second or third time, according to the organisation."

**USCR 1999, p.92:**

"Some 60,000 Nuba people became newly displaced during 1997-98, according to one report. Sudanese authorities refused to allow UN workers to enter rebel-held areas of the Nuba Mountains to assess reports of serious humanitarian needs there, despite earlier government promises that it would allow access for such studies. Unidentified attackers ambushed and killed three local aid workers in central Sudan in June."

### **North Kordofan**

**UN R/HC, 27 June 2003, Kordofan, p.4:**

“IDPs in the state are mainly war-displaced citizens from Nuba Mountains and southern Sudan. According to Humanitarian Aid Commission, the estimated number of IDPs in North Kordofan is 80,000.”

***West Kordofan and Abyei***

**IRIN, 10 July 2003:**

“Abyei has suffered several decades of conflict between the Ngok Dinka in the south and the Misseriya Arabs to the north. Although it has been peaceful since late 2002, thousands of Dinka remain displaced. Five camps in government-controlled northern Abyei house an estimated 70,000 people, with a further 50,000 scattered throughout the province of Bahr el Ghazal.”

**UN R/HC, 1 July 2003, West Kordofan, pp.3,4,:**

“The State is considered a transitional zone for IDPs fleeing their homes in northern Bahr el Ghazal and Upper Nile State and drought –affected people on the move from within the West Kordofan State (the northern and western parts of Soq El Gamal and El Khuwei administrative units) and North Kordofan State.

[...]

According to WFP, for the past two years there has been no major influx of IDPs into the state with the exception of the attack in July 2002 on one of the peace villages outside Abyei. In addition, a decline in IDPs was registered this year [...]. In Abyei in particular the local peace initiatives have encouraged many IDPs to return home to their original villages namely Naam, Um Balalay/Todaj and Banton.

[...]

West Kordofan provides a safe haven for thousands of IDPs fleeing the conflict areas in Bahr el Ghazal and Upper Nile. Hence the state witnesses high IDP movement. The IDP population is estimated at 17,418. Of this number En Nuhud accommodates approximately 2,478, Meiram 7,244, Abyei, 2,316 and Lagawa 5,380.”

**UN, November 2002, p.34:**

“However, a total of 80,616 IDPs (34,884 IDPs in Kadugli, 6,000 in Dilling, 4,351 in Rashad, 12,000 in Abu Gabra, 18,000 in Talodi, 5,381 in Lagawa) and 17,149 returnees are in need of humanitarian assistance.”

**IDPs in other states of northern Sudan (2004)**

- There were about 300,000 IDPs in northern states of Gezira, Northern, Northern Kordofan, River Nile, Sinnar, Western Kordofan and White Nile
- While Nile state is a heaven for IDPs from neighbouring states and hosts 153,000 war and drought affected IDPs as well as 20,700 IDPs from Nuba Mountains (2004)
- White Nile State hosts 70,000 IDPs who represent 5% of the state’s population (2003)
- Gezira State hosts 60,000 IDPs outside camps who mostly work as labourers in agricultural schemes (2003)
- Northern State and River Nile states host 10,000 IDPs outside camps each according to the Humanitarian Aid Commission (HAC) (2003)

**UN, 30 November 2004, p.177:**

“The areas of Sudan covered here [including the states of Gezira, Khartoum, Northern, Northern Kordofan, River Nile, Sinnar, Western Kordofan and White Nile, with an estimated combined population of 14.5 million in 2003] host some 2.1 million IDPs, of whom around 1.8 million are estimated to live in Khartoum State alone. Of these, some 260,000 live in four official IDP camps, while the remainder live in squatter and designated settlements around Khartoum.”



### ***Red Sea State***

#### **UN R/HC, Red Sea, 22 July 2003, p4:**

“Red Sea State has a drought-affected population of about 256,000 and hosts approximately 15,000 IDPs. More than 80 households fled to Drodeib area in Sinkat province and to Tokar province due to insecurity and the border war in Hamshkoreib in 2001. [...]

The IDPs have settled in the main towns of Port Sudan, Sinkat, Gebait, Suakin, Tokar, Drodeib, Haya and O'Saif’.”

### ***White Nile***

#### **FAO, 11 February 2004:**

“The State is hosting about 153,000 drought and war affected IDPs in the tow camps of Goz-Es-Salam and Laya in Kosti Province. Another 20,700 settled IDPs, mostly from Nuba Mountains and North Kordofan, are in squatter areas in Kosti province.”

#### **UN R/HC, White Nile, 8 July 2003, p,5:**

“White Nile state is currently hosting over 70,000 IDPs. The influxes of IDPs into the state started in 1985 and continue to occur as a result of insecurity in the south and drought in western Sudan.

White Nile State is densely populated with IDPs and is considered to be a major transitional zone for people displaced by war or economic crisis from various parts of the country.

The IDP population is estimated at 5 % of the total population in the state. The IDPs are camped in Laya, Goz es Salam, Dang Kuc, Combo Shiluk, Inagz and Kadugli camps. These camps are all squatter areas close to Kosti and Rabak towns [...].”

### ***Gezira***

#### **UNR/HC, Gezira, 10 July 2003, p.5:**

“There are no official camps for internally displaced persons (IDPs) in Gezira State. However, there are a number of displaced persons from southern and western Sudan residing in different towns and villages in the state. According to Humanitarian Aid Commission (HAC) estimates, there are 60,000 IDPs in Gezira State [...]. Most of the IDPs work as labourers in agricultural schemes.”

### ***Northern State***

#### **UNR/HC, North, 15 July 2003, p.5:**

“There are no official displaced camps in Northern State however there a number of displaced persons residing in different towns and villages in the state. According to the Humanitarian Aid Commission (HAC) estimates, there are 10,000 IDPs in Northern State [...]. The IDPs are mainly from southern and western Sudan and were displaced due to war and drought.”

### ***River Nile State***

#### **UNR/HC, River Nile, 1 June 2003, p.5:**

“There are no official IDP camps in the state however there are number of displaced persons residing in different towns and villages in the state. According to HAC estimates, there are 10,000 IDPs in River Nile state [...].”

# PATTERNS OF DISPLACEMENT

## General

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### **Correlation between killings and displacement in Darfur (June 2006)**

- Some two million displaced persons and refugees from Darfur
- Increase in displacement between mid-2003 and mid-2005 consistent with peaks in violence
- Increase in displacement in specific areas around Sheiria; Gereida; Haskanita and Jebel Marra in the first three months of 2006

### **International Criminal Court, 14 June 2006**

"The available information [...] highlights a widespread pattern of displacement of civilians, with recent estimates of some two million displaced persons and refugees from Darfur. There was a significant increase in displacement between mid-2003 and mid-2005, consistent with peaks in violence (July-August 2003 and Jan-Feb 2004). The first three months of 2006 have also seen an increase in displacement in specific areas around Sheiria; Gereida; Haskanita and Jebel Marra. West Darfur appears to have by far the highest concentration of displacement, again correlating with the concentration of killings and other forms of violence in that area. There is information and evidence to suggest that the civilian population was forcibly displaced from their homes, in a widespread and systematic manner, for reasons not related to the conflict, and that those populations were denied the opportunity to return."

### **Correlation between war strategies and chronic population drain from south to north (1983-2004)**

- About 80 percent of southern Sudan's 5 million people displaced at least once during the past 15 years of war (1999)
- IDPs seek refuge beyond the war zones towards northern towns, particularly Karthoum
- Sudanese law discriminates war displaced in Khartoum by not allowing them to settle in the city while 'squatters' (famine displaced) are allowed
- IDPs in SPLA controlled areas tend to settle temporarily near areas of origin to return shortly after the conflicts
- Protection of IDPs is often undermined because the displaced take refuge in areas under the authority of the groups responsible for their displacement
- IDPs in Karthoum fill demand for cheap labour

### **Paul V. De Wit et al, 1 August 2004, p.5:**

"Livelihood strategies are a primary cause of temporary displacements, but can result in more permanent displacement when other factors interfere. Seasonal migration of nomadic pastoralists is very common, varying in both length of time and distance. Figure 1 illustrates that pastoralists mainly migrate to the following areas for dry season grazing: Bahr el Arab river, Sobat river, Upper Nile and Bahr el Jebel areas. These four regions show a remarkable overlap with areas of conflict and displacement. More recently, new migratory patterns developed such as the Yirol and Bor route to Equatoria. These new trekking routes are mainly used by cattle owners who sell their assets to Ugandan traders in Equatoria.

Some people in search of better economic opportunities find salaried employment through seasonal labour and sharecropping in agricultural schemes in the north of the country. Others leave their hometowns to take up public service jobs in newly established administrations in southern towns such as Yeti and Rumbek.

There are large numbers of "ecological" IDPs; displaced by drought (notably in 1984, 1985 and 1987) from Darfur and Kordofan who came to the east and settled in Khartoum and other towns. These IDPs still represent the majority of the population in the Khartoum camps, squatters and illegal urban occupations."

**IRIN, 31 December 2003, Web Special:**

"The combined effect of militia attacks, bombing raids and mass evictions, often exacerbated during periods of drought, is to create a state of chronic insecurity and poverty, particularly among rural communities in the south. Over the years, this has led to a chronic population drain from the south towards the transition zone between north and south, and further north to the capital, Khartoum."

**UNCERO 8 November 1999, pp. 108-109:**

"Several famines or incidents of hunger have made many people to leave the mountains again to join the areas under the control of Government garrisons where food was available."

**USCR 1999, p.92:**

"USCR conducted [in 1998] extensive interviews with uprooted families; many had been displaced from their homes for years, or had fled their homes repeatedly over the years to stay alive. An estimated 80 percent of southern Sudan's 5 million people have been displaced at least once during the past 15 years of war."

**AI 20 June 1997, "Sudan: abuse and discrimination":**

"Sudan is a huge country, the largest in Africa, and nearly two million internally displaced people have moved well beyond the war zones, seeking refuge in the towns and cities of northern Sudan. [...]"

Southerners and Nuba are widely seen as second class citizens and as supporters of 'the enemy', exposing them to discrimination and abuse. Sudanese law reinforces prejudice by differentiating between 'squatters' -- people who arrived in Khartoum before 1984 (mainly because of drought and famine in western Sudan) -- and the 'displaced' -- people who arrived after 1984 (mainly southerners and Nuba fleeing the war). Squatters have the right to settle in Khartoum; displaced people do not."

**Ruiz 1998, pp. 161:**

"There are also reports of IDPs giving preference to shelter close to their homes, e.g. "Many of the displaced in the SPLA-controlled areas live near their places of origin, in camps or temporary locations where they can farm or herd until the next attack. Others have moved to more distant towns."

**Hendrie et al 1996, pp. 185-186:**

"The existence of large displaced populations in Sudan is not necessarily only a byproduct of internal warfare; there is also evidence to suggest that it constitutes part of a strategy aimed at controlling territory, resources, and peoples [...]. Here, it is important to emphasise several points concerning these populations in the Northern Sector:

First, war-displaced populations are frequently moved to areas where they live under the authority of the same groups responsible for their original displacement. This has important implications for the role of humanitarian operations in protecting war-displaced from violence and other abuses.

In Ed Da'ein, for example, Dinka from Northern Bahr el-Ghazal were displaced into areas inhabited primarily by the Rizeigat, from whom the GOS-supported Murahaleen militia have been drawn. In Wau, Fertile militia armed by the government were responsible for both the displacement of Dinka from their home areas, and for violence against them in the town. As noted earlier, massacres of Dinka civilians took place in both Ed Da'ein and Wau in the late 1980s.

Second, war-induced displacement is continuing. In Wau, evidence from UN and GOS annual needs assessments, and interviews by the Review Team, suggest that since 1992 the number of war-displaced has risen every year. There have been periodic increases in numbers of war-displaced in Khartoum since 1989, and large-scale war displacement continues in areas of the Transition Zone, particularly the Nuba Hills. This raises important questions concerning the extent to which present humanitarian operations are addressing the underlying causes of displacement.

Third, those people who have moved into government-held areas as a result of raiding and other forms of military activity have typically lost the bulk of their assets, most importantly cattle. Thus, war-induced migration differs markedly from traditional seasonal migrations of rural people to participate in the labour economy in the North. Indeed, wage labour - once a seasonal activity in the subsistence economy - has now become a survival strategy of the war-displaced.

In this regard, the Review Team found an uncomfortable connection between the GoS's economic development policies with regard to agriculture, its policies concerning the war-displaced, and its assertion of control over land in the context of internal warfare. Economic policy in Sudan since the late 1970's has emphasised the replacement of subsistence production with capital-intensive, mechanised farming for export; and this policy continues today. For example, The Peace and Development Foundation, created in 1992, and later reconstituted as the National Development Foundation (NDF), has as one of its objectives the consolidation of government control over land through the expansion of mechanised farming [...]. The emphasis that the GOS has placed on mechanised agriculture as opposed to subsistence production fits well with the creation of "peace villages", where war-displaced populations are moved to mechanised farming schemes to act as either producers or wage-labourers. These policies are justified by the GOS on the basis of promoting self-sufficiency among the war-displaced, and of promoting a policy of "Salaam min al Dakhal" or "peace from within". It is in the context of this kind of "development" agenda by the GOS, which has been accommodated by OLS agencies, that the use of humanitarian relief to promote self-reliance needs to be analysed."

***See Pérouse de Mont Clos, "Migrations forcées et urbanisation: le cas de Khartoum"***

### **Conflicts in oil-rich areas lead to complex movement of people both within and outside oil-producing states (2002)**

- In 2002 about 127,000 people fled Mayom County in Western Upper Nile into Gogrial and Twic Counties of Northern Bahr el Ghazal
- Displaced from Rubkona, Western Upper Nile crossed to Mayom county
- Some crossed to Twic County
- Others cross to Tonj or Rumbeck Counties
- Most IDPs expressed wish to stay as close to home area as possible within Rubkona

#### **OCHA, 17 September 2002:**

"The security situation in Mayom has remained tense; IDP camps were attacked twice during September due to conflict over cattle. A high number of the population was displaced (34,000) due to this conflict. These individuals were forced to settle in the open with no shelter. IDP

movement outside Mayom for grazing purposes was restricted due to insecurity. Many of the IDPs depend on milk from their cattle. The nutrition rate of the IDPs is deteriorating as a result. The UN is currently involved in negotiating access to pasture land for livestock in order to prevent complete loss of this coping mechanism."

"Displacement of over 127,000 people took place from Mayom County (Western Upper Nile) into Twic, Gogrial and Tonj Counties (Northern Bahr el Ghazal) during the month of August. The population comprises 50% children, 30% women and 20% men. Of the total, approximately 75,000 people arrived in Mayen Jur and Thiek Thou (Gogrial County) with another 50,000 IDPs displaced into Bulyom in Twic County. The remainder of the displaced are located in Tonj County. WFP identified 50,000 of the IDPs located in Mayen Jur as most vulnerable and provided them with 353 MT of mixed food commodities. Major priorities for this caseload are water and health care. UNICEF, FAO and other agencies are supplying IDP kits and fishing equipment. Fighting began in June 2002 in Mayom County and continued during August. Agencies on the ground characterized the conflict as the worst witnessed since 1983. Most displaced households have already lost this year's cultivation season. It can be expected that they will be food insecure in the coming year."

**Dan Church Aid/Christian Aid, 30 April 2002, p.11:**

"Some of the displaced are said to have crossed into Mayom County to villages such as Tam or Manee. Others may have walked as far as Kerial and Kuerbol in Bul areas and onto Twic County. Others may cross into Tonj or Rumbek Counties of Bahr el Ghazal. These locations are accessible to OLS who can carry out assessments there while the non OLS agencies concentrate on the locations that are OLS denied by the government.

However, it was repeatedly stated to us that most people wanted to stay within Rubkona County and be assisted to remain there - within a few days walk of home. The community is in the process of building an airstrip at Chotchar, called Lel. At present it is 700 metres long, but they intend to lengthen it to 1000 metres during March so that larger cargo planes can land."

**OCHA 31 July 2001:**

"An additional 1020 IDPs from Unity State (Western Upper Nile) are reported in Mapear, Rumbek County. These come in addition to the 1300 arrivals in February (source WFP / Tear Fund)."

**UN November 2000, p. 142:**

"The Sudan conflict has been particularly disruptive in Unity State. Fighting between pro-government militias, inter tribal factions and SPLA has contributed to the displacement of 60,000 IDPS. The influx, mainly from Jikany, Leek, Jagei, and Adok, has been into Bentiu and Rubkona towns."

# PHYSICAL SECURITY & FREEDOM OF MOVEMENT

## Physical Security for IDPs in Khartoum

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### Protection concerns in IDP camps in Khartoum (2004)

- IDPs in camps feel unsafe and distrust their tribal leader who some accuse of being informers of the authority
- IDPs in Khartoum camps caught discussing politics are often arrested
- Five students were killed by the police after discussing with newly arrived IDPs from Darfur in a Khartoum IDP camp

#### IRC, 1 May 2004, p.8:

“23. A general sense of personal insecurity prevails in the camps. Besides the presence of small arms and the occurrence of inter-tribe conflicts, many IDPs have lost trust in their tribal leaders, whom they claim are bribed and serve as informers for the authorities. In the North, some believe that the camps have become a sub-platform for the divide-and-rule policy, wherein individual chiefs communicate directly with the GoS authorities, rather than via the elected Popular Committee. The IDPs claim that, by turning tribal leaders into ‘political agents’, the traditional security network has been eroded, reaching a point where people in the same community no longer trust each other.

24. Reportedly, the police and security forces frequently break up groups and question the participants on their discussions, sometimes arresting individual participants: “If we discuss politics during the day, we risk being arrested at the night.” According to the IDPs, surveillance of the camps is not related to protection, but rather to political pressure. Held captive by fear, few attempt to claim their rights.

25. An incident in early 2004 in the then Mayo school camp outside Khartoum (a particularly tense camp) illustrates how the lack of general security can easily escalate into great tragedy. During February and March 2004, over 3,000 IDPs arrived from Darfur to Mayo camp. On 17 March, a group of Darfurian students from Khartoum University visited the camp to speak to the IDPs. In response to their presence, the police and security forces mounted a massive intervention with teargas, stones and beatings. That night, five of the students were reportedly killed. The following day, the IDPs from Darfur were forcibly relocated and, as a result, some were separated from their children.”

## Physical Security in Darfur

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### IDP women in Darfur exposed to grave human rights abuses (March 2006)

- IDP women exposed to abductions, sexual violence and rape when they leave the camps to collect firewood
- Most abuses are committed by armed militias outside the camps
- The victims insulted and humiliated, often threatened with death

### **Women's Commission for Refugee Women and Children, 31 March 2006**

"Internally displaced women and girls in Darfur are at risk of rape, harassment and other forms of violence every time they leave the camps to collect firewood. They often have no choice but to take this risk, since there are few other sources of cooking fuel or income available to them. The situation grows more dire every day, as the threat persists and the trees are getting scarcer and the women and girls must go farther from the camps to find wood. Darfur is mostly desert, and the few trees that provided a nearby source of cooking fuel when the camps were first created more than two years ago are long gone. Women and girls must walk three to six miles or more, three to five times per week, just to find a single tree. When trees cannot be found, they resort to digging by hand in the hard clay soil to find pieces of roots that might be combustible – as evidenced by the proliferation of holes that surround many of the camps."

### **UNICEF, 9 September 2005**

"The safety and security problems reported by nearly all women at the onset of the conflict and thereafter included: Abductions, Sexual violence. Women and girls have been raped in front of the male members of their families, who were beaten and forcibly restrained by the attackers. Women reported that most rape victims did not scream during or after the rape and did not report incidents as a means to avoid scandals in the community. Women and girls who went to fetch firewood, were attacked and in some cases the girls were raped in ceremonies called the initiation to womanhood, and were named "Azabat Toro Boro" (widow/divorced preferably women of Toro Boro); some were stoned by the AM[Armed Militia], others had their clothes confiscated from them and were left naked in the openness. Killings, beatings, burning, and looting, humiliation, and torture Armed Militia abducted men and boys (took them in trucks), these men and boys were later found dead in a valley. Restriction of movement imposed on them, and feeling imprisoned inside the camp. In at least two groups it was mentioned that there were some women who were raped by multiple men at one time "gang rape". The women also reported that AM had urinated in the water wells. Stealing of their animals by AM Burning of their crops. It was reported at least once that high school students were raped at the same time AM trucks came to the camp and soldiers killed men, abducted girls, and insulted and whipped women and that many people were killed and buried near a valley.

Current security situation in and around the camp: Most of the groups expressed feelings of insecurity and lack of safety along with the restriction of movement in the camps - especially at night. Majority of women reported that most rape incidents occur when women go to fetch firewood even if walking sometimes six kilometers to collect firewood; Majority of the women groups said they would only consider returning to their villages if international security forces were provided because of a significant lack of trust toward all other armed groups. Few reported that the police and army people harass them inside the camp"

### **UNHCHR, 29 July 2005**

"The majority of the victims of sexual violence documented by HROs [Human Rights Officers] are women and girls who live in camps for internally displaced persons (IDPs), some of which are guarded by forces allied with those responsible for the original displacement. Many of the incidents took place when victims went to collect firewood or grass or were travelling on the roads between major towns in Darfur. Many of the cases were gang-raped by groups of armed men who arrived on camels or horses. Collective rapes of a number of women and girls together were also common. The victims were almost always insulted and humiliated, often threatened with death, beaten and, in a few cases, killed. In the vast majority of cases where the perpetrators have been identified, they were either members of the Government armed forces, law enforcement agencies or pro-Government militia."

### **Large scale massacres, with specific groups targeted in Darfur (June 2006)**

- Violence escalated between October 2002 – April 2003 and peaking during the period April 2003 – April 2005
- Men perceived to be from the Fur, Massalit and Zaghawa groups were deliberately targeted
- Perpetrators have made statements reinforcing the targeted nature of the attacks
- Thousands of civilians have died since 2003 as a consequence of the conditions of life resulting from the conflict and the ensuing displacement
- Hundreds of alleged cases of rape

### **International Criminal Court, 14 June 2006**

"The investigation team [of the International Criminal Court] has collated information relating to alleged crimes into a Darfur Crime Database. The analysis of this data, relating to the period October 2002 – May 2006, shows significant variations in the crime patterns reflective of the different phases of the conflict, with violence escalating between October 2002 – April 2003 and peaking during the period April 2003 – April 2005. The Office has so far documented (from public and non-public sources) thousands of alleged direct killings of civilians by parties to the conflict. The available information indicates that these killings include a significant number of large scale massacres, with hundreds of victims in each incident. The Office has selected several of these incidents for further investigation and analysis. A large number of victims and witnesses interviewed by the OTP have reported that men perceived to be from the Fur, Massalit and Zaghawa groups were deliberately targeted. In most of the incidents where the OTP has collected evidence there are eye-witness accounts that the perpetrators made statements reinforcing the targeted nature of the attacks, such as 'we will kill all the black' and 'we will drive you out of this land.' In addition to direct killings, there is a significant amount of information indicating that thousands of civilians have died since 2003 as a consequence of the conditions of life resulting from the conflict and the ensuing displacement. These include a lack of shelter and basic necessities for survival as a result of the destruction of homes, food stocks, and the looting of property and livestock, as well as obstacles to the provision of life-saving humanitarian assistance. This type of 'slow death' has particularly affected the most vulnerable groups, including children, the elderly and the sick.

The Office has also registered hundreds of alleged cases of rape. This is likely to be indicative of a practice that was endemic amongst some groups involved in the conflict and in relation to which there are indications of significant under-reporting. The Office has interviewed a number of victims of alleged rapes and has commissioned further expert studies in this area. In May 2006 the OTP organised a workshop on the investigation of sexual and gender crimes, particularly in the context of Darfur, involving experts from national criminal justice systems, as well as the other international criminal tribunals and non-governmental organisations. The meeting facilitated an exchange of experiences and the identification of best practices in dealing with sexual violence cases."

### **Genocidal intent missing in Darfur but massive crimes against humanity and war crimes ongoing (2005)**

- The UN Commission of Inquiry found the government of Sudan and Janjaweed militias responsible of serious violations of human rights and humanitarian law which may amount to crimes against humanity
- The worst hit tribes were the Fur, Zaghawa, Massalit, Jebel, Aranga and other so-called "African" tribes



- Government counter-insurgency attacks were deliberately and indiscriminately targeting civilians

**UN Commission of Inquiry, 25 January 2005:**

“Acting under Chapter VII of the United Nations Charter, on 18 September 2004 the Security Council adopted resolution 1564 requesting, *inter alia*, that the Secretary-General ‘rapidly establish an international commission of inquiry in order immediately to investigate reports of violations of international humanitarian law and human rights law in Darfur by all parties, to determine also whether or not acts of genocide have occurred, and to identify the perpetrators of such violations with a view to ensuring that those responsible are held accountable’.

[...]

Based on a thorough analysis of the information gathered in the course of its investigations, the Commission established that the Government of the Sudan and the Janjaweed are responsible for serious violations of international human rights and humanitarian law amounting to crimes under international law. In particular, the Commission found that Government forces and militias conducted indiscriminate attacks, including killing of civilians, torture, enforced disappearances, destruction of villages, rape and other forms of sexual violence, pillaging and forced displacement, throughout Darfur. These acts were conducted on a widespread and systematic basis, and therefore may amount to crimes against humanity. The extensive destruction and displacement have resulted in a loss of livelihood and means of survival for countless women, men and children. In addition to the large-scale attacks, many people have been arrested and detained, and many have been held *incommunicado* for prolonged periods and tortured. The vast majority of the victims of all of these violations have been from the Fur, Zaghawa, Massalit, Jebel, Aranga and other so-called ‘African’ tribes.

In their discussions with the Commission, Government of the Sudan officials stated that any attacks carried out by Government armed forces in Darfur were for counter-insurgency purposes and were conducted on the basis of military imperatives. However, it is clear from the Commission’s findings that most attacks were deliberately and indiscriminately directed against civilians. Moreover even if rebels, or persons supporting rebels, were present in some of the villages – which the Commission considers likely in only a very small number of instances - the attackers did not take precautions to enable civilians to leave the villages or otherwise be shielded from attack. Even where rebels may have been present in villages, the impact of the attacks on civilians shows that the use of military force was manifestly disproportionate to any threat posed by the rebels.

The Commission is particularly alarmed that attacks on villages, killing of civilians, rape, pillaging and forced displacement have continued during the course of the Commission’s mandate. The Commission considers that action must be taken urgently to end these violations.

While the Commission did not find a systematic or a widespread pattern to these violations, it found credible evidence that rebel forces, namely members of the SLA and JEM, also are responsible for serious violations of international human rights and humanitarian law which may amount to war crimes. In particular, these violations include cases of murder of civilians and pillage."

**IDPs in Darfur killed, attacked and raped during and after flight and villages systematically burnt (2005)**

- IDP camps reportedly used by rebels to launch attacks against government targets
- IDPs killed, raped, looted in protected IDP sites or when they ventured out of the camp or when they went back to their villages

- Villages have been systematically burned to the ground
- Many abandoned villages have subsequently been occupied by “Arab” tribes allied with the government
- Rape and other forms of sexual abuse were widely reported particularly when women fetch water and firewood
- Police forces witnessing the human rights violations have not intervened
- IDPs have asked not to be delivered humanitarian assistance for fear of further attacks and lootings

**Commission of Inquiry, 25 January 2005:**

“210. With regard to figures on displacement, the [government] Committee said that the Government does not possess accurate figures, but it relies on the figures given by the international organizations. It claimed that the displaced were unwilling to cooperate and attacked Government officials, and that some leaders of the displaced exaggerate figures because they are benefiting from the situation. The Committee said that the Government tries to protect the civilian population, that it does not launch military operations against civilians and only targets rebels. It stated that the IDP camps are now used as places from which to launch attacks against the Government.

[...]

244. The effect of the repeated attacks on villages and the manner in which they were carried out, including regular aerial surveillance at dawn, hovering of helicopter gun- ships and frequent bombing, was to terrorise civilians and force them to flee the villages. Those who managed to find refuge in IDP camps or host communities often refused to return to their villages out of fear of further attacks.

[...]

284. Civilians have also been killed after they have reached IDP sites following displacement. On some occasions, they have been killed as they ventured out of the camp, either to go back to their village or for any other reason. For instance, different witnesses told the Commission of the recent killing of three persons who had left an IDP camp in Kass to go and see their nearby village. The perpetrators were unidentified, but the people interviewed said they were “probably Janjaweed”. They said that the militias stayed around the camps and the village in case anyone tried to return. In another instance in Kalma camp in South Darfur in November 2004, at a time when the Commission was present in Nyala, a number of IDPs were reportedly killed and injured when police shot into the camp, allegedly in response to attacks from rebels hiding in the camp.

[...]

304. Many reports also note that villages were burnt even after these had been abandoned by the inhabitants who fled to IDP camps in larger urban centres in Darfur, or to neighbouring Chad. This has led many observers to fear that this is a part of the policy executed through the Janjaweed to expel the population from the targeted areas and to prevent the immediate or, possibly, long-term return of the inhabitants. This concern is expressed because the villages reported to have been burnt and destroyed in this manner are almost exclusively inhabited by African tribes, mostly Fur, Masaalit and Zaghawa. [...]

312. Such a pattern of destruction can only be interpreted as having the objective of driving out the population through violence and preventing their return by destroying all means of survival and livelihood. The Commission has also verified that a number of villages previously inhabited by the Fur in South Darfur and Masaalit in West Darfur are now being populated by Arab tribes.

[...]

346. Rape and other forms of sexual abuse were widely reported to continue during flight and further displacement, including outside as well as inside of various IDP sites. The impact of the violence committed outside the IDP sites is exacerbated by the fact that women and their families depended on the collection of firewood for their livelihood and survival. In most of the cases, it was the women and girls who went outside the camps to search for firewood and water, since

they had a better chance to survive attacks than the men and boys who risked being killed. [...] In April 2004, a group of 40 IDP women went to collect wood outside of Mukjar, West Darfur and was reportedly attacked by six armed Janjaweed. Some women were badly beaten and at least one woman was raped by four Janjaweed. During the first week of July 2004, a medical team in Mukjar treated 15 women for serious injuries sustained in eight separate incidents. In two of these incidents, beatings were followed by rape. On 22 July 2004, around thirteen women were reportedly raped by Janjaweed when searching for firewood around the IDP camp near Kass, South Darfur. In July 2004, around 20 women were reportedly raped by Janjaweed when searching for firewood around the Sisi camp, West Darfur. Further rapes of women venturing outside IDPs locations, such as Abu Shouk in North Darfur, Ardamata, Azarni, Garsila, Mornei, Krinding and Riyadh in West Darfur, and Al Jeer, Derej, Kalma, Kass and Otash in South Darfur have been reported.

347. The Commission's findings confirmed that rape and sexual violence continue to be perpetrated against women and girls during flight and in areas of displacement. Rape by Janjaweed and Government soldiers surrounding IDP sites have occurred in sufficient numbers to instil fear of such incidents amongst women and girls, and has led to their virtual confinement inside these sites.

[...]

426. The Government claimed that there were between 9,000 and 12,000 policemen deployed in Darfur to protect the IDPs. The impact of this presence was, however, not felt by the IDPs, as the situation at the Fata Burno IDP camp illustrates. The inhabitants there were confined in an area defined by a reddish rock and a riverbed (Wadi). Any attempt by the IDPs to venture beyond the confined area was met with shots from the Janjaweed in their nearby mountainous hideout. The police, located at the edge of the camp, showed no interest in confronting the Janjaweed. It stands to reason to assume that the police presence is more for political reasons than any form of protection. Also, between 27 September 2003 and May 2004, seven villages<sup>166</sup> near Nyala were persistently attacked by the Janjaweed. It resulted in the displacement of over 1000 civilians. No action was taken by police against the Janjaweed."

**Commission of Inquiry, 25 January 2005:**

"According to some estimates over 700 villages in all the three states of Darfur have been completely or partially destroyed [...]. The Commission further received information that the police had made an assessment of the destruction and recorded the number of destroyed villages at over 2000. The Government did not provide any official figures despite several requests in this regard from the Commission. The Commission nevertheless received credible accounts and itself visited some sites where hundreds of homes were burnt in a single location."

**HRW, 15 November 2004:**

"Government efforts to end impunity, such as the creation of a committee to address rape, have been wholly inadequate."

**IRIN, 11 February 2004:**

"Thousands are still fleeing for their lives from militias and aerial bombardments in the western region of Darfur, despite claims by the government this week that the war is over."

**OCHA, 18 February 2004:**

"Since the fighting started between rebel groups, militias and the Government of Sudan a year ago, the UN has consistently received reports of systematic raids against civilian populations. These attacks have reportedly included burning and looting of villages, large-scale killings, and abductions. Humanitarian workers have also been targeted, with staff being abducted and relief trucks looted."

**UN RC, 29 February 2004:**

“There have been consistent reports and eyewitness accounts of systematic attacks of villages and IDP camps and the looting of humanitarian assistance distributed to vulnerable groups by the UN and NGOs. Some IDPs in North and South Darfur have cautioned the assessment teams not to distribute assistance under present conditions, fearing that such action might make them a more attractive target for looting and harassment.”

**UN RC, 19 February 2004:**

*“Protection of civilians:* Reportedly, militia have been looting cattle from resident populations. The GoS is planning to concentrate the IDPs in the two main camps to increase services and better address needs and protection. Three policemen are assigned to guard Ard Amata camp, but leave daily at 1500. There are also reports of Janjaweed entering camps at night, raping some IDP women and looting IDP property.”

**UN RC, 7 March 2004:**

“In Zaleingi, while 20 policemen have been stationed to provide security, IDPs continue to be harassed when going out of the camp to collect firewood and the relief items distributed to them are stolen.”

**UNRC, 1 March 2004, p.3:**

“In the 5 main locations visited that are now hosting the displaced, it was observed the people remain in fear and under daily threat, harassed/violated when collecting water or firewood and shot if they show signs of resistance. The Kass hospital receives on average two gunshot wound victims per-day. Their movement is also restricted in that they are not allowed to move to Kass or Zaleingi except on market days. Even in Kass the people are feeling very insecure and one area inside of Kass was looted on the 26th February. The Janjawaiet have visited the market in Kass, demanding payment and conducting general harassment. The team discussed the above security issues with the Kass authorities but even they seem to be unable to take action to stem the flow of this destruction.”

**Forced returns and relocations in Darfur (2005)**

- The Government of Sudan pursued a policy of return of IDPs and refugees after declaring the end of hostilities in Darfur early 2004
- Forced displacement to facilitate the occupation of the abandoned land to supporters of the government
- The government has induced IDPs to return to insecure areas with the support of IOM and the UN
- Many were forced to flee again to escape renewed attacks

**UN CHR, 7 May 2004:**

“The Government of the Sudan has attempted to negotiate the return of refugees after President Omar Al Bashir announced the ending of military hostilities earlier this year [2004].

[...]

Ordering the displacement of the civilian population for reasons related to the conflict constitutes a war crime, unless the security of the civilians involved or imperative military reasons so demand such action. Furthermore, the forcible transfer of populations constitutes a crime against humanity when carried out as part of a widespread or systematic attack directed against the civilian population. Also, as principle 15 of the United Nations Guiding Principles on Internal Displacement states, IDPs have the right to be protected against forcible return to, or resettlement in, any place where their life, safety, liberty and/or health would be at risk.”

**IRIN, 25 October 2004:**

“[Sudan’s Foreign Minister] Ismail provided Pronk with an update on the measures the government of Sudan had taken to end impunity in Darfur,” Achouri said. “A number of people, including Janjawid militia, have been arrested, while 70,000 internally displaced persons (IDPs) in Darfur were claimed to have been repatriated.”

**HRW, 15 November 2004:**

“Since early October 2004, fears were high in displaced camps around Nyala following radio reports stating that the governor of South Darfur ordered the relocation of displaced people from Kalma, the largest camp near Nyala town, and other areas to a new camp outside Nyala. Some displaced people feared that the relocation was a ruse by the government to forcibly return them to their villages where they would face further militia attacks. Others were suspicious of the role played by Islamic relief organizations in setting up the new camp.

Rumors of impending forced relocations had been circulating in Nyala for weeks prior to November 10, 2004 when government forces entered El Geer displaced camp, destroying shelters, beating people and spraying tear gas in an effort to move displaced people to a new location, Abu Zarief.

[...]

At the moment, there is no coherent strategy agreed upon among the various international actors for facilitating and monitoring returns.”

**RI, 10 November 2004:**

“The Government of Sudan is forcibly relocating thousands of internally displaced persons (IDPs) in Sudan, without respect for international law. The government’s actions defy both the letter and the spirit of its August 21 Memorandum of Understanding (MOU) with the International Organization for Migration (IOM), in which it committed to international involvement in assuring “voluntary, safe, dignified, and sustainable” return of IDPs in Darfur.

[...]

In the early morning hours of November 2, Government of Sudan security forces surrounded three camps within a five-mile radius of Nyala: Al Geer, Otash and Kalma. At Al Geer camp they forcibly removed all of the IDPs, numbering between six and nine thousand, to the new Saudi Red Crescent Al Surief camp in Nyala town. The authorities are accused of using tear gas, firing shots, raping women and burning shelters in the middle of the night. Some IDPs were shot and needed immediate medical attention for their wounds. Hours after the camp was stormed, 250 families were forced onto 13 trucks and brought to a newly erected camp outside of Nyala. According to the staff of an international NGO that visited the camp, which was built by the Saudi Red Crescent, it was too small to house so many IDPs.

While the actions of the past ten days took the international community in Nyala by surprise, there were early warnings that the Government of Sudan was contemplating forced relocations:

-In early October, Refugees International raised the issue that there were very few services in the Otash camp despite its proximity to Nyala, the most developed town in the Darfur region. The UN Office for the Coordination of Humanitarian Affairs (OCHA) told us that there were land disputes surrounding Otash camp and they were waiting on the resolutions of these issues before making it a priority to provide services. The Government of Sudan Humanitarian Aid Commission (HAC) was being sued by the landowner and wanted to remove the inhabitants from this land.

-HAC had also discussed concerns with OCHA that Kalma camp, with over 70,000 residents, was growing too large for its site. There had been threats by the HAC “return commission” to sheikhs that they would relocate the population. They told the sheikhs that “anyone who attempted to stop returns would be shot.” When the sheikhs reported this to representatives of international agencies, the police arrested them for suspicion of arms dealing.

-Over the summer, inhabitants from a camp near the airport road in Nyala were also forcibly relocated.

At a protection working group meeting in October in Nyala, attended by an IOM representative, OCHA and members of the local police authorities, concerns were raised about the suitability of the Saudi Red Crescent site for new inhabitants. While action was taken to visit the new Saudi site, neither IOM nor OCHA told the local HAC that forced relocations to the new camp would not be tolerated. In fact, the IOM office in Nyala had only one program staff member who has been awaiting guidance from Khartoum as to how to implement the IOM Memo of Understanding. He told RI, "I am unable to take action on forced returns for fear of breaking the agreement." OCHA has also failed to take a leadership role in actively hammering out arrangements with the Government of Sudan to resolve overcrowding issues surrounding Otash, Kalma and El Geer camp in advance. Lack of resources and an unclear understanding of the revised mandate are hampering the ability of African Union protection forces currently on the ground to be present to prevent or at least discourage forced displacements."

**UN, 30 November 2004, p.99-100:**

"The threat of involuntary return and relocation is real and ongoing, despite a 21 August Memorandum of Understanding signed between the GoS and the IOM on voluntary returns."

**IRIN, 3 August, 2004:**

"While most [IDPs] expressed a desire to eventually return to their places of origin, they all strongly affirmed their unwillingness to return at this stage due to prevailing insecurity, mainly because of continued attacks by the so-called Janjawid militia and other armed actors," he added.

Deng, a Sudanese national, said the IDPs complained of being pressured by some officials to return home. But some of those who returned home had again fled because attacks had not ceased."

**UNHCR, 10 August 2004:**

"In West Darfur, UNHCR is concerned that the local authorities and government of Sudan are continuing to put pressure on displaced people to return to villages that are not safe and do not offer any possibility of a decent life, since most of the crops and homes have been destroyed by rampaging militias. In South Darfur, the government has said it intends to move tens of thousands of displaced people now living in Kalma camp and Kas town, both near Nyala. In Kas town, international NGOs and UN agencies estimate the number of displaced people at about 40,000 – outstripping the number of original inhabitants.

In Mornei, a two-hour drive south-east of El Geneina, Sudanese authorities have announced their intention to move displaced people from a makeshift camp into a new camp to be called "New Mornei". UNHCR has consistently told the government at all levels that any movement of IDPs must be entirely voluntary, because people who have already suffered the trauma of being chased from their homes by armed militiamen do not need the further trauma of another forced move.

The government is posting policemen in empty villages in an effort to convince displaced people that it is safe to return to those villages. However, displaced people tell us they are not reassured by government policemen and do not feel the time is yet right for their return home."

**Displacement in Darfur serves supporters of the government (2004)**

- So-called “safe areas” in Darfur concluded between the U.N. special envoy to Sudan and the government may consolidate ethnic cleansing
- The Sudanese forces supposed to “protect” the IDPs are often the same who drove them out of their homes
- These measures recall “peace villages” in the Nuba Mountains where populations were forcibly confined, abused and exploited by government forces
- Government policy to resettle Arab nomad allies on the land left behind by the mostly black African IDPs

**Commission of Inquiry, 25 January 2005:**

“the Government called upon local tribes to assist in the fighting against the rebels. In this way, it exploited the existing tensions between different tribes.

68. In response to the Government’s call, mostly Arab nomadic tribes without a traditional homeland and wishing to settle, given the encroaching desertification, responded to the call. They perhaps found in this an opportunity to be allotted land. One senior government official involved in the recruitment informed the Commission that tribal leaders were paid in terms of grants and gifts on the basis of their recruitment efforts and how many persons they provided.

[...]

197. Concerns have been expressed that despite the Government’s assurances to the international community, the security situation has not improved. Most IDPs remain afraid to return to their places of origin out of fear of renewed attacks and due to the prevailing situation of impunity for acts of violence committed against the civilian population. Some more recent reports note that Arab populations have begun to settle in a few areas previously occupied by the displaced populations.

[...]

Only a few settlements were still inhabited, but by nomadic herders who were observed to be settled around or in the villages. The presence of these herders was also noticed by the

Commission around the otherwise deserted villages around Sirba and Abu Surug in West Darfur. The

Commission spoke to some displaced persons who had sought to return but had again faced attacks.

[...]

329. At the same time, it seems very possible that the Janjaweed, who are composed of tribes traditionally opposing the three displaced tribes, also benefited from this displacement as they would

gain access to land. The Commission found evidence indicating that Arab tribes had begun to settle in

areas previously inhabited by the displaced, thus further preventing an eventual return of the displaced.”

**HRW, 19 July 2004:**

“The document from the office of the commissioner of Kutum province, North Darfur State, dated February 12, 2004, also appears to validate claims made by numerous sources (in reports of Human Rights Watch and others) that the Sudanese government has a plan to resettle lands from which the original inhabitants have been displaced.

[...]

The same memorandum refers also to other measures that are consistent with a plan to move new persons into land that had been emptied of previous occupants and destroyed:

[...]

Human Rights Watch recently gathered new testimony in Chad indicating that resettlement activities in Darfur may be aimed not only at nomadic communities in Darfur, but also at Chadian

Arab nomads, who in some locations are being encouraged to cross the border into Darfur and resettle land previously occupied by Darfurian farmers.

Another alarming feature of Sudanese government policy as recently stated by Sudanese Minister for the Interior, Major General Abdel Rahim Mohammed Hussein on July 2, 2004, is the intention to create 18 “settlements” to host more than one million displaced persons, a plan which would “facilitate offering services and protection of the villagers who were previously living in numerous scattered villages.” [...]

These statements raise the concern that rather than returning to their homes and lands, displaced civilians will be forced to remain in camps or permanently resettle in new locations, effectively consolidating the ethnic cleansing that has taken place. Instead of supporting this outcome, the international community should demand that Janjaweed militias are removed from areas they have occupied, thereby permitting displaced civilians to voluntarily return to their lands and villages in safety and dignity.”

“A plan to create “**safe areas**” in Darfur may only consolidate ethnic cleansing without offering real protection to civilians, Human Rights Watch said today. U.N. Security Council members meeting on Thursday to discuss the situation in Darfur should reject the plan, which the U.N. special envoy to Sudan recently concluded with the Sudanese government.

**On August 5, the U.N. Secretary-General’s special representative to Sudan, Jan Pronk,** and the Sudanese government agreed to a Plan of Action that would establish “safe areas” for displaced and resident civilians in Darfur. However, this plan appears to be only a slightly revised version of the Sudanese government proposal in early July to create 18 “resettlement sites” for the more than 1.2 million displaced Darfurian civilians. Under the terms of the August 5 agreement, the Sudanese government “would identify parts of Darfur that can be made safe and secure within 30 days.” The plan also proposes that the Sudanese government “would provide secure routes to and between these areas” and use Sudanese security forces to secure the routes and areas.

**HRW, 1 September 2004:**

“Instead of offering real security for civilians, the proposed ‘safe areas’ threaten to consolidate the ethnic cleansing that has taken place in Darfur,” said Peter Takirambudde, executive director for Human Rights Watch’s Africa division. “It’s unrealistic to think that Sudanese forces will provide security to civilians who were driven out of their homes by some of these very same forces.”

[...]

Some of the initial sites proposed as “safe areas” for displaced civilians include the capitals of the three states in the Darfur region, along with nearby displaced settlements and villages. For instance, El Fashir, the capital of North Darfur, and nearby Abu Showk and Zam Zam displaced camps; Nyala, the capital of South Darfur, and nearby Kalma camp, and Geneina, the capital of West Darfur, are among the preliminary locations selected as safe areas.

“These safe areas could become a form of ‘human shield,’” Takirambudde said. “This would allow the government to secure zones around the major towns and confine a civilian population that it considers to be supporting the rebels.”

The Sudanese government has a well-known record of creating displaced camps known as “peace villages” in other parts of Sudan that have undermined, rather than ensured, civilian security. In southern Sudan and in the Nuba Mountains, for instance, these camps were typically located several kilometers outside the main towns. Particularly in the Nuba Mountains, they developed a reputation for being areas where soldiers and militia could rape displaced women and girls with impunity.

[...]



The proposed “safe areas” in the Darfur Plan of Action ignore key considerations for the genuine security of civilians. It is a bilateral agreement between the Sudanese government and the United Nations that lacks the consent of the rebel forces. The proposed locations of the areas, the lack of specificity regarding modalities of protection — beyond the use of Sudanese police that have already proven to be more likely to commit abuses than prevent them — and their open-ended duration risk that these proposed safe areas become permanent resettlement sites aimed at controlling the civilian population, rather than providing genuine security.”

## **Physical Security in the South**

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### **IDPs going home to the south exposed to human rights violations despite relatively stable security situation, 2005-2006**

- Returning IDPs victims of murder, sexual abuses, robbery and looting, kidnapping and forced conscription of children
- Difficult to estimate the extent of the violations
- Presence of militia and armed civilians causes widespread feeling of insecurity and prevents many from reintegrating.
- Pockets of insecurity with attacks near Juba and Mongala
- Ethnic tension in Yei between the indigenous Equatorians and the Dinka

### **UN Country Team, 3 July 2006**

"The situation in the ten states of Southern Sudan remained relatively stable with the exception of some pockets of insecurity. No LRA [Lord's Resistance Army] incidents affecting humanitarian agencies have been reported during the month [June 2006]. However, a number of attacks took place near Juba mainly in Kumbo, 10Km south east of Juba, and Mongala. As part of the GoSS [Government of Southern Sudan] sponsored peace talks, an LRA delegation has been in Juba for the past month and has met informally with a delegation from the Ugandan security organs in Juba. Although any negotiations with the LRA are inevitably complicated by the ICC arrest warrants, the talks have stopped the activities of the LRA in Western Equatoria. Meanwhile, the Ugandan government is identifying members of the delegation who will be travelling to Juba for the negotiations. President Salva Kiir, at a press conference stated that agreement had been reached on how the talks would proceed and talks are expected to start in early July. The (CHD) Officer in Yei at the end of May created an immediate ethnic schism in the town between the indigenous Equatorians and the Dinka. Street protests were held including one inside the OCHA compound involving over 100 people. Many civilians in Yei started carrying weapons and the Dinka soldiers stayed within the barracks. However, the security situation in Yei town has improved with the move of the SPLA soldiers to Lainya and the establishment of police patrols."

### **Commission on Human Rights, 13 February 2006**

"The Representative received reports of cases of human rights violations committed against some IDPs who had ventured the long way south on foot, by truck, bus or river, including murder, rape and other sexual abuses, robbery and looting, kidnapping and forced conscription of children. Due to an absence of monitoring in most parts of Southern Sudan it is not possible to estimate the extent of such violations. Reported attacks were commonly related to tribal rivalries or committed by militia. Insecure means of transport also led to casualties, such as persons falling from barges and drowning. Reported incidents also included the separation of families, leaving several children unaccompanied and vulnerable. Returnees informed the Representative that they had been subjected to illegal taxation en route, often by force. Various interlocutors

related this problem to the fact that former militia and SPLM/A soldiers have not been disarmed and reintegrated and, because they are not paid, resort to survival methods and attitudes towards civilians adopted during the war. Due to a lack of monitoring in the areas concerned, it is difficult to assess the frequency of such incidents.

44. Returnees to Ekuatoria in the very south feel immediately threatened by the presence and regular attacks by LRA. In the vicinity of Malakal, the Shilluk community reports that many IDPs are not willing to return in the presence of militias whose members are considered to be a threat due to their past behaviour, ethnic origin and lack of discipline. In other areas, the continued presence of militia and armed civilians within communities causes a widespread feeling of insecurity and prevents many from reintegrating. The "South-South dialogue" between SPLM/A and other armed groups, aimed at achieving reconciliation pursuant to CPA, according to which all armed actors ought to be incorporated into the national or southern armies, is under way but has not been concluded, and little information is available concerning its progress. Reportedly, some commanders in higher positions who have been absorbed into the Joint Integrated Units receive comfortable salaries, whereas lower ranks go unpaid and therefore regularly resort to looting, with the authorities mostly failing to punish the perpetrators and take preventive measures."

#### **Forced recruitment and abduction main protection concerns affecting displaced children (2005)**

- Sudan has one of the worst abduction records with 12,000 cases filed
- Over 17,000 child soldiers in Sudan
- UNICEF and GoS established the Committee for the Eradication of Abduction of Women and Children (CEWAC) in 1999, however only 1,700 children have been reunited with their families
- A growing number of children displaced are left behind in towns while their parents return to rural areas because of lack of jobs and education facilities in towns
- About 34,000 street children in Khartoum displaced by war at risk of arbitrary arrest and abuses

#### **UN RC, 15 February 2005:**

"A Government-backed programme whose stated objective is to free and return southern Sudanese people abducted during the civil war resumed in January 2005 despite advocacy efforts to review and modify the operation to ensure respect for the principles of voluntary return and the best interest of children. The GoS's Commission for the Eradication of Abduction of Women and Children (CEAWC) last year (March-April 2004) delivered some 700 people said to be freed abductees to SPLM-controlled areas in northern Bahr El Ghazal. However, following interviews conducted with some of the returnees, UNICEF, Save the Children UK (SC-UK) and other international agencies, it was found out that some of these returns were not voluntary and some may not have been genuine cases of abduction. Some families were separated; insufficient resources were deployed, including food and NFI assistance and inadequate preparations had been put in place for family reunification and reintegration into their original communities in the South."

#### **UNICEF, 1 February 2005:**

"The Government of Sudan's Commission for the Eradication of Abduction of Women and Children (CEAWC) last year delivered some 700 people said to be freed abductees to SPLM-controlled areas in northern Bahr el Ghazal. However, UNICEF and other international agencies believe on the basis of interviews and case work that a significant number of these arrivals were

either voluntary nor were they genuine cases of abduction. Furthermore families were being split up and insufficient resources for tracing and planning were put into the operation, which was not coordinated with agencies on the ground.”

**UN SC, 4 March 2005:**

“In early February, 764 individuals were returned by the Committee for the Eradication of the Abduction of Women and Children from South Darfur to Northern Bahr el Ghazal. Agencies on the ground report that up to 15 per cent of these were involuntary returns. Women claimed to have been forcibly moved south, having been separated from their families. Similar allegations were made and verified during previous returns organized by the Committee in April and May 2004. This issue has been repeatedly brought to the attention of Government authorities and was recently placed on the agenda of the Subcommittee of the Joint Implementation Mechanism.”

**IRC, 1 May 2004, p.35:**

“121. Separation is a core-issue of child protection in Sudan, where abductions, displacement, child mobilization, disintegrated families and poverty have contributed to the separation of children from their families within the country and across national borders. Although separation is caused by several factors, abductions constitute one of the principal and more complex ones. In fact, Sudan has one of the worst records, globally, of abduction of children. At present, the Rift Valley Institute has 12,000 cases on file, of which most (but not all) are related to abductions.

[...]

124. In an effort to resolve the Bahr-el-Ghazal abductions, UNICEF and GoS established the Committee for the Eradication of Abduction of Women and Children (CEWAC) in 1999. CEWAC works with a Dinka Committee in tracing and family-reunification. However, the progress has been slow. Since its establishment in 1999, only 1,700 cases out of 12,000 have gone through the system.”

**UNCHR, 6 January 2003, p. 13 para. 60-62:**

“The Special Rapporteur was informed that no significant progress has been made on the situation of children. Reportedly, street children and juvenile justice remain areas of concern. Only two reformatories exist and children are very often detained with adults and allegedly subjected to inhumane treatment.

61. The Special Rapporteur was informed that child exploitation reportedly continues to take place, particularly in the agricultural and pastoral sectors. Families are poor and forced to send their children to work rather than to school. Agriculture keeps children far from towns and population centres, they roam in dangerous areas where they are potentially more exposed to abuses (armed conflict, banditry, etc.) while in cities the situation is reportedly slightly different, they still run the risk of becoming street children (shoe-shiners, car-washers, etc.). The Special Rapporteur’s attention was drawn to the fact that street children in Khartoum are mostly IDPs. Networks that exploit them, including sexually, reportedly flourish. The Special Rapporteur deems that stronger government involvement is necessary.

62. The Special Rapporteur was also informed that forced recruitment of children in war zones has reportedly continued. He learnt that an unconfirmed number of children have been imprisoned in Bahr al-Ghazal because of desertion and sentenced to up to 20 years in prison. He was glad to learn that the Wali of Wau reportedly decided to release them based on the fact that, as minors, they should not have been recruited in the first place.”

**UNICEF, 30 April 2003:**

“Reports also indicate that over 22% of the total population enrolled in primary schools in Unity State were forcibly recruited during the past year by government allied militias.”

**UNHCHR, 12 November 2002:**

“On the issue of child soldiers, in spite of some progress made on their demobilization, as previously reported, some sources reported that forced recruitment of children around 15 years of age continues to take place in conflict areas. Sources also reported that demobilized children are sometimes recruited again.

Forced recruitment is also reportedly on-going.”

**UN, November 2002, pp. 131-2:**

“Certain long-lasting, deep-seated human rights problems will require action in 2003 whatever the situation. For example, as many as 7,000 Dinka and Jur Luo children and women abducted from northern Bahr al-Ghazal in raids by *muraheleen* militia since the mid-1980s may remain missing and there continue to be reports of new cases of abduction. Meanwhile, inter-tribal abduction is a feature of inter-community conflict involving militia in Upper Nile between the Murle, Nuer, Anuak and Dinka.

[...]

It is estimated that there are more than 17,000 child soldiers, including girls, in Sudan. Child soldiers are exposed to physical risk, abuse and neglect, including when employed behind the front line as non-combatant labourers. Over the past two years the SPLM/A has demobilised over 9,600 children. However, there are still children within the SPLA, other rebel groups, notably the SPDF, and government allied forces, such as the *muraheleen* militia and the southern Sudanese groups forming the South Sudan Defence Force (SSDF).”

**UN, November 2002, p.11:**

“In a context where governance remains a fundamental challenge, progress in the promotion and protection of human rights is never linear. Achievements in one sector or geographical area can be contrasted or undermined by setbacks in another. Nevertheless, during the year over 500 abducted children and women were retrieved in western Sudan and over 300 reunited with their families, 50 of them "cross-line" in Bahr al-Ghazal. In advance of GoS and UPDF military action against the LRA, agencies and NGOs geared up child protection capacity in Juba to receive en masse persons escaping from the LRA. In the event, the mass escape never took place but during the year 20 former LRA were returned home to Uganda. The SPLA and SPDF demobilised over 8,000 child soldiers.”

**UN, 18 November 2003, Vol II, p.332-333:**

“However, an alarming phenomenon has been identified. As families return, many of them are fragmenting. Particularly distressing is that many children are not returning with their families to the villages. They are staying behind in urban centres. For example there are a growing number of unassimilated children in Kadugli town, who separated as their families repatriated from Khartoum to rural areas in South Kordofan.

These children have been born and raised away from their traditional homes and have no experience adjusting and coping with, nor commitment to, this dramatically different rural, agro-pastoral lifestyle. While in some cases they are remaining behind because of a lack of sufficient services, in many other cases they are separating in order to seek other opportunities, or to maintain some degree of the lifestyle they are more adapted to. Many of them have already lost many years of education. Often parents leave them in town with relatives to attend school because facilities do not exist in the villages.”

**ICG, 14 November 2002, p7,8:**

“It is estimated that in the settlements around Khartoum alone, there are up to two million IDPs, many of them women and children. A recent study of an unplanned settlement in Khartoum found that 40 per cent of the inhabitants were women and 40 per cent children. [...] Children often have to be left alone and unsupervised while their parents seek work. Indeed , many street children

originate from displaced families. There are now an estimated 34,000 street children in Khartoum." (Save the Children/etc, 1 May 2002, p.22)

"A correspondent of the London-based Saudi daily *al-Sharq al-Awsat*, who toured the front with other foreign journalists a week after hostilities resumed, reported that the fighting had stranded 7,000 unaccompanied children and preteenagers in Hamashkoreib, including resident students in that town's renowned Koranic schools. The fighting had displaced entire villages."

**Brookings/ect, 25 November 2002,p. 9:**

"Julianna Lindsey, Projects Officer at UNICEF, reported that displaced children were frequently separated from their parents and communities and therefore faced particular danger. She noted that although some orphans had been taken in by local communities, they frequently faced discrimination and a lack of educational opportunities. In the event of return, Lindsey cautioned that differences in language, culture and experience could generate increased discrimination."

**Ruiz 1998, p. 156:**

"According to, Human Rights Watch, the Sudanese government also has been particularly guilty of human rights violations against internally displaced children. Human Rights Watch says that the government removes displaced children from their families against their will, forces them to undergo Islamic religious training, and makes them adopt Arab names, thus suppressing their heritage. As if these abuses were not enough, many southern and Nuba children have been forced into unpaid labor and even slavery. These findings were reinforced in an article by reporters from the *Baltimore Sun* who travelled to the Sudan undercover and demonstrated that it was possible to buy southern Sudanese children. While the government vehemently has denied that forced labor and slavery exist in the Sudan, it has refused the assistance of international organizations in investigating such allegations."

**AI 20 June 1997, chapt. 3:**

"Internally displaced children are particularly vulnerable to arbitrary arrest. In 1994 official figures estimated that there were 25,000 "vagrant" children in and around Khartoum. In September 1992 the government began to implement a policy of rounding up "vagrant" children and taking them to special children's camps.

Southern Sudanese and Nuba children are often seized by police if they are found on the street without an accompanying adult. They may be held for some days in police stations before being taken to the camps. There are reports of police beating such children.

In 1994 the government admitted that there were camps for children in Khartoum, Kosti, Geneina, Abu Dom and Durdib. Children are reportedly beaten if they try to escape and made to crawl naked on the ground. Reports suggest that there are other camps in remote areas closer to the war zones where the treatment of children is even worse. For example, children were allegedly shot while trying to flee a camp at Abu Dikiri on the fringes of the Nuba mountains in April 1995.

Some children's camps are reported to be run as schools for the teaching of Arabic and the Qur'an, although most of the children are non-Muslim. Some boys in the camps have been forcibly recruited into the army or the PDF. [...]

While the law forbids abduction and slavery \_ the government denies that slavery exists \_ internally displaced people often dare not attempt to free their children. In September 1996 Maiwen, an internally displaced Dinka living in al-Obeid, located his 11-year-old daughter, named Acol, in South Kordofan. When he tried to claim her he was beaten and tied to a tree for three days. His daughter, and her "owner", disappeared. In a few cases police and local courts have intervened to free children but Amnesty International does not know of a single case where a kidnapper or slave-holder has been prosecuted."

### **Indiscriminate aerial bombing on IDP camps, relief sites and people fleeing (2003)**

- Latest GOS offensive in the oil area included abduction, gang rapes, ground assaults, helicopter gunship, destruction of relief sites and burning of villages (Dec-Feb 2003)
- Pro-Government militias given power to forcibly recruit Nuer IDPs and arrest them (Jan 2003)
- Less than one week within the signing of the Machakos Protocol (Jul 2002), GOS launched an offensive against civilians in Western Upper Nile
- Gunship helicopters attacks over Mayom killed about 300 and displaced about up to 100,000 civilians (Jul 2002)
- Over 5,000 IDPs in Timsahah forced to flee again after intensified GoS bombings in Bahr el Ghazal
- Intense air strikes during 2001 in Equatoria, Upper Nile, Bahr al Ghazal including IDP camps and relief centers despite flight clearances

#### **ICG, 10 February 2003, p.1:**

“The offensive from late December until the beginning of February was an extension of the government’s long-time strategy of depopulating oil-rich areas through indiscriminate attacks on civilians in order to clear the way for further development of infrastructure. Eyewitness accounts confirm that the tactics included the abduction of women and children, gang rapes, ground assaults supported by helicopter gunships, destruction of humanitarian relief sites, and burning of villages.[...] A senior Sudanese civil society member concluded: “The Nuer militias are the most potent threat to human security and stability in the South, regardless of whether peace is concluded or not.”

#### **UNCHR, 6 January 2003, p.10:**

“Some sources reported that IDPs, particularly from Unity State, have been facing serious problems during the past two months, because of a pro- Government militia led by Paulino Matiep who reportedly has been given the power to arrest Nuer, detain them in a house in Khartoum and/or forcibly recruit them to be sent to war zones. This has reportedly led to inter-tribal clashes and shooting.”

#### **SFP, January 2003, p.5:**

“The cease-fire has broken down completely in the oil-fields of western Upper Nile, where GoS has launched major offensives in the areas of Tam, Mankien, Leer and Leal, with many villages destroyed and civilians killed or displaced. Leal was attacked shortly after a visit by a UN Operation Lifeline Sudan (OLS) aircraft, and OLS has noted that this is not the first time this month that a location in western Upper Nile has been attacked after such a visit. An NGO working in Mayom County reports that there seems to be a deliberate attempt to attack relief sites, thereby cutting local civilians off from humanitarian assistance. GoS claims that the attacks are just local militia activity but there is little doubt that these militia are under GoS control and are supported by regular forces, including helicopter gunships. It is thought that GoS garrisons along the “oil road” have been strengthened. Cdr Peter Gadet defected back to GoS with some of his senior commanders but few troops, and there are reports of forced recruitment in the Bentiu area.”

#### **SFP, October 2002, p. 4:**

“Heavy fighting continued in southern Blue Nile after GoS captured the town of Midil. Civilians have deserted Yabus following aerial attacks. Antonovs are now dropping leaflets calling on the citizens of southern Blue Nile to have nothing to do with the “southern rebellion” and to go to

Damazin to join GoS in its quest for peace in Sudan. The tracts say southerners have betrayed the country and Islam to the enemy.”

**HRW, 28 September 2002:**

“Aid agencies in southern Sudan have reported that, in September 2002 alone, there has been government bombing affecting civilians in Mundri (11 killed, 10 wounded in a displaced persons camp) and Yei in Western Equatoria; Torit and Kapoeta in Eastern Equatoria; Wunrok (13-year-old boy killed, seven wounded) in Bahr El Ghazal; Atar (nine killed) in Upper Nile; Gar, Kawer and Tanger (Western Upper Nile); Luadit, Kanawer, Ajajer, Padak and Matiang (three killed) and Lui (13 killed in a cattle camp, including four children), in Jonglei; Ganga in Abyei county (family of six killed). This list does not include all bombing incidents in the war in September, but clearly represents an escalation of aerial bombing.”

**SFP, August 2002, p.5:**

“Less than one week after signing the Machakos Protocol, GoS launched a large offensive in western Upper Nile, presumably as part of its scorched earth campaign aimed at clearing civilians from block 5a to encourage Lundin and OMV to return. Ground forces, Antonov bombers and helicopter gunships were used. [...] This offensive began soon after GoS had granted a 5-day window for the UN to bring relief supplies into the area, thus encouraging civilians to return to the area, and also ensuring plenty of relief supplies for the attacking forces to loot.”

**IRIN 22 January 2002:**

“After the initial displacement in June, over 5,000 IDPs were forced to move out of Timsahah, 144 km north of Raga, where they had initially sought safety, when the Sudanese government declared it a military operations area.

[...]

The IDPs were also endangered by intensified aerial bombing by government forces in Bahr al-Ghazal (including Raga, Malwal Kon and Mangar Angui), they said.”

**AFP 30 July 2002:**

““Our sources on the ground estimate something between 200 and 300 were killed by helicopter gunships, ground forces, horsemen and militia” during a three-day attack on the county of Mayom, in Western Upper Nile, said Michael Chang, the regional coordinator of the Sudan Relief and Rehabilitation Association, the humanitarian arm of the SPLA.

Chang added that Mayom's entire population, estimated to number between 80,000 and 100,000, had fled to neighbouring counties and that others had been abducted with their cattle..”

**USCR 16 March 2001:**

“Sudanese government military aircraft continue to bomb civilian and humanitarian targets throughout southern Sudan and the Nuba Mountains.

[...]

The presence of UN or other humanitarian agency relief personnel is no deterrent to Sudanese government bombing. On February 22, for example, Padit in Upper Nile Province was bombed while the World Food Program (WFP) was preparing an aerial food drop there. Such food drops attract civilians, who are the targets of Khartoum's bombing campaign. In this instance, three bombs reportedly struck the food-drop zone and a fourth fell within 50 meters of a WFP compound.”

**IRIN-CEA 3 August 2001:**

“There were also four attacks in Upper Nile (Juaibor, Thokchak, Padit and Maiwut) during July, they added. Each side has accused the other of targeting civilians displaced by fighting in Western Bahr al-Ghazal since late May. In all, there were almost 100 air strikes in the first six

months of the year, with attacks on Bahr al-Ghazal, in particular, intensifying in late May and through June [...]."

**USAID 10 December 2001:**

"According to WFP, on October 5, 6 and 8, GOS Antonov military aircraft bombed the village of Mangayat, western Bahr el Ghazal, at the same time as scheduled U.N./OLS WFP emergency food airdrops were taking place to a population of more than 20,000 displaced civilians from Raga. This is not the first time that the GOS has bombed a humanitarian flight that it had cleared. In early June, a similar incident occurred when the GOS bombed the village of Bararud, northern Bahr el Ghazal, just as a U.N./OLS WFP Hercules aircraft was preparing for a humanitarian food airdrop.

On June 11, 2001, the GOS announced that it was resuming aerial bombing of targets in southern Sudan, including the Nuba Mountains. This statement came just 17 days after the GOS announced that they would suspend all aerial bombings in the South."

**WFP 13 February 2002:**

"The United Nations World Food Programme today strongly condemned the bombing and subsequent death and injury of civilians living in Akuem, southern Sudan, where the Agency had just finished distributing food to 18,000 people suffering from drought and insecurity."

**Famine and displacement used as weapons of war in Sudan (2003)**

- Famine not a by-product of war but a deliberate objective of GOS carried through relief manipulation and access denials
- Displaced southerners will not be able to support the insurgency
- Displacement of populations to attract humanitarian relief where military troops are in need have been a war tactic used by both GoS and SPLM/A

**ICG, 14 November 2002, p1,4, 10, 11:**

"Instead of adopting a "hearts and minds" strategy to peel away SPLA popular support, the government has consistently targeted the "stomachs and feet" of civilians. By actively encouraging their displacement and steadily undermining their ability to feed and support themselves, including by destroying livestock, the government has sought to leave civilians in broad swathes of eastern and southern Sudan as vulnerable as possible. Famine in the war-torn regions is not a by-product of indiscriminate fighting but a government objective that has largely been achieved through manipulation, diversion and denial of international humanitarian relief. The calculation seems to be that a dispirited and enfeebled population will be unable to assist the insurgency. However, this has done little to persuade southerners that there is any place for them in a Sudan governed by the current leadership in Khartoum, and it poses a direct challenge to the international community's responsibility to protect innocent civilians from the worst excesses of armed conflict.

[...]

"The government has a consistent record of contravening the Geneva Conventions, the Tripartite OLS Agreement of 1994, the 1999 Beneficiary Protocol of Operation Lifeline Sudan<sup>10</sup> and the recent Nuba Mountains agreement. Khartoum continues its simultaneous policy of launching offensives to depopulate the oilfields while blocking relief access to displaced and war-affected civilians. Despite this clear and persistent infringement of international humanitarian law and a host of other relevant agreements, the international community has remained largely silent at senior policy levels, though it has taken up the issue more vocally in other countries such as Iraq and Bosnia. Most of the protest about the use of food as a weapon has come from the humanitarian community, particularly from U.S. Agency for International Development chief



Andrew Natsios. Most of the practical engagement on the access issue has been left to the UN Special Envoy, Ambassador TomVraalsen, while the donors held behind-the-scenes meetings in Geneva in an effort to craft common positions. General Sumbeiywo, who brokered the MOU and is now pressing for its extension, is also playing a major role.

At least until recently, however, the silence of and selective enforcement from the international community generally emboldened the government of Sudan to continue using food as part of its military strategy of weakening the SPLA and its population base. As long as its manipulation elicits only occasional verbal condemnation from the Western donors, Khartoum will have little incentive to change. Both the government and the SPLA would then inevitably approach international guarantees included in a peace agreement with great suspicion.

[...]

“Although the government is guilty of the majority of humanitarian related crimes, the SPLA cannot be seen as an innocent bystander. SPLA abuses of food policies and manipulation of humanitarian access to southern civilians during the first decade of the war has been well documented. Abusive policies included the persistent stealing of food and cattle from civilians, forced unpaid civilian labour on SPLA farms, taxation forcibly levied on civilian goods (including relief supplies) and cattle, diversion of humanitarian relief supplies to the military, and the displacement of civilian populations in vulnerable locations in order to draw more relief supplies. Abuses of humanitarian assistance have been less frequent in the last few years, but the insurgents regularly tax relief supplies in the areas they control. Internal fissures within the organisation also continue to disrupt aid activities. A recent trend of desertions from the SPLA in Equatoria led to the freezing of humanitarian operations in some locations. For example, Yambio was temporarily evacuated of humanitarian workers at the beginning of October following repeated attacks on the UNICEF compound by deserters. [...] The SPLA also has used the provision of aid to manipulate population movements and patterns of displacement.”

### **The concept of "peace villages" used to exploit IDPs economically**

- In 1990 the GOS resolved to relocate and repatriate over 800,000 IDPs to "areas of origin" and to 'peace villages'
- 'Peace Villages' are located close to government garrisons and access is restricted to outsiders
- The IDPs who have been forced into the 'Peace villages' provide cheap labour pools for large labour intensive agricultural schemes
- Blockades and starvation used to force people out of the Nuba Mountains
- Crop production in 'Peace Villages' barely reaches subsistence levels and health, water and sanitation services are inadequate

### **Hendrie et al 1996, pp. 191-192:**

"A major impact of war-induced displacement has been the creation of an expanded pool of labour in the North. Since 1989, one element of GOS policy has been the resettlement of war-displaced in "production" sites [...]. In August 1990, the Council of Ministers, announced in Resolution 56 its determination to eliminate the problem of displacement within one year. This was to be accomplished both through repatriation of over 800,000 displaced to "areas of origin", and through their relocation to "areas of production" in Upper Nile, Bahr el-Ghazal, Darfur, Kordofan, and Central State[...]. The stated rationale behind relocation was to reduce dependency on relief. The displaced were expected to work as labourers on production projects, including mechanised farming schemes.

[...]

Upper Nile State in particular has been a destination for relocated peoples. This is likely linked to the fact that, following the signing of a peace charter with the Shilluk, the GOS and the National Development Foundation have invested in the development of Upper Nile, and especially in the area of commercial agriculture.

[...]

[T]he UN and INGOs have refused to cooperate with the GOS on such resettlement programmes, due to concerns over the voluntary nature of relocations, and concerns that such programmes were intended to utilise the war- displaced as a cheap agricultural labour force [...]."

**Hendrie et al 1996, pp. 185-186:**

"In this regard, the Review Team found an uncomfortable connection between the GOS's economic development policies with regard to agriculture, its policies concerning the war-displaced, and its assertion of control over land in the context of internal warfare. [...]

The emphasis that the GOS has placed on mechanised agriculture as opposed to subsistence production fits well with the creation of "peace villages", where war-displaced populations are moved to mechanised farming schemes to act as either producers or wage-labourers. These policies are justified by the GOS on the basis of promoting self-sufficiency among the war-displaced, and of promoting a policy of "Salaam min al Dakhal" or "peace from within". It is in the context of this kind of "development" agenda by the GOS, which has been accommodated by OLS agencies, that the use of humanitarian relief to promote self-reliance needs to be analysed."

**IRIN-CEA 22 June 2001:**

"The NRRDO said that an estimated 400,000 people remaining in SPLM/A-controlled territory in the Nubah Mountains had been effectively cut off from the rest of Sudan. Over the last year, it said, Sudanese government forces had increased their military targeting of these people and abducted many, taking them to "peace camps" in government-controlled territory. Houses, farms, food stores and livestock had been "systematically destroyed", and over 50,000 people had been displaced, many for the second or third time, according to the organisation. Poor rains across the region had exacerbated the situation, and 33,000 people had been unable to harvest any crops this year, it added."

**AI 20 June 1997, "Sudan: abuse and discrimination":**

"The government regards controlling the internally displaced as vital. Since 1992 it has organized the systematic clearance of whole Nuba communities from areas contested with the SPLA into so-called 'peace villages', often close to garrisons. Access to outsiders is restricted and some people who have tried to escape have been shot dead.

Many 'peace villages' are sited close to intensive mechanized agricultural schemes growing crops for export. These schemes -- a key element in the government's economic development program -- rely on a supply of cheap labour. An official review of Operation Lifeline Sudan, the UN emergency relief operation for the war-affected populations of Sudan, has pointed out "an uncomfortable connection between the Sudan Government's economic development policies with regard to agriculture, its policies concerning the war-displaced, and its assertion of control over land in the context of internal warfare."

**HRW 1999, p. 75:**

"Not even included in the southern famine total were the approximately 400,000 people of the SPLA-held areas of the Nuba Mountains, located in the center of Sudan. There the government continued its efforts to starve civilians out of rebel-held areas into government 'peace villages.' Army troops and Nuba collaborators captured and relocated or killed civilians. They looted and burned villages, animals, and grain. A permanent government blockade, in place since the beginning of the war, barred all U.N. relief operations and even traders from the rebel areas of the Nuba Mountains. A private assessment in March estimated 20,000 civilians there were at risk of starvation."

**UNHCU 11 June 1999, p.5:**

"GOS controls most of the [South Kordofan] State, Estimated total population said to be around one million persons, about 20 percent out of them living in Rebel-held areas. There are estimated to be seventy-two (72) peace villages with an estimated population of 173,000. Sixty percent of the inhabitants are estimated to be war-affected Nubians [Note that this group should correctly be referred to as "Nuba" or "Nubas"]. Forty-one (41) of these villages, and 105,000 of the population, have been identified as most vulnerable. Crop production in peace villages barely reaches subsistence levels and is constrained by insecurity and the lack of access to fertile land. Health services are generally very poor and there is inadequate water and sanitation."

**USCR 1999, p.92:**

"Some 60,000 Nuba people became newly displaced during 1997-98, according to one report. Sudanese authorities refused to allow UN workers to enter rebel-held areas of the Nuba Mountains to assess reports of serious humanitarian needs there, despite earlier government promises that it would allow access for such studies. Unidentified attackers ambushed and killed three local aid workers in central Sudan in June."

## **Freedom of movement**

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### **Estimated 1 million landmines in the south (February 2006)**

- Antipersonnel mines have been used extensively in Sudan's two-decade long civil conflict between the government and the SPLM/A in southern Sudan
- The problem is compounded by militias and proxy forces who use mines and who may not be committed to formal agreements signed by the government and the SPLA

### **Commission on Human Rights, 13 February 2006**

"An estimated 1 million landmines obstruct return and agricultural and other economic activities throughout the south, with an increase in casualties and mutilations expected as more return. There is limited information on their exact location, and some maps provided by SPLM/A pursuant to their obligation in CPA proved unreliable."

### **Land Mine Monitor, February 2005**

"Antipersonnel mines have been used extensively in Sudan's two-decade long civil conflict with the SPLM/A in southern Sudan and in the three so-called conflict areas in northern Sudan: the Nuba Mountains, Abyei and Blue Nile. Mines have also allegedly been used in recent years along Sudan's borders with Chad, Eritrea, Libya and Uganda.

All past issues of Landmine Monitor have cited serious allegations of mine use by all forces fighting in Sudan. The warring parties have generally denied use and accused others of laying mines, although on several occasions, SPLA officials have admitted, implicitly or explicitly, to some use of mines. Observers have noted that the problem is compounded by militias and proxy forces who use mines, and who may not feel obligated to abide by the formal agreements signed by Khartoum or the SPLA.

During this reporting period,[2004]the military stand down and cease-fires have resulted in little direct fighting between SPLA and Sudanese government forces, thus little reason for mine

warfare. None of the international and regional parties monitoring the cease-fires and memoranda of understanding in Sudan have publicly reported any use of antipersonnel mines. These include: the Joint Military Commission (JMC) in the Nuba Mountains; the US-sponsored Civilian Protection Monitoring Group, based in Rumbek; the Intergovernmental Authority on Development (IGAD), the East African regional body sponsoring current peace talks; and its Verification and Monitoring Team (VMT). Landmine Monitor has found that few are willing to speak openly about possible on-going use of landmines in light of the fragile peace process, and the various mine-related agreements. The 2002 Memorandum on Mine Action explicitly prohibits exchange of information prior to the signature of a comprehensive ceasefire agreement.

However, Landmine Monitor has received allegations in 2004 of continuing use of antipersonnel mines by government-supported militias in Upper Nile. In April 2004, the head of the Sudan Relief and Rehabilitation Commission (SRRC) told Landmine Monitor that mines were still being used to defend the oil fields south of Bentiu in Western Upper Nile. He also alleged that mines were used in the latest fighting in the Shilluk kingdom around Malakal in Upper Nile. The fighting in the Shilluk kingdom follows the re-defection of the former Sudanese government Transport Minister, Lam Akol, to the SPLA in October 2003. Troops of the South Sudan Defense Force (SSDF) loyal to the government under the command of Gabriel Tanginya have been trying to regain control of the area. Following a raid by these forces on the SPLA headquarters in Popwojo on 6 March 2004, SPLA reported finding Chinese-made Type 72 antipersonnel mines planted outside the headquarters. Senior relief officials warned relief workers that the nearby airstrip was reportedly mined, and reported this incident to the VMT cease-fire monitoring team in Leer."

#### **Authorities in Darfur prevent IDPs to seek protection in some towns and forcibly relocate people to unsafe areas (2004)**

- IDPs who sought refuge in towns been repelled by government forces and forced to go back to their villages
- IDPs in Greater Darfur are commonly prevented from moving freely
- Road blocks prevented IDPs to go back to their villages to bury their dead and assist the injured
- IDPs would receive humanitarian assistance only if they returned back to their villages, which were still prone to attacks
- Food channelled into government-held towns to weaken the rebels' support-base in rural areas

#### **AI, 3 February 2004, p.27-8:**

"Those who have sought refuge in towns in Darfur have at times been repelled by government forces or been forced to go back to their villages. Amnesty International has received credible and concordant reports that those displaced within Darfur have been harassed and denied protection by the Sudanese army, the Janjawid or the local authorities.

Scores of civilians fled to **Kabkabiya** town between June and August 2003. Reports alleged that 300 villages had been attacked or burnt to the ground in the area. Many displaced were reportedly living in the open or in the local school in Kabkabiya, having very little or no access to humanitarian aid. For instance hundreds had fled after an attack on **Shoba**, a Fur village situated 7 km south of Kabkabiya on 25 July, by armed militia wearing government army uniforms, in which at least 51 Shoba villagers, including many elders, were killed. They were reportedly

prevented for two days from returning to Shoba, to assist the injured and bury their dead, by a road block organized by government soldiers. In December 2003, internally displaced persons camps around Kabkabiya were reportedly attacked by the Janjawid.

Thousands of civilians fled Kutum at the beginning of August 2003 and took refuge in surrounding villages or unknown places or tried to reach El-Fasher, the capital of North Darfur, situated some 80 km south-east of their town. Although a few were said to have reached El-Fasher, most were reportedly stranded in Kafut, a village halfway between both towns, because the Sudanese army stopped more civilians from taking refuge in El-Fasher. Civilians were reportedly living under trees, without any means of subsistence and were in desperate need of food, shelter and clothing, until a preliminary assessment of their conditions was allowed by the Governor of North Darfur.

[...]

Some 3000 persons were said to have fled closer to Nyala town in places called Diraige and Al Nil. The local authorities allegedly put as a condition for assistance to them that they return back to their villages, even though these had been burnt and were located in insecure areas prone to attacks.

[...]

#### **[Relocations]**

On 15 January, the local authorities in Nyala reportedly closed camps where persons internally displaced by the conflict were living around the town, after attempting to forcibly move them to other camps situated some 20 kilometres away from the town [...]. These other camps are reported to be situated in areas unsafe because of the ongoing fighting and this would be the reason why the displaced did not want to be relocated there, fearing for their own safety. Moreover, these new camps are reported to be less accessible to humanitarian agencies present in Nyala and to be ill-equipped in water, food, shelter and latrines to host people. The forcible relocation of displaced people contravenes the provisions of international humanitarian law."

#### **MSF, 15 January 2004:**

"This relocation started yesterday (January 14) when Sudanese authorities arrived at the camps and began the forced transfer of people by trucks to the new sites. This operation was suspended later in the day when, to escape the intended relocation, a number of the displaced fled in panic. Amongst those who fled were families with severely malnourished children who had been under the care of MSF and did not arrive for their treatment. MSF had almost 30 children in these two camps receiving treatment for malnourishment. This morning, when Sudanese police and other authorities arrived, the camps were up to 90% empty, the population having already fled. MSF teams were prevented from distributing drinking water to the people who remained. For the second consecutive day, some malnourished children have not been able to receive the vital care their condition demands."

#### **IRIN, 15 December 2003:**

"The authorities are planning to move the displaced away from Nyala, so expenses are being kept to a minimum.

[...]

While local authorities insist the process is voluntary, the Intifada inhabitants say they are being pushed away from Nyala town, because their presence is "embarrassing" for local officials. Too many visiting officials have already seen the conditions, they say.

They would rather stay close to the town, which is safer and where they can do odd jobs to survive.

[...]

In northern Darfur, local authorities have started a similar process, dubbed a "mobilisation programme", to move the displaced back to their homes.

[...]

Over 1,000 families have already been moved away from El Fashir to government territory around Korma.

#### **QUESTIONABLE MOVEMENT**

Despite the assurances from local authorities who insist the situation in both northern and southern Darfur is calm and peaceful, humanitarian sources fear that the movement of the IDPs could be politically motivated and involuntary.

"I am not satisfied that the movement of IDPs is entirely voluntary," said Mukesh Kapila, the UN Humanitarian Coordinator for Sudan.

"I think we have heard enough to give us cause for serious concern that the way assistance and access is being manipulated is putting pressures on people to move or stay as the case may be - mostly to move," he added. "And this is of course in violation of all international humanitarian principles."

#### **UNRC 29 February 2004:**

"[West Darfur]

It is understood that the national Humanitarian Assistance Commission (HAC) wishes to relocate IDPs around El Geneina town into two distinct camps (Aadamata and Um-Duwein). OCHA was able to visit the areas with HAC, but holds reservations about the feasibility and desirability of relocating IDPs at this time. The UN has strongly expressed the view that any movement of IDPs must be conducted on a voluntary basis as IDPs do not appear to want to move to these areas. Furthermore, the new identified sites would require urgent interventions to improve both security and basic living conditions. The issue will continue to be closely monitored."

#### **RI, 13 February 2004:**

"Some aid agencies have accused the government of using what small amounts of food are getting through to advance its war aims. Agencies say the government is directing food into urban areas, so that people are drawn out of the countryside to get food in the cities, where they are more easily managed by government troops. As a result, rebel groups are losing support in the countryside."

#### **UN RC, 2 March 2004:**

"The incident in Tawilla confirm the pattern of Janjaweed attacks all over Darfur, where village lootings often are accompanied by killings, especially of young and middle-aged men. According to some reports, Tawilla IDPs are being prevented from entering El Fasher town, while Kebkabiya IDPs are being prevented by Janjaweed from moving more than 1-2 km out of Kebkabiya town."

## **SUBSISTENCE NEEDS**

### **General**

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#### **Insufficient food, water, health care and education for IDPs and resident population in the south (February 2006)**

- IDPs in isolated areas more exposed to poor living conditions than resident population
- Prevailing shortage of food in the south
- Every fourth child dying of preventable and water-borne diseases before age 5
- IDP community largely of female heads of household, elderly persons and orphans, at the outskirts of Juba delineated by minefields
- Health structures not ready to receive massive influx of returnees in Aweil Est in Bahr El-Ghazal
- People can travel for days to reach the nearest health centre
- Massive influx of returning IDPs will increase the risks of epidemics

#### **COMMISSION ON HUMAN RIGHTS, 13 February 2006**

"Persons displaced within the south of Sudan are mainly suffering from such inadequate living conditions (insufficient food, water, health care and education) as they share with much of the non-displaced population. Nonetheless, the Representative [of the UN Secretary General on the Human Rights of IDPs] encountered encouraging examples of local authorities generously granting land to displaced communities, some of whom also were provided by the local population with the necessary means to survive or even sustain themselves. He was also impressed by some displaced communities running well-managed settlements where they had founded schools and installed basic health services. However, the Representative also witnessed neglected displaced communities whose basic needs were not attended to, in contravention of Guiding Principle 18.

36. Virtually all of the IDPs and returnees whom the Representative consulted stressed the generally prevailing shortage of food, including insufficient rations even where international assistance was provided (Guiding Principle 18). Representatives of the international community stated that "food insecurity has reached an outrageous dimension" and informed him that among the poor of Sudan, IDPs are commonly worst affected by malnutrition with some 3.2 million dependent on external food aid, not including Darfur, for which donations fall far short of the required budget. They further lamented a near absence of funding available to implement time-sensitive, community-based projects aimed at restoring self-sustainable livelihoods, especially through the distribution of seeds and agricultural tools.

37. Another major concern of IDPs lies with the entirely inadequate health system (Guiding Principle 19). The Representative learned about extreme shortages of potable water (with less than 40 per cent of the southern population having access, and every fourth child dying of preventable and water-borne diseases before age 5) United Nations and Partners, 2006 Work Plan for the Sudan. and medical personnel (with one trained medical doctor per 100,000 persons in Southern Sudan). While these problems also affect the population at large, they are more pronounced in the often isolated areas of displacement due to the critical lack of access to health facilities and wells. Moreover, IDPs and returnees who lack adequate shelter and other items, such as mosquito nets, are exposed to additional health risks such as yellow fever and malaria.

38. The Representative noted with concern the deplorable living conditions of certain IDPs such as an IDP community composed largely of female heads of household, elderly persons and orphans, whose settlement in the outskirts of Juba was delineated by minefields to one side and urban residential areas to the other, rendering insufficient room for agricultural or other life-sustaining activities. With increasing post-war returns to Juba, town development and the reconstruction and expansion of the local administration, the authorities have started to reallocate to public employees the plots of land currently occupied by the displaced community, thus gradually shrinking the area available to them."

"Malgré la stabilisation des conditions de sécurité dans l'Aweil Est depuis 2002, la situation sanitaire et nutritionnelle des populations est aujourd'hui critique : le peu de structures de santé existantes ne sont pas de bonne qualité et n'ont pas les moyens de répondre aux besoins des populations résidentes et encore moins à ceux des « returnees » dont le nombre va augmenter d'ici à la fin de l'année. De plus, les populations font parfois des jours de marche pour se rendre dans les structures de soins. L'afflux des « returnees » ne va qu'accroître la demande de service de santé et risque, de plus, d'accroître le risque d'épidémies dans la région.

MSF a créé en 2000 un centre de soins (Primary Health Care Centre ou PHCC) offrant consultations externes et hospitalisations à Akuem, dans l'Aweil Est. Nous y sommes de plus en plus confrontés à une nette augmentation du nombre de patients dans tous les services de cette structure. Nos équipes ont également dû faire face à des urgences médicales, comme des épidémies de paludisme et de rougeole, mais aussi des crises nutritionnelles désormais récurrentes. Pour y répondre, MSF a régulièrement augmenté ses moyens d'intervention (cf. paragraphes ci-dessous). Aujourd'hui, nous atteignons la limite de nos capacités de prise en charge pour répondre correctement aux besoins des populations." (MSF, 5 Octobre 2005)

### **IDPs in Darfur completely dependent on aid (August 2006)**

- The displaced people have the same needs for access to food, water, health care as at the onset of the crisis three years ago
- IDPs run the daily risk of beatings, rape, and death when venturing outside the camps
- International aid is declining, particularly in the displaced persons' camps

### **MSF, 7 August 2006**

"Displaced and isolated civilians are directly affected by any reduction of international aid. More than three years after the killings of 2003 and massive population displacements, what is striking is that the populations are still experiencing the state of emergency created by that conflict. The displaced people have the same needs and are completely dependent on international aid for access to food, water, health care, and shelter. When they go outside the camp, they run the daily risk of beatings, rape, and death. We noted several such incidents along the periphery of the camps, particularly in Zalingei and Niertiti. Driven to the camps by force, the displaced persons today have no chance—and no prospect—of returning to their home villages. Survival is difficult for the nomadic populations and the residents of isolated villages as the conflict has halted livestock migration and trade among the communities.

Has international aid been reduced?

International aid was already inadequate relative to the needs and is declining, particularly in the displaced persons' camps. Over the last year, we have observed reduced funding, a shrinking number of aid actors, and a refocusing of programs from emergency needs to development. In May alone, the World Food Program (WFP) cut its food distributions by half, which threatens to



worsen an already dangerous food situation. Current water distribution is inadequate. Health care needs are also great, both in terms of consultations and hospital care for emergency cases. On top of that, if security problems result in the closure of programs and the departure of other actors, basic survival needs will not be met. That is why we are asking today that all armed actors in the field not interfere with the work of humanitarian aid organizations."

## **Shelter and non-food items**

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### **Lack of shelter threatens the health of IDPs in Darfur (April 2005)**

- Inadequate shelter exposes people to sun, dust and colder temperatures at night

#### **UNOCHA, 1 April 2005:**

"Lack of shelter threatens the health status of the population in a number of ways including extreme exposure to sun and dust and to colder temperature at night. Although night temperatures have now risen, from May onwards exposure to rains will increase with a corresponding risk of communicable disease and sanitation concerns. Unconfirmed reports already indicate a rise in morbidity and mortality indicators.

6. Shelter provision to date has consisted of temporary materials, plastic sheeting and in some cases ropes and poles. Should the situation continue and/or the camp situation be formalised, provision of semi-permanent shelter may be contemplated. In some instances, the provision of temporary shelter materials, other non-food items as well as food has put beneficiaries at increased risk of violence and other human rights violations associated with looting. It is essential that protection and the issue of forced displacement and forced installation must be at the forefront of programme planning "

## **Health**

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### **Mortality has declined for IDPs and resident population in Darfur (July 2005)**

#### **WHO, 29 July 2005:**

"Mortality overall has declined substantially since the first WHO survey in all three states however health status in Darfur extremely fragile

CMR [Congenital Malformations Registry] is similar in all three States and is less than crises levels.

Main cause of death vary between States and should be considered in health planning.

Worst health status: in camp IDPs in West Darfur, non--camp IDPs in North Darfur;

Meningitis outbreak contributed significantly tomortality in North and West Darfur"

### **About 670,000 under-five children die yearly of preventable diseases in Sudan (2004)**

- In Southern Sudan, there is only one doctor for every 100,000 people and one primary health care centre for every 79,500
- The rate of infant mortality per 1,000 is 150 in southern Sudan
- The rate of maternal mortality per 100,000 live births is 1,700 in southern Sudan
- Under-five mortality rates in Sudan estimated at 104 per 1,000 live births in GoS areas during the 90s
- UNFPA considers HIV/AIDS rate in Sudan at 2.6% as an epidemic and the worst rate in North Africa and Middle East regions together
- Little is being done to address the problem of HIV/AIDS in Sudan as most support is geared towards the humanitarian emergencies and responding to curable diseases
- Under-five mortality rates are estimated to peak at 170 per 1,000 live births in SPLM/A controlled areas and Blue Nile State
- HIV/AIDS rate among IDPs and refugees is considered to be at 4.4% while the national prevalence rate is at 2.6% and 84,6% of women in rural areas were not knowledgeable about HIV
- 60% of children die during their first year and
- Leading causes of morbidity in SPLM/A areas are malaria (29%), diarrhoea (13%) and respiratory infections (11%)
- Maternal mortality at 509/100,000 live births in GoS areas
- 94% of deliveries take place outside the reach of health facilities
- 40% of out patient hospital attendance nation-wide is caused by malaria
- TB prevalence is 90/100,000 and only 500 beds for TB treatment are available in southern Sudan
- Measles outbreaks are cyclical and killed 125 displaced children in the Nuba Mountains in July 2002

**UN. 30 November 2004, p.9:**

“The levels of mortality and morbidity in large parts of Sudan, and most notably in southern Sudan, are symptomatic of an inadequate health infrastructure and low health service coverage in the region. This is illustrated by the fact that in the south one out every four children will die before the age of five and that one in nine women die in pregnancy or childbirth. The abysmally low ratio of skilled health personnel to population (e.g. one physician to 100,000 people), the virtual absence of obstetric emergency care and the shortage of drugs and primary health facilities are glaring indictments of the health system. The fact that safe water is available to less than a third of the population, along with poor hygiene and sanitation practices, means that efforts to prevent or control diseases remains an uphill task.

There is a general lack of reliable and up to date data for tracking performance against the MDGs. Monitoring capacities are weak across the board, and require urgent strengthening. This is especially crucial in the development of Sudan specific indicators and tracking of progress towards the attainment of the MDGs.”

**UN 30 November 2004, p.45-6:**

“[In Southern Sudan, t]here is only one doctor for every 100,000 people and one primary health care centre for every 79,500. [...] The rate of infant mortality per 1,000 is 150. The rate of maternal mortality per 100,000 live births is 1,700.”

**IRIN, 18 October 2004:**

"The anticipated return of hundreds of thousands of Sudanese refugees, once peace returns to the south and west, could lead to a further spread of HIV/AIDS which already affects 2.6 percent of the general population, the UN Population Fund (UNFPA) warned in a report.

The HIV-infection rate in Sudan, according to UNFPA, is already considered an epidemic, making Sudan the country with the highest infection rate in North Africa and the Middle East region. The infection rates are particularly high among vulnerable groups, such as internally displaced persons (IDPs) and refugees.

Data from the mid-1990s onwards suggested the infection rates had risen rapidly in the conflict-affected areas of southern and western Sudan. According to a national prevalence and behavior survey conducted in 2002, HIV infection prevalence was already four percent among pregnant women attending clinics in the refugee camps.

Ishmael Gulliver of the Sudan Evangelical Mission, which has been running HIV/AIDS awareness-raising programs in southern Sudan since 2000, told IRIN on Friday that the situation in the region was "severe". Voluntary counselling and testing centers in the region, he added, had found preliminary HIV-infection rates of four to 10 percent among those tested in the southern town of Rumbek and up to 17 to 21 percent in Yambio, near the border with the Democratic Republic of the Congo.

[...]

"Sudan is on the verge of an HIV/AIDS epidemic," Professor Ali Biely of Ahsad University in Omdurman, near Khartoum, told IRIN. Little, he added, was "being done about it because of the urgency of the humanitarian crisis and the need to respond to those that are immediately dying from curable diseases".

**UN, 18 November 2003, Vol.II, pp.144, 166:**

"Sudan continues to be characterised by high levels of infant and under-five mortality rates. The Safe Motherhood Survey (SMS) conducted by UNFPA in 1999 estimated under-five mortality rate at 104 per 1,000 live births in GoS areas for the period 1990-99. The under-five mortality rates ranged between 59 per 1,000 live births in El Gezira state to 172 in Blue Nile state. The SMS (1999) also indicated that approximately 60% of deaths among children under five occur during the first year of life. The infant mortality rate (IMR) was estimated at 68 per 1,000 live births for the period 1990-1999 using direct estimation method. The IMR ranged between 51 per 1,000 live births in Sinnar state to 116 in Red Sea state. Though statistically representative estimates for infant mortality rates in SPLM areas are not available, some sources quote upper limit of infant mortality at 170 per 1,000 live births. The under-five mortality rate for the Sudan, as estimated by World Development Indicators Database 2002 (World Bank), is 108 compared to 89 per 1,000 live births for developing countries while the IMR is estimated at 68 compared to 62 per 1,000 live births for developing countries.

Child health in Sudan continues to be affected by cyclic natural disasters, such as drought/flood in some states and occasional outbursts of meningitis, acute diarrhoeas, buruli, yellow fever and the spread of HIV/AIDS. About 670,000 under-five children die from preventable diseases every year. Malaria, acute respiratory infections and diarrhoeal diseases, combined with malnutrition, are the leading causes of death among under-five children. The leading causes of morbidity in SPLM areas are malaria (29%), diarrhoea (13%) and respiratory infections (11%). MICS 2000 shows ARI and diarrhoea prevalence rates respectively of 17% and 28% among under-five children nation-wide, but diarrhoea prevalence in some states go up to 40%. The malaria prevalence rate among under-five children was 23% in the north and 37% in the southern towns of Juba, Wau and Malakal. Malaria contributes 22.8-37.2% of all reported diseases, with a high fatality rate of over 4 to 7 % (the accepted ratio is 1-3%). In areas of marked seasonality, such as Khartoum, Kassala, Gedarif and central Sudan, fulminant malaria epidemics occur after high riverine and flash floods. Malaria endemicity is highest in the south. In southern Sudan, regular outbreaks of malaria, as well as increasing chloroquine resistance has necessitated WHO to

recommend the use of another drug as a first line treatment. Measles is estimated to affect up to 30% of children in the age group 9-59 months with three years cyclic epidemic. [...] The disparate surveys showed a child in Sudan experiences 2-3 episodes of pneumonia each year with a case fatality rate of 3.6%. The prevalence of diarrhoea in northern states has been levelling out at 28.2% among children under the age of five and at 24.9 in the southern states.

[...]

Several vulnerable high risk groups are already exhibiting higher levels of HIV/AIDS prevalence. The rate is considerably higher among sex workers (4%) and refugees/IDPs (4.4%) while the rate is 1% among antenatal clinic attendants and 1.1% among students. Vulnerable youth groups such as out-of-school adolescents and children on the street are more affected by the epidemic with a prevalence rate of over 2 percent. Limited access to information on HIV/AIDS has made them more vulnerable.”

**IRC, 1 May 2004, p. 41:**

“147. Approximately 3% of the population in Sudan is reportedly infected by HIV/AIDS. It is estimated that there are some 400,000 – 600,000 incidences of HIV/AIDS in the South, although there are only 12,000 confirmed cases. [...]

148. While current risks are mainly associated with the extensive practice of polygamy and GBV, it is feared that new population movements (disarmed soldiers, traders, and returnees) will increase the risks for infection. [...]”

**UN, November 2002, p.14:**

“In GoS held areas, infant mortality is 68 per 1,000, maternal mortality 509 per 100,000 live births, with average global malnutrition rates between 18% and 23%. Main causes of mortality are reported as diarrhoea, caused by lack of access to safe water, acute respiratory diseases, malnutrition, measles and malaria (35,000 per year). WHO morbidity figures show that malaria is the main cause for attending hospitals and outpatients clinics (63%) in Juba, Wau and Malakal. Tuberculosis is also one of the most serious communicable diseases in Sudan with prevalence of 90 per 100,000. An alarming expansion of HIV/AIDS is being experienced. It is estimated that 600,000 persons are infected (2% of the population). Assuming that this trend continues, Sudan is on the verge of a major Acquired Immune-Deficiency Syndrome (AIDS) epidemic.

Although the polio eradication programme has achieved remarkable success during the national immunisation campaigns, routine immunisation coverage remains low due to impeded access and inadequate technical capacity and infrastructure. Coverage in SPLM/A areas remains half of that in GoS areas between 28-30%. During displacement and despite the efforts of agencies, outbreaks of measles have occurred this year, such as in the Nuba Mountains in July when 125 children died. The health situation is further compromised by the largest IDP population in the world (four million), and the increasing number of mine victims, estimated at over 75,000 in the year 2000.”

**UN, November 2002, pp. 101-102:**

“In Government areas of Sudan, 86% of women deliver at home with less than 57% attended by skilled personnel. [...]

Training for TBA is underway through a number of OLS agencies, but MICS figures show that 79% of women do not receive Tetanus Toxoid (TT) during pregnancy, that 94% of deliveries are done without the benefit of a health facility and 77% without the benefit of a trained birth attendant. Only 86,294 women received the TT vaccine during January and August of 2002.

The number of estimated HIV infected cases has risen to 600,000 in 2001 from 400,000 in 2000. Sentinel sero-surveys recently conducted by the Sudan National AIDS Programme revealed an infection rate of 1.6%. [...] The Multiple Indicator Cluster Survey (MICS 2000) revealed that 84.6% of women aged 15-49 years in rural areas and 57.9% in urban areas are not

knowledgeable about HIV/AIDS. Only 33.3% of women in southern states had heard about the problem.

[...]

Only eight OLS agencies are currently dealing with TB cases in southern Sudan and it is estimated that they are only able to service 1.3 million people, or 16% of the population. At present only 500 beds for TB treatment are available in the entire region. This number is not adequate for the 12,000 cases estimated per year.

Malaria, diarrhoea, and acute respiratory infection are the major diseases in Sudan. Malaria is now considered endemic throughout the country. In two years, the prevalence rate rose from 195/1,000 to 250/1,000. About 40% of outpatient attendance nation-wide is due to malaria with a current estimated rate of 7-8 million cases and 35,000–40,000 deaths per year. The Multiple Indicator Cluster Survey 2000 (MICS), conducted in the Northern States and government controlled areas in the South, showed that diarrhoea and ARI prevalence rates are 28% and 17% among children under-five respectively, and diarrhoea prevalence reaches 40% in some States.

[...]

Sudan reported 80% of Guinea Worm cases in the world. In the northern part of Sudan the Guinea worm incidence has been reduced by 98%, however, it remains endemic in the south."

***Government of Sudan and United Nations Country Team SUDAN, MILLENNIUM DEVELOPMENT GOALS, INTERIM UNIFIED REPORT, December 2004***

## **Food**

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### **Nutritional situation deteriorating in line with seasonal trends in Greater Darfur**

#### **UNICEF, 17 July 2006**

"Admissions into selective feeding centres (both TFC and SFC) across Greater Darfur have seen an increase over the last two months, an indication of the seasonal trends in malnutrition.

9 localised nutrition surveys were conducted in February and March across Greater Darfur, of which 3 from South Darfur reported rates of malnutrition over the emergency threshold of 15%.

Following a funding crisis WFP has proposed a 50% cut in the general food ration to the 2.2 million conflict-affected beneficiaries in Greater Darfur from May to September in line with the existing resources available.

Acute respiratory tract infections continue to be the main reported illness in children under 5 yrs from the nutrition sentinel site system; this is in line with WHO disease surveillance system and the expected seasonal trends. Diarrhoeal disease and malaria are reported as second and third.

Ongoing insecurity across the three states, in particular Kulbus and Selea in West Darfur and Jebel Mara continues to hamper the delivery of humanitarian aid, increasing displacement as well as preventing the ability to fully determine the needs of the affected population.

Cross-border tensions with Chad have led to small numbers of returnees to West Darfur, however a rapid screening of this group does not indicate a worrying nutritional situation at present.

Round 2 of the National Polio campaign was conducted by FMOH/ SMOH/ UNICEF & WHO, across Greater Darfur in April reaching 1.33 million children under 5 years. (>94% coverage) [...]

Admissions [to feeding centres] in 2004 and 2005 peaked in June and July and the current trends are following a similar pattern."

## Water and sanitation

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### **Return of IDPs to the south increases pressure on water and sanitation facilities (June 2006)**

- Less than 40% of the population has access to clean drinking water in southern Sudan
- The incidence of diarrhoea in children Sudan may be as high as 45%
- Over 40% and 70% of the population in the northern and southern Sudan respectively have no access to safe drink water
- 40% of under-five children die of diarrhoeal diseases caused by poor hygiene and lack of access to safe drinking water
- Most women and girls walk two to four hours daily to fetch water

### **UNMIS, 1 June 2006**

"[...]In South and North Kordofan, the percentage of population with access to safe excreta disposal is estimated to be less than 20%. [...] Due to the return of IDPs and refugees to Southern Sudan's towns the populations are swelling. The urban expansion resulting from returns is putting increased pressure on water and sanitation facilities. In response UNICEF and implementing partners have added 15 latrines and 12 shower rooms to Rumbek regional hospital, and supported chlorination efforts in Yei (also creating/ rehabilitating 24 boreholes and constructing a new surface water treatment system) , Juba/Lologo, Malakal and surrounding areas as well as providing emergency supplies for hospitals. Drilling campaigns in Lakes, Unity, Northern Bahr El Ghazal, and Western Equatoria States took place. 200 water pump repairs took place in Leer, Panyijar, Aweil and in Lakes State, ensuring safe water to over 100,000 people. An emergency water system was built for returnees at Bor way station and also in Aweil."

### **WFP, 31 July 2005**

"Water Sector: Limited access to water for humans and livestock consumption was the second most important concern particularly in North and West Kordofan. However, clean drinking water was a key concern in all the assessed locations. Price of clean drinking water was significantly higher than normal and higher incidence of water borne disease was reported, particularly in the south."

### **UN 30 November 2004, p.45-6**

"Estimates suggest that less than 40% of the population has access to clean drinking water [in southern Sudan] and in some counties water points are concentrated in centres while rural populations have no access to safe water at all. As a result, the incidence of diarrhoea in children may be as high as 45%; 22% of under-five mortality is attributable to water related disease. There is, therefore, a need for more emphasis on sanitation and hygiene promotion, which underpins the reduction of otherwise preventable water-borne diseases."

### **UN R/HC, 1 January 2005**

"In general terms, although the situation remains precarious, agencies were able to avert major epidemics and widespread secondary mortality from health-related causes in IDP settlements/camps during 2004 [in Darfur]. The outbreak of Hepatitis E in some locations that occurred between July and November 2004 alerted agencies on the importance of adequate water and sanitation interventions particularly in large and overcrowded IDP sites."

**UN, 18 November 2003, Vol.II, p.158**

“Low level of access to clean water continues to be a major problem in the Sudan with more than 40% and 70% of the population in the northern and southern Sudan respectively drinking unsafe water. The lack of safe drinking water, especially in conflict-affected and drought-affected/prone areas, including areas inhabited by IDPs and returning IDPs, has made water borne diseases a major health hazard. Diarrhoeal diseases are sporadically prevalent in many parts of the country. Guinea worm is endemic in more than 6,000 villages, with southern Sudan representing more than 80% of world’s burden. An estimated 65% of the population has no access to sanitary means of excreta disposal. Approximately 40% of the deaths of children under-five years of age are attributed to diarrhoea caused by poor hygiene and unsafe drinking water.”

## **IDP needs in Khartoum State**

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### **Mortality rates near emergency threshold in Khartoum IDP camps (2005)**

- Global malnutrition rated for IDP in northern Sudan and around the capital is at about 30%
- Less than 10% of school age children reported eating 3 meals per day in Khartoum IDP camps (2005)
- Many IDPs have been relocated to isolated and barren areas removed from all basic services and job opportunities
- There is no relief distribution for IDPs in Khartoum who are considered to be long-stayers
- Diarrhoea was the first cause of death among IDPs in Khartoum being the cause of 37% of deaths during 2004
- Crude Mortality Rates in IDP camps in Khartoum in Mayo and Soba Arradi were close to the emergency threshold of 1/10,000/day as of end 2004
- 57% of households could not afford the cost of health care from the clinic
- Health services lacked all together and particularly reproductive health services with the cost of midwives being prohibitive to IDPs
- Prevalence of diseases reportedly increased in IDP camps after demolitions of camps scaled up
- The fact that only few water yards are functioning has raised the price of water by up to 50% in Khartoum IDP camps
- IDPs in Khartoum spent up to 40% of their income for poor quality water in 2001
- 30% of households had no access to latrines and building one was not a priority in the temporary shelters where they lived
- 80% of IDPs in four locations in Khartoum lived in temporary shelters made out of plastic and paper and 90% were regularly flooded

### ***Food and nutrition***

**F.A.R. et al, 19 January 2005, p.24-5:**

“Less than 10% of school age children reported eating 3 meals per day. This indicates that access to food has been an issue in the camps and could be a contributor to other indicators such as health and nutrition.

[...]

During the FGDs with children in Soba it was found that only 4% eat three meals a day, 42% ate two meals a day, and 20% only had one meal a day (the rest were too young to answer).”

**UN 30 November 2004, p.177:**

"The global acute malnutrition rate for IDP and host community children [in northern Sudan and around the capital] is some 30%. Only 50% of children aged 6-59 receive vitamin A supplement. Only 60% of pregnant women attend anti-natal care"

**UN Commission on Human Rights, 17 May 1999, paras. 76-80:**

"The Special Rapporteur and his party were able to visit only one of the camps set up by the Government, where, reportedly, conditions, including primary educational and health facilities, are better than in other makeshift camps. It was, nevertheless, apparent that the displaced have basically been concentrated in an isolated and barren area, removed from any commercial centre offering work opportunities. There is no general relief distribution for the displaced in Khartoum who are considered to be long-stayers, and many complained of insufficient food and clothing. According to reports confirmed by the United Nations, food security in camps such as this one is precarious and malnutrition among children under five ranged from 12 to 24 per cent in 1997-1998."

**Health**

**F.A.R. et al, 19 January 2005, p.21:**

"The practice of witchcraft and use of traditional healers was prevalent in OeS and Soba, but not in WeB, where people tended to use clinics. This may be correlated to the distance to and number of clinics in each camp. WeB is a relatively small camp with a functioning central clinic, so increased access to a healthcare facility may increase the resident's likelihood to use the service. The use of home birth assistants and midwives was common, although their service costs are sometimes prohibitive. In addition, access to quality healthcare with longer hours, was listed as a priority for residents surveyed.

[...]

The survey asked the households who had died since last Ramadan (approx one year ago), and the cause of death. The results indicate that the Crude Mortality Rate (CMR) in Mayo Farms and Soba Arradi is near the emergency threshold of 1/10,000/day. The number one cause of death in all areas is diarrhoea. Overall, diarrhoea was reported as being responsible for 37% of the deaths in the four IDP areas in the past year.

[...]

FGDs with children reported that since the demolitions there has been an increase in diseases (malaria, diarrhoea and others) [...]. Other diseases mentioned by the children included chest infections, pneumonia, skin rash, eye pain, cold, influenza and measles [...].

In the past two weeks, 53% of surveyed household reported having someone sick in the household.

[...]

Fifty seven percent of households not going to clinics reported that they did not go because it was too expensive, and 3% reported that they did not go because of the quality of the services [...].

In particular for reproductive health, it was reported that there are few clinics providing the full range of reproductive health services, and those that do are expensive. Most deliveries are home based and the cost of midwives is reported as being between 5000 and 10,000 SD, depending on the sex of newborn (higher cost for male newborns)."

**CARE/IOM, 28 February 2003, pp.10-12,15,16, 24, 26,27:**

"Dinka, in majority, represent 25% of the IDPs in Khartoum and Nuba 10% Over one third of IDPs interviewed lack awareness about transmission and prevention of HIV/AIDS "A total of 6,300 IDP households were interviewed in formal and informal camps in Khartoum. This caseload represents 3.6% of households in Khartoum.

[...]

The questionnaire was also designed to obtain information on the level of awareness on HIV/AIDS. 87% of those interviewed have declared to be aware of HIV/AIDS. However, during



subsequent questions about the transmission of the AIDS virus, a significant proportion (45.5%) of those that believed they were aware of HIV/AIDS, were found wanting. This is of some concern and equates to over a third of the respondents questioned."

### ***Water and Sanitation***

**F.A.R. et al, 19 January 2005, p.22-3:**

"There are complaints by IDPs on water shortages and a lack of access to sanitary facilities. INGOs operational in the area have observed that IDPs use open fields for defecation. In WeB and OeS only five out of nine water yards are operating which has reduced access to water and raised costs, according to the Wad el Bashier Development Association, some areas have increased their water costs by as much as 50%.

[...]

According to the focus groups, access to water has decreased and prices have increased. This seems to be related to both the destruction of water distribution points or of the pipelines leading to them, as well as an increase in brick making (which demands a lot of water), as people try to rebuild their homes. There have been estimates that the cost of water in the IDP areas could be up to three times the cost of Town water to permanent homes.

[...]

It is also reported that many of the water sources are further from the homes than before the demolitions, so they have longer to walk. Water from Donkey carts are at risk of being contaminated between the source and the household. [...]

Currently there are few latrines available; the people either defecate in open areas, in neighbours' latrines, or in public latrines. The latrine coverage was concerning with 30% of households in all areas reporting no access (to either their own latrine, neighbours' or public). However, the areas with the lowest latrine coverage are WeB and OeS.

[...]

Building a new latrine was not reported as being a high priority as most are living in temporary housing."

**UN, November 2000, pp.143-144:**

"The bulk of the IDPs income is spent on food and water, which leaves no extra income for other basic or immediate needs. In both the camps and squatter settlements the most stressful period is July-September. During this period, the demand for labour in the city is very low, as brick-making and general construction, mostly performed by men, stops. As a result, migration to rural farms and the large agricultural schemes for seasonal labour opportunities occurs."

**UN November 2001, p.65:**

"The displaced and poor communities in peri-urban Khartoum pay as much as 40% of their income for small quantities of poor quality water."

### ***Shelter***

**F.A.R. et al, 19 January 2005,p.18:**

"At the beginning of November 2004 it has been observed and discussed by the IDP communities that over 80% of the families are living in temporary shelters [in Khartoum State two IDP camps, Wad el Bashier (WeB) and Omdurman es Salaam (OeS) and two squatter areas, Mayo Dar Naim and Soba Arradi.]

[...]

The enumerators were asked to describe the structures in the homes they surveyed as either "temporary" or "permanent". In the areas which have been demolished, temporary housing refers to houses made of plastic, paper etc (rakubas, hassir and wood) while permanent housing refers to homes made of more permanent materials (mud, cement etc.) However, in Mayo Farms (70% temporary housing), where there have been no demolitions, temporary housing seems to have referred to lower quality housing, while permanent housing may have referred to higher quality housing.

In Soba Arradi 94% of the households surveyed were living in temporary housing, while the percentages in OeS was 80% and in WeB was 66%. It was interesting to note that in OeS and WeB, the number of permanent houses correlated very closely to the number of households expecting to have their households demolished in the future. It was reported by focus groups that those in a temporary shelter (rakuba) were afraid to use firewood for fuel due to hazard of fire and fear of burning down their shelter [...]. In addition, during the rainy season these shelters are prone to flooding.

Of the households surveyed 91% said that their shelters flooded during the rains, 78% said the water leaked through the roof, and 20% said it came from the ground. This is an indication of the poor quality of protection these shelters provide from the elements.”

## **IDP needs in Greater Darfur**

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### **Adding to the needs caused by conflict is near total crop failure in Darfur (2005)**

- Average global acute malnutrition rates in Darfur were at 21.8% between August-September, way beyond the 15% emergency threshold
- In early spring 2004 malnutrition rates in Darfur reached up to 39% and several acute malnutrition up to 9.6%
- Food conditions in Darfur as of end of 2004 were worst than during the 1989 Darfur famine, between 2.5 and 3 million people will need food assistance in 2005
- Host communities are sharing whatever they have with the IDPs despite their serious lack of resources
- There is a 40% reduction in planted area compared to 2003 and up to 90% among IDPs
- 90% of IDPs have lost their livestock compared to 40% among residents
- While about half of residents had the means to secure adequate food intake, only about 6% of the IDPs did in 2004
- Global acute malnutrition rates were 21,8% and severe malnourishment was at 3,9% in 2004
- Out of the estimated 37,000 MT of food needed in Greater Darfur between November and February, less than 7,000 MT were provided
- Most needs in Darfur remain unmet due to insecurity nearly halting humanitarian operations and needs assessments
- Conflicts and drought have been ongoing in the Darfur region which has always registered very high malnutrition rates as a result

### **WFP, CDC, 26 October 2004, p.3-4, 6:**

“The nutritional situation in Darfur is precarious. The prevalence of global acute malnutrition (GAM) was 21.8% (95% confidence interval (CI): 18.2, 25.3), above the 15% cutoff commonly used to define a serious situation. The prevalence of severe acute malnutrition (SAM) is also elevated at 3.9% (95% CI: 2.3-5.6). Of those children with SAM, eight had edema. Micronutrient deficiencies were also common. The prevalence of anemia among children 6 to 59 months of age was 55.3% and anemia among non-pregnant mothers was 28.0%. Iodine deficiency, as assessed by goiter, among mothers was also elevated at 23.6% (95% CI: 15.6, 31.5) and poses a significant threat to health and development in Darfur.

[...]

Mortality rates were higher among those displaced compared with residents and higher among IDPs living in camps and spontaneous settlements than those living with the host community and crisis affected residents. However, these differences were not statistically significant.

[...]

Beginning in the spring of 2004, non-governmental organizations conducted a number of nutrition surveys in selected internally displaced persons (IDP) camps using the Sudanese Ministry of Health guidelines<sup>1</sup> which mirror internationally accepted methodologies. These surveys reported global acute malnutrition (GAM) rates ranging from 12.6 % to 39.0% (< -2 SD) and severe acute malnutrition rates ranging from .8 % to 9.6% (< -3 SD)<sup>2</sup>. These rates indicate that an emergency situation exists in many parts of Darfur, but to date no large scale survey of the affected Darfur population has been conducted. Furthermore, there is little understanding of the nutritional situation among the residents and internally displaced persons (IDP) integrated into towns and villages. In order for the international humanitarian community to plan an appropriate food, health and nutritional response to the emergency, additional information about the status of the population is needed."

**UN RC, 25 January 2005:**

"Although a proper evaluation of the nutrition situation must be conducted through systematic nutritional surveys in order to establish the average General Acute Malnutrition (GAM) for Darfur, results of individual assessments carried out in November support the evidence of improvement. ACF conducted a follow-up survey in Abu Shouk in November after one released in June 2004, and the rate of global acute malnutrition was recorded at 27.8%, including 2.4% severe acute malnutrition. This is a substantial improvement when compared to 39% GAM and 9.7% Severe Acute Malnutrition (SAM) of June - but it still indicates an emergency level situation. Also promising was the estimation of the under-five mortality rate of 2.6/10,000/day in comparison to 6.76/10,000/day at the peak of the crisis. Another survey conducted in Serif Umra, South Darfur, by MSF Belgium, revealed a GAM of 14.7% and SAM at 2.7%. Recommendations are for continued SFP and TFP support, general ration distribution, as well as continued nutrition, mortality and morbidity surveillance."

**ICRC, 9 February 2005:**

"The displacement of so many people disrupted the micro-economic environment," explained Harnisch, "This year's harvest will be between 25% and 50% lower than in normal years and most rural populations will be affected by food shortages."

The looting of both livestock and the meagre food stocks that do exist has not improved the outlook. The ICRC concurs with World Food Programme figures that estimate between 2.5 and 3 million people in Darfur will need food assistance this year."

**ICRC, 31 December 2004:**

"The burden for host families is considerable, as they share whatever food or essential items they have with twice or three times as many people. Owing to the disruption of the local economy and the ensuing rise in consumables' prices, most people are finding it increasingly difficult to make ends meet. And yet, in what is probably the most striking feature of the current situation, Darfuris (the inhabitants of Darfur) welcome displaced families in their homes on a scale that defies the sense of the word "hospitality" as it is understood in other cultures.

[...]

Nomadic tribes with tens of thousands of cattle are stranded in the south because of the conflict, just at the time of year when they should be migrating back to the north. This is disrupting the socio-economic balance in this area, as fodder is becoming scarce and food prices are too high. Fighting and looting have also upset the delicate balance of age-old trading traditions between pastoralist nomads and farmer communities. All of them suffer as a consequence and many no longer feel safe to go to market towns to trade their products."

**UN, 30 November 2004, p.99:**

“Insecurity and displacement continue in Darfur. Compounding the needs associated with the conflict is a near total crop failure. A WFP/FAO/UNICEF Emergency Food Security and Nutrition Assessment carried out in September revealed an alarming deterioration of food security indicators. Conditions are now worse than those prevailing before the 1989 Darfur famine. The region is facing a seed famine as a result of severely depleted traditional seed stocks due to looting and razing of village fields. There is a 40% reduction of planted areas as compared to 2003 (up to 80-90% among IDPs); current food prices are 60% above normal levels and there has been a sharp increase in competition for wage labour opportunities due to a reduction of other income sources. Global malnutrition rates among children are 21.8%, well above the emergency threshold of 15%. As the next main cereal planting season is not until June 2005, with the harvest in the fall, a large-scale humanitarian response—much of which is food aid—will be required in Darfur until at least the end of 2005. In short, the emergency is far from over.

Humanitarian indicators:

Food security and livelihoods: An estimated 465,000 households in Darfur will be in need of agricultural assistance early in 2005 due to crop failure. This assistance is critically needed by January to ensure preparedness for the next planting season in June. Without such assistance, food aid will continue to be needed in large quantities. In addition, 90% of IDPs have lost their livestock, which hampers income generation, water gathering and hinders return. Some 40% of residents have also lost their livestock.

Food aid: In September 2004 70% of IDPs and conflict-affected residents received some form of food assistance. Increasing numbers of people are becoming dependent on food aid, including 1.4 million IDPs and 21% of residents. Another 26% of the resident population require close monitoring. While nearly half of the resident population was found to have the means to secure adequate food intake, the same was true for only six percent of IDPs. Without adequate support to agriculture and livestock support, these numbers may be expected to rise.

Malnutrition: The malnutrition situation remains fragile and well beyond emergency thresholds. Global Acute Malnutrition rates are at 21.8%, with 3.9% severe malnourishment. Among the affected population an estimated 50,000 children will be in need of supplementary feeding programmes and a further 9,000 will be in need of therapeutic feeding programmes.”

**UN R/HC, 10 January 2004:**

“**North Darfur:** The 2001 SC-UK survey in North Darfur reported rising global malnutrition rates throughout the state, with a high of 35% recorded in El Fasher followed by 27.1% for Mellit and Sayah and 25.4% in Um Kedada. The percentage of children under five years who are under weight (MDT 4) in North Darfur State was recorded at 48.7%.<sup>18</sup> Malnutrition rates in the state were very high at 23.4% among the resident population and 26.10% among the displaced.[...] Relief interventions have not stabilised the situation.

The percentage of children under-five years who are severely or moderately undernourished in the state is 47.4% and the percentage of underweight children under-five is 7.5% [...].”

**UN, November 2002, p.30:**

“With a population of 5,626,000 mostly agropastoralist, including 12 ethnic groups and Dinka and Fertit IDPs, Darfur is characterised by recurrent drought and increasing ethnic conflict. In 2002 a combination of sporadic and inadequate rains, poor pasture, food shortages, and floods in Kass and Nyala Provinces, led to mass migration to southern Darfur and northern and western Bahr el Ghazal. Drought and insecurity has also caused movement of population to the transitional zone of El Fashir, El Geneina and Nyala. This migration has caused conflict between migrants and host populations leading to attacks, armed robbery, looting and cattle stealing. At least 7,000 families in Darfur are affected by conflict, more than 80 people have been killed and 108

sentenced to death. The situation is likely to deteriorate. Large areas of North Darfur suffer frequent droughts, which erode the food security of large parts of its population and the rise of armed conflict in competition over scarce natural resources.”

### **About 10,000 IDPs died monthly in Darfur during 2004 (2005)**

- WHO estimated that between March and October 2004, about 70,000 IDPs had died in Darfur or about 10,000 people monthly
- WHO estimated average death rates at 2.6 per 10,000 with worst cases at 3.2 per 10,000 during 2004
- The main cause of death among children under five was diarrhoea: 42 % in Kalma Camp, South Darfur mainly due to poor water and sanitation services (2004)
- The main causes of death among adults were injuries and violence according to WHO
- About a third of households lacked access to safe water and sanitation as of September 2004
- An Hepatitis E epidemic in 2004 affected 17,720 people due to lack of water and sanitation services
- Most wounded displaced people are left with no medical attention due to the lack of health facilities, lack of health workers who fled to safer areas and lack of agencies operating on the ground
- Only about 15% of the health needs were met in Darfur due to insecurity as of January 2004
- Only one hospital exists in West Darfur in Geneina, where 90% of patients are treated for gunshot wounds
- IDPs not covered by health insurance have to pay for medication in Krenk camp of west Darfur
- Main disease in Krenk and Sisi camps is diarrhoea as the IDPs have no access to safe drinking
- Many IDPs requiring emergency surgery cannot be operated due to lack of adequate facilities and security conditions preventing their transfer to other medical centres
- MSF recorded 6 deaths per 10,000 people per day in Nyala camp which indicates an emergency (Jan 04)
- The hospital in Geneina capital of west Darfur had no regular electricity lacked surgeons and patients had to pay for drugs

### **UN H/RC, 1 January 2005:**

“The only major health epidemic for 2004 was Hepatitis E, affecting 17,720 people including 166 deaths. The malaria season was comparatively mild consistent with the lack of rainfall over the wet season. However, there were still 168,584 clinically suspected malaria cases including 319 deaths. The catastrophic mortality figures predicted by some quarters have not materialised.”

### **WHO, 15 October 2004:**

“I estimate that up to 70,000 of the displaced people in the States of Darfur, Sudan, have died as a direct result of the conditions in which they are living since March 1st 2004. Further work will be needed to estimate the proportions of these deaths that are due to different causes, but most are due to diarrhoeal diseases exacerbated by malnutrition.

I estimate that the average mortality rate for all IDPs in Darfur during August 2004 was 2.6 per 10,000 per day, with a worst and best case range of 1.6 to 3.2.”

### **WHO, 13 September 2004:**

"1.2 million people in Darfur region have fled their villages and are camped in 129 settlements across an area the size of France. The "crude mortality rate" that is usually used to define a humanitarian crisis is one death per 10 000 people per day. The WHO survey found the crude mortality rate to be 1.5 deaths per 10 000 people per day in North Darfur, and 2.9 in West Darfur. The survey looked at overall deaths and their causes between 15 June and 15 August 2004. Results show that displaced people, in North and West Darfur are dying at between three and six times the expected rate.

[...]

The survey found that diarrhoea in particular is linked to the deaths of half to three-quarters of the children under five. Diarrhoea is often caused by unsafe water and poor sanitation. The combination of crowded conditions in the settlements, shortage of clean water, inadequate latrines, insufficient soap, and the mire caused by rain-soaked mud mingling with excreta, have combined to make hygiene an impossible goal for people living in small, tarpaulin-covered huts.

Some households reported deaths due to violence - particularly among men in the age group 15-49 years. Injuries and violence were linked to 15% of total deaths. This data indicates the continuing need to improve health referral services in Darfur, so that people who are injured can be treated with adequate supplies and expertise in health clinics and hospitals.

In the several months since the Government of Sudan eased visa and access restrictions, UN agencies, non-governmental organizations and the Government of Sudan have ratcheted up the delivery of relief assistance. In August sufficient food was provided for more than 900 000 displaced people. 700 000 now have access to clean water. Nearly 30 000 latrines have now been constructed, and 127 health facilities are reaching 950 000 people. An early warning system is detecting and reporting early stages of disease outbreaks which are being contained through widespread measles and polio immunisation, cholera prevention and malaria control. All these interventions help to keep death rates down."

**WHO, 15 September 2004:**

"In North Darfur, our estimate of the crude mortality rate is about three times the expected rate for Africa. In West Darfur, our estimates suggest the crude mortality rate is six times greater and in Kalma camp seven times greater than the expected level (0.5 deaths /10,000/day). These estimates suggest that the humanitarian situation is still in the emergency phase.

[...]

The main cause of death reported during the survey was diarrhoea: 24 % in North Darfur, 37 % in West Darfur and 42 % in Kalma Camp, South Darfur. Diarrhoeal diseases are a major cause of death among children under five years of age. Deaths due to diarrhoea are likely to reflect poor environmental sanitation. Among adults between 15 to 49 years of age, injury or violence accounted for 44% of death in North Darfur, 41% in West Darfur and 63% in Kalma camp, South Darfur.

[...]

Among adults under 50 years old, injuries and violence were the main causes of death. A large proportion of IDP households had access to basic services, food and non-food items. However, about a third of households still lack access to safe water and sanitation."

**UN RC, 2 March 2004:**

"There is one health facility in the camp [in Krenik in west Darfur], which provides EPI services, once a week to approximately 100-150 children. All medical supplies are provided by the health insurance scheme. The IDPs that are not covered by the insurance have to pay for medications. The main diseases reported are diarrhea, dysentery, eye diseases and upper respiratory tract infections. SRC operates a pharmacy in the village, but there are limited supplies. The need to have more facilities and more human resources to address the needs of the population has been highlighted by MSF.

MSF-F reports that IDPs in Krenk and Sisi, NW of Mornei have no access to drinking water and have little food or medical assistance. MSF-France has counted 44 fresh graves - 17 of young children, which could indicate a very high mortality rate. MSF's team in Mornei is treating 159 severely malnourished children and 450 moderately malnourished children. There are concerns that the nutritional situation could deteriorate further. In addition, MSF has diagnosed three cases of meningitis over the past week. MSF has 60,000 doses of meningitis vaccines stored in Zalingei that could be mobilized if needed.

WHO has visited the hospital in Geneina. Although all patients are registered, there is unfortunately no system for keeping basic data on patients. The hospital is fully occupied, does not have regular electricity, no X-ray machine, very limited laboratory facility and urgently needs additional staff, especially qualified surgeons and drugs. Although drugs for emergencies and accidents are free, patients have to pay for drugs. From the information on communicable diseases collected by WHO, it seems that 30-50% of cases seen are Malaria."

**UNICEF, 20 February 2004:**

"UNICEF and its partners are trucking water to camps and constructing wells, but the numbers of people who continue to escape the systematic burning of villages is threatening to overwhelm resources. Health services are hampered by the absence of health workers who have fled to safer areas."

**UN RC, 19 February 2004:**

"Major health problems described by IDPs are eye diseases and acute respiratory infections. The referral hospital in Geneina is the only one in West Darfur where 90% of the patients are being treated for gunshot wounds. There is one operating theatre and less than 100 beds in the hospital."

**WFP, 18 February 2004:**

"WFP staff members who just visited the displaced people in both Kutum and Geneina described their situation as deplorable: they have lost all their possessions, many are living in the open, without any facilities."

Women and children arrive exhausted; many with injuries, but there is no medical care. They are traumatised by what they have gone through. Their villages have been burned down, relatives and neighbours have been killed, and in fleeing, they have been forced to walk for days under the constant threat of further attacks."

**MSF, 17 February 2004:**

"In the last few days alone, 10,000 newly displaced arrived in Mornay in need of basic medical care, including 50 wounded who were treated at an MSF health center managed by a nurse and logistician. Several patients required emergency surgery, but it was delayed for 48 hours because security conditions prevented their transfer outside the city. Some 30,000 displaced have been in Mornay for several weeks."

**MSF, 15 January 2004:**

"At present, mortality rates are already high in the camps [in Nyala region] where there is minimal help: in the last two weeks, there have been 6 deaths/per 10,000 people/per day for children under the age of five. This is a rate that indicates an emergency medical situation."

**UN R/HC, 10 January 2004, p.1:**

"The situation with regard to medical supplies and vaccinations is also far from ideal. Now more than half ways through the three-month period covered, only 15% of the needs have been met, although the few currently accessible areas have been fully covered. Plenty of supplies are

according to UNICEF in the pipeline to help cover the needs but insecurity, lack of health facilities, and lack of implementing partners on the ground are hampering deliveries.”

### **IDPs highly vulnerable to diseases due to lack of shelter, water and sanitation facilities (2004)**

- 60% of IDPs in Darfur have no access to safe drinking water and 70% do not have latrines
- 90% of the IDPs in North Darfur have no shelter and registered rising respiratory illnesses
- IDPs camped with thousands others in dry river beds littered with animal faeces
- Tens of thousands IDPs live in the open with roofless shelters made of grass
- The lack of sanitation and crowded conditions in Darfur are breeding grounds for diseases
- Due to ongoing fighting only 6% of the water needs in Darfur have been covered
- While about 40,000 pit latrines are needed to cover the needs of IDPs in Darfur only about 2% have been provided
- Host communities in Western Darfur assist IDPs however the population of the towns swelled four times and coping mechanisms are stretched beyond limits

#### **UN, 30 November 2004, p.99:**

“Water and sanitation: About 60% of IDPs and conflict-affected residents do not have access to safe drinking water. Some 70% do not have access to sanitary means of excreta disposal.”

#### **UN RC, 19 February 2004:**

“Approximately 90% of the IDPs [in North Darfur]-- in four unorganised collection areas -- do not have shelter. This is impacting the health situation as respiratory infections are reportedly on the increase. ICRC is planning to distribute to some 3000 families.”

#### **UNICEF, 20 February 2004:**

“Just back from a visit to the towns of Kutum and El Geneina, JoAnna Van Gerpen, UNICEF's Representative in Sudan, described the condition of displaced civilians as "shocking.”

"One mother had arrived in Kutum three days earlier with her nine children from a village just three kms away" said Van Gerpen. "They were camped with thousands of others in dry riverbeds littered with animal faeces. Her only possessions were the clothes on her back and a jerry can for water provided by humanitarian workers.”

"Tens of thousands are living in the open or in flimsy roofless shelters made of grass, too terrified to leave the town.”

According to Van Gerpen the displaced are in a fragile condition, with the combined threat of insufficient food, poor sanitation, scarce water and crowded conditions providing a fertile breeding ground for disease.”

#### **UN R/HC, 10 January 2004, p.1:**

“Water and sanitation needs still remain huge, despite large-scale interventions in Kebkaiya, Korma and elsewhere. So far, only 6% of the estimated water needs have been covered (94% of the needs in accessible areas). With regard to sanitation, to cover the entire IDP population according to Sphere standards, about 40,000 pit latrines are needed – however, only about 900 (2%) have so far been provided.

[...]

With regard to non-food items (NFIs), although almost 15,000 NFI kits, including shelter materials, blankets, soap and clothing, have been delivered, tens of thousands of IDP households



still remain without any assistance of this kind. About 18% of estimated need in accessible areas have been covered so far.”

**MSF, 10 March 2004:**

“Garsilla is normally a town of 4,500 residents, but today the town is host to an additional 18,000 internally displaced who have fled brutal and lethal attacks on their villages. This is a pattern that is repeated in all the areas MSF has been able to assess.

In Deleig, which has a population of 5,000 in peaceful times, there are an additional 17,000 displaced. Um Kher, with a resident population of 5,000, is home to a further 13,000 displaced. Today MSF is visiting Mukjar and Bindisi, where a similar situation is anticipated.

The displaced in all of these locations are not living in camps, but rather are gathered in various sites around the town, schools, offices, out in the open, or living with local families. The host community is assisting as far as they are able, providing food and non-food items, but as is to be expected when a population swells to more than four times its original size, resources and coping mechanisms are becoming increasingly strained.”

# ACCESS TO EDUCATION

## General

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### **Limited or no access to education in southern rural areas deterring IDPs from returning, 2003-2006**

- Adult literacy in southern Sudan is only 24%, adult female literacy half of that
- Refugee and IDP returnee children not able to follow classes because language of instruction-either English or Arabic-, differed from the language of instruction during their displacement
- Dramatic need for teaching personnel in the south
- Only one in five children of school age is in class in southern Sudan
- Very few teachers have formal training
- Most IDPs depend on NGOs and UN agencies for access to education

### **Commission on Human Rights, 13 February 2006**

"Limited or no access to education is, according to the Representative's observations, a major factor deterring returnees from settling in rural areas. He learned of situations where the overcrowding of schools induced some returnees to leave again. Community leaders and parents shared their fears that another generation may remain without education. In the light of the scarcity of school buildings and the importance of the right to access to education not least as an empowerment to the realization of other rights, the Representative was particularly concerned that in rural areas, many school buildings were inaccessible because of landmines, and some remained occupied by militia.

53. The Representative noted that many refugee and IDP returnee children were not able to follow classes because the language of instruction (either English or Arabic), differed from the language of instruction during their prior displacement. There is a dramatic need for teaching personnel in the south. The Representative was pleased that several local officials assured him of their commitment to improving access to basic education, and he expressed his hope that adequate resources would be allocated, once available, as a matter of priority."

### **UN 30 November 2004, p.45, 162**

"Access to basic social services in southern Sudan is one of the lowest in the world. Adult literacy is only 24%, adult female literacy half of that. Only one in five children of school age is in class. The gross primary enrolment rate is estimated at 22%, of whom only 27% are girls; school infrastructure is rudimentary or non-existent. Only 6% of the teachers have been formally trained while 45% have received limited in-service training.

[...]

Gross primary education enrolment rates in the three states of eastern Sudan are between 50 and 60% of primary school age children, compared with over 80% in Khartoum State. For some 55,000 children of IDP, returnee and refugee families, enrolment rates are only 40%."

### **UN RC, 25 January 2005**

"By the end of December, primary school enrolment increased from 91,015 to 153,168 IDP pupils through the construction of 1,193 temporary classrooms and the training of 1,756 teachers [in

Darfur]. Each of the new schools was supplied with teacher and pupil kits, a limited supply of library text books as well as skipping ropes, footballs and other items for recreational use in the school playgrounds. In addition, school uniforms were distributed to the female pupils.”

**UN, 18 November 2002, Vol.II, pp. 130-1**

“The civil strife in southern parts of the Sudan, the successive waves of displacement of population from areas affected by conflict and recurrent drought/flood, coupled with the lack of adequate educational facilities in these areas and areas inhabited by internally displaced persons (IDPs) and returning IDPs continue to deprive thousands of primary school-age children of access to quality learning opportunities. The data available with the Federal Ministry of Education indicate that the gross enrolment rate (GER) for primary cycle of education (grades 1-8) in GoS areas was 57.7%. The GER for girls was 53.4% compared to 61.9% for boys. The total number of out-of-school children (6-13 years) was 2.65 million in 2001/02. The enrolment rate for children of nomadic families is estimated at 36%. Though there is insufficient data on enrolment rate for internally displaced children, it is estimated that the vast majority of the school age children of IDPs are not enrolled in schools. While the GER in SPLM areas is 31%, in some parts of the south, enrolment rates are below 10%. The GER for girls in SPLM areas was estimated at 16% compared to 37% for boys in 2001/02. Of those who are enrolled in schools in GoS areas, over 30 per cent of them do not reach fifth grade. In SPLM areas, only 21% of enrolled children were in upper classes (Grade 5-8) in 2001/02 and the dropout rate remains very high, particularly between Grades 1 and 2. The number of pupils in grade 2 was only 57% of those in Grade 1 and the number in Grade 3 was only 40% of those in Grade 2.

Frequent disruptions of education, insufficient educational facilities, unattractive learning environment and the inability of parents to meet the direct costs of schooling are the major factors contributing to low enrolment levels and high drop-out rates. A sizeable number of schools are housed in dilapidated structures and are deficient in terms of essential classroom furniture, and teaching-learning equipment/materials and water supply and sanitation facilities. The total number of primary schools in GoS areas in the country in 2001/02 was only 12,106 for a primary school age (6-13 years) population of 6.84 million. Children of IDPs and returning IDPs have only limited educational opportunities with basic education services being provided mostly by local authorities and NGOs with support from international NGOs and UN agencies. The estimated number of schools in SPLM areas is 1,500 with an average of just over 200 children per school for a school-age population of over 1.06 million. Only 12% of classrooms in SPLM areas have permanent structures and 43% of all classes in these areas are taught outdoors. More than 70% of schools have no latrines and 58% have no source of clean water.

Available information indicates that learning achievement of significant proportion of pupils do not measure up to the expected levels. This reflects the poor quality of education, which is attributed to the unsatisfactory learning environment, non-availability of teaching-learning materials and shortage of qualified teachers. The average textbook to pupil ratio is 1:3 in GoS areas but in many schools in rural areas it could range from 1:5 to 1:10. A baseline survey results in the southern Sudan recorded a total of 94,387 books in the schools. Assuming that there should be one textbook shared between two pupils for at least each of the four core subjects, this indicates that the available books cover less than 16% of the total books needed. In GoS areas, out of the 127,987 primary school teachers in 2001/02, only 12% of them had the prescribed qualifications. About 41.3% of the 76,616 female teachers and 34.3% of the 51,371 male teachers are untrained. In SPLM areas only 7% of teachers have the prescribed qualifications, and only about half the teachers have received some in-service training. Only 7% of teachers are women, which has negative effect on girls' enrolment.”

### **Children kept out of school in Khartoum IDP camps (2006)**

- In Khartoum camps, 48% of children of school age are not attending
- One third of heads of households reported having no education in Khartoum IDP camps
- IDP camp demolitions had demolished schools and churches which had no funds nor plots where to re-build new buildings
- Education in IDP camps Islamic biased even though most of the IDPs were from other religions
- Many primary children not enrolled due to poverty
- Unqualified teachers

#### **UNOCHA, 1 May 2006**

"Education in Khartoum camps is completely dependant the humanitarian intervention of national, international NGOs and religious organisations. The closure of this programme is likely to exacerbate a situation where almost 48% of children of school age are not attending school. SC-UK also conducted an initial assessment of the project and the educational situation in Khartoum camps and squatter areas. Some of the key points were:

Children are kept out of school because their labour is critical to family survival;  
-Teachers face a variety of obstacles such as being untrained, unmotivated and unpaid;  
-Lack of educational materials and textbooks;  
-All above factors render education prohibitively expensive in time and money for parents;  
-The cost of maintaining household income for food and health care takes precedence over children's education.  
-As of 1 May, OCHA will reduce its activities on Khartoum Camps issues handing over to recovery and urban development partners. OCHA will have fewer resources dedicated to carry out much-needed coordination activities."

#### **F.A.R. et al, 19 January 2005,p.17-8,29**

"The re-planning process has had a significant impact upon access to schooling, especially within the population's culture and religion, as private or church related schools which have been demolished have not received plots yet and often cannot afford the cost of the plot procurement process.

[...]

One third of the heads of households reported having no education, 1/3 reported have primary education, while 1/3 reported other or no data. Only 26 % of FHH reported having primary education, and 41% reported having no education at all. Of the male headed households, 36% had at least primary education, and 23% reported having no education. 1% of women, 3% of men had any vocational education. For secondary school attendance, 18% of women had attended secondary education, and 21% of men. Eight percent of women and 10% of men household heads reported having attended university.

[...]

Demolitions were reported to have negatively affected their ability to go to school as they needed to stay at home and guard the shelter [...], they sometimes got lost on the way to school because of the road changes, and the distance to their schools had become greater."

#### **CARE/IOM, 28 February 2003, p.14**

"Some 44% of all IDPs, of all age groups, have no education. However, this data should only be analysed by age group as a significant percentage of IDPs are below school age (18.2% are between 0 and 4 years old). Between 0 – 5 years old, 11% are in preschool and 83% have yet to start any education. Between 6 – 18 years old, 67.6% have attended Primary, 5.9% Secondary

education and only 0.2% University. Whereas, 20% of this age group have had no education. Between 19 and 25 years, 38.7% have been to primary school, 20.7% Secondary school, but only 6.9% have attended University. Between 26 and 50 years 25% have been to primary, 12.7% Secondary schooling and 4.2% University. In all age groups, less than 1% has had Vocational or Technical training. Over 50 years old, only 11.3% have attended only Primary education, less than 10% have attended either Secondary or University education and 65.5% of the IDPs have received no education at all."

**Inter-Agency Mission, 18 December 2002, p.18**

"An emergent reintegration issue is that of merging the educational systems of those educated in the North in Arabic and those who have been educated in SPLM areas in English using an East African curriculum. The implications of this are that IDPs from the North may experience problems continuing their education in southern schools. Southerners educated in English will have difficulty entering Sudanese universities. Refugees from Uganda and Kenya returning to such places as Juba or Wau will also experience problems as schools there are following the Arabic curriculum. Therefore, any assistance by the international community to the rehabilitation of the educational system must also attempt to also address this language problem."

**Bekker, 19 September 2002, p. 22**

"Provision is made for primary schools in some of the IDP camps by the government, however there are no secondary schools in the camps. The education offered by the government is said to have a heavy Islamic bias and tends to be under funded and under resourced. NGOs, in particular religious organisations also operate schools in the IDP camps. These schools are run either by the Churches or the Dawa Islamia, an Islamic Organisation providing religious based education. In spite of the general availability of primary schooling many children are not enrolled. This can be attributed to the fact that many parents are not able to afford even the minimal fees charged and also the fact that older children – some as young as 5 or 6 are made to care for their siblings, while their mothers search for employment. The school I visited while in the camp, was funded by the Church. The facilities can only be described as inadequate. Primary 1 consisted of a reed shelter with only blackboard and no desks or chairs. The teachers I spoke of complained of inadequate funding, lack of teaching materials and also of the fact that students often fainted in class because of a lack of food."

# ISSUES OF SELF-RELIANCE AND PUBLIC PARTICIPATION

## Self-reliance

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### **IDPs refused to accept seeds and tools (July 2006)**

- IDPs in West Darfur afraid of having their food rations cut
- Collecting and selling firewood involves travelling long distances
- Women work as domestic servants, laborers in brick kilns and construction work
- Few women work with humanitarian organizations.

### **UN Country team, 3 July 2006**

"It was reported early June that populations of West Darfur refused to accept seed and tools as they were afraid of having their food rations cut. This indicates that populations have become dependent on the aid but they see food particularly as a tool they can manipulate in order to attain their own goals."

### **UNICEF, 9 September 2005**

"The majority of the women's groups reported that they generate a very limited income by collecting and selling firewood. Collecting firewood involves traveling long distances that can take up to one or two days which reportedly is a task challenged by insecurity – in one location groups also mentioned facing constraints due to the decree of the Ministry of Forestry. It was reported frequently that women work as domestic servants, laborers in brick kilns and construction work (which was reported to be physically exhausting). Few women work with humanitarian organizations.

The majority of the women's groups reported being unemployed and find it difficult to get regular jobs; they reported that they rely on selling or trading a portion of the goods distributed by the humanitarian organizations in order to buy other food items and to pay for services (health and education were mentioned), fuel or other needs. The women also conveyed messages about the food items such as "we are not used to the taste of some items" and as an example frequently mentioned oil."

### **Returning IDPs may lack the skills to sustain themselves in rural areas in the south(2006)**

- Concentration of returnees in and around urban and semi-urban centres in the south
- Urbanisation in the south result of destroyed or mined roads, prevailing insecurity and returnees' wish to benefit from better access to livelihood opportunities and education

### **Commission on Human Rights, 13 February 2006**

"The Representative noted a marked trend towards the concentration of returnees in and around urban and semi-urban centres. For example, the resident population of Abyei of approximately 6,000 to 8,000 has swelled by some 3,000 to 4,000 returnees in September/October 2005. This trend can be attributed partly to destroyed or mined roads or prevailing insecurity that prevent many from venturing further, and partly to returnees' desire to benefit from the (perceived) better access to economic and educational opportunities. IDPs used to the urban life of Khartoum may

lack the skills to sustain themselves in a barren agricultural surrounding, or they may be unwilling to adjust to the traditions of rural areas. As a result, resources in these already impoverished areas are becoming increasingly scarce. Community representatives expect that young people returning from Khartoum may want to "behave in northern ways" unacceptable to southern resident communities, which could lead to further tensions."

### **IDP coping mechanisms in Khartoum (2004)**

- In 2004 IDPs said economic opportunities were so low that increasingly women resorted to illegal activities like prostitution and beer brewing which increased their risk of imprisonment
- The UN Special Rapporteur who visited IDP camps in the late 90s in Khartoum said conditions for basic services were better than in squatter areas however IDPs had been settled in desert areas for removed from any commercial centre providing job opportunities
- Small numbers of IDPs manage to obtain jobs on construction sites or as domestic workers, but cannot afford transport to go to work
- Women displaced had very little means to provide for themselves and their children and resorted to beer brewing which is an illegal activity, as a result many ended in jail
- 74,7% IDPs in Khartoum were unemployed while 33% were employed in agriculture before fleeing and 16% were self-employed Claimed that a general anti-Christian bias affects IDPs' chances to find jobs or plots for adequate shelter

### **CARE, IOM, F.A.R, 1 February 2004, p.3**

"People stated that the economic situation has reached such low levels that some girls have turned to prostitution, and women are producing alcohol, risking criminal charges and imprisonment. This overall economic factor was stated by the majority of IDPs as their most pertinent concern at present, in relation to their social and economic wellbeing."

### **UN, November 2000, pp.143-144**

"Greater Khartoum is estimated to be accommodating about 1.8 million IDPs. 260,000 of these IDPs are settled in the four officially designated camps (Mayo, El Salam, Jabal Awlia and Wad El Bashir) and the remainder are squatting in a variety of planned and unplanned areas.

The main sources of income for the IDPs are daily, casual and seasonal agricultural labour, as well as petty trade. Women generally provide the core income and perform most of the work. By way of the above, IDPs in Khartoum are expected to secure 85% of their annual food needs in 2001, while the remaining 15% of needs are expected to be met through a variety of coping mechanisms and targeted food relief.

The bulk of the IDPs income is spent on food and water, which leaves no extra income for other basic or immediate needs. In both the camps and squatter settlements the most stressful period is July-September. During this period, the demand for labour in the city is very low, as brick-making and general construction, mostly performed by men, stops. As a result, migration to rural farms and the large agricultural schemes for seasonal labour opportunities occurs."

### **UN November 2001, p.65**

"The displaced and poor communities in peri-urban Khartoum pay as much as 40% of their income for small quantities of poor quality water."

***Information by the Special Rapporteur of the Commission on Human Rights apparently confirms the difficult situation facing IDPs in Khartoum:***

**UN Commission on Human Rights, 17 May 1999, paras. 76-80**

"The Special Rapporteur and his party were able to visit only one of the camps set up by the Government, where, reportedly, conditions, including primary educational and health facilities, are better than in other makeshift camps. It was, nevertheless, apparent that the displaced have basically been concentrated in an isolated and barren area, removed from any commercial centre offering work opportunities. There is no general relief distribution for the displaced in Khartoum who are considered to be long-stayers, and many complained of insufficient food and clothing. According to reports confirmed by the United Nations, food security in camps such as this one is precarious and malnutrition among children under five ranged from 12 to 24 per cent in 1997-1998.

Although a small number of the displaced manage to obtain odd jobs on construction sites or as domestic workers, the majority cannot afford to pay the cost of transportation into town. According to certain accounts, not all of the camp dwellers are war-displaced from the south; some have migrated to Khartoum for economic reasons or for reasons related to drought and deforestation in various areas of the country. As things stand, despite efforts under way to promote income-generating projects, it cannot be said that this population has any real prospects of economic and social integration; hence their fervent desire for peace that would enable them to go back home.

[...]

Of particular concern to the Special Rapporteur was the extremely precarious situation of displaced women and children, in the camps or on city streets. In particular, women lack adequate means of survival for themselves and their children. Many have no choice other than to engage in practices such as beer-brewing (traditional in the south, but strictly forbidden in the north under Shariah law) and prostitution. Displaced southern women charged with these crimes make up 95 per cent of Khartoum's Omdurman Prison population. Another alarming feature is the imprisonment of girls as young as 10, serving sentences for petty crimes, such as theft. The legal situation of these women and girls was examined during the visit to the prison by the Special Rapporteur's team."

**CARE/IOM, 28 February 2003, pp.10-12,15,16, 24, 26,27**

"78% of the IDPs in Khartoum welcomed professional training and 43% stated they would need cash grants to re-establish their activities 33% of the IDP households interviewed declared that they were working in agriculture before leaving their place of origin; 16.5% were self-employed, 14.1% were students, 16.6% were unemployed and 9.1% were working for the government or in the public sector.

[...]

Data on employment was collected for all household members. 74.7% are currently un-employed, 10.3% are in casual labour, 7.1% are in wage labour employment and 2.6% are in petty trade.

[...]

Out of the 78.3% that would welcome professional training, 65% said that training would help them to return to their former job and do it better, 23% stated that it would help them in starting their own business and 7% that it would help to change the profession or occupation.

[...]

42% would value training in life skills, 24% in vocational or technical training and 6% in literacy skills. 23% of IDP households are not interested in any training activities.

[...]

The IDP households that stated that they wished to return to their place of origin were also interviewed on the reintegration assistance needed to return to normal civilian life. 43.8% stated that they would need money (cash) grants to re-establish their activities and 4.7% would need starter equipment/kit; 4% stated that they would need support to search for a job or employment, 7.5% would need some credit or loan scheme and 1.5% would need some training or education. 37.6% did not specify any type of assistance."

***A mission commissioned by the Canadian Government made in January 2000 confirms the above pictures:***



**Harker January 2000, pp. 44-45**

" In any event, the result is often heavy fines and very hard imprisonment, sometimes children incarcerated along with mothers, further family break up and destitution all round.

The camps themselves are home to rough and ready church buildings, and it is these which often face demolition at the hands of the State authorities. Our information is that, indeed, at the local level, there is a general anti-Christian bias which affects chances of finding a job or being given a proper house space, which the authorities are providing for the Northern "squatters" who come into the city. Camps have Popular Committees which appear to serve as the government's mechanism for informing the people when necessary, and for being informed at all times. There are traditional chiefs, whether the people are Nuer or Dinka, and sometimes they are mixed, but the chiefs seem to have little authority.

In addition to the camps such as El Bashir, Salem, and Mayang, many IDPs are reduced to becoming squatters, erecting rude shelters where they can, and, of course, being regularly subject to demolition. But still they arrive in Khartoum."

## **Public participation**

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### **Almost complete lack of an independent, civilian led judicial system in the South (2004)**

- The South suffers a severe competence- and capacity-deficit in the area of rule of law
- Community-based and statutory mechanisms to address crimes and violations of human rights are minimal
- Customary law dominates the south, mostly revolving around conflict-resolution, arbitration, compensation and rehabilitation rather than punishment
- War has eroded traditional tribal law structures and influence
- In southern Sudan, only 26 statutory laws exist, there are only 22 judges, less than 500 police officers and absence of roads and communication make maintenance of rule of law difficult
- SPLM/A control and martial law undermine the power of chiefs, civil society and civil authorities

**IRC, 1 May 2004, p.27-8**

"93. While the North has more developed governing and judicial structures, the independence of the judiciary and the code of conduct of law-enforcement are seriously compromised. The South suffers a severe competence- and capacity-deficit in the area of rule of law, where traditional justice mechanisms have disintegrated as a consequence of the war, and statutory law is grossly underdeveloped.

94. Current community-based and statutory mechanisms to address crimes and violations of human rights are minimal and nascent at best. Women and children are particularly vulnerable. Not considered legal subjects (e.g. right to own property), women enjoy limited guarantees, while juvenile justice appears non-existent.

95. Customary law through chief and tribal structures dominates the South. Traditional conflict-resolution and arbitration have been reasonably effective in the past, mainly revolving around compensation and rehabilitation – rather than conventional punishment. In many ways, the

indigenous policies illustrate a more progressive and humane approach to redress than do more technically advanced punitive systems.

96. However, the traditional system has been undermined by the war and military rule, crushing the traditional conflict-resolution and arbitration instruments of chiefs. Moreover, customary law is based on oral tradition, and thus justice varies from area to area, and tends to be more arbitrary. While the traditional system can and should be restored, a statutory system is indispensable to establishing rule of law.

97. In the South, at present, only 26 statutory laws exist, but even these are undermined by the lack of competent judiciary and enforcement capacity.<sup>34</sup> The absence of trained lawyers, prosecutors, and paralegals exacerbates the problem of an inadequate legal framework, as does the lack of a functional police force. "The judiciary needs professional law-enforcement officials to function. But, whenever SPLM needs police, they appoint army soldiers who have no training in operational procedures or basic human rights," one judge explained, making no secret of his frustration.

98. A region the size of Kenya, Tanzania and Uganda together, Southern Sudan has only 22 trained judges, and less than 500 police officers - the overwhelming majority untrained, prone to bribing and corruption, and lacking basic equipment (stationary, communications and transport). The undeveloped infrastructure further compounds the problem. In the absence of paved roads and communication, it is extremely difficult for local authorities to maintain rule of law.

[...]

100. Because of fear of repercussions, local peace building- and human rights committees formed in connection with training tend to be ineffective. Exposed to military rule and a police force that is either abusive and corrupt, or powerless, these committees end up viewing protection as "too sensitive". "We will be crushed, if we start claiming our rights before the authorities without international monitoring," a member of a human rights/protection committee in Bahr-el-Ghazal said. Similarly, a peace building committee in Upper Nile expressed concern that its activities were reduced to resolving trivial quarrels. In the absence of freedom of movement, security and international monitoring, the committee is prevented from engaging in any substantial conflict resolution."

**NPA January 1999, p.28**

"The breakdown of just and equitable political and legal systems. The almost complete lack of an independent, civilian led judicial system in the "liberated areas" controlled by the SPLM/A, coupled with the administration of justice through field commanders who have little knowledge of law, has led to the administration of ad hoc laws and violations of human rights.

The taking over of traditional authority by the SPLM/A and imposition of martial law has seriously undermined the power of chiefs, civil society and civil authorities.

The long war has brought about the militarisation and brutalisation of society. This has been accompanied by "rule of the gun" resulting in the destruction of moral and ethical bonds, traditional responsibilities, and mutual respect for individuals and the values of communities.

[...]

The SPLM/A has recognised the need for increased administrative capacity, as its citizens begin to lay heightened expectations on the administration of their civil structures, health institutions and security apparatus. While the SPLM/A has produced draft laws and is in the process of establishing the attorney general's chambers, appointing judges and establishing courts, which will bring benefits in the long run. Short-term measures struggle to be effective due to a lack of resources."

**HRW 1999, p.76**

"The SPLA had not instituted a judicial system or any mechanism for civilians to complain about arbitrary actions by local commanders, which ranged from food diversion or looting to forced conscription, rape, and summary execution. Although some commanders showed greater respect for the civilian populations, this appeared to be the result of personality rather than SPLA policy. SPLM reformers complained that SPLM leader John Garang promulgated a constitution by executive order instead of submitting it for SPLM debate and promulgation. An SPLA military intelligence officer, Maj. Marial Nuor, was accused of many summary executions and the detention in 1996 of a priest and nuns. He was court martialed by the SPLA and sentenced to five years—for mutiny—but was not sanctioned for the killings or abductions. People reported detained by the SPLA years ago but never acknowledged remained unaccounted for. The SPLA released most of several thousand Sudan government forces it had captured in battle; released prisoners complained of inadequate food and very poor conditions of detention. The government, with few exceptions, did not report any captures of combatants."

### **Gender roles excluded displaced women's participation in decision-making (2005)**

- Women are seen by men as weak and relegate them to a role of "listener"
- Women were excluded from leadership of IDP organisations
- Community-based organisations were the only for a where displaced women could participate
- Generally IDPs felt better represented through community-based organisations and distrusted camp leaders

#### **F.A.R. et al, 19 January 2005, p.20**

"Although there are minor differences in the roles of men and women between the different tribes [...], in all three IDP areas that participated in FGDs women are reported to be excluded from leadership with the exception of being involved on CBO committees (although still low positions.). Women's roles were seen to be in the household, sorting family problems and providing basic needs such as food and water. It was reported that women do not play a role in conflict resolution due to the attitudes towards women by men, who see them as weak. They are only to listen and not make decisions.

[...]

in all areas, the participants stated that any problems are taken to the traditional leaders, sultans, and in serious cases, the police (i.e. murder). In addition, members of the focus group in WeB mentioned that their leaders do not accurately represent them, that they have little confidence in them, and that they prefer any activity or program to be conducted through the CBOs, whom they trust more"

# DOCUMENTATION NEEDS AND CITIZENSHIP

## Documentation needs

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### Documentation needs of IDPs in Khartoum and from Nuba origin (2003)

- 36% of all IDPs in Khartoum have no documentation
- 37% of IDPs in Khartoum have a birth certificate and 8% an ID document
- Among newly born babies of displaced families in Khartoum 39% have no documentation
- Of all Nuba IDPs 44% have no documentation
- 33% of Nuba IDPs have a birth certificate and 5% possess an Identity Document
- For the under-5 Nuba IDPs, 42% have no documentation

#### **CARE/IOM, 28 February 2003, p.14**

“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. 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.”

#### ***Nuba IDPs:***

#### **IOM/UNDP, 28 February 2003. p.20**

“For all age groups, 44% of Nuba IDPs have no documentation, compared to 36% as found for Khartoum based IDPs. 33% have at least a birth certificate, 13% at least a Certificate of Nationality and 5% at least an Identity Document.

These percentages vary greatly when the data is analysed by age. For the Under-5s, 42% have no documentation, with 53% having a birth certificate. Between 6-18 Years old, 23% have no documentation and 20% have a birth certificate and 19% with a ID card. Between 19-25 years old, 25% have no documentation, 20% have at least a birth certificate, 10% have a Certificate of Nationality and 24% have an Identity Document. For those aged 26- 50 yearsold, 46% have no ID, 29% have at least a Certificate of Nationality and 11% an Identity Document. Over 50 years old, only 53% have no documentation at all.”

# ISSUES OF FAMILY UNITY, IDENTITY AND CULTURE

## Identity and Culture

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### Forced displacement undermines cultural diversity (July 2006)

- Displacement entails disintegration of communities and their languages
- The Sudanese Government is committed to the destruction of minority languages and the enforced adoption of Arabic

### Sudan Tribune, 14 July 2006

"The Sudan has recently been much in the news, despite the situation in Dar Fur having been plainly apparent since February 2003. The tragedy unfolding for the people there is also a tragedy for minority languages, many of which may never recover from the dislocation and dispossession that follows, as its inhabitants are turned into refugees in their own land. Broadly speaking, however, many groups have been scattered from their home area and now exist only as refugees in large Sudanese towns. Although the older members of the displaced communities are very committed to their language, the Sudanese Government is equally committed to the destruction of minority languages and the enforced adoption of Arabic. As a consequence, many ethno-linguistic groups are finding it difficult to maintain language competence among their children. This is particularly true in the case of the peoples of the Nuba Mountains in Southern Kordofan, where violent attacks on these communities during the 1990s caused many villages to be deserted and their inhabitants scattered or killed. If taken individually, the Nuba communities were always small in number by comparison with peoples such as the Dinka, Nuer, Fur and Zaghawa, and their languages correspondingly more fragile.

The Nuba are most well-known in Europe as icons, flamboyant body-painters in the photographs of Leni Riefenstahl, and it is a particular irony to meet these peoples today, dressed in traditional white Sudanese robe and turban, culturally transformed in a generation. Even if the Nuba eventually return to their villages much of the Government's aims will have been achieved anyway - that is, the destruction of the distinctive culture of the Nuba peoples. The Nuba, together with the Southerners and other marginalised people of Sudan, have been caught up by the paradoxes of civil war against the central Government; although they appear physically similar to Southerners, they live in the North and have little in common with the Northerners. As a result of political and economic hegemony, it has proved difficult to the Khartoum Government to harmonise their goals with the general aims of the Southern movements and the question of the Nuba Mountains - or, currently, Southern Kordofan - is so far unresolved in the way the Southern problem was tackled in the peace talks. Nonetheless, many Nuba groups have language committees and are active in promoting and writing orthography. Many also have musical performance groups and these are important in keeping musical traditions alive. However, resources are limited, and often language and culture committees break up as their members disperse seeking work."

### Practices identified by IDPs in Khartoum as harmful (2005)

- Practices identified by IDPs in Khartoum as harmful included early marriages, female genital mutilation (FGM), prostitution, witchcraft (jujoo), and the brewing and selling of alcohol
- Prostitution was reportedly not common in the camps and was said to have decrease due to the fear of the HIV/AIDS
- Only 9% of households resorted to witchcraft and 65% attended health clinics

**F.A.R. et al, 19 January 2005, p.19-20**

“Traditional practices in the communities that were identified by the FGs that were harmful included: early marriages, female genital mutilation (FGM), prostitution, witchcraft (jujoo), and the brewing and selling of alcohol.

Early marriage was reported as being rarely practiced with the exception of within Nubian and other northern communities. In Soba, the focus groups reported that the practice is decreasing as the population understands the negative effect upon child delivery.

FGM was reported as still being practiced in the IDP areas, although it has been discouraged. The type of FGM identified is “sunni”. It was reported that those practicing sunni will pretend that they are circumcising the boys, when it is the girls who are being “circumcised”. The practice of FGM was identified as being connected with religion, but something that should be stopped. There was no discussion regarding which tribes practice FGM.

It was reported that prostitution is not common, although it does exist within the communities. Both OeS and Soba reported that the prevalence has decreased due to the fear of HIV/AIDs.

The practice of witchcraft (kujoo) and traditional healers were reported by focus groups in WeB as being uncommon and that most of the population used clinic services when they are sick. This was backed up with the data from the survey, which indicated that only 9% of households relied upon traditional healing for their first treatments, while 65% attended the clinics. However, FGs in both OeS and Soba reported a continued reliance upon traditional healers.”

**Displaced children in Khartoum camps loose cultural ties to their parents' home areas (2005)**

- Displaced children in Khartoum camps are interested in different cultures
- Many children adopted Nuba Kereng traditional dances as part of their play
- Parents were concerned about enculturation into one of the dominant cultures

**F.A.R. et al, 19 January 2005, p.24-5**

“Children in Soba consider homeland as a place where there is love, care and protection, especially compared with Khartoum, while their caregivers reported that they teach their children about their homeland because it is part of their responsibility to tell the children about their origin. However, the children indicated that they are interested in different cultures, such as different traditional dances. Some caregivers were concerned about enculturation into one of the dominant cultures (Nuba, for example) and that children were not learning enough about their own cultures (many of the children adopt Nuba Kereng dances as part of their play). Some in Soba mentioned that discrimination and inequality would have an impact upon their decision to return.”

**Sudanese criminal law discriminates against southern and mostly Christian IDPs**

- Tradition of beer brewing condemned under the Criminal Act while it is often the only source of income for displaced and destitute southern women
- Khartoum Courts do not recognize southern marriage practices and charge people of adultery and/or prostitution

**Curtis Doebbler 1999, p.6**

"As a result of the failure of the Sudanese courts to adequately ensure the individual rights in the constitution, the laws of Sudan continue to have disproportionately adverse effect on internally displaced persons. The provisions of the Criminal Act 1991 that are especially relevant in this regard include the prohibition of drinking (art. 78) and "dealing in" alcohol (art. 79); the law prohibiting indecent and immoral acts (art. 152); the law prohibiting prostitution (art. 154) and adultery (art. 145-146). As the brewing, drinking and selling of alcohol is often a part of the culture and social life of non-Muslim displaced persons from the south, but not of northerners who are predominately Muslim, the displaced are more frequently affected by the law. Similarly as indigenous marriages are not always recognised by the authorities because they do not follow the procedures prescribed by law and instead adhere to customary practices and as a result, couples are charged with adultery and indecent behaviour or the women with prostitution, although they are in reality joined in a family bond as wife and husband."

**Breakdown of traditional kinship ties in Bahr el Ghazal (1998)**

- Traditional hospitality and inter-dependence in Dinka society stressed by the war
- Non-residents marginalized as chiefs and traditional tribal structures tend to focus their attention on their immediate constituents

**SPLM/OLS 27 August 1998, pp. 6-7**

"[I]t is difficult to maintain strong kinship ties and networks in a famine situation. Most of the areas that fall within the BEG region have experienced increased insecurity over the last four years. With each incidence people fled their original homes and were taken in by kin in different payams or counties within the region. This hospitality and inter-dependence is very strong in Dinka society but has been continuously stressed in the last few years. With large influxes of people from the towns, the situation has further deteriorated and it has become increasingly difficult for many of the host populations to continue supporting displaced populations. Thus, as competition over scarce resources increases, it is easy to understand the tensions displayed between host and displaced populations. The breakdown of traditional kinship ties is one of the main causes of the marginalisation of displaced populations in food distributions.

**The Issue of Representation**

In addition to the above, if one is to understand the process of marginalization described throughout this Report it is necessary to understand the traditional system of representation and the shifts which have occurred in relation to this system due to the changing environment.

In the tradition of Dinka society, the chief (Bany) is the leader of the tribe or sub-section of a tribe. The senior leader is the paramount chief (Bany-dit), followed by sub-chiefs (Bany-kor) followed by clan, or ghol leaders (Nhom-ghol).

Traditionally the chief holds almost absolute power over all of the affairs of the ethnic section he presides over. With such absolute power comes numerous responsibilities, including resource management, particularly at times of food shortages. It is important to note that while the chief is responsible for resource management, he is only responsible for the welfare of the people he presides over. Generally, this is an easily identifiable population according to the household, sub-clan, clan, sub-section, section and tribe. With traditional chief structures, rights and duties are

easily realized and preserved during normal conditions (the reasonable food security and minimal or only traditional conflict/cattle raiding).

Non- residents are more likely to be marginalized during times of food shortages as chiefs and traditional tribal structures tend to focus their attention on their immediate constituents (subjects), as opposed to outsiders (displaced).

In addition to the marginalization of non-resident persons, traditional structures also recognize a social hierarchy in which members of the tribe with a lower social status and underprivileged tribes could be equally marginalised within the host community.

Prior to the outbreak of the current conflict in 1983, towns in southern Sudan were administered by town councils, which were responsible for the social well being of the resident population. The councils took precedence over any traditional tribal structures. In general, tribal structures tend to be inward looking and segregative, while town and rural councils are more outwardly orientated and inclusive. Populations from towns tend to have little or no experience with a system of tribal administration and when they leave a town they continue to be 'de- tribalised'.

In towns recently taken under the control of the SPLM, such as Rumbek, Tonj and Yiroi, County Commissioners have attempted to group displaced and returnee groups under newly appointed chiefs. These 'town chiefs' may or may not have been elected, or may or may not have been appointed after consultations with the displaced/returnee population they are intended to represent and administer. The towns have been divided into residential areas and, in the creation of town chiefs as administrators of these areas, an attempt has been made to reconcile an urban administration system with traditional values and accepted and recognised practices. This attempt to provide displaced and returnee populations living in urban areas with some form of representation has been partially, but not entirely, successful, at least where the distribution of relief food is concerned.

The system of town chiefs is an interim measure and it is intended that it will ultimately be replaced by the SPLM with a system of Village Committees, which would actually discourage tribalism and sectionalism.

Under the present situation of acute hunger in many places, the traditional structures are placed under enormous pressure and in many instances, the chief's capacity to manage his resource allocation function is overwhelmed."



# PROPERTY ISSUES

## General

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### Returns increases encroaching of land and land disputes in the south, 2004-2006

- Major part of the southern Sudanese population is dependent on the use and cultivation of land
- Still, many IDPs may wish to return to urban areas in stead of to their original rural homes
- Main problem will arise in urban areas because of competing claims by the original owners and squatters
- Most records and surveys of land and property are lost which poses enormous challenges for the reintegration process
- Customary land rights need to be legally recognised to enable IDPs returning reclaim their land and property
- Female-headed-households constitute up to 50% of returnees and women do not enjoy same land and property rights as men
- IDPs who settled in peri-urban settlements are considered as illegal squatters, without rights

### Commission on Human Rights, 13 February 2006

"Massive population movements and multiple displacements may create conflicts over land, as a major part of the southern Sudanese population is dependent on the use and cultivation of land for their survival. Some interlocutors felt that the repossession of land in rural areas would be unproblematic, as wide stretches of land are available and customary laws regulate their use. However, there is no regulatory distribution mechanism for persons who cannot return to their original lands, such as those who have been in displacement for two generations and no longer considered entitled to particular stretches of land, or where land has become unusable due to landmines or ongoing occupation by militia. The Representative received complaints from some rural property owners, for example in Abyei, where returns led to people encroaching on their lands. Tribal differences over territorial boundaries and conflicting use of land by pastoralists and nomads may spiral into violence unless local dispute settlement mechanisms are created, strengthened and enforced. Finally, several interlocutors shared their fears that land reallocation by traditional tribal leaders, particularly if conducted through less transparent processes, could result in discrimination against certain groups with potentially weak negotiation positions within communities, such as returning women and orphans. Land commissions envisaged in the Interim Constitution but not yet established are hoped to alleviate the burden of the underresourced court system.

48. More tensions concerning land and property repossession and redistribution are anticipated in urban areas and suburbs where most returnees are expected to settle due to the vicinity of economic opportunities and easier access to health and education. A member of the judiciary informed the Representative that in the south, no uniform policy, comprehensive legislation or review mechanism was in place which could be applied to property claims, particularly those concerning property previously owned by northern Sudanese which might now be assumed by the Government of Southern Sudan. As a result, local authorities would deal with these and similar cases on an ad hoc basis, which may render the process vulnerable to corruption and discrimination.

49. In order to render property repossession and land (re)distribution accessible and meaningful to IDPs and returnees in conformity with Guiding Principle 29, such programmes would have to be accompanied by empowerment measures, such as information campaigns about rights and procedures, legal advice and aid, and non-bureaucratic provision of the required documentation. The Representative was informed that court procedures were not only difficult to understand but also very expensive, thus preventing most returnees, particularly women, from submitting property and land claims."

**IRC, 1 May 2004, p.44**

"The signing of a comprehensive peace agreement will not necessarily result in a voluntarily return of all displaced people to rural areas, as the leadership seem to assume. An important number will return or remain in urban areas, while others will not be able to return to their areas of origin even if they wish to do so.

Authorities in southern Sudan, both from the GoS and the SPLM, underestimate the land and property problems that certainly will surface when the return process will amplify. New forms of displacement may emerge in the wake of the peace process if the GoS and the SPLM do not address properly the land question, including new requests for investment in rural and urban areas.

The mission has identified six scenarios of return and settlement for IDPs and refugees, each with a number of specific problems and challenges. All immediate and mid-term corrective, and preventative land and property related measures that are envisaged to facilitate the return and recovery process need to be streamlined with an overall land policy, implemented according to an appropriate land legislation and supported by relevant institutions.

***Rural areas***

A return to rural areas of origin and re-integration into existing communal institutions is the most likely scenario for a majority of displaced people. They will return to the customary land management territory where they have established rights through occupation and membership of a social group. These territories may correspond with boma or payam territories, where people encounter social networks, institutions and safety-nets that will facilitate their reintegration. There exist customary rules and regulations to reclaim their land and property, to guarantee the use of natural resources such as pasture land and water.

The present statutory legal framework is however not friendly to the customary handling of land issues. There is a need to legally recognise customary land rights and turn customary entrenched land management practices into legal instruments. The strengthening of customary land administrations entails a longer term capacity building programme that must turn customary institutions into more efficient community land administrations.

The return process of IDP and refugees, and even more so the increasing colonisation of community land by private interests is putting pressure on the local land management institutions, and undermine the rights of rural dwellers. The only viable, quick solution to extend a safety net and safe-guard land rights of rural people is to legally recognise and register these rights on a communal basis. Land speculation by powerful actors needs to be addressed urgently and must be contained by a number of measures such as a moratorium on new long term leaseholds over big tracts of land, involvement of local communities in any process of land allocation, issuance of shorter term conditional land use contracts.

It is acknowledged that women and female headed households do not enjoy the same quality of land rights than men under most of the southern Sudan customary systems (conditional use of land, problems with inheritance laws). It is estimated that up to 50% of the returnees may be female headed households, hence securing land rights for women needs urgent attention. It is

well possible that more formal forms of land access and holding need to be considered, such as association or co-operative land registration.

Customary legislation such as the restated Dinka customary law include a number of provisions to addressing land and property disputes as well as to reconstitute ownership rights. It is advised to explore possibilities to extend the use of these rules and regulations in other areas of customary jurisdiction. A major step forward could be a unified restatement of Dinka and Nuer customary law, as proposed in the resolutions of the Wunlit Dinka-Nuer Peace Reconciliation Conference from 1999. Such a unified restatement would constitute an excellent tool to assist the local courts, law enforcement and administrative officials to deal with disputes in a significant geographic area of expected return. The restatement could be followed by an updated jurisprudence, with special attention for land and property. The South Sudan Law Society can act as a driving force to achieve this.

[...]

#### **Urban areas**

Land and property issues in urban areas are being dealt with by public administrations, the GoS in garrison towns and SPLM in other towns that are mainly located in Equatoria. After the signing of a comprehensive peace agreement, the garrison towns will fall under a majority ruling of SPLM. The influence of customary authority in land management and dispute resolution in cities and towns is much less than in rural areas.

A number of problems seem to be similar in GoS and SPLM administered cities and towns such as: abandoned urban plots of IDPs and refugees being occupied and possessed by non owners; erection of infrastructure on non-owned plots, resulting in claims for compensation; illegal sale of non-owned plots. When non owned plots are occupied by military or other influential groups, there is little chance for this property will be returned to the legal owners.

[...]

A major challenge for all cities and towns is the provision of new residential plots that need to be created through an exercise of urban planning. Presently there is a serious mismatch between the expected urban population and the number of available plots, resulting in major obstacles for the return process. This encompasses the preparation of an urban masterplan, a better use of the existing urban space, eventually an extension of the present gazetted areas with the compulsory expropriation of land from customary land owners. The availability of new residential plots is also essential in the context of a compensation-in-kind strategy for lost property by returnees.

The rights of IDPs in provisional peri-urban settlements are very weak to non existent, mainly because their stay is considered as a temporary solution. It is well possible however that IDPs want to remain in the peri-urban areas, while the authorities are not providing the necessary provisions. This may create situations of illegal occupation and squatting. New settlement schemes with guaranteed access to plots and land need to be considered.

The expected change of administration in garrison towns is a special issue of concern. The withdrawal (or at least the reduction) of GoS local government officials and administrations and their replacement by SPLM structures may provoke insecurity which could have direct effects on land and property rights. The survey department of Juba city for instance is in shambles, important data and records are lost, there is no information base with which to deal with new land allocations and transfers or for securing tenure rights. This situation is very conducive to corruption, land grabbing and other undesirable practices. In the advent of a new administration, there is of course no incentive to deliver fair and transparent services to the public.

[...]

The desired strategy of a phased return of IDPs and refugees in Equatoria seems to be difficult under the present conditions. Influential IDPs, including military and economic displaced Dinka occupy temporary abandoned land and property from refugees and are not likely to vacate these before or upon the return of IDP. It may be more pragmatic and probably more cost-effective

altogether to consider the allocation of new plots to returning refugees, instead of embarking on a cumbersome restitution process, of course with the consent of the legal rights holders. It is also an opportunity for considering investment in urban areas, so much needed after years of war. Urban investment projects need to be coordinated into a coherent programme so that new opportunities for returnees are simultaneously created and do not lead to new displacements.” (UNHCR, 1 August 2004, p.44-6)

“158. Furthermore, although land is abundant in the South, some areas are more fertile than others, such as East and West Equatoria. IDPs who have settled on fertile land may ignore customary law. A potential illustration of this is the oft-quoted example of Bor Dinka in Eastern Equatoria. For the past twenty years, some 100,000 Bor Dinka IDPs have occupied land that belongs to refugees in Kenya and Uganda. The return of the refugees might require the return or relocation of the Bor Dinka IDPs, and this could become a cause for friction.[...]

159. An added dimension to the issue of land relates to the displacements and forced relocations that have taken place around the oil fields in Unity State and Western Upper Nile. With the continued extraction of oil in the region, it seems highly unlikely that they will be able to return in the near future, nor is it clear whether they will receive adequate compensation. [...]

160. In the urban areas land and property are increasingly viewed as a legal right based on individual claims and documentation. Many foresee potential problems in the towns, where the authorities have allocated or leased plots to traders, prominent individuals, or others who can afford to lease land and property. While the authorities assure that they will comply with customary law as relates to land in the countryside, ongoing practices in the towns indicate that returnees must compensate for the reconstruction made by tenants before being able to re-possess their land or property in the town.”

**OCHA, 18 December 2002, p. 17**

“In several parts of the South, displaced communities have been replaced in their traditional home areas by IDPs from elsewhere. In such cases, access to land or reassuming ownership of former lands, risks becoming a source of inter-community conflict, especially in the event of any sudden or mass return. Such situations may require a process of sequenced return movements that the authorities appear ill equipped to promote or manage.

In urban areas, land and property disputes are more difficult to resolve. With returnees coming back to urban areas, disputes over land rights and the restitution of property are expected to rise. Statutory judicial systems are woefully under-capacitated to manage this task, especially in the SPLM area where there are only 17 judges currently employed. Consequently, support to strengthening the judicial system is key to the reduction of potential conflict and the promotion of reconciliation.

Access to land presents a special problem with respect to the displaced that choose not to return to areas of origin. It is incumbent, therefore, upon the GOS and regional authorities to ensure that IDPs choosing to remain in an area of displacement have equal opportunity of acquiring access and/or title to land that other local residents have. To a limited degree, such accommodation is already in place in parts of Khartoum where some IDPs now have title to land. Likewise, access to rural land has been provided to IDPs choosing to relocate to the Sanam el Naga settlement scheme in southern South Darfur. The appropriate authorities must be prevailed upon to continue promoting such initiatives.”

**Tens of thousands homes burnt across Greater Upper Nile and Darfur (2005)**

- In Darfur villages are burned to the ground even after people have fled
- Hundreds of thousands villagers forced to leave their burned villages in the oil-producing areas
- The scorched-earth strategy used in Greater Upper Nile is designed to make way for the construction of roads to oil concessions
- Huts burnt to the ground, means of livelihood destroyed, harvests and livestock looted are widely used war strategies in Sudan

#### **Commission of Inquiry, 25 January 2005**

"304. Many reports also note that villages were burnt even after these had been abandoned by the inhabitants who fled to IDP camps in larger urban centres in Darfur, or to neighbouring Chad. This has led many observers to fear that this is a part of the policy executed through the Janjaweed to expel the population from the targeted areas and to prevent the immediate or, possibly, long-term return of the inhabitants. This concern is expressed because the villages reported to have been burnt and destroyed in this manner are almost exclusively inhabited by African tribes, mostly Fur, Masaalit and Zaghawa. [...]

312. Such a pattern of destruction can only be interpreted as having the objective of driving out the population through violence and preventing their return by destroying all means of survival and livelihood. The Commission has also verified that a number of villages previously inhabited by the Fur in South Darfur and Masaalit in West Darfur are now being populated by Arab tribes.

According to some estimates over 700 villages in all the three states of Darfur have been completely or partially destroyed [...]. The Commission further received information that the police had made an assessment of the destruction and recorded the number of destroyed villages at over 2000. The Government did not provide any official figures despite several requests in this regard from the Commission. The Commission nevertheless received credible accounts and itself visited some sites where hundreds of homes were burnt in a single location."

#### **Christian Aid 15 March 2001, p.6**

"Since construction of the pipeline to the Red Sea began in 1998, hundreds of thousands of villagers have been terrorised into leaving their homes in Upper Nile. Tens of thousands of homes across Western Upper Nile and Eastern Upper Nile have been burnt to the ground. In some areas, the charred remains of the humble mud huts that got in the way of oil are the only evidence there is that there was ever life in the region.

Government forces and militias have destroyed harvests, looted livestock and burned houses to ensure that no-one, once displaced, will return home. Since the pipeline opened, the increased use of helicopter gunships and indiscriminate high-altitude bombardment has added a terrifying new dimension to the war. 'The worst thing was the gunships,' Zeinab Nyacieng, a Nuer woman driven hundreds of miles from her home, told Christian Aid late last year. 'I never saw them before last year. But now they are like rain.'

#### **IDPs discriminated against in the Transitional areas, 1992-2004**

- Many IDPs on their way home from Khartoum will pass by the Transitional areas and may decide to resettle there instead of in their areas of origin
- Land conflicts might rise in the Transitional Areas as a result of competition between government supported Arab nomads and SPLM/A supported Dinka farmers
- SPLM/A representatives expressed concern about resettlement of Missiyira Arab nomads on Dinka land

- Land allocation procedure discriminates against IDPs without identity documents and female-headed households
- Returning IDPs prevented from access to health, water, education, trade and job opportunities

**UN, 30 November 2004, p.143**

“However, land distribution [in Abyei, Blue Nile state and Nuba Mountains] is highly inequitable and return is likely to result in increased conflict over land.

[...]

Responding to return will also be critical. Abyei County (SPLM/A controlled Abyei) is a major gateway for IDPs returning from Khartoum, many of these move on but others stay. Many of these say they hope that they may eventually be able to return to their villages north of the in Kir River/Bahr el Arab Abyei but security is not such that this is currently possible. Lack of safe water is also a major problem for those returning. Large numbers of IDPs have also returned to Nuba, particularly the SPLM/A controlled areas, where the shortage of cultivable land and competing claims have already led to fears of conflict”

**UNCHR, 27 November 2002, p.19, para 61-61**

“An issue which will continue to pose a serious challenge for the peace and stability of the area is the problem of land and who is to return or be resettled where. Traditionally, the Arab nomads moved into the area during the dry season in search of grazing and sources of water. During the rainy season, southern Dinkas and Nuer also moved into the area to avoid floods. The movements of both the nomadic Arabs and the southern tribes were well regulated through convention and cooperation between their respective leaders. Certain routes, grazing areas, water sources and camping sites were designated for the respective groups. Over the last two decades, the Dinka have been forced off their land. The Arabs, too, have not been entirely secure in their use of the land as the Dinka have endeavoured to arm themselves and strike back. In the discussions with the Arabs in the area, they were remarkably frank in admitting that they had been responsible for the attacks against the Dinka, but that they also had been devastated by the war and had decided to turn their back on violence and commit themselves to peaceful coexistence with their Dinka neighbours. The history of amicable ties between the Ngok Dinka and the Missiriya Arabs under their respective leaders Babo Nimir and Deng Majok was repeatedly invoked as a model to go back to and build upon.

The joint resettlement of the Arabs and Dinka in the traditional Dinka villages was viewed with mixed feelings by many. On the one hand, it symbolized the two groups coming together in the context of peace agreements. It was also seen as a pragmatic way of giving the resident Arabs access to the humanitarian assistance which was being provided by the international community to the Dinka in the area. On the other hand, it appeared to the Dinka as representing Arab encroachment into their land, a first step which, it was feared, might encourage their occupation of Dinka land. To mitigate Dinka fears, it was explained that the number of Arabs involved in the resettlement was relatively small and represented only those who were already resident in Abyei town, and that the pattern would not be repeated in the traditional homes of the Dinka to which the preponderant number of IDPs would return. It is important in this context that the traditional sharing of resources between the settled Dinka and the nomadic Arabs and the cordial relations that had existed between them be reaffirmed and supported.”

**UNCHR, 27 November 2002, p.13, para35**

“While they strongly supported the local peace process and the return programmes, representatives of SPLM/A expressed serious concern about resettling the Missiyira Arab nomads in the land of the Dinka. Although the nomads were free to enter the area in their traditional seasonal migration in search of water and pastures for their livestock, and while individual Arabs who had settled among the Dinka were welcome, the representatives maintained

that any large-scale resettlement of Arabs in the land of the Dinka would be a major impediment to peace and stability in the area. Indeed, the essence of ownership and use of tribal land is a volatile issue which, if not well managed, will continue to be a source of conflict in the area.”

***IDPs relocated in/near areas of origin are better off than those relocated outside main cities:***

**UNCHR 5 February 2002, para 12-14**

"With regard to the camps around Khartoum, as the Representative reported following his first visit [1992], conditions at the camps revealed an unmistakable tension between the range of humanitarian services reported to be provided to the displaced and the obvious resentment the people felt about the inherently degrading conditions of their displacement, far away from home and in relative isolation from the adjacent city. The situation in Abyei, on the other hand, where the people were either indigenous or were displaced but close to their roots further south, contrasted sharply with the conditions in the camps around Khartoum. Although relief supplies had not arrived because the area becomes isolated from the rest of the country during the rainy season, people had managed to survive through their own resourcefulness by cultivating land within the constraints of the territorial restrictions imposed by the security situation, or by gathering wild food from their natural surroundings, despite the limitations of the war conditions. The critical difference between the settlements around Khartoum and those in Abyei was not so much that the people in Abyei were better provided for, but rather that they enjoyed a minimum acceptable degree of security, dignity and autonomy.

[...]Several conclusions emerged from the two contrasting cases which the Representative presented to the Government for consideration and which remain valid today. First, whatever services were being rendered, the location of the displaced just outside the city, where they were neither part of the urban community nor in their own natural setting, was inherently degrading, especially as it was popularly believed that they had been removed in order to “clean” the city and rid it of undesirable elements. Secondly, the physical conditions of the displaced as reflected in their shanty dwellings did not adequately compensate for their removal from the city.

[...]The alternative approach which recommended itself was that, security conditions permitting, people should be given the choice to go back either to their areas of origin or to settlements closest to their natural setting, and accorded the protection and assistance necessary for them to resume normal and self-sustaining rural life. Alternatively, those who choose not to go back should be assisted to move freely into any area of the country, including urban centres, and given the necessary assistance to integrate themselves as ordinary citizens. The third alternative proposed by the Representative was that those who choose to remain in the camps should not only be given the services of the kind described to the Representative as necessary, but should also be assisted with materials to build for themselves more appropriate and durable accommodation to help compensate for their isolation from urban conditions"

***Land allocation procedures for IDPs:***

**UNCHR 5 February 2002, para 15-19**

"Although these visits were not extensive, he [the Representative] was able to discern improvements which had occurred as part of an ongoing and at times controversial urban replanning programme around Khartoum. Accompanied by representatives of the Khartoum State Government, as well as the former Minister of Engineering and Housing who, until his retirement a few months prior to the mission, was responsible for the urban replanning programme, the Representative visited areas of Khartoum North, including El Shigla, El Isba, Suk Sita, Karton Kassala, Takamul and Haj Yusef. The contrast between the areas which the former Minister of Engineering and Housing referred to as “treated” and those that were “untreated” was striking. The area of origin of the residents, all of whom were reportedly provided with title to their plots, could be ascertained by the type of housing, as well as the extent of construction. More recent arrivals from conflict areas tended to live in one-room mud housing or basic tukuls in open

spaces, and longer-term residents, mostly from different regions of the north, had constructed more substantial housing and fenced compounds. It was evident that the area had been developed and enhanced since the Representative's previous visit in 1992, but that southern displaced populations were still relatively worse off, presumably because they were more impoverished and lacked the resources for self-enhancement.

[...]

The Representative was informed that a planning process was under way in the camps which required residents to be registered and their identity and status checked in order to qualify for land ownership. A survey had also been initiated which demarcated the future locations of the main streets. It was envisaged that all other streets would subsequently be laid out, and that those who qualified for ownership of plots of land would remove their current shelters and reconstruct houses on the new plots according to the regulations and criteria of the Ministry of Housing. It was explained to the Representative that priority is given to married couples with families and claimants must present marriage and nationality documents. While the merits of these criteria are obvious, they could potentially exclude the needy displaced who are not married and those who have lost relevant papers, especially as it is not clear how easily replacement documentation can be obtained. It also raises concerns about access to land by female-headed households, of which there are a significant number and whose humanitarian needs should receive high priority.

[...]

Although this process commenced in 2000, it was noted that progress to date has been slow. Concerns were expressed also with regard to the implementation of the replanning programme and in particular the fact that it has often been erratic and poorly communicated to those displaced households directly affected by the process.

[...]

In addition, the Representative was informed that the process is subject to the limitations of Government-owned land, as a result of which an estimated 6,000-7,000 displaced households may be relocated more to the periphery of the current area of Omdurman and will become further removed from access to health care, education, transport, markets and employment opportunities"

## **Law and policy**

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### **Demolition of IDP camps in Khartoum, 1985-2005**

- Demolitions in Khartoum since October 2003 have affected approximately 250,000 displaced people
- Many IDPs have left the capital as a result
- As of December 2004 no known government policy addressed the needs of IDPs whose houses had been demolished and who were not eligible for a new plot
- During the mid-80s, many IDPs arriving in Khartoum fled the famine in Kordofan and those arriving in late 80s mostly fled war
- IDPs who had been removed away from Khartoum to 'cleanse the city of undesirable non-Muslim elements' were relocated to makeshift dwellings in isolated areas (1992-2002)

### **F.A.R. et al, 19 January 2005**

**"Plot procurement:** There are still a high number of those who have had their homes demolished who have not yet had a plot re-assigned, as well as some concerning practices that exclude specific people from accessing a plot. In particular this concerns those who have lost their



identification and female headed households who are not allowed to register. In addition, many who may receive a plot will not be able to afford the cost of the plot, especially in Soba Arradi, where the plots are based upon a commercial rate.

[...]

In October 2003, the Ministry of Planning in Khartoum State began the re-planning process of two IDP camps, Wad el Bashier (WeB) and Omdurman es Salaam (OeS) and three squatter areas, Mayo Dar Naim, Soba Arradi and Salaama. The process was accelerated during the last months of 2004 and has led to some challenges that need addressing. It is believed that the current demolitions have affected over 250,000 people in Khartoum State.

[...]

At the beginning of November 2004 it has been observed and discussed by the IDP communities that over 80% of the families are living in temporary shelters.

[...]

The issue of eligibility is closely connected with the official status of IDPs. According to the Ministry of Engineering anyone registered up to 1996 is considered an IDP. For example, those registered since 1993-96 (especially in Soba Arradi and WEB) were considered for plots, and this targets less than 60% of the total households in need for plots.

[...]

Until the beginning of December it was also impossible to attain a clear Government policy as to where the IDPs who do not receive a plot will go.

[...]

The demolitions worsen the social economic conditions among the IDPs. Those who managed to acquire a plot need to reconstruct their shelter which means they cannot earn an income at the same time. Those who did not receive a plot have had their houses demolished without a place to go to. Therefore, it is important to assess the impact of the demolitions upon the economic situation of both groups and to identify the most vulnerable people and their specific needs.

[...]

Three of the targeted areas are official IDP camps, WeB, OeS and Mayo Farms, and the fourth area is a squatter area with a high percentage of IDPs, Soba Arradi.

[...]

### ***Mid-Eighties***

A severe drought and famine occurred in Kordofan State. Many families and individuals from Kordofan fled from the famine areas to Khartoum where they settled themselves as squatters scattered throughout Khartoum. The majority of these IDPs gradually incorporated themselves into the area of Salama, Haj Yousif, and Angola which were later re-planned.

Displaced individuals established temporary shelters out of plastics and cardboard to protect themselves from the elements. Disease and malnutrition was a major problem, severely affecting the IDPs.

### ***Late Eighties***

People from the South first began to arrive in Khartoum, driven from the civil conflict between 1988/1990. The people squatted in groups on the outskirts of Khartoum, building temporary shelters and sanitation areas. The squatter population numbers continued to increase as the conflict continued.

### ***Nineties***

The first NGOs involved in Khartoum State started in the early nineties, including MSF France and Holland, Goal, ADRA, FAR and IRC.

In 1991, four main areas were assigned to the southern IDPs, WeB, OeS, Jebel Aulia, and Mayo. Those who had squatted previous to the establishment of the camps had their shelters demolished by the government and were loaded onto lorries to be transferred to the newly defined camp boundaries. The demolitions took place in the winter time and some into the rainy

season, leaving the IDPs in very difficult circumstances. In squatter areas near Mayo the demolitions became a volatile issue as IDPs attempted to stop the demolitions, resulting in the shooting death of eight IDPs in the squatter area.

When new IDPs came from the South they were directed to the 'new arrival camps', where they settled without any plan or organization. Generally, they settled according to their tribal lines for security as well as because of the familiarity of traditions and language, creating zones within the camps.

In 1994 the government began the process of re-planning the Angola camp, beginning with the demolitions of homes in the winter season. Approximately 16,000 homes were demolished in this process, while only 8,000 received plots. Of the 8,000 who did not receive their plot, 4,000 settled in present day squatter area Salahin, near WeB, while the other 4,000 scattered to various locations throughout Khartoum. The humanitarian situation of these people was extremely difficult. Outbreaks of diseases were extensive, forcing the creation of 'emergency centers' in the camps by NGOs and the International Community.

The health situation of the people was severe with acute watery diarrhea and measles outbreaks. The camps were very densely populated, facilitating the spread of diseases, and increasing the sanitation and hygiene vulnerabilities of the people. Shelters for the IDPs consisted of plastic, cardboard and fabric. It was not until 1996/1997 that more permanent shelters were built out of mud.

[...]

The numbers of IDPs being relocated from the war continued until the end of 1996-1997, when the numbers entering began to decrease substantially, and the population figures stabilised.

The re-planning process in Haj Yousif began in 1998. All houses in Haj Yousif were demolished leaving the people in temporary shelters. Approximately 80% of those with houses demolished received plots, while the remaining 20% did not have the means to acquire a plot, forcing them to move to squatter areas. The demolitions took place over the rainy and winter months, being extremely difficult for people in terms of health and sanitation.

### **2000 Onward**

[...] The Ministry of Planning began to undertake a broad policy of re-planning of IDP camps in Khartoum in 2003. This process included demolishing WeB and OeS camps, and has initiated demolishing in Mayo Farms camp, Soba Arradi and Salaama. As of November 2004, the demolishing has resulted in the destruction of over 40,000 homes and thousands of latrines. The government has distributed plots of lands to IDPs who meet established criteria, while thousands have yet to receive plots. The living and sanitation conditions of the IDPs are very low.

[...]

Metropolitan Khartoum includes Khartoum, Omdurman, and Khartoum North, and its estimated population ranges from 6-7 million, including approximately 2 million displaced persons. [...]

### **Wad el Bashier (est. 74,800 people) camp**

WeB is located 15 km northwest of Khartoum. There is an estimated 13,500 families with demolished houses in WeB. As of November 2004, only 5,400 have received plots and 8,100 have not. [...] According to responsible authorities these families will be given plots in new blocks 51 and 52 south of OeS camp approximately 6-8 kilometres from WeB.

### **Omdurman es Salaam (est. 120,000 people) Camps**

OeS is located 20 northwest of Khartoum. In OeS as of end of October 2004, approximately 13,000 households were reported to have been demolished, of which 9,000 have received plot allocations. There seem to be numerous levels of fees that are to be paid for plot allocation, for example to the survey department (SD 4,200 per plot) to the locality (SD 7,500), and sometimes

to the engineer. In OeS it has been assessed that 6,000 households are unable to pay these fees and therefore will not be able to secure a plot.

**Soba Arradi (est. 64,000 people)**

Soba is a squatter area composed of twelve zones (Muaba'at) or blocks. Soba Arradi is mainly settled by people from Darfur, Nuba and Falata, Gezira, and Damazine. Demolitions started in Soba during August 2004. By November 2004, all 12 blocks were demolished. According to the Ministry of Engineering and the Ministry of Planning, the residents of Soba Arradi are not considered to be IDPs, because there is said to be a high level of involvement of business men (Samasra) and there are also illegal citizens suspected of grabbing free land. [...]

**Mayo Farms (est. 133,000 people)**

Mayo Farms is an IDP Camp, located immediately south of Khartoum. The residents of Mayo are war-affected population from southern Sudan and the Nuba Mountains. Areas adjacent to Mayo Farms Camp have been re-planned and sold/allocated to citizens, including IDPs, over the past years. Mayo Farms itself has not yet been re-planned.

[...]

Of those surveyed, only 23% had received a plot, while 77% still did not have a plot in all four areas. However, the breakdown between IDP areas is quite diverse. In Mayo, where there have not yet been demolitions, 4% reported that they had received a plot (presumably they are from the squatter areas around Mayo that have been re-planned).

[...]

It has been reported that certain groups have been excluded from being able to access a plot, including female headed households, those who have lost their registration documentation, and those who have recently arrived in Khartoum.

[...]

For those who had not received plots, when asked what they would do if they don't receive one, 18% reported they would stay in Khartoum, 6% would move camp, 55% reported they would return home, and 3% would change to another state."

**UN, 18 November 2004, p.177**

"With the exception of some return flows, no mass movements of IDPs occurred in northern Sudan. However in 2004 the GoS started to implement a new planning scheme in some of the IDP camps around Khartoum. This involved house demolitions, which prompted an undetermined number of spontaneous returns."

**RI, 19 February 2004**

"Approximately half of the more than four million IDPs have fled to Khartoum, Sudan's capital, in waves that reflect both the severity and scope of fighting between government and rebel forces, as well as fighting among various tribal groups in the south. Most of the IDPs have moved in with family members or set up squatter communities in neighborhoods and fields around Khartoum. Some 270,000 live in four large camps.

[...]

To deal with the crowding and chaos in the haphazardly constructed camps, the government launched a program to turn them into more stable residential communities, with planned streets and utilities, including electricity and piped water. A lottery system will allow some of the camp residents to purchase land in the re-zoned camps. The initiative is sound in principle. It recognizes that many of the displaced will choose to remain in Khartoum. The plan is not working in practice, however. Whole neighborhoods of homes built by the displaced have been bulldozed into piles of rubble, leaving families with no place to live. A system to enable camp residents to purchase plots on which to build new houses is slow, complex, and expensive.

[...]

But even after a family purchases a new plot, which can cost a minimum of about \$70, they must pay from \$300 to \$600 to build a new house, depending on how many pieces they can salvage

for the old house after it is bulldozed. This is a sizable amount of money for many Sudanese, displaced or not.

Sudanese officials insist that the program is not designed to force people out of Khartoum at a time when many are contemplating whether they should return home following a hoped-for peace agreement. Rather, they insist that the program is an attempt at urban planning that will turn IDPs into property owners rather than squatters.”

#### **UN RC, 1 December 2003**

“[...] yet the procedures used to date have lacked a clear implementation plan beyond the demolition of homes, shelters and latrines as well as some service facilities (schools and places of worship); a lack of clear procedures for IDPs to purchase plots and rebuild homes; no provision for temporary shelters and emergency assistance for those whose houses have been destroyed, and no clarity in general that the process will indeed result in improved lives and less vulnerability. CARE, FAR, UNDP, OCHA and some donor representatives are currently engaged in a dialogue and advocacy process with the authorities to ensure that issues related to the demolition and re-planning are addressed and that a clear plan of action is in place to ensure that the process benefits those it is intended to help.

[...]

Although it is understood some form of re-planning should take place, the manner in which it is being conducted raises many concerns pertaining to the basic rights of citizens. The following issues/questions were raised (verbally and in written form as requested by the GoS representatives) with the Ministry and CVHW at the most recent meeting on December 9th:

1. A clear (written) presentation of the plan – in addition to WEB, which other areas are to be affected and when;
2. A clear (written) presentation of the criteria under which IDPs will be allocated new plots – criteria for selection, documentation required, payments required and their timeframe for completion – and how the Government will deal with IDP households who are not allocated a plot, i.e. potential for an Ombudsman function / service to IDPs;
3. Possibility for exemption for IDPs without documentation – too poor to pay – particularly after demolition of their existing housing and stress of having to construct new shelter;
4. Provision of immediate assistance to the households affected by the demolitions – assistance to find suitable living location while waiting for assigned new plot, shelter, protection of properties, blankets, provision of water, sanitation, health care, education services;
5. Maintenance of existing social services – health centers, schools, worship places, other public service providers.”

#### ***UN Representative of the Secretary-General for IDPs' 1992 mission***

##### **UNCHR, 27 November 2002, p.9-10, para18-20, 22-23, 25**

“During his 1992 mission to the Sudan, the Representative visited two camps for the displaced near Khartoum - Dar-es-Salaam, west of Omdurman, and Jebel Awlia, south of Khartoum - [...]

However, the displaced had been relocated away from the city to desolate desert areas, where there were no employment opportunities or social services other than essential minimum humanitarian assistance. The dwellings, which were built by the displaced themselves from local materials, did not differ from those often found in the shantytowns in which they had lived in Khartoum, although they were more spread out. The officials defended the relocation policy by pointing to the contrast between the conditions under which the displaced now lived and what they described as the dehumanizing conditions in the squalid areas of the industrial periphery of Khartoum-North, under which they had lived.

People at the camps, however, far away from home and evicted from the city, demonstrated an unmistakable resentment at the inherently degrading conditions of their displacement. Their

faces reflected a sense of rejection, uprootedness, alienation, and anxiety, a suspension between hope and despair, all of which they communicated by various means.

[...]

First, whatever services were being rendered, the location of the displaced just outside Khartoum, where they were neither part of the urban community nor in their own natural setting, was inherently degrading, especially since it was popularly believed that they had been removed to cleanse the city of undesirable non-Muslim elements. Second, the fact that their shanty dwellings in the camp were not better than those they had lived in before, except for more open barren space, did not adequately compensate for their removal from the city.”

#### **Land legislation led to conflicts and displacements 1970-2004**

- The Unregistered Land Act of 1970 and the Civil Transaction Act of 1983 gave most of the rural land to the state
- Mass displacement caused as a result of land legislation in 1970 and 1983
- The government does not respect the authority of customary arbitration
- A 1990 law stipulated that the government shall destroy temporary housing built on land not owned by the people inhabiting it

#### **UNHCR, August 2004, p.4**

“The approval of the Unregistered Land Act in 1970 and consequently the Civil Transaction Act in 1983 provided the Government of Sudan (GoS) a legal mechanism to interfere at will in customary land management. Leaseholds over large tracts of lands in South Darfur and South Kordofan (of land issued under the mechanized farming programme) generated massive displacements of the local population. Similar displacements occur in areas where oil concessions were issued, such as in Unity State.

[...]

The dissolution of customary authority involvement in local administration in 1970 with the passing of the Native Administration Act is regarded by several temporary political leaders as a watershed in local government. New traditional leaders are frequently selected by the fighting fractions to substitute legitimate customary authority. Hence, conflict prevention and resolution can not always rely on these experienced and efficient institutions.

[...]

Grazing agreements between different groups were previously facilitated by local administrations. Today this cooperation between customary authorities and local governance has eroded. When agreement is reached between two parties through customary mediation techniques, the government does not always respect the outcome. There is a clear lack of a single and strong arbitration system.

[...]

Access rights to land are derived from an individual’s membership in a social group or a community. This implies that individual conflicts related to these resources automatically become group conflicts. Belonging to a group also implies obligations towards that group. Proof of manhood through cattle raiding and cooperative payment of marriage dowry can engender conflict. The same can be said of the customary penal system, where larger groups become involved in the settlement of individual fines.

[...]

There are signs now that new expropriations or the recuperation of old land leases and concessions, legally or not, may, yet again, cause a new wave of displacements, or jeopardize the return of people to their areas of origin. In Equatoria, for instance, there is already a major interest from the private sector to “invest [...]” in rural areas, acquiring vast areas of land for coffee estates, exploiting its rich timber resources, investing in new teak plantations. The

recuperation of conserved areas or natural parks, presently being occupied by displaced people, may add another dimension to the displacement. The eventual pressure from the private sector on the resettlement process should not be underestimated.”

**IRC, 1 May 2004, p.44**

“155. Access to resources is at the root of most protection problems in Sudan. [...]

156. Generally, land in the rural areas is a right of the community, and seen as a resource issue. Land rights are derived from ancestors, collectively owned by the community/tribe. There exists no formal registration or documented ownership, and the right to land is safeguarded by a respect for customary law.

157. At the local level in the South, conflicts related to resources in the form of grazing land are long-standing occurrences, which have been rendered more violent as a result of the war and a consequent increase in the flow of small arms. Previously, elders of agricultural and pastoralist tribes would conclude an agreement on the seasonal use of grazing-land, which also expected young herdsmen to keep the cattle away from the crops. Not only has the war weakened local agreements, but in case of dispute, the aggrieved resort to guns, rather than spears, causing much larger numbers of casualties.

[...]

However, whatever the outcome, the Southerners will be reluctant to subscribe to property laws, if these contravene customary law. As they see it, the only problem at hand is the need to identify an appropriate resolution mechanism.”

**Brookings/etc, 25 November 2002, p.11**

“Some participants voiced the view that those currently putting property to beneficial use should be entitled to remain there. Others asserted that customary law in the south would require at least that ancestral lands where shrines have been erected be returned to their displaced owners. It was noted that the customary rules of communal land ownership in Southern Sudan were nuanced and did not preclude individual entitlement to property after displacement. There was consensus that equitable laws and a responsive judicial system should be put into place as soon as possible to address all potential disputes.”

**Curtis Doebbler 1999, pp. 6,7**

"The planning and land laws also disproportionately adversely affect displaced persons. Foremost among these laws is Decree 941 from 20 May 1990 that states in paragraph 2(d) that the government "shall immediately destroy" temporary housing that has been built on land not owned by the people inhabiting it. This decree is supported by article 7 of the Civil Transaction Act 1983 that states that all matters of land registration are to be dealt with by the government through 'special laws'.

An amendment of 10 October 1990 to the Civil Transaction Act 1983 states in article 1 that all non-registered land is government land and then goes on to provide that no legal action may be taken concerning government land. As a result even long-term displaced persons who should have otherwise gained title to land by the common land means of prescription-the acquisition of land by peaceful and unchallenged occupation of the land for at least ten years-are henceforth disenfranchised without a means of obtaining compensation. Even before the 1990 amendment, the Unregistered Land Act 1970 had decreed that all unregistered land was henceforth deemed to be government land and could not be registered by private owners, although at the same time the Land Settlement and Registration Act 1925 continues to provide that ownership must be proven by registration. The consequence is that the government is the discretionary owner of all land and that persons who inhabited land after 1970 will not be able to acquire ownership and/or prove their ownership of the land. Attempts to prove that a right to use the land exists will also be unsuccessful against the government after the 1970 Act because in article 7 it prohibits any action concerning government land.

[...]

Another relevant instrument of Sudanese law is Decree 941, which is the above-mentioned authority for the government's policy of demolishing the houses of internally displaced persons. This decree also provides that demolitions should only take place after the displaced persons have been given alternative accommodations that have adequate services and after appropriate notice has been given to the persons whose houses are being destroyed so as to allow them to move to their new residence. Although it appears that these rights are at best irregularly respected, it is more striking that many internally displaced persons do not even know of the existence of these rights or do not invoke them against the government. Despite the numerous relocations or forced evictions that took place in 1998 and 1999, almost no Sudanese lawyer raised these rights before the Sudanese courts."

***For more information about property laws in Sudan see Land and Property Study in Sudan, Study on arbitration, mediation and conciliation of land and property disputes Domenico Nucci (November 2004) in the bibliography below.***

# PATTERNS OF RETURN AND RESETTLEMENT

## General

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### Most IDPs went home to the south without assistance (July 2006)

- Hundreds of thousands of IDPs are estimated to have returned on their own
- Southern Kordofan experienced the greatest number of returnees, approximately 175,000
- The UN is concerned that the IDPs' desire to return is not based on solid information
- The UN and by the Government of Southern Sudan (GOSS) – returned around 40,000 people-between January and April 2006

### UN Country Team, 3 July 2006

"The returns season is now [July 2006] well and truly over. Many roads are now impassable, there is no grass to build shelters with and it will soon be too late in the planting season for people returning now to sow. The 05-06 returns season went relatively smoothly. The vast majority of returns have been spontaneous and while there are no exact figures, the numbers are estimated in the hundreds of thousands. Southern Kordofan experienced the greatest number of returnees, approximately 175,000. Northern Bahr El

Ghazal and Upper Nile state have also seen large numbers of returns. There are, however, some areas of concern, which have received very large numbers of returnees. Of particular concern is Northern Bahr El Ghazal, where returns were significantly higher than the UN planning figure of 27,000. Because this area suffers from chronic food insecurity and water shortages, monitoring during the next few months will be a priority so that possible problems can be identified quickly, and a response mounted.

The UN is also concerned on how informed the choices of return have been. While the UN understands and supports IDPs and refugees' desires to return home, they need to be making that decision based on solid information on 1) the conditions in their areas of return, 2) what assistance is available in the areas of return and 3) what transportation is available to their location of return."

### UNMIS, June 2006

"The period covered by this report – January to end April – coincides with the end of the dry season in Sudan, which was assumed to be the end of the "returns season". In reality, however, the pace of returns at the anticipated peak of the season – February and March – has been maintained through to the end of April. We anticipate now that in many areas, returns will begin to fall off only in mid-June. Whilst in some parts of Southern Sudan, returnees may still be able to plant on their arrival home, returnees in arriving home after late April risk that their self sufficiency will be replaced with aid dependency for a year. Whilst food distributions are provided to returnees to see them through until the harvest at the end of the wet season, seeds may be scarce, and it may well be too late to plant. Shelter materials will become scarce.

As well, returnees may not be able to move to their villages from the state capital, owing to rains making roads impassable. Families could be "stuck" in the regional centre, with little options for livelihood protection, until the roads dry off later in the year. To mitigate the risks, many returnees are leaving some family members in areas of displacement this year at least. These family members may be working, at school or not thought robust enough to return home. This keeps open the option of return to areas of displacement, if conditions in return areas are too difficult.



Organised movements – by the UN and by the Government of Southern Sudan (GOSS) – returned around 40,000 people, during this reporting period. Around 14,000 people were assisted home by the UN, and the GOSS, through state governments, returned around 20,000-25,000 people this season. Given that communities in return areas are already extremely poor, the UN's advocacy efforts during the period with GOSS and its state governments highlighted the risks inherent in returning large numbers to extremely poor areas, without adequate support. These could include the unsustainable nature of many returns, new aid dependence and, increased tensions caused by increased competition for resources in the area. During the rainy season, a priority is to keep a close watching brief in areas that have received very high numbers of returnees. Of particular concern is Northern Bahr El Ghazal state. By monitoring the situation closely, we will be well positioned to identify, and respond in good time to, any deterioration in the humanitarian situation on the ground. With the arrival of so many, reintegration must be facilitated through timely assistance to communities put at risk by large numbers of returns."

## **Return**

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### **IDPs travel home on precarious cargo barges (September 2005)**

- The cargo barges lack railings, sanitary facilities, potable water, cooking space and shelter
- Returnees have been forced to wait for up to three weeks on the wharf in Kosti, White Nile State
- Travel to Juba can take up to four weeks
- Some returnee families can not afford to purchase barge tickets

### **UNOCHA, 15 September 2005**

"Humanitarian agencies expressed concern about the inhumane conditions of returnees travelling on cargo barges up the Nile. The cargo barges are completely lacking in physical security (e.g. railings), sanitary facilities, potable water, cooking space and shelter. The erratic schedules of barges has led to hundreds of displaced families arriving in Kosti, White Nile State, who wish to travel to areas such as Upper Nile, Jongli and Bahr el Jebel being forced to wait for up to three weeks at the wharf. The Adventist Development and Relief Agency (ADRA) and the Fellowship for African Relief (FAR) have worked together to improve conditions for returnees during this waiting period, but it remains somewhat short of ideal. Once the barges depart, travel to Juba can take up to four weeks. Although travelling by barge is cheaper than using other modes of transport, some families are also finding themselves stranded at Kosti, as they can not afford to purchase barge tickets. Humanitarian agencies are encouraging the River Transport Corporation (RTC) to provide passenger barges and to operate according to more regular schedules. Robert Turner, Director of the UN Returns and Reintegration Unit, noted that it was crucial that information reaches returnees on what to expect when using river transport. OCHA is assessing current and future passenger barge capacity. Once the results of this study are available, the UN will develop a policy concerning provision of information to IDPs on existing conditions for return by barge. In addition, the Humanitarian Aid Commission (HAC), the Sudan Relief and Rehabilitation Commission (SRRC), and the UN are in constant consultations with the RTC on future initiatives to improve conditions for returnees in their journey."

### **Hundreds of thousands IDPs returned spontaneously following peace agreement (September 2005)**

- An estimated 240,000 IDPs and refugees had spontaneously returned to their places of origin between January and June 2005
- More than 500,000 refugees and internally displaced persons returned to South Sudan and the Transitional Areas between January 2004 and March 2005
- At the same time, an estimated 320,000 new displacements have been recorded in the South
- Lack of livelihood opportunities in areas of origin may prevent returnees from settling down

**For a breakdown of return movements, click [here](#)**

#### **UNOCHA, 1 September 2005**

"The first six months of 2005 saw significant change in Sudan. Following the signing of the Comprehensive Peace Agreement on 9 January 2005, the return of IDPs has accelerated as was expected and the UN and its partners have increased their activities to support them. In all sectors, activity has increased and new NGOs partners identified to increase capacity.

Humanitarian operations in this period have predominantly focused on providing assistance to spontaneous returns but significant planning and projects have also begun in a move from emergency humanitarian operations towards recovery and development activities. Between January and June 2005, an estimated 240,000 IDPs and refugees had spontaneously returned to their places of origin in Southern Sudan and the Transitional Areas. This is in addition to the more than 500,000 who returned in 2004. This report outlines the activities that were undertaken by the UN and its partners in assistance to IDPs and returnees during the first half of 2005. In future, a quarterly report will be issued by the UN to describe return related activities."

#### **UNHCR, 30 June 2005**

"The signing of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan People's Liberation Movement (SPLM) in January 2005 ends one of the longest running civil conflicts in Africa and paves the way for the recovery and reconstruction of South Sudan and the return of millions of uprooted people. According to the interim figures recently released by the Sudan Relief and Rehabilitation Commission (SRRC) more than 500,000 refugees and internally displaced persons already returned to South Sudan and the Transitional Areas between January 2004 and March 2005. However, large numbers of people who are still displaced and wish to return home simply do not have the means to do so at this stage. At the same time, an estimated 320,000 new displacements have been recorded in the South, while new Sudanese refugees have arrived in Uganda and Kenya. In Sudan, the challenges for the postconflict return and reintegration of refugees and internally displaced persons are enormous and the task at hand is beyond any single agency's capability. The lack of capacity in the country is evident at all levels and in all sectors. In a politically fragile environment, typical of postconflict situations, returnees and their communities must not be left in deprived conditions for extended periods of time without means and opportunities for the future, in particular with regard to protection, basic services and livelihoods. Many may opt to return to their countries of asylum or become internally displaced persons again. This phenomenon of backflows is often witnessed in repatriation operations when return and reintegration are not sustainable due to the lack of adequate financial commitment. Similarly, those who wish to return home should be provided with the means to do so, as sustainable return of millions of displaced people will contribute to the consolidation of peace."

## **UN organised two return movements to the south between October 2005 and May 2006**

- The Bor Dinka returned to Jonglei state from Western Equatoria
- IDPs in South Darfur returned to Northern Bahr el Ghazal
- Insecurity in areas of displacement is a criteria to receive assistance to return

### **UN Country Team 3 July 2006**

"There were two major UN organised return movements during this past return season (Dec-May): the Bor Dinka returning to Jonglei state from Western Equatoria and IDPs in South Darfur returning to Northern Bahr el Ghazal. Both populations were prioritised for organised return based on the conditions of insecurity where they were living. This population was made up of 34 cattle camps with a population of approximately 12,000. The UN provided assistance to 4,000 vulnerables, mainly women and children, in the form of shelter, food, water, sanitation, health and transportation to Jonglei state. Transportation assistance was provided from: Western Equatoria to Juba by truck, then from Juba to Bor by barg by IOM, and onward from Bor to home payams by UNHCR In town, IDPs living in conditions of insecurity are currently being provided similar assistance, primarily to Jonglei state. Due to the increasing tensions in Yei town, the UN will organise a return of some of these IDPs during the rainy season. Around 9,700 vulnerable IDPs were assisted in returning to Northern Bahr El Ghazal from South Darfur. The organized return was completed mid-May. State governments, have also organised returns, including Warrap, Northern Bahr El Ghazal, Unity and Southern Kordofan. Unfortunately, these movements were undertaken without the consultation of the UN."

### **Return for IDPs is linked to access to land (2005)**

- Return for IDPs is undissociable from access to land both within Khartoum and in their place of return
- 17% of IDPs in Khartoum plan to stay, 30% have not yet decided and 51% plan to return
- IDPs have hardly any information about their areas of return nor can they afford visits (except to the Nuba Mountains)
- One of the first priority need identified by IDPs was transportation

### **F.A.R. et al, 19 January 2005, p.24-5**

"The return is linked to access to land, both within Khartoum as well as in their place of origin. Many stated that they would return if they did not receive a plot in Khartoum, and it was also mentioned that they were concerned regarding the status of their land in their home area.

[...]

The survey will indicate the IDPs views towards their expectations to move or stay in Khartoum and their motives to do so. It is not clear yet how many IDPs prefer going back to their place of origin or staying in Khartoum. It is also not clear whether the right measures have been put into place to enable IDPs to make free and informed decisions.

[...]

Overall, only 17% of the surveyed households said that they were planning on staying in Khartoum permanently, while 30% indicated that they are not yet decided and 51% stating that they plan to return home. Mayo Farms had the lowest percentage of respondents who stated that they would remain in Khartoum (11%) and WeB had the highest.

However, 63% of those who plan to return, or are undecided, were not planning on returning within the next year. In both WeB and Soba, 73% indicated that they would not return within the next year, while 59% and 54% in Mayo Farms and OeS respectively indicated that they would not

move within the year. Only 9% indicated that they planned to return in the next 3 months, with much lower percentages in OeS (5%), WeB (7%), and Soba Arradi (8%), while 15% in Mayo indicated that they planned on returning in the next three months.

[...]

In the survey, when asked what they would like to have in their homeland upon return, the most frequent mentioned service mentioned was education, second was to have their family settled, third was health and the fourth need was employment.

[...] Others reported that it would be difficult for them to return to an agricultural lifestyle as they are now educated and there are no job opportunities. Children in WeB reported they knew where they came from and wanted to return when there is peace.

[...]

Although only 16% of respondents in the survey indicated that they wanted to remain in Khartoum, focus group participants in OeS reported that they were not keen on returning partly because they had received plots in Khartoum and enjoyed the availability of services in Khartoum, and partly due to the security situation in their home areas. Some are not sure about how their absence affects the status of their property at home and fear losing it.

[...]

In addition, the simplicity of life, access to land for cultivation and grazing of livestock was seen as a drawing factor. Issues that discourage them from returning are fears of war breakouts, loss of land and property, lack of safety and security. [...]

[...]

#### **Visits to places of origin:**

It was reported in all three areas that primarily the Nuba are able to visit their homelands frequently, and have the possibility to communicate with their families. Some have reported to have built homes when the ceasefire was signed (2002) and some have returned for good. For southerners, the cost of visiting was seen as prohibitive due to the cost of plane tickets.

[...]

Of those surveyed, only 23% had received a plot, while 77% still did not have a plot in all four areas.

[...]

For those who had not received plots, when asked what they would do if they don't receive one, 18% reported they would stay in Khartoum, 6% would move camp, 55% reported they would return home, and 3% would change to another state."

#### **UN, 18 November 2004, p.177**

"With the exception of some return flows, no mass movements of IDPs occurred in northern Sudan. However in 2004 the GoS started to implement a new planning scheme in some of the IDP camps around Khartoum. This involved house demolitions, which prompted an undetermined number of spontaneous returns."

#### **Project to resettle IDPs from Abyei in their area of origin initiated by the Secretary General's Representative for IDPs (2003)**

- IDPs returning to Abyei town were assisted with a transit center in Abyei (2000)
- Dinkas to be resettled in their area of origin
- The return project built upon local reconciliation initiatives between the Dinka and the Missereya
- UN and NOGs assisted the returnees with food, seeds and shelter rehabilitation
- Displaced Dinka with skills in health and education will be recruited to initiate and assist the return process (2002)

**UN R/HC, 12 June 2003**

“Talks held by the UN SG Representative for Displaced People, Dr. Francis Deng in Khartoum last resulted in the approval of the United Nations and USAID to adopt a programme for the return of some 460 families of the Dinka from Khartoum to Abyei.”

**UNRC, 16 June 2003**

“The Abyei Task Force is currently supporting the voluntary return of up to 500 Dinka households from Khartoum to rural villages around Abyei.”

**UNCHR, 27 November 2002, p.11, para 26**

“As outlined by the Office of the Resident/Humanitarian Coordinator of the United Nations system in the Sudan in the document entitled “Programme Advancing Conflict Transformation in Abyei” of 1 June 2002, the project was based on a multi-agency coordinated approach to support return of the Dinka IDPs to the Abyei area, as a bridge between north and south Sudan, to support the search for peace for the Sudanese people. [...] The focus of the project was to support conflict transformation in the region, building on a local peace agreement that had recently been concluded between the Arabs and the Dinka, both the Ngok and the Twich, which would facilitate the return of the Dinka IDPs to their villages and the resumption of sustainable livelihoods.”

**UNCHR, 27 November 2002, pp.6-7**

“Since January 2002 the collaborative efforts of the task force,[...] have seen some significant progress, [...] returning IDPs were assisted with food for work for the construction of shelters and people received seeds and tools to cultivate food and cash crops. Missiriya Arab households in the Abyei area also benefited from the food for work programmes, provided they met the criteria for registration set by the World Food Programme (WFP).”

**UNCHR 5 February 2002, para. 20-25**

"In terms of assisting the displaced to resettle in areas closest to their natural setting, one initiative in which the Representative is himself involved concerns the resettlement of displaced Dinka households from their present locations in northern Sudan to their areas of origin in the district of Abyei. [...] The Representative made [an award of US\$ 25,000] available to support the establishment of a transit centre in Abyei which would, given the significance of Abyei as a meeting ground between north and south Sudan, provide basic services to displaced persons who had either left their homes in the south and were moving to alternative locations in the north of the country or who were returning from the north to their homes in the south.

[...] Previously, there were 23 functioning village councils in Abyei district. However, in the current conflict situation, all civilian populations have either moved into Abyei town or have been displaced, mostly northwards, and their villages destroyed. The displacement has had a severe impact on the local food security situation, as Dinka farmers have been unable to have access to their traditional agricultural land. Moreover, the situation has been exacerbated by tensions between the pastoralist Missereya and Dinka farmers which have at times been fuelled by the distribution of arms to either side by the Government and the SPLA, respectively. The need for reconciliation between the Dinka and the Missereya and support for systems which would lead to cooperation and conflict resolution have become major concerns for the leadership of both communities.

[...]Against this background, the project aims, in a pilot stage, to facilitate the rehabilitation of selected communities in Abyei district with a view to creating conditions conducive to the return of Dinka households from north Sudan and to provide support to their return to sustainable livelihoods as well as peaceful relations with the Missereya. A return to the traditional status of Abyei as a peaceful crossroads and enhanced potential to influence the political situation in the Sudan is an underlying objective.

[...]After more extensive consultations with Dinka leadership in Abyei and Khartoum, and with NGOs and United Nations agencies, the project will assist a number of households displaced in Abyei to return to their villages, prior to assisting households which had been displaced outside of the Abyei area. Some Dinka households with specific skills in the fields of education and health may also be recruited specifically to return from other areas to the rural areas of Abyei. It is hoped that this would be a more sustainable way to initiate a return programme, and would be a base for further return and resettlement initiatives in the future, which would offer opportunities to displaced households currently in Khartoum and other areas of north Sudan."

### **War-displaced forcibly resettled into 'peace villages' and 'production' sites since 1989**

- Deliberate policy by the Government in the early 1990s to relocate IDPs to agricultural 'production' sites in order to eliminate the problem of displacement country-wide
- UN and INGOs have refused to support such resettlement programmes due to concerns over the voluntary nature of the relocations
- Under the banner of 'self-sufficiency' IDPs are resettled in 'peace villages' where they work on export-orientated, capital-intensive and mechanized agriculture schemes (1996)

#### **Hendrie et al 1996, pp. 185-186**

"A major impact of war-induced displacement has been the creation of an expanded pool of labour in the North. Since 1989, one element of GOS policy has been the resettlement of war-displaced in "production" sites [...]. In August 1990, the Council of Ministers, announced in Resolution 56 its determination to eliminate the problem of displacement within one year. This was to be accomplished both through repatriation of over 800,000 displaced to "areas of origin", and through their relocation to "areas of production" in Upper Nile, Bahr el-Ghazal, Darfur, Kordofan, and Central State[...]. The stated rationale behind relocation was to reduce dependency on relief. The displaced were expected to work as labourers on production projects, including mechanised farming schemes.

[...]

Upper Nile State in particular has been a destination for relocated peoples. This is likely linked to the fact that, following the signing of a peace charter with the Shilluk, the GOS and the National Development Foundation have invested in the development of Upper Nile, and especially in the area of commercial agriculture.

[...]

[T]he UN and INGOs have refused to cooperate with the GOS on such resettlement programmes, due to concerns over the voluntary nature of relocations, and concerns that such programmes were intended to utilise the war-displaced as a cheap agricultural labour force [...]. In October 1991, for example, the GOS unsuccessfully tried to enlist donors to provide food for the transport of some 60,000 able-bodied men to participate in a harvest campaign, which was intended to alleviate labour shortages in the mechanised and irrigated agricultural sector in Upper Nile. Despite pressure from the COD, INGOs also refused to assist. One donor concluded that the project was not a voluntary relocation effort, but a "profit-making venture", and as such humanitarian relief should not be provided in support [...].

Again in June, 1995, the GOS, through the Supreme Council of Peace, sought to elicit the support of the UN and INGOs for the repatriation and relocation of war-displaced from Khartoum, to agricultural production sites[...]; UNHCR support was particularly sought for the relocation of displaced to areas that had vacated by Ethiopian refugees. UNCERO responded with a set of conditions, agreed by an informal UN and INGO task force. These conditions included: that relocations were voluntary, that appropriate employment conditions and basic services would exist at each site, that labourers would be granted land if required, and that UN staff would be

able to monitor the process of relocation [...]. The GOS rejected these proposals, however, on the grounds that any attempt by the UN to impose conditionalities represented a violation of Sudanese sovereignty[...]" (Hendrie et al 1996, pp. 191-192)

"In this regard, the Review Team found an uncomfortable connection between the GOS's economic development policies with regard to agriculture, its policies concerning the war-displaced, and its assertion of control over land in the context of internal warfare. Economic policy in Sudan since the late 1970's has emphasised the replacement of subsistence production with capital-intensive, mechanised farming for export; and this policy continues today. For example, The Peace and Development Foundation, created in 1992, and later reconstituted as the National Development Foundation (NDF), has as one of its objectives the consolidation of government control over land through the expansion of mechanised farming [...]. The emphasis that the GOS has placed on mechanised agriculture as opposed to subsistence production fits well with the creation of "peace villages", where war-displaced populations are moved to mechanised farming schemes to act as either producers or wage-labourers. These policies are justified by the GOS on the basis of promoting self-sufficiency among the war-displaced, and of promoting a policy of "Salaam min al Dakhal" or "peace from within". It is in the context of this kind of "development" agenda by the GOS, which has been accommodated by OLS agencies, that the use of humanitarian relief to promote self-reliance needs to be analysed."

## **Obstacles to return and resettlement**

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### **Way stations not very useful for spontaneously returning IDPs (June 2006)**

- The UN is reviewing the way station strategy to ensure they are located appropriately, and are relevant to the needs of returnees

### **UNMIS, 1 June 2006**

"During the period [January-April 2006] a further 9 way stations were completed, bring the total number completed since mid 2005 to 13. Among the way stations completed since January, are three in South Kordofan; three in Equatoria for organised refugee returns, two temporary way stations in Bahr el Jebel (Lologo) and South Darfur (Samaha-now closed) for organised return. Whilst way stations have proven very useful in organised returns of IDPs and refugees, they have not been well used by spontaneous returnees. A review of the way station strategy is underway to ensure they are located appropriately, and are relevant to the needs of returnees. In the second half of 2006, way stations will be a key resource for organised returns, and discussions on this are underway with GOSS."

### **Budget cuts and institutional weaknesses hamper UNHCR's capacity to support the return process in the South (May 2006)**

- UNHCR can no longer blame a difficult logistical environment for its problems
- Returns monitoring is a critical role for UNHCR
- In Malakal, UNCHR duplicated return monitoring already being done by another organisation
- No effective protection monitoring of return movements

### **Refugees International, 5 May 2006**

"The signing of the Comprehensive Peace Agreement (CPA) in January 2005 between the Government of Sudan and the Sudan People's Liberation Movement brought the 21-year civil war to an end, creating the conditions for the return of approximately four million refugees and internally displaced people to south Sudan. Although basic services are missing throughout the region and international agencies face serious logistical obstacles to establishing their presence, Sudanese are courageously "voting with their feet" and opting to return. The process will rival that of Afghanistan as the largest return process in recent decades.

A return of this magnitude requires a corresponding effort from international agencies, especially the Office of the UN High Commissioner for Refugees (UNHCR). However, the constant refrain during Refugees International's recent assessment to south Sudan was expressions of concern about UNHCR's weak presence in the region. "UNHCR is underperforming and this has to change," said a UN official in Juba. "They are supposed to be a major player in returns and their weakness is weakening the entire system," the representative of another humanitarian agency noted. Plagued by a lack of strong leadership as well as by deep budget cuts, UNHCR has struggled to establish a strong field presence in south Sudan and can no longer blame a difficult logistical environment for its problems.

In December 2005, the return and reintegration working group in Nairobi agreed that the main protection issue in Sudan was the lack of capacity on the ground to monitor safe and dignified return. "I came alone with my child," a woman living in an IDP camp near Malakal told us. "Nothing is easy. It took us almost five days on the barge to get here. I did not know what would be here. I cannot get to my home village and I don't have the money to return so I will stay here." A man living in another IDP camp near Malakal told us his story. "The political commissioner came to convince us to return to our home village so we can vote. We decided to try to go and went with a convoy of vehicles that was leaving for the first time. There is no water there or along the way. The old roads have been mined and we had to make a new road. It used to take us two hours but it took us 48 hours to get there. Three people died of thirst along the road and we saw four other dead people as well. We believe that they were shot by warring tribes who live near there." Without strong external support from UNHCR and other agencies, the return process will continue to pose such risks to vulnerable people.

Returns monitoring is a critical role for UNHCR where it has the mandate to work with internally displaced persons. In Juba, however, it took UNHCR seven weeks to sign a contract with its implementing partner despite the fact that most of the groundwork for the agreement was finalized. In Malakal, UNCHR came in and began doing returns monitoring in the ports that duplicated the work of another NGO. "They said to us that we are in charge of returns now. All return monitoring must go through us. Yet their enumerators are not in the field anymore. We don't know what they are doing anymore," said a representative of that agency. As the government agency doing returns monitoring had stopped operating for several months, UNHCR's inability to fill this gap in a timely manner has negatively impacted the returns process. "There's no effective protection monitoring going on with the returns," complained a humanitarian agency. "Returning in safety is a fluke, not a guarantee."

There are two interrelated causes of UNHCR's leadership problems: the dearth of experienced, knowledgeable staff in Sudan and the lack of appropriate engagement by UNHCR headquarters in Geneva. "There is no consistent leadership in UNHCR's offices in the south," was a frequent comment the agencies that RI interviewed. "Their senior managers are all over the place and there is a lack of a clear chain of command." "You just can't leave important chunks of responsibility to junior staff," said a representative of a UN agency. "There is just not much field experience in their field offices," said another UN official. "We need all stakeholders to be prepared to adapt and move as the conditions in the field change," said a representative of UNMIS, the UN peacekeeping mission overseeing the implementation of the peace accords.



UNHCR is facing up to its management difficulties reluctantly. A UNHCR representative in New York insisted, "Yes, we have had problems with staff getting sick and leaving --- it's a difficult environment to work in. But we are fulfilling our mandate well." UNHCR also pointed out that it was specifically asked to work on IDP returns in the Blue Nile State and Eastern and West Equatoria. "Our role was not accepted by other UN agencies and this has caused problems," said a senior UNHCR representative. UNHCR also pointed to the negative impact of significant budget cuts. "Our funding request for Sudan was reduced from \$76 million to \$46 million at the Geneva level because major funders like Japan and the US have been dropping our funding," said one UNHCR employee, "We have been criticized by donors when we do act and the message is coming that we should focus solely on returns. We currently only have \$10 million for operations in the south." "The donors seem to only want to fund UNHCR for refugee returns," agreed one UN official.

UNHCR has begun to recognize the leadership problem. Its staff acknowledges that it was late to switch to a focus on managing its program out of Juba, the main city in the south, rather than Khartoum, the capital. "We were late in adapting. We would have loved to have someone on the ground immediately but we were struggling to find the right person." In recognition of the need to strengthen its presence in Sudan, the agency recently appointed a permanent manager at the deputy director level."

### **The conditions that led to displacement remain unchanged and forced many returnees to go back to IDP camps, 2004-2006**

- Many IDPs who had returned spontaneously to the South were forced to come back to the camps in Khartoum because drought, lack of services and insecurity
- Taxation of movements made return expensive
- IDPs expect that transport will be provided to assist their return and protect them
- IDPs in Khartoum from Darfur have no intention to go back home
- IDPs are sceptical about the truthfulness of the implementation of the peace agreement and many will "wait and see" whether services and security come true

### **Commision on Human Rights, 13 February 2006**

"While the risk of massive early returns is significantly reduced because transportation is available on very few routes, and where it exists it is unaffordable to the majority of IDPs, many interlocutors expressed their fear that the scarcities and humanitarian and protection problems in the south would only be exacerbated with the pressure of new arrivals. Risks include the creation of new camps and irregular settlements in the vicinity of urban and semi-urban centres in the south; serious shortages of food and shelter in certain regions; and tensions within already overstretched local communities arising from competition over scarce resources and services. These factors may render returns unsustainable and may induce returnees to turn around again and return to Khartoum or remain in displacement elsewhere. Where prevailing conditions cannot sustain returns, the international community, together with the responsible national authorities, may ultimately spend disproportionately for emergency assistance instead of investing in recovery and development."

### **Sudan Mirror, 7 October 2005**

"What will encourage people to return to their homes in Sudan ? Many refugees and IDPs will only consider returning home when basic services like schools and health centres are in existence. Other basic infrastructure such as roads, bridges and communication facilities are also important. A number of people are already returning to Southern Sudan from the neighbouring

countries and also from Northern Sudan . These returnees expect their needs – such as emergency relief food, shelter and agricultural tools and seeds – to be met. Other needs include medicine, mosquito nets and blankets. The government authorities, churches and Non-governmental Organisations (NGOs) should play a role in meeting the above needs so that these returnees settle down in their own homes. In his recent visit to Sudan , the United Nations High Commissioner for Refugees, Antonio Guterres, affirmed UNHCR's role in building schools, health centres so as to improve life in Southern Sudan for refugees and IDPs to return home after 21 years of civil war.

In a previous article I wrote in the Sudan Mirror, I said that one of the reasons why some refugees persevere in the refugee camps of northern Uganda and Kenya is the availability of basic primary schools. Such educational services in the refugee camps are better than what we have in many parts of Southern Sudan . The area that has until recently been under the SPLA/M had close to 3,000 primary schools. Many of these schools have only basic infrastructure; some were schools “under trees”. The situation is gradually changing for the better. More is needed to improve the quality of education in Southern Sudan through the provision of scholastic materials, training of teachers and construction of classrooms. The existence and provision of quality education is one main reason that would encourage people to return to Sudan .

At the end of June 2005, the Sudanese President Omar Hassan al Bashir urged Sudanese who have settled and are working in foreign countries to return home to contribute to the reconstruction of the country. President Beshir said this in a speech in Cairo at the signing of the agreement between the Sudanese government and the National Democratic Alliance (NDA). This is a welcome plea. Some of these people, especially those settled in Western countries will have to make hard decisions. Some have become citizens of those countries and have settled in well. I have argued in this column for the need for a constitution that allows dual citizenship so that this does not become a ground for expatriation or loss of Sudanese citizenship. One reason why some Sudanese have had to take on other nationalities is the treatment that non-citizens or refugees get in some of these countries."

**CARE, IOM, F.A.R., 1 February 2004, p. 4**

“In general the IDPs stated that there have been movements of people returning to their places of origin. However, many of these individuals have returned to the camps, stating that there is no change in the current situation in their places of origin, with drought and personal insecurity still existing. In addition, it was stated that the taxation of movements back to their areas, make it expensive to return. It seems that there have been substantial movements of people primarily to the Nuba Mountains in particular as a result of the cease-fire in the region.

[...]

The majority of this information is gained from people who have traveled and then returned to the IDP camps. IDPs stated information was also gained from letters from relatives, friends, and through “tribal communication linkages”. In addition, IDPs talked about information that was communicated from Red Cross messages to the IDPs about the situation in other parts of the country.

[...]

In general, the IDPs expressed their intentions to return to their places of origin in the event of a peace agreement (with the exception of those from Darfur areas, who declared their wish to stay in Khartoum). However, some of the IDPs are skeptical about how soon the peace agreement will be signed and the truthfulness of its implementation.

It is important to consider that the few spontaneous returns that have occurred from IDP camps in Khartoum to places of origin, have resulted in unsuccessful reintegration of the IDPs due to the consistent irregular condition of the environment (places still insecure, no health or education services, no employment, etc), consequently forcing them to come back to Khartoum.

Therefore, although they have expressed their wish to return if a peace agreement is signed, it can't be clearly stated how soon they would return and in many cases, the IDPs have mentioned their expectations to be provided with transport.

[...] some expressed their wish to “wait and see” what kind of services will be provided and how fast the basic services are implemented in their areas of return.”

### **Mines may hinder return and hamper agricultural recovery (January 2005)**

- There are about 1-2 million mines in Sudan affecting 21 out of 26 states, yet limited information is available only in 11 affected states
- Most known mine casualties occur in vehicles traveling along mined roads
- Mine casualties are likely to increase in the event of peace as many IDPs will cross mine fields when going back home
- Many mine-contaminated areas are not marked and mine education mainly concentrates around Khartoum

### **UNMAS, 17 July 2005**

" Table 1.1: Total Extent of Contamination Identified by Impact Survey/ General Mine Action Assessment Process

| Region         | Number of Communities Affected <sup>1</sup> | Number of Dangerous Areas <sup>2</sup> | Estimated Size of Dangerous Area (SqKm) | Number of Dangerous Areas Cleared <sup>3</sup> |
|----------------|---|--|---|--|
| Bahr El Ghazal | 61  | 223                                    | 1,854                                   | 32   |
| Equatoria      | 54  | 206                                    | 1,094                                   | 19   |
| Kordofan       | 83  | 171                                    | 1,110                                   | 42   |
| Upper Nile     | 35  | 46                                     | 243                                     | 7  |
| Total          | 233   | 646                                    | 4,301                                   | 100  |

"

***According to the JAM multi-stakeholder consultation on livelihoods and social protection, there are approximately 1 million mines laid mostly in southern Sudan and in Transitional areas of Kordofan, Nuba Mountains, Abyei and Blue Nile. Approximately 32% of the national territory (80,000km<sup>2</sup>) may be affected by mine contamination. Mines are thought to affect 21 out of 26 states, but information is only available on 11 states and is very limited. The true extent and impact of mines is largely unknown and most dangerous areas remain unmarked. As of January 2005, no in-depth, countrywide mine survey has been carried. Only limited Mine-Risk Education is taking place and mainly around Khartoum town. (JAM, 25 January 2005)***

### **EMIN, 30 November 2004**

"The nature of the conflict in Sudan means that records [of mines] were rarely kept, and those that may exist are often inaccurate or out of date. As a result, it is not possible at this stage [November 2004] to comprehensively quantify the extent of mine contamination in Sudan and the full impact on the life of the local population. From information gathered to date, it appears that Sudan does not have large tactical minefields in place.

Most known mine casualties occur in vehicles traveling along mined roads. This may change as mine-risk education and survey teams start to generate previously unrecorded information related to the presence of mines and unexploded ordnance (UXO) and more of the risk factors traditionally associated with mine injury becoming apparent.

The use of landmines has led to severe restrictions on emergency and development aid reaching needy communities, especially by road. The mining of roads has led to the fear of movement by aid workers and to the death of community members, as well as the increased cost of moving resources almost exclusively by air. The fear of landmines has also affected agricultural communities, where farmers are afraid to work their land and herders cannot use pastures to graze their cattle. The World Food Programme (WFP) estimates there are two million people whose food security is directly affected by mines and UXO.

Further, with the signing of the comprehensive peace agreement, large numbers of people are expected to return to their home counties. Movement will be north to south and within the south, according to the Office of UN Resident and Humanitarian Coordinator for the Sudan 2004. Regional experience suggests that many of these returnees will not stay, but will move to urban areas and areas of higher-income potential. These urban areas are likely to be the most contaminated, thus further increasing the mine threat to communities and particularly to returnees.

As a result of the conflict, mines have most particularly affected Western Equatoria , Eastern Equatoria , Bahr Al-Ghazal, Jonglei, Upper Nile , the Nuba Mountains , Lakes, Blue Nile and Kassala. In addition, the country's borders with Chad , Democratic Republic of Congo, Eritrea , Ethiopia , Libya and Uganda are considered affected by mines."

**UN WIRE, 30 October 2003**

"The Sudanese government Monday [13 October 2003] ratified the Ottawa Convention also called the Mine Ban treaty six years after signing the pact. The SPLA has twice signed the Geneva Call 'Deed of Commitment,' an agreement for nonstate actors pledging not to use land mines in any circumstances, and at a conference in southern Sudan held by Geneva Call last month, reaffirmed its commitment.

Despite these actions, mine experts warn that the government-backed militias that have played a significant role in Sudan's 20-year war will not necessarily abide by these agreements to halt mine use.

According to Jim Pansegrouw, senior technical adviser for the UNMAS program for Sudan, it is unclear whether mines are still being laid in Sudan. The report on this month's deadly accident says there is no evidence the mine was recently laid."

**IRC, 1 May 2004, p.32-3**

"Roads in the North are not mined with the exception of the Nuba Mountains. [Footnote no. 38: 200,000 square feet of mines have been cleared in the Nuba Mountains (CAP 2004) Yet, unexploded ordnances (UXOs) remain a big threat in the South, as do anti-personal mines planted in buffer zones around garrison towns.

114. Generally, an area of 60 kilometers between the garrison towns and SPLA territory is mined. Likewise, all major routes are contaminated from Abyei towards Wau; and, from Kadugli via Bentiu to Malakal, which means that some of then return routes might be contaminated"

**IRIN, 1 december 2004**

“According to relief workers, widespread mine and UXO contamination has already discouraged millions of displaced Sudanese from returning to their homes and resuming agricultural activity. It has also affected the delivery of vital emergency assistance.

"One suspected mine can close down a road or a field for a long time," Stephen Robinson, technical advisor for the Southern Sudan Regional Mine Action Office, told IRIN. In October, for example, 75 percent of food assistance to the region of Kapoeta had to be delivered by air because of the poor conditions of the roads and the suspected presence of mines, he added.

Although the estimated number of mines in Sudan is believed to be smaller than that in some other conflict-affected areas in the world, their impact is high because many of them have been planted in unpredictable ways, rather than as part of larger minefields.

"According to our latest estimates, there are about 10,000 mine victims in Sudan,"  
[...]

From the moment UNMAS started its operations in Sudan in September 2002, we have received 907 reported cases of deadly mine incidents, [as of December 2004[ ...] "We estimate that 3,000 or more people have been killed by landmines.""

**UN, November 2002, pp. 131-2**

"The UN Landmines database puts Sudan among the ten worst affected countries worldwide. Villages have been deserted, roads abandoned and livelihoods paralysed because of fear of landmines. In many areas, landmines constrain overland delivery of aid, which must then be delivered by air. Those most at risk include children, farmers, pastoralists and persons on the move into unfamiliar areas. Returning IDPs and refugees are often particularly vulnerable."

**UN November 2001, p.82**

"According to the UN's landmines database, the Sudan is one of the ten most seriously mined countries in the world. Yet, capacity to inform and warn remains critically deficient. An estimated 500,000 to two million mines are thought to have been laid by the army and armed opposition movements. Several thousands of people, mainly civilians, have fallen victim. In 1999, both the Government and SPLM/A pledged to no longer use mines, but old and reportedly newly laid mines continued to claim victims throughout 2001. IDPs, farmers, women and children are at particular risk. Local populations are often negligent of the dangers, as mine awareness is generally low."

**Returning IDPs face serious human rights abuses en route and in return areas (August 2005)**

- The presence of militias and mines are threats to the physical security of IDPs
- Freedom of movement of IDPs is constrained by the extortion of taxes of about \$4 per person along return routes between Southern Kordofan and Northern Bahr-el-Ghazal
- Rights abuses include looting of property, rape, and family separation

**IRC, 1 May 2004, p.10**

"32. There are several threats to safe passage en route, notably the presence of militia and mines. While no mine incidents have been reported thus far, some of the return routes are still contaminated [...], and the threat of the militia is a very real one. Arrivals interviewed in Northern Bahr-el-Ghazal testify to the presence of militia along the route between Southern Kordofan and Northern Bahr-el-Ghazal, especially "no-man's land", extorting illegal taxes. [...] Allegedly,

returnees encounter militia/armed men more than once along the route, and each time they are expected to pay around S.D. 1,000 (\$4) per person.”

**UN, 30 November 2004, p.143**

“Violations of rights have already been seen as populations move and as they start to resettle in communities [of the Transitional Areas]. These include looting of property, informal ‘taxation’ physical and sexual assaults, denial of freedom of movement and choice and the forced separation of families. Further protection concerns around access to land, services, justice and the most basic maintenance of order will emerge. If some of the tensions in the transitional areas do not get resolved these are bound to increase. Women and children are liable to be particularly vulnerable.”

***IDPs returning to Abyei victims of serious human rights violations***

**CPMT, 16 August 2005**

"Allegedly the Government of Sudan (GoS) aligned South Sudan Defense Forces (SSDF) militia established roadside checkpoints to harass and tax returnees in the town of Abyei and outlying areas. They were also accused of taking part in bullying and beating of civilians inside Abyei town. It was also reported that pro-GoS operatives had mobilized radical members of the ethnic Arab Misseriya to carry out hostile activities to prevent the implementation of the Comprehensive Peace Agreement (CPA) that the SPLM/A and GoS signed in January 2005. It was reported that certain elements within the Misseriya community had violently disrupted an Inter Governmental Authority on Development (IGAD) sponsored border demarcation process. Conflicting reports were received with regard to the threat levels these disturbances posed on the Abyei Boundary Commission (ABC), which visited both GoS and SPLM controlled areas of Abyei in April 2005. These radical elements were also accused of placing the Misseriya on a war footing for the rainy season offensive against the indigenous Dinka Ngok community. [...]Observations and testimonial evidence received from a wide range of interviews, confirmed a climate of fear among civilians in Abyei. "

**CPMT, 7 December 2004**

“The Kiir provides a natural azimuth for refugees or IDPs moving south into the important State of Bahr El Ghazal. It is in Malual Aleu and its environs that returnees may first be welcomed into the region and provided their first sustenance packages of food, non-food and medicinal supplies. At the point of return into the south, returnees, in light of their status, may be vulnerable to illegal activities, harassments, theft of property or all-out violent attacks. Moreover, returnees fleeing already stressful situations of insecurity, physical exhaustion, hunger or disease may become the easy prey of mal-intentioned soldiers at checkpoints.

[...]

In mid-July 2004, Government of Sudan (GoS) soldiers of the Abyei Garrison beat and raped two civilian women from Malual Aleu on the outskirts of Abyei town.”

**CPMT, 5 February 2004, pp. 1-7**

“Civilians, especially women, children, and the elderly, are extremely vulnerable as they travel along the lengthy all-weather road leading from Abyei Town to Banton Garrison (Abyei-Banton Road). [...]. It may appear that these incidents are isolated criminal acts. When viewed in their entirety, the overall violent criminal activity and flagrant disregard for the cultural customs of the indigenous people have created a hostile living environment in the region.

[...]

During the war the Ngok Dinka (SPLM/A supported) have suffered the most. It is estimated that 70% of Ngok Dinka have been displaced to other regions in Sudan as a result of the conflict. This displacement, and the resulting vacuum, encouraged many Misseriya Arabs (GoS supported) to move into areas that had traditionally been Ngok Dinka land. This “occupation” of traditional Dinka lands by Misseriya Arabs remains a point of resentment.

[...]

While trying to re-establish themselves socially and economically, they are confronted with two major obstacles: first, they suffer from a severe lack of economic and social support, to include adequate health care and educational opportunities; secondly, they are faced with a constant criminal threat to their safety and livelihood, that is illustrated in this report.

[...]

From August 2003 to December 2003: CPMT received nine allegations that implicated GoS militia soldiers of having sexually assaulted and raped women along the Abyei-Banton Area. One victim was pregnant at the time of the assault, and as a result of that rape, suffered a miscarriage. Three of the rape victims were young girls: aged eleven, twelve, and fourteen.

[...]

All of the women, who alleged they were sexually assaulted and raped, also claimed that they were beaten. One woman reported that the attackers (GoS soldiers) fired shots around her to stop her from struggling. Another woman stated that she was struck in the back with the butt of a rifle to stop her from struggling.

[...]

August 2003: Civilians—who purchased food/goods at the Abyei Town market—are excessively taxed by the SPLM/A upon their return to SPLM/A controlled territory.

[...]

The violent criminal acts perpetrated against civilians cited in this report, coupled with the GoS's failure to produce significant evidence that it is applying military justice against the perpetrators and its continued lethargy in implementing control measures to eliminate the threat of further criminal conduct, highlights this as a systemic GoS malady. Contributory factors, such as idleness of military forces in these remote garrisons, apparent lack of willingness on the part of commanders to exercise control/discipline, and the increased influx of civilians, especially women along the Abyei-Banton Road, combine to create an environment conducive to criminal activity."

### **Returnees to Western Upper Nile subject to continued killings, attacks, rape and looting (2004)**

- Between April 2003 and November 2004, the CPMT reported gang rapes, looting and killings in Upper Nile and along the Bentiu-Leer-Adok Road committed by all sides
- GOS and SPLM/A committed themselves to facilitate the return of people displaced from and in Western Upper Nile by signing the February 2003 Addendum to the October 2002 MOU on cessation of hostilities
- GOS and SPLM/A committed to stop all work on Bentiu/Adok road until a final and comprehensive peace agreement
- IDPs who returned to Western Upper Nile found their villages razed to the ground, drought, and continuous fighting
- Returnees were largely dependent on humanitarian assistance for food as insecurity prevents cultivation and whatever they produce is looted by armed groups
- GoS has not attempted to punish its troops for the crimes committed in Upper Nile and along the Bentiu-Leer-Adok Road and denied allegations of rape
- GoS-aligned Militias of the South Sudan Independent Movement (SSIM) continue to commit gross human rights violations against civilians although they were initially deployed to protect them (2004)
- CPMT reports that all parties to the conflict commonly burn villages and raze IDP centres to the ground
- CPMT confirms that fighting in Western Upper Nile since December 2002 was in direct support to the GoS endeavour to complete road construction between its garrisons and oil fields

**ICG, 10 February 2003, p.1**

"The government and SPLA pulled back from the brink of such an escalation, and the likely collapse of the peace negotiations, by signing an "Addendum" to the 15 October 2002 cessation of hostilities agreement.

[...]

The new agreement acknowledges the plight of all these IDPs and calls for their safe return, and for the international community to facilitate this. "

**IRIN, 5 February 2003**

"The government of Sudan and the rebel Sudan People's Liberation Movement/Army have committed themselves to "effect the immediate voluntary return" of civilian populations displaced in the country's main oil-producing area, Western Upper Nile (WUN), to their homes.

A joint communique issued on Tuesday said the new measure would include those displaced within Western Upper Nile, those displaced from WUN to neighbouring Bahr el Ghazal, and all other civilians who had been displaced since the signing of the 17 October Memorandum of Understanding (MOU) on a cessation of hostilities."

**CPMT, 2 October 2004**

"There is an unmistakable pattern of looting of civilian livestock assets, which coupled with harassment and intimidation of civilians, spell grave humanitarian consequences for the IDP population in Malakal. With the few animal stocks they had left being taken away, and with the majority of them unable to access their homes to plant crops, the survival of many IDPS appears grim. Feeding and care of this growing population will now fall on the generosity of the world community through the various UN and NGO humanitarian agencies."

**CPMT, 25 May 2004**

"Since early March 2004, there has been a steady increase in military action against civilians in the Shilluk Kingdom. These actions have been characterized by the systematic destruction of villages; civilian casualties, and the displacement of thousands of villagers. In addition to the loss of their homes and property, these Internally Displaced People (IDP's) have been deprived of their livelihood."

**CPMT, 19 August 2003**

"[...] civilians that had been displaced during earlier periods of fighting ventured back into this area. Slowly, civilians gained the confidence to travel along the road and visit the local markets that had sprung up outside the GoS garrisons of Mirmir and Rubkuai. Unfortunately, due to a brutal drought, the continuous fighting in this region and the complete razing of numerous villages by GoS forces, there was little to no harvest in this area during 2002. Upon their return to this region, civilians found themselves increasingly dependent on grain/food sold in the aforementioned markets, or on relief provided by Non-Government Organizations (NGO's) food distribution programs—quite often conducted outside these very same markets.

[...]

The area along the Bentiu-Leer-Adok Road between Mirmir and Leer saw heavy fighting from the end of December 2002 until the end of March 2003 [...]. This fighting was in direct support of the Government of Sudan's (GoS) designs to complete the all-weather road from Rubkona to its garrison at Leer in the south, and ultimately, to its garrison at Adok on the Nile River.

[...]

Since the beginning of April 2003, the CPMT has received numerous allegations of rape, gang rapes, looting, shootings and killings along the Bentiu-Leer-Adok Road. Aside from several allegations of looting, the overwhelming majority of these allegations are leveled at the GoS forces based at garrisons along this road.

[...]



This report will also cite further growing hardships faced by civilians along the road as they are looted of food (purchased in Mirmir and Rubkuai markets) by the SPLA upon returning to their homes in SPLA held territory.

[...]

The cessation of hostilities agreement between the GoS and the SPLA has been a stimulus for the return of many civilians to the area with the hope of rebuilding their lives. However, as clearly illustrated, the looting, attacks, rapes, shootings and killings of civilians continue to destabilize the area. These criminal acts conducted by GoS soldiers combined with the looting conducted by SPLA create an environment of fear and anxiety in a population that has already lived through countless hardships. These acts make it more difficult for communities to reestablish their normal cultural patterns, if they attempt to return at all.

[...]

This exhaustive investigation clearly signals that despite the fact that civilians are returning to their homes in the vicinity of Bentiu-Leer-Adok Road, they continue to be victims of violent acts perpetrated by both parties. While both the GoS and the SPLM/A continue to ignore the commitments they made when they ratified the agreement to protect non-combatant civilians, the habitual nature of the criminal acts on the part of GoS soldiers is particularly heinous in as much as these men are members of a regular armed force of a sovereign nation; a nation which is signatory to the Geneva Convention and Law of Land Warfare.

There is little evidence to indicate that GoS commanders are making a good faith effort to discipline soldiers for crimes committed against civilians. In fact, just the opposite is the case; the GoS denied all allegations of rape and made no attempt to demonstrate to the CPMT that it sought to control the actions of its soldiers based in garrisons along the Bentiu-Leer-Adok Road.”

#### **CPMT, 15 February 2003**

“Beginning 31 December 2002 military activities occurred in Western Upper Nile, which immediately drew the attention of the Civilian Protection Monitoring Team (CPMT). Reports in news media and by various non-governmental organizations (NGO) indicated deliberate attacks against non-combatant civilians and civilian facilities in a number of locations south of Mankien in the west, and proximate to planned Government of Sudan (GoS) oil field all-weather access roads in the east between Bentiu-Adok.

[...]

In December 2002 and January 2003 the GoS mounted a major offensive in the Western Upper Nile (WUN) that resulted in abductions and death of civilians, looting and destruction of villages and displacement of large numbers of non-combatant civilians in the WUN and contiguous to the “oil road” along the Bentiu – Adok axis.

[...]

Leel is an IDP center with an estimated 8,000 people who had been previously displaced from their homes by fighting to the north. Four different Nuer tribes, displaced by previous GoS-associated actions to the north, are crowded into Leel with little food and a two-hour walk to a dwindling water supply.

[...].”

#### **CPMT, 14 January 2004**

“Due to turmoil between the GoS and GoS-aligned militias, the area of Western Upper Nile region of Southern Sudan has seen major conflict among the factions of the South Sudan Defense Forces (SSDF). These armed militia groups, with the support of the GoS army, have occupied parts of the Western Upper Nile since the mid-1980’s. Ostensibly, the occupation was initiated to protect the local populous from the SPLM/A. In practice, the militia has used the civilian population as a source of personal aggrandizement.

[...]Even after the Protection of Non-Combatant Civilians Agreement of March 2002, under which this investigation was conducted, and the Agreement of Understanding of September 6, 2003 between the GoS and the SSDF militias [...] the areas of Bentiu and Rubkona have been demonstrably wracked by violence.”

**UNCHR, 25 April 2003, p.3**

“As a follow up to U.S. Senator Danforth’s initiative, a US-led Civilian Protection Monitoring Team (CPMT), comprised of both civilian and military staff, has been established and sent to the ground, both in SPLM/A- and Government-controlled areas to investigate some of the human rights violations occurring in Western Upper Nile. Since its operationalization, the CPMT reported on a number of breaches of the agreed ceasefire and confirmed the occurrence of deliberate attacks against non-combatant civilians and civilian facilities in a number of locations proximate to planned Government oil fields all weather access roads in the east of Western Upper Nile. Those attacks were conducted by Government allied militias in the past two-three months. The team concluded that many thousands of civilians have been forcibly displaced from their villages by direct military attack in Western Upper Nile. As a result, most villages have been emptied or destroyed altogether. [...] the team pointed to the fact that the practice of burning villages is common to both SPLM/A and Government-backed militias.”

**IDPs' return to Transitional Areas hindered by lack of basic services and protection (2000-2004)**

- According to the Governor of the Nuba Mountains, about 60% of Nuba’s fertile land owned collectively by about 50 ethnic groups in the past had been expropriated during war
- The UN estimated that 100,000 IDPs who had returned to SPLM/A areas in the Nuba Mountains went back to their camps due to lack of funds to rehabilitate infrastructure and basic services in 2003
- 60% of returnee households are headed by women and lack community support
- Return of IDPs in Nuba Mountains may be curtailed unless protection and assistance to rehabilitate livelihoods is delivered
- UN encouraged the return of Dinka to Abyei in war-devastated resettlement villages where they ended up being dependent on humanitarian assistance
- IDP returnees lack economic and social support and basic services such as health and education
- About 1,300 IDP families returned to Abyei in 2003 after ten years of displacement
- IDPs who returned to Abyei have to walk two to three days to access health care
- Programme Advancing Conflict Transformation in Abyei: a multi-agency collaborative approach to support Dinka IDPs return built upon grass roots peace initiatives

**IRC, 1 May 2004, p.49-50**

“186. At the regional level, JMC and the Nuba Mountains Pact are generally seen as having a played significant role in confidence building. The return movement to the Nuba Mountains following the 2002 ceasefire is considered a successful model because it rests on a political framework, a ceasefire that is verified by JMC and the establishment of the Nuba Mountains Pact (NMPACT), a consortium of humanitarian and development NGOs and UN actors. [Footnote No.53: While the general view is that the Nuba Mountains is a success story, one observer with in-depth experience of the area expressed doubt as to what extent the root-causes had been addressed in the Nuba Mountains. He argued that the balance of power and resources allocation had not changed as those living in the SPLA-controlled Nuba Mountains still remained a disadvantaged group.] [...] In contrast, while IDPs were assisted in returning to Abyei

in 2003, the overwhelming majority did not integrate due to the absence of basic services and insecurity, and, in fact, they returned to Khartoum. Thus, confidence building and reconciliation, ultimately, require a multi-sectoral approach, which rests on a political framework and security guarantees.”

**UN, 3 June 2003, p.15**

“Lack of funds to implement programmes in the Nuba Mountains in spite of a two-year cease-fire, discouraged the return of IDPs. During January - April 2003 an estimated 100,000 returnees to SPLM/A held areas went back to their camps due to lack of social infrastructure and minimum social services.”

**UNRC, 16 June 2003**

“Since late March, a number of spontaneous IDP returns to the Nuba Mountains have been noted (the nearest estimate is about 25,000 to 30,000 persons). Cost of transportation has prevented other IDPs from returning. Among the problems faced by returnees is the chronic water shortage and competition over water resources between the nomads and pastoralists.”

**UNR/HC, Nuba, 22 July 2003, p.9**

“The cease-fire agreement in January 2002, allowed some returnees to come back to their places of origin. The majority of returnees arrived between June and August mainly from displaced camps, with little or no assets. On arrival, some joined their relatives, while others were accommodated in new villages with no host residents hence hindering reliance on kinship support. Overall, percentage of female-headed households (FHH) is 30-35%. With the migration of male heads in search of labour and others joining the war or being killed at war, the percentage of FHH among IDPs is around 60%. Serious gender gaps exist in participation of women in public decision-making, literacy and access to health facilities.”

**UN, November 2002, p.9, 11**

“The Nuba Mountains provides an opportunity to demonstrate an appropriate principled approach to peace building, from which neighbouring communities and intransigent leaders might learn from and replicate. There is a risk that the Nuba Mountains cease-fire may fail because of the inability or lack of will of the international community to support an enabling environment for ensuring that practical and immediate benefits, including protection, accrue to the civilian population. There is also an expectation from the war-affected population that sufficient support to sustainable peace building, livelihoods and community-based rehabilitation will facilitate the civilian population to more fully participate in the peace process.”

**UN, November 2002, p.11**

“The multi-agency supported Abyei peace conflict transformation process led to the return of over 800 IDP households to villages outside the town. However, the vulnerability of such processes to wider political events was demonstrated in late September when action by the army and the SPLA led to the people being temporarily relocated back to Abyei town.”

**CPMT, 5 February 2004, pp. 1-7**

“In an effort to encourage displaced Ngok Dinka to return to the Abyei region, the United Nations established three resettlement villages in the area: Noong, Awuol Nhom, and Today. Unfortunately, as people who already suffered from the devastating effects of war and displacement returned to the area, they found themselves increasingly dependent upon Non-Governmental Organization (NGO) food distribution programs, in addition to the food/goods sold in the GoS controlled Abyei Town market. While trying to re-establish themselves socially and economically, they are confronted with two major obstacles: first, they suffer from a severe lack of economic and social support, to include adequate health care and educational opportunities; secondly, they are faced with a constant criminal threat to their safety and livelihood, that is illustrated in this report.”

**IRIN, 10 July 2003**

"An NGO survey of rebel-controlled Abyei county has found that there are no health services available to a population of about 32,000 people, forcing them to walk for between two and three days to access medical care.

About 60 percent of people relied on traditional healers and "spear masters" who performed witchcraft, the Irish charity GOAL reported, with about 20 percent opting for formal health care in Abyei town, where there is a hospital, or neighbouring Twic county, which has primary health clinics.

[...]

The Abyei Community Action for Development (ACAD), a local NGO, estimates that 1,300 households have returned to southern Abyei so far this year, while another 750 people are expected within the next week. The returnees, mostly from Khartoum, were visibly better off than local people who had not been displaced, Reuben Haylett, a medical coordinator with GOAL, told IRIN.

Many others who had returned, had chosen not to stay due to the lack of services, and moved on to neighbouring Twic county or to the IDP camps in northern Abyei, Deng Mading, director of ACAD, told IRIN.

A regional conference held in Agok, Abyei county, in early June expressed "outrage at the subhuman conditions" in which the IDPs were living."

**UNCHR, 27 November 2002, pp.6-7; 11-12 par.5; 29;31**

"While expectations of the Dinka community in Khartoum and other urban centres in the north regarding substantial support for the return of IDPs to Abyei were high, the priorities of the international community in Khartoum focused on promoting and supporting a strong conflict-transformation base to mitigate competition and frustration between communities that would undermine any return of IDPs to the Abyei rural areas, as had occurred in the past.

[...]

Concerns were expressed regarding the slowness of ensuring adequate access to basic services, and it was clear that people had expected much more than had been delivered. The level of services available to the three villages also varied substantially. Only one, Todaj, had a functioning borehole and water delivery system, while the other two relied on water from the adjacent river and streams. In Todaj, a market had begun and a school had started on the initiative of the community. Regular transport was available to take residents back and forth to Abyei as needed. These services were not yet present in Noong and Awolnom."

# HUMANITARIAN ACCESS

## General

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### **New law restricting activities of non-governmental organizations (May 2006)**

- Decree of August 2005 increases the government's control of national and international non-governmental organisations
- NGOs existing before the entry into force of the decree to have to re-register
- There are no independent or judicial review of decisions on issues such as cancellation or refusal of registration

### **UN News, 4 May 2006**

"United Nations High Commissioner for Human Rights Louise Arbour today raised her concerns with senior Sudanese Government officials over a new law restricting non-governmental organizations (NGOs) as well as the effects of a pervasive presence of officials of the State's security and intelligence services, especially in strife-torn Darfur.

On the fourth day of a six-day tour which has already taken her to Darfur, where fighting between the Government, pro-government militias and rebels has killed some 180,000 people and uprooted 2 million more, Ms. Arbour asked for more access for human rights monitors in detention centres, including those of the national security services, according to UN officials.

Today's meeting took place in Khartoum, the capital. Tomorrow, Ms. Arbour will travel to Juba in southern Sudan, where a peace accord in 2005 ended a separate two-decades-long civil war that uprooted some 4.5 million people from their homes.

Meanwhile, today in Darfur, 2,500 internally displaced persons (IDPs) demonstrated in the Kalma camp near the African Union (AU) compound, calling for UN forces to be deployed as soon as possible and for compensation for their losses, the UN Mission in Sudan (UNMIS) reported.

The IDP representatives handed over a letter in which they complained of increased insecurity in the camp, citing several shooting incidents and the abduction and rape of women, the AU failure to protect the camp, and insufficient humanitarian assistance.

Last week, a senior UN peacekeeping official briefed the Security Council on the Sudanese Government's current opposition to the deployment of a UN force in Darfur, which he said was delaying major planning for any such operation since it required an on-the-spot assessment."

### **UNSC, 12 September 2005**

"On 4 August, President Bashir issued a provisional order to promulgate a decree on the organization of humanitarian and voluntary work. The decree directly affects the exercise of fundamental freedoms, including the freedom of association protected in the Comprehensive Peace Agreement, the Constitution, and international human rights instruments ratified by the Sudan. The decree provides wide powers to the Ministry of Humanitarian Affairs and the Humanitarian Affairs Commission to oversee and control the activities of national and international nongovernmental and civil society organizations. The decree requires, inter alia,

non-governmental organizations, international non-governmental organizations and other groups existing before the entry into force of the decree to re-register, and does not provide for independent or judicial review of decisions on issues such as cancellation or refusal of registration. It will be important and necessary that the provisional order be submitted to the National Assembly as soon as it convenes in accordance with article 109 (1) of the Interim National Constitution, to ensure that it is in accordance with international human rights standards."

### **Humanitarian access has improved in the South and deteriorated in Darfur (October 2005)**

- Bentiu in Unity State, is as of September 2005 accessible to UN staff
- Restricted access in Darfur
- Cease-fire arrangements in the Nuba mountains have facilitated humanitarian work
- Commercial blockade of IDP camps in Darfur after riots in May 2005
- Humanitarian workers kidnapped in October 2005

#### **UNOCHA, 15 September 2005**

##### **Humanitarian access in the south;**

"Despite pockets of insecurity, overall humanitarian access continued to improve in the South. Bentiu, Unity State, is again accessible to UN staff after one and half months. All UN agencies that were in Bentiu have now returned, namely OCHA, WFP and UNICEF."[...]

##### **Humanitarian access in the Darfur;**

"Humanitarian access continued to encounter many limitations, leading the African Union (AU) to announce that its peacekeeping forces would increase presence in areas where the security situation is particularly volatile. During a visit to Geneina, West Darfur, on 5 September, the Deputy Special Representative of the Secretary-General and Humanitarian Coordinator, Manuel Aranda Da Silva, met with representatives of the international community, aid groups, the GoS, the AU and rebel factions. Da Silva said that efforts were expected from government authorities to improve the operating environment for humanitarian work. Following his visit, WFP made a helicopter available for the transport of aid workers. Ongoing efforts to

resolve the conflict in Darfur continued with the resumption of talks on 15 September in Abuja, Nigeria, among the Sudan Liberation Movement/Army (SLM/A), the Justice and Equality Movement (JEM), and Sudanese authorities, under the auspices of the AU and observed by the UN Mission in Sudan (UNMIS). The security situation around Kalma IDP camp — the largest in Darfur with an estimated 150,000 people — has further deteriorated with a large number of incidents reported, especially to the north and northeast of the camp. The commercial blockade of the camp, which was imposed after the 20 May riots, remains in place"

#### **UN, 30 November 2004, pp.5-18, 46, 143**

"Three staff working for CAFOD partner, Sudan Social Development Organisation (SUDO), have been kidnapped in Darfur, Sudan.

They were hijacked at gunpoint while visiting the Zam Zam camp in El Fasher, North Darfur on 29 September. It is thought they were taken by members of a local militia group.

SUDO staff were told of the hijacking immediately by residents of the camp but have not been able to locate their staff or the hijackers. SUDO have been working in Darfur, delivering health and sanitation facilities to people living in camps across the region.

This is one of many incidents that have recently taken place in Darfur as the security situation in the region continues to worsen."

#### **Humanitarian access in the Transitional areas**

"In the Transitional Areas (Abyei, Blue Nile state and Nuba Mountains) the GoS and the SPLM/A agreed in May 2004 on two protocols covering the areas, and the extension of the cease-fire arrangements covering the areas also facilitated humanitarian and development assistance work.

[...]

In 2004 increased political tensions marked eastern Sudan. Economic issues, in particular the combination of severe poverty in some areas and the growing possibility of oil extraction, may have a bearing on regional developments.

[...]

The presence of monitors [**in southern Sudan**], both local and international must be visible to encourage transparency and safety from violations. Specialist agencies working with, among others; separated children, sexually abused women, forced returns, female and child headed households, and children returning from armed forces need to scale up their programming radically to have professional competence in all affected areas. While some parts of the population can now move with more freedom across lines from government held towns in the south to SPLM/A territory and vice versa, United Nations and non governmental agencies cannot. Protection training, monitoring, violation reporting, services to victims of abuse, challenges to policy and political decisions which affect people's rights will at times be difficult and even more so when done across lines.

[...]

The Nuba Mountains ceasefire has continued and is monitored by the Joint Military Commission (JMC). Abyei and Blue Nile State continue to be under the general 'cessation of hostilities' agreed in October 2002 and are covered by the Verification and Monitoring Team as part of its monitoring of adherence to the GoS-SPLM/A cease fire in southern Sudan. The number of cease fire violations in the Nuba Mountains in particular has declined and cross line access has become much easier, resulting in a big increase in trade. This has been largely due to the work of the JMC. However, as of November 2004, **cross line access in Abyei and Blue Nile remained problematic**. There have also been reports of militia training and movements in all of the transitional areas, although not all reports have been substantiated. Renewed or increased conflict in any of the three areas therefore remains possible."

#### **Insecurity in Darfur intermittently prevented the delivery of humanitarian relief (2005)**

- 88% of the affected population could be accessed in December 2004
- Humanitarian workers increasingly under attack in Darfur, many killed and taken on hostage despite the AU expanded mandate to protect relief workers
- Save the Children UK withdrew from Darfur following the deaths of four of its staff members
- The Security Council in December deplored the "serious degradation of the security and humanitarian situation in Darfur"
- The humanitarian ceasefire agreement signed in April 2004 between the GoS, the SPLM/A and the JEM has been systematically violated
- The number of humanitarian workers increased from 200 in March 2004 to 9,100 by end of year

- The affected population in Darfur is expected to rise in 2005 due to drought, conflict, and as a result of increased access
- Two Security Council resolutions urging to end violence were not implemented
- The Government of Sudan and the rebels signed two protocols in October 2004 to improve the humanitarian situation and security in Darfur were nullified by gross violence and attacks on the day of signing and subsequently
- Security deterioration in December 2004 halted food delivery to 250,000 people in need
- When access conditions were at their best in September 2004 up to half a million IDPs were inaccessible to any assistance whatsoever and only 30% had access to clean water
- Insecurity and the lack of capacity on the ground have impeded agencies to establish humanitarian operations in Darfur
- On the 9 of February 2004 the GoS promised to provide access to aid workers to reach millions of people in need of assistance
- Only 15% of the IDPs are estimated to be accessible to humanitarian workers because of insecurity and difficulties in obtaining travel permits (Jan 04)
- Only 13% of the estimated 3 million people directly affected by war are accessible to humanitarian workers out of a population of 6 million in Greater Darfur (Jan 04)

#### **OCHA, 3 March 2005**

“Humanitarian agencies and organizations have been more successful in providing lifesaving assistance to the affected population where they can be accessed (88% of the affected population in December 2004). The tables below summarize the percentage of the population receiving assistance as of the end of September 2004 and the end of December 2004.<sup>2</sup> The number of people directly affected by the conflict increased by 16 percent, from an estimated 2.02 to 2.40 million, over the last quarter of 2004. As a result, more people had to be reached to maintain the same coverage percentage.”

#### **UN RC, 25 January 2005**

“Roads and even whole areas were intermittently cut off from assistance. The rate of increase in assistance, especially food, which had been destined for two million people, reduced as a result of disruptions caused by insecurity.”

#### **UN R/HC, 1 January 2005**

“Sustained and heavy military operations in North and South Darfur triggered further insecurity, limited humanitarian access and led to further displacement in December. This resulted in the increased overcrowding of some already congested camps, or the impossibility for humanitarian actors to reach beneficiaries who took refuge in inaccessible areas.

[...]

In March 2004 there were just over 200 aid workers and in Darfur. By April this had increased five-fold to over 1,000 aid workers to reach over 9,100 by the end of the year as the Government of Sudan somewhat relaxed restrictions and following the visit of the UN Secretary General, and the subsequent signing of a joint communiqué between the two parties on 3 July to speed up all bureaucratic procedures such as visas, NGO registrations, imports of cars and communications. Much credit to the increased presence of humanitarian organization, thus the provision of assistance to the population in need has to be given to the Humanitarian Affairs Ministry whose officials worked tirelessly to enforce the provisions of the communiqué.

By the end of December 2004 some 77 NGOs have established their presence in Darfur, together with the 11 operational UN agencies, and other international organizations such as the ICRC and the Red Cross/Red Crescent societies. The affected population passed from over one million people in June to some 2.4 million at the end of 2004.



[...]

The affected population is expected to increase further in the coming months as a result of increased access and capacity to reach outlying areas. This will include villages that do not host IDP populations, as well as the pull-factor effects, which may draw more and more residents into IDP locations as they exhaust local resources, exacerbated by the failed agricultural season, while assistance in IDP locations most likely will continue to improve. Even if the fighting were to stop immediately, no new people were forced out of their homes, assuming no change in the general security situation and thus no IDP return movement, it is expected that the numbers of vulnerable populations will increase due to drought and new accessibility

[...]

The deteriorating security situation throughout Darfur is the greatest constraint to humanitarian operations in the region today. Despite the Ceasefire Agreement and the multiple agreements between the different parties, and notwithstanding international attention and pressure, violations are on the rise, severely impacting civilians and rendering the provision of humanitarian assistance more difficult. Civilians continue to be exposed to violence in their daily activities; they are subject to sexual and gender based harassment and involuntary relocations. The level of harassment, detentions and other security incidents involving relief workers have significantly risen since September with the detention of international NGOs humanitarian workers on separate occasions by the GoS during December. The UN and diplomatic community are extremely concerned about this latest development. Actions are being undertaken at the highest level to try to resolve the issue.”

#### **UN RC, 1 January 2005**

“The Security Council members held consultations on the situation in Sudan on 21 December 2004. In a statement they revealed that they are deeply concerned with the “serious degradation of the security and humanitarian situation in Darfur and at the repeated violations of the ceasefire”. The members condemned these violations of the ceasefire as well as the shooting at an African Union helicopter. They called on the parties to abide by the ceasefire accord and by the security humanitarian protocols they signed in Abuja.

[...]

Save the Children UK announced on 21 December 2004 that it was withdrawing from Darfur following the deaths of four staff members in two separate incidents over the previous two months, as well as a number of other serious security incidents.”

#### **UN, 30 November 2004, p.5-18**

“At the time of writing, conflict in Darfur continues, with an increase over the previous quarter in security incidents for aid workers, and abuses against civilians. The Darfur crisis has had a devastating impact on the people of Sudan, displacing 1.6 million people in Darfur, 200,000 refugees from Darfur sheltering in Chad, and severe hardship in the lives of several hundred thousand other conflict-affected people. Despite the large humanitarian effort to date, an average of 30% to 50% of these needy people do not yet have access to assistance.

[...]

The actual number of displaced and affected people has risen due to continued insecurity in Darfur. At the same time, increased access by humanitarian aid workers has led to more people being assisted. By October, relief was being delivered to between 50% and 70% of the conflict-affected population. [Footnote 1: For example, by 1 October food relief was being distributed to 70% of the conflict-affected population, compared with 57% at the start of September, while shelter and non-food items were being delivered to around 52% of the target population.] However, as of September, the security situation for aid workers has deteriorated and is affecting the provision of aid.”

#### **AU, 30 December 2004**

“These attacks launched on the 27th December 2004 and the consequential retaliatory attacks by Government forces both inflicted not only serious casualties to civilians but also led the UN’s

World Food Programme to suspend further deliveries of much needed food aid to North Darfur. This suspension by the WFP involving nearly one and half million tons of food aid will seriously affect some 250 000 people who depend on it.”

**MSF, 22 December 2004**

“Aid workers are increasingly at risk in Darfur. Several organisations have lost staff. This is the second Sudanese nationality MSF aid worker who has been killed over the last three months.”

**UN CHR, 27 September 2004, p.12**

“At the time of my mission, the humanitarian situation was reported to have been much improved with better cooperation on the part of the Government in facilitating access. Humanitarian workers, however, complained that persistent insecurity still impeded access. There were also complaints about the shortfall in the donor response, with less than 50 per cent of the humanitarian appeal having been funded. Indeed, at the time of writing, it is reported that only 30 per cent of those in need have clean water and that up to 500,000 IDPs remain inaccessible to any humanitarian assistance whatsoever.”

**UN, 30 November 2004, p.98**

“Politically there were several important developments in Darfur in 2004, yet peace remains elusive. A Humanitarian Ceasefire Agreement was signed in April between the GoS, the SLM/A and the JEM. It has been violated numerous times. The ceasefire included a protocol on humanitarian assistance in Darfur. Two Security Council Resolutions [...] were passed, calling on the parties to cease all violence, protect civilians and seek a political solution to the crisis. [...] On 20 October the African Union Security Council issued a Communiqué expanding the size and mandate of the African Union Mission in Sudan (AMIS). Though initially established to monitor adherence to the April Ceasefire, the increased number of AMIS troops now have a more protective role in relation to both civilians affected by conflict and to humanitarian actors. Peace talks conducted under the aegis of the African Union in Abuja in August closed after three weeks without resolution; the Abuja talks seeking a resolution to the crisis resumed in late October, leading to the welcomed signing of two protocols related to the improvement of the humanitarian situation and the enhancement of the security situation in Darfur. Unfortunately, on the very day that the protocols were signed there were several very worrying incidents of insecurity in Darfur, further underlining the imperative of a political agreement between the parties – an agreement that the AU is diligently pursuing with the GoS and rebel groups.

In spite of the Ceasefire Agreement and the multiple agreements entered into between the GoS and the UN, and notwithstanding international attention and pressure, ceasefire violations continue, and are on the rise, severely threatening civilians and rendering the provision of humanitarian assistance more difficult. Civilians continue to be exposed to violence in their daily activities; they are subject to sexual and gender based attacks and harassment and involuntary relocations and returns. Humanitarian aid workers are also increasingly subject to harassment and attack. Aid workers have been detained and are routinely robbed. Two landmine incidents in the region involving humanitarian organisations resulted in the death of two aid workers; two others were severely wounded.”

**UN RC, 29 February 2004**

“Assessment teams cite ongoing insecurity along major transport routes, the paucity of the number of implementing partners on the ground, and the very limited capacity of agencies currently operating in Darfur, as some of the major constraints inhibiting the establishment of full-scale humanitarian operations on the ground.”

**UN R/HC, 10 January 2004, p.1**

“Only 15% of all IDPs and 13% of the war affected are currently accessible as determined by UN Security, and even access to these people has reportedly been hampered by difficulties in

obtaining travel permits. Other civilian protection issues include the reported burning and looting of more than 500 villages, reports of the killing of thousands of civilians, and of attacks on IDP camps. Many more have died as a result of diseases and malnutrition related to the displacement.”

#### **OCHA, 18 February 2004**

“The Darfur region of Sudan remains highly volatile for civilians and the humanitarian community. The security situation outside the three capital towns throughout Darfur is of particular concern. Access to most areas outside the three capitals is impaired by daily incidents of militarized violence on major roads routes. These include systematic disruption of railroads and communication lines. Recent concerns over mines and unexploded ordnance (UXO)--a new problem for Darfur--add to the difficulty of reaching people in need.

“Ironically, at the moment we receive access clearances, insecurity on the ground precludes us from accessing populations in need.

[...]

Ambassador Vraalsen arrived in Sudan on 12 February. His visit was instrumental in ensuring the prompt issuance of travel permits from the authorities. In both Khartoum and Darfur, he urged the authorities to keep their promises [made on February 9] for unimpeded access to the populations in need..”

#### **OCHA, 12 February 2004**

“Nearly three million people affected by the conflict in Sudan's Darfur region have remained beyond the reach of aid agencies trying to provide essential humanitarian aid. UN aid agencies estimate that they have been able to reach only 15 percent of people in need. Half of Darfur's six million people are directly affected by the conflict. The number of people who have fled from Darfur to Chad has nearly doubled to 110,000 in the past three months. More than 700,000 people have been internally displaced in the past year.”

#### **IRIN, 11 February 2004**

“The UN, meanwhile, has welcomed the government's move on humanitarian aid, saying that up to now it had been "prevented" from providing aid in the region. "This represents a breakthrough, since for months we have been prevented from reaching large numbers of displaced civilians in what is one of the worst emergencies in Africa," said Jan Egeland, the UN Emergency Relief Coordinator. "We must now ensure that this positive development becomes a reality.””

#### **UN, 18 November 2003, Vol.I**

“Most alarmingly, a new conflict erupted in 2003 in Greater Darfur involving military elements, bandits and the Sudan Liberation Movement and Army (SLM/A)[...] and the GoS. By August 2003 the conflict had escalated significantly, resulting in internal displacement, disruption of livelihoods and the destruction of villages, though a cease-fire agreement was signed by the two parties in early September [2003] which was rapidly followed by a Greater Darfur Initiative to help consolidate fragile peace on the ground. During the fighting, the movement of humanitarian personnel was drastically limited to the main cities and a restricted number of villages. It is estimated that access restrictions accompanying the conflict in greater Darfur prevented the delivery of humanitarian assistance to some 500,000 people in need of relief. More significantly for the future, fighting in Greater Darfur has prevented crop cultivation for 2003. As a result, the region could face serious food shortages next year.”

#### **Insecurity and access denials remain top obstacles to humanitarian activity (2004)**

- Western Upper Nile was off limits to aid workers following attacks on humanitarian staff in late February 2004

- Humanitarian delivery continued to be constrained by both insecurity and difficulties in obtaining travel and work permits, as well as restrictions on the use of communication equipment
- Access continued to be constrained by insecurity in Western Upper Nile, particularly in Bieh and Latjor, despite the February 2003 Addendum to the Cessation of Hostilities MoU of October 2002 whereby the two parties should facilitate access and return of IDPs
- LRA continued activity impeded efforts to contain Yellow Fever outbreaks in eastern parts of Equatoria
- Attacks on civilians and conflict in Greater Darfur prevented delivery of humanitarian assistance to over half a million IDPs during 2003 despite September 2003 ceasefire
- Clashes in Kassala state, impeded the access to IDPs in Hamash Koreb since October 2002
- Humanitarian operations largely depended on high-cost air-lifts due to insecurity and lack of all-weather roads
- Insecurity prevented access to displaced people in 2003 particularly in Unity state, Darfur State and in Kassala state

**UN RC, 27 February 2004**

“Eight United Nations and non-governmental staff were deliberately targeted in a sustained attack by armed militia during a relief operation in Nimnim, Western Upper Nile in southern Sudan on February 20.

[...]

The attack has led to the suspension of humanitarian relief activities to about 30,000 people in the area.

[...]

The area is now off-limits to aid workers of the Operation Lifeline Sudan (OLS) consortium.”

**UN, 18 November 2003, Vol.I, p.2,7,8,11**

“Building on the foundations laid in 2002, the operational environment improved significantly during 2003. As a result, humanitarian access has been less obstructed than at any time over the past thirteen years. Nonetheless, emerging conflict in the Greater Darfur region and escalating conflict in parts of the southeast have added to other security concerns, which continue to constrain access.

The impact in terms of lives saved as a result of positive developments in the operational environment cannot be overstated. However, lack of access continued to restrict assistance from reaching a number of vulnerable populations dependent on relief and protection for survival. In certain parts of the country the movement of humanitarian personnel continued to be constrained by both insecurity and imposed obstacles such as lengthy delays in obtaining travel permits, work permits, and restrictions on the use of radio communications equipment and sat phones.

Western Upper Nile (Unity) saw a severe outbreak of fighting in December 2002-January 2003 associated with road construction linked to oil-field development [...]. The hostilities were brought to an end by the signing in February 2003 of an addendum to the Cessation of Hostilities MoU of October 2002, which also stipulated that the two sides should facilitate the return of displaced populations. Just after the addendum was signed, a report by the Civilian Protection Monitoring Team [...] confirmed that humanitarian needs were ‘desperate’ though access during the period of fighting had been impossible. Throughout 2003 other parts of Upper Nile, in particular Bieh and large parts of Latjor continued to receive inadequate attention, due to continuing security concerns caused by militia activities.

The continued presence of the Lord’s Resistance Army (LRA) [...] in parts of southern Sudan was a significant impediment to the multi-agency effort to contain the outbreak of Yellow Fever in the

eastern part of Equatoria and other humanitarian relief operations in the region. Unconfirmed reports indicate that the LRA has abducted 8,000 people since 2002 and killed, robbed, maimed and mutilated an unknown number of others.

Most alarmingly, a new conflict erupted in 2003 in Greater Darfur involving military elements, bandits and the Sudan Liberation Movement and Army (SLM/A)[...] and the GoS. By August 2003 the conflict had escalated significantly, resulting in internal displacement, disruption of livelihoods and the destruction of villages, though a cease-fire agreement was signed by the two parties in early September which was rapidly followed by a Greater Darfur Initiative to help consolidate fragile peace on the ground. During the fighting, the movement of humanitarian personnel was drastically limited to the main cities and a restricted number of villages. It is estimated that access restrictions accompanying the conflict in greater Darfur prevented the delivery of humanitarian assistance to some 500,000 people in need of relief. [...]

In addition, frequent staff relocations due to insecurity took place throughout 2003 as a result of militia activity, looting, tension and ethnic clashes, mainly in Upper Nile and parts of Equatoria. Hamash Koreb in Kassala state has been inaccessible for humanitarian workers since October 2002

[...]

Partly due to these access constraints, though also because of the total absence of all-weather roads in southern Sudan, humanitarian operations have continued to be largely dependent on high cost airlifts and airdrops. Furthermore, concerns for the security and safety of humanitarian personnel have limited activities in some locations to "in and out" interventions, the effectiveness of which is limited."

### **Road between Juba and Yei in the South opened after a decade (September 2005)**

- The road links Juba to East, West and Central Africa, and its re-opening will facilitate much needed commodities into Juba
- For 20 years Juba relied solely on Khartoum for commodities transported by air, resulting in high cost of living
- The reopening of the road will open the market to the Democratic Republic of Congo (DRC) and Uganda

### **UNHCR, September 2005**

"On 5 September, the Government of South Sudan re-opened the 100-mile Juba-Yei road, which had been closed for more than a decade. The citizens of Juba turned out in large numbers to welcome a convoy of over 30 trucks that arrived from Yei to mark the occasion. In celebration, they slaughtered cattle, danced and sang praises to the SPLM/A. Addressing the crowd that had gathered at mile 40, the political advisor to the Government of South Sudan, Samuel Abu John, expressed regret about the slow pace of the UN in demining and re-opening the road. The road provides a lifeline, linking Juba to East, West and Central Africa, and its re-opening will facilitate the movement of much needed commodities into Juba. For 20 years Juba relied solely on Khartoum for commodities transported by air. This resulted in a very high cost of living. With the re-opening of the Juba-Yei road, the cost of living is expected to decrease as commodities from Yei, the Democratic Republic of Congo (DRC) and Uganda will enter the market. Despite its re-opening, UN staff are authorized to use the road only up until mile 40. UN Mine Action in Sudan (UNMAS) has not authorized UN travel beyond mile 40 as they are still working on the road."

## **Humanitarian access in Darfur**

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## **Humanitarian access is at its lowest level since the Darfur operation began in 2003 (August 2006)**

- More aid workers killed in two weeks than in the past two years (August 2006)
- Attacks happen while workers are helping suffering populations
- Need for humanitarian assistance increasing while humanitarian access has never been so low
- Security issues are the paramount factor limiting the delivery of humanitarian aid in Darfur
- Increase in armed ambushes on humanitarian convoys
- Humanitarian workers have also been victim of aggression by IDPs trying to disrupt registration exercises

(UN OCHA, 7 August 2006) "Escalating violence in Darfur has killed more aid workers in the last two weeks [end July-first week of August 2006] than in the past two years and is now seriously jeopardizing the humanitarian mission in the area, according to the United Nations Office for the Coordination of Humanitarian Affairs.

Humanitarian access is at its lowest level since the Darfur operation began and operational risks for aid workers are increasing by the day. A total of eight humanitarian workers died while on duty in July. At the same time, the violence is also impacting on local populations, deepening the humanitarian crisis.

"The level of violence being faced by humanitarian workers in Darfur is unprecedented. Many of the attacks happened while workers were helping suffering populations," said Manuel da Silva, Humanitarian Co-ordinator and Deputy Special Representative of the Secretary General for Sudan. "This is completely unacceptable. All sides must respect the neutrality of humanitarian workers. If this situation continues, we risk losing all that we have gained over the past year."

In addition to the deaths, increases have also been recorded in hijackings of NGO vehicles, attacks on cars during which they were looted, and attempted ambushes. These attacks include vehicles stolen during food distributions, theft from NGO compounds and one attack on an ambulance.

As a result of these incidents, many staff of Sudanese nationality working for international non-governmental organizations (NGO) and the United Nations now fear for their safety if they enter camps and in some cases are reluctant to do so.

The Humanitarian Coordinator is also concerned at the impact the increased violence is having on local populations who have already suffered so much. "The situation is made even more serious by the fact that the need for humanitarian assistance is increasing while our ability to respond is being ever more restricted," said Mr. da Silva.

The United Nations remains committed to the provision of humanitarian aid to all in need, irrespective of ethnicity, gender or political affiliation and will do its best to continue the vital work that is being done in Darfur and the rest of Sudan."

"Humanitarian access in Darfur is primarily determined by a combination of three factors:

- The degree of insecurity, which may require the United Nations and other humanitarian partners to suspend operations in certain areas for a certain amount of time;

- Road and weather conditions, which especially during the rainy season can severely limit access temporarily to some locations;

- The occasional harassment of humanitarian organizations and workers, including sporadic detentions, bullying and sporadic denial of access to affected areas and IDP camps, by both the GoS and SLA.

[...]

Security issues are the paramount factor limiting the delivery of humanitarian aid. Although generalized warfare has ceased, pockets of fighting between GoS/militia and rebels persist. A worrying trend is the notable increase in armed ambushes on humanitarian convoys travelling by road, limiting access to some affected populations. Detentions of, and threats to especially Sudanese NGOs and their staff have further hampered delivery of humanitarian assistance to some IDP camps and areas. Over the past months, humanitarian workers have also been victim of aggression by IDPs, incited by corrupt tribal leaders in order to disrupt registration exercises in IDP settlements. This being said, the AU force has brought a visible improvement in the security situation in the areas where they are present."(UNSRSG, 17 August 2005)

## **Institutional arrangements**

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### **Operation Lifeline Sudan: a mechanism to negotiate access for humanitarian agencies (1989-2003)**

- OLS consortium of 5 UN agencies and 41 NGOs was the first programme to rely on negotiated access in a sovereign state
- The Arrangement on Ground Rules signed between OLS-South and individual armed groups sets standards for safe and unimpeded access
- Half a dozen agencies outside OLS are free from delivery restrictions imposed by national authorities
- OLS operations and needs assessments have been limited to geographical areas agreed by the warring factions: IDPs in non-recognised camps were excluded from assessments
- Access agreements and the work of OLS have depended on ad hoc international pressure on warring parties
- A system for monitoring the level of insecurity for humanitarian operations in the conflict zones facilitates flexible access for humanitarian aid in the context of ongoing warfare
- WFP and UNICEF provide assistance to Nuba Mountains outside normal OLS framework
- All sides accuse OLS of partiality towards the other
- GoS bombed OLS relief sites in 1990 and suspended all OLS programs outside northern Sudan in 1991

### **Brookings/ect, 25 November 2002, p.22**

"A combination of international and local agencies address the humanitarian needs of waraffected populations in southern Sudan. The southern sector of Operation Lifeline Sudan (OLS), a UN-coordinated international relief effort which includes more than forty UN and international non-governmental organizations, serves as the main operational framework through which international relief is delivered to the south. OLS-South works in operational partnership with the

humanitarian wings of rebel movements to coordinate and distribute humanitarian aid. These arrangements, formalized through the Agreement on Ground Rules signed between OLS-South and individual armed groups, are based on minimum operating standards designed to facilitate safe and unimpeded humanitarian access to populations in insurgent areas on the basis of respect for human rights and humanitarian principles. Half a dozen international aid agencies operate outside the OLS framework, which frees them from restrictions on relief delivery imposed on OLS by the national authorities, and allows them access to otherwise inaccessible populations."

**ICG, 14 November 2002, p8**

"A consortium of five UN agencies and 41 humanitarian NGOs (international and indigenous) with a budget of roughly U.S.\$150 million, OLS currently provides humanitarian assistance to some 2.5 million people in southern Sudan as well as to camps for internally displaced persons (IDP) in Khartoum. [...] It was the first UN program to rely on negotiated access with the primary warring parties to provide relief assistance to war-affected populations within a sovereign country."

**UN OLS 29 January 1999**

"There appeared to be some confusion in the Review about OLS being a "safe area programme." In fact, OLS operates on the basis of negotiated access. OLS seeks the agreement of the parties to the conflict to allow humanitarian agencies access to war affected populations. This access is negotiated with the parties on a continual basis. Contrary to some humanitarian operations in other parts of the world, OLS does not attempt to designate specific areas as safe areas and then to allow agencies to work inside of these. Instead, OLS seeks permission from the parties to provide assistance to the war-affected populations in all areas where security conditions permit. The review correctly pointed out that the key to OLS has been a flexible, highly efficient security umbrella that allows agencies to operate in active conflict zones. Agencies in Sudan have been able to work in areas threatened by insecurity because the security umbrella is capable of immediately evacuating at-risk personnel. In terms of its legal framework, OLS operates within the tripartite framework established by the 1994 IGAD Agreement as well as on the basis of the "useful" practices that have developed over ten-year course of the operation."

**Hendrie et al 1996, pp. 21, 22, 33**

"From the end of 1992, following the involvement of the Department of Humanitarian Affairs (DHA), OLS has developed into a form of safe area programme in South Sudan. In place of military protection, however, access has depended on the vulnerability of the warring parties to international pressure. In the case of the GOS, this has largely been the wish to avoid punitive diplomatic action. For the opposition movements, the courting of international recognition has been central.

[...]

During the initial phase of OLS, emphasis was placed on a series of ad hoc arrangements that promised access to war-affected populations wherever they may be. From 1992, while agreements remained ambiguous, there has been a growing formality, and, significantly, a tendency to interpret access as relating to specific war-affected areas only. In other words, there has been a definitional shift in OLS from principle to geography. This has major implications for OLS's modus operandi.

[...]

From the end of 1992, the non-government areas of South Sudan emerged as a form of 'safe area'. While lacking military protection - for example, through UN Peacekeeping troops - a sophisticated security apparatus has nevertheless emerged which monitors the level of insecurity for humanitarian operations in the conflict zones. This monitoring has allowed for the development of a system of flexible access for humanitarian aid in the context of ongoing warfare."



***The OLS review points to problems of access associated with government control of the OLS Northern Sector operations:***

**Hendrie et al 1996, pp. 89-90**

"[T]he scope of coverage of OLS Northern Sector is determined not by overall needs, but by negotiated agreements with the GOS which delimit the areas OLS can formally access. More specifically, needs assessments - which define the scope of OLS in any given year are limited to sites that have been agreed by the RRC [Relief and Rehabilitation Commission]. This has led to considerable unevenness in coverage; for example, war-displaced populations in Greater Khartoum were excluded from OLS needs assessments until 1994; at present, only those war-displaced living in GOS recognized displaced camps are included in OLS, while displaced living in unofficial settlements continue to be excluded.

[...]

In the case of the Nuba Mountains, WFP is using OLS resources to respond to needs in areas where the GOS has facilitated access, despite the fact that these areas have been systematically excluded from formal agreements, and despite on-going efforts by the UN to negotiate their inclusion [...].

Hence, government control over the scope of OLS needs assessments allows for the formal exclusion of certain sites from the framework of OLS agreements. At the same time, by extending access selectively outside the OLS framework, the GOS is de facto sidestepping the application of OLS principles, while still obtaining its resources. Moreover, in the case of the Nuba Mountains, efforts by the UNHCU to promote strict adherence to OLS principles were eclipsed by WFP and UNICEF's sense of obligation to respond operationally to urgent needs in the area [...]."

***MSF similarly questions the influence given to the rebel movements in the OLS framework:***

**MSF 23 December 1999**

"The ultimate conclusion to be reached from the experience of this terrible famine [in Bahr el Ghazal in 1998] is that the OLS system, which has been in place for the past ten years, has become overly institutionalised and must be overhauled. Indeed, the inadequacies of the OLS framework significantly contributed to the inability of the humanitarian organisations to reach the most vulnerable because they were not permitted to carry out independent needs' assessments (including estimating population numbers), to control distributions or to conduct post-distribution monitoring. At the beginning of 1999 MSF therefore called for radical changes to the OLS and hopes that these will eventually be implemented."

**Ruiz 1998, pp. 148-149**

"The difficulties that OLS 1 had experienced in late 1989 – such as relief trains not moving, barges remaining moored at the docks, and ICRC flights increasingly being curtailed-intensified in 1990. The government bombed OLS relief sites in the southern Sudan in September 1990. Some of the bombings occurred while UN and Red Cross planes and personnel were on site.

Each side in the war accused the UN of partiality toward the other. The government, alleging that OLS had violated Sudanese sovereignty by providing cover for military support for the insurgents, demanded tighter operational controls and accountability. The SPLA, which claimed to control more of the south than it had at the beginning of OLS I, sought a larger proportion of the available relief supplies while resisting calls for increased accountability. At the beginning of 1991, the Sudanese government suspended indefinitely all OLS programs staged out of northern Sudan."

**Hendrie et al July 1996, p. 3**

"From the end of 1992, there has been a significant expansion in the scope of OLS in the Southern Sector. The number and diversity of programmes has increased beyond the original concerns of food and health. Due to GOS restrictions and interfactional insecurity, since 1995 access has been steadily reduced."

**See also ["Accords reached between the UN, Government and SPLM about access and protection of aid workers \(1999\)"](#)**

**To view the three Protocols signed between the UN, GOS and SPLM/A see annex V of CAP 2003 click here [\[External Link\]](#)**

# NATIONAL AND INTERNATIONAL RESPONSES

## Overview

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### International and national response (August 2006)

The international community represented by UN organisations, the UN Security Council, private and public aid organisations, the African Union and national governments has responded massively but not enough to stop a humanitarian crisis of enormous proportions in Darfur and ensure the sustainability of the return and reintegration of uprooted people in the south. In January 2006, there were more than 14,000 aid workers in the greater Darfur region. The UN Security Council has adopted seven resolutions on Sudan, issued two presidential statements in response to the regional destabilising consequences of the various national conflicts and set up a separate UN structure (UNMIS) to support the implementation of the Comprehensive Peace Agreement (CPA). The African Union has deployed troops to protect the resident population and IDP camps in Darfur and international pressure led to the Darfur Peace Agreement of May 2006. Donors have disbursed more than \$500 million for the Humanitarian Action Component of the Sudan Work Plan 2006 (OCHA, 4 August 2006). Yet, the latest escalation of intra-ethnic fighting in Darfur, as well as attacks against IDPs, resident populations and humanitarian workers, have hindered access to the IDP camps. Humanitarian conditions in the camps are worsening (UNICEF, 22 May 2006), the return and reintegration process of IDPs to the south is slow, and the situation in the east has potential for a new conflict if the ongoing peace talks are derailed (Pronk, 1 August 2006).

The delivery of humanitarian assistance in Darfur and recovery efforts in the south have not only been hampered by logistical challenges such as a long rainy season lasting from May/June to October, national armed groups and bureaucratic obstacles set up by the government in Khartoum, but also by rebel groups from neighbouring Chad and Uganda. The Ugandan Lord's Resistance Army – a long-time ally of the Khartoum government in its fight against the SPLM/A – has caused widespread insecurity in southern Sudan, killing aid workers and local civilians (IRIN, 26 April 2006). This has further reinforced the UN's decision not to promote return to the south. While waiting for conditions in areas of return to improve, the UN and NGOs have been preparing for the expected return of hundreds of thousands of IDPs under highly volatile circumstances. The agencies have deployed staff to collect information about the number, gender, age and destination of returnees along routes of return (UNMIS, 22 April 2006). UN assistance to IDPs returning spontaneously includes mine protection, return and reintegration packages in urban centres close to the final destinations as well as micro-credit schemes to support the local economy. Nevertheless, as demonstrated by reports of IDPs returning to camps in Khartoum, humanitarian assistance alone may not be sufficient. There is a clear risk that lack of investment in infrastructure and livelihood opportunities in the south could derail the process of reintegration of IDPs and refugees, thus putting the overall peace process in jeopardy (Sudan Tribune, 27 July 2006).

In an apparent response to the UN's policy of not actively promoting return to the south and the corresponding low number of IDP returns, some southern states have started organising return of IDPs without the participation of the UN (UNMIS, 5 June 2006). However, the UN is concerned that lack of infrastructure and livelihood opportunities and the presence of mines may lead people to return to areas of displacement or cause aid-dependency in the south (UNMIS, 22 April 2006). The Sudan Relief and Rehabilitation Association (SRRA) set up by SPLM/A in 1985 to coordinate

and facilitate humanitarian assistance has had limited impact. Little has changed with the formation of the new and strongly supportive government of Southern Sudan which is far from being in command of the means and institutional capacity to respond adequately to the massive needs.

The Government of National Unity (GNU) on the other hand may have the resources, but lacks the will to protect and assist displaced populations. In Darfur, for example, the government's continued support of the militias responsible for displacements and harassment of IDPs makes any expression of commitment to solving the displacement crisis ring hollow (IRIN, 3 August 2006; UNSC, 14 October 2005).

The Humanitarian Aid Commission set up by the central government in 1995 to protect and assist IDPs has not achieved any tangible results, as demonstrated by the continued forced demolition of IDP camps in Khartoum and the ongoing attacks on IDPs in Darfur. While the presence of thousands of aid workers resulted in increased access and improved conditions in the IDP camps in 2005, the escalation of the violence following the peace agreement of May 2006 not only jeopardises the humanitarian operations in the area, but risks destabilising the already fragile achievements of the CPA in the run-up to the referendum on the status of the south in 2011.

## **National response**

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### **National response to IDPs varies between north and south (2005)**

The national response to the protection and assistance needs of IDPs varies significantly between north and south. The southern government is willing to support the return and reintegration of the IDPs, but lacks the resources. In the north the Government of National Unity may have the resources, but seems to lack the will to protect and assist displaced populations. In Darfur, for example, the government's continued support of the militias responsible for the displacements and the harassment of the IDPs make any expression of commitment to solving the displacement crisis ring hollow.

Governmental structure of assistance to IDPs consisted of a Federal Ministry for Humanitarian Affairs (FMHA), created in 2003, to guide Governmental activities in support of protection and assistance for IDPs. The Humanitarian Aid Commission (HAC) based in the Ministry for International Cooperation, is the technical department created in 1995 that supervises disaster preparedness and management of IDP protection and assistance. It co-ordinates the work of line ministries, UN agencies, INGOs and NGOs, at both the national and state-levels. The HAC has established state-level offices responsible for registering, protecting and assisting IDPs. With the support of WFP it also established an early warning system. However, it focuses on natural phenomena rather than man-made risk factors. Sudan Minister for Foreign Affairs announced in 2002 that a department focusing on IDPs was to be established within Sudan's Humanitarian Aid Commission (HAC).

In the 1980s, the problem of internal displacement was a matter of concern to the government of Sudan. In 1986 a federal Ministry of Refugees, Displaced and Relief was established. Sudan adopted guidelines to address the problem of displacement through the Council of Ministers Decree No. 310 in 1988. In 1990, the GoS held the First National Conference on the Displaced, where it discussed causes of displacement and recommended to guarantee the rights and basic needs of IDPs, help them to return voluntarily, to relocate IDPs to secure and decent settlements

and build reception centres and in the long term to resettle them in areas of origin (GOS, 10 February 1990).

In 1993, the federal ministry was dissolved and the responsibility for IDP relief was transferred to each individual hosting state. Due to the lack of services provided by local authorities in many states of Sudan, the provision of basic services has largely been delegated to NGOs during the past decades of war.

#### Institutions and Departments Antecedent to HAC:

The creation of FMHA in 2003, and HAC in 1995 was preceded by several administrative entities charged with managing IDPs affairs of in the Sudan, including:

“The Higher Committee for Relief, 1984, dissolved 1985

The Commission of Relief and Reconstruction, 1996;

The National Council for Internally Displaced People Affairs, January 1988;

The Ministry for Social Welfare, Planning, and Zakat Affairs, May 1988;

The Commission for Internally Displaced People, July 1988;

The ministry for Relief, Internally Displaced People & Refugee Affairs, 1989;

The Commission for Humanitarian Aid, 1993;

The Humanitarian Aid Commission, 1995;

The Ministry for Humanitarian Affairs, 2003” (GOS Ministry of Humanitarian Affairs, 2 September 2003, p.10)

Since the late 1980s, government policy towards IDPs emphasised local integration and/or resettlement. It was also reluctant to differentiate between war-displaced and host communities, arguing they were all in need. IDP camps were dismantled and “paired villages” next to existing villages were created in what was seen as an innovative response. For example, from the 1990s in South Darfur, IDPs were forcibly relocated into “peace villages” where government-held territory had expanded, often to consolidate their newly established presence, like around Wau. The idea was to promote food self-sufficiency and reduce dependency on external assistance.

“Although settlement of war-displaced near their area of origin was an explicit objective of the 1989 OLS Plan of Action, “peace villages” involved the, physical separation of the war-displaced from other kinds of populations.” (Hendrie et al 1996, pp. 186-189)

In 1999, the Government and SPLM/A signed the ‘Principles Governing the Protection and Provision of Humanitarian Assistance to War-Affected Civilian Populations’, under the auspices of OLS. In the Principles, the parties agreed to guarantee “free and unimpeded access” to vulnerable populations, not to tax or divert aid from beneficiaries, to keep civilian populations safe from the effects of war and not to enforce illegal relocations of civilians (IRIN-CEA 20 December 1999)

At the ministerial conference on Internal Displacement in the IGAD Sub-region (Sept. 2003), the GoS presented an outline of its IDP policy. Overall goals included employment, equitable and sustainable development, promotion of peace, and national unity. Implementation of the IDP policy will be guided by national resolutions, decrees and international covenants ratified by the GOS. Short-term planned actions include reception, registration, provision of basic needs, and protection as well as assessment surveys. The mid-term measures include rehabilitation of infrastructure, training, income generation, and reconciliation activities. The long-term policies include resettlement and return, property rights, agricultural inputs. (GoS, 2 September 2003, pp.5, 8, 9)

Government response to IDPs has been ad hoc and lacks a human rights and protection focus. In (Sept.-Oct. 2002), the GoS held a national workshop on internally displaced persons, in order to

review existing national policy and arrangements pertaining to IDPs adopted during the First National Conference on the Displaced in 1990. The government stressed that the causes and socio-economic consequences of displacement need to be monitored and analysed and information shared with the international community. Future objectives for IDPs included return to areas of origin, resettlement in 'reasonable' areas and local integration. Workshop participants recommended the establishment of an IDP Support Fund and to upgrade the HAC to a fully-fledged Federal Ministry responsible for supervision and coordination of the IDP programmes. GoS pledged to provide IDPs with legal and moral protection and seek the support of the international community to assist them. (Round Table Meeting, 19 November 2002)

All parties have identified the lack of a comprehensive and coherent national policy and strategy for dealing with the displacement crisis as a constraint to effective programming. A representative of the Humanitarian Aid Commission said to the Special Rapporteur of the Commission on Human Rights (Mr. Gerhart Baum) in 2003, that since the United Nations was working on the issue of IDPs through the Consolidated Appeal Process (CAP), the Government was no longer responsible for acting upon it. When he was reminded that primary responsibility for the protection of IDPs rests with the Government, as referred to in the Guiding Principles on Internal Displacement, a Government representative replied that the Government had not signed the Principles and that therefore they were not binding (UNCHR, 25 April 2003, p.7). The GOS has reiterated several times in the past that IDP policy was an internal matter of sovereign jurisdiction, and expressed concern about pressures being placed upon it to adopt the Guiding Principles on IDPs (Inter-Agency Mission, 5 August 2002). There is also a lack of clarity about who is an IDP, with some members of the Government reportedly holding the view that IDPs should be considered to be economic migrants. This hindered the development of a common humanitarian strategy and deterred donor funding for activities targeting IDPs. The lack of an IDP focal point within the Government has also been identified as a problem by the UNCT. (UNCHR 5 February 2002)

Following his visit to the Sudan in 1993, the Representative of the Secretary-General on internally displaced persons, Francis Deng, made recommendations aimed at improving the situation of internally displaced Sudanese. These were hardly implemented by the authorities. The UN has not taken any stronger measures to ensure these recommendations are implemented beyond the adoption of resolutions. (Ruiz 1998, p.158)

### **Response to IDPs by the SPLM/A**

In the south, the SPLM/A set up the Sudan Relief and Rehabilitation Association (SRRA) in 1985 to coordinate and facilitate humanitarian assistance in SPLM/A controlled areas, but its impact remained limited so far. Little has changed with the formation of the new and strongly supportive southern Government of Southern Sudan which is far from being in command of the means and institutional capacity to respond adequately to the massive needs.

In 2002, the SPLM/A participated in a training seminar on the Guiding Principles at which a draft IDP policy was submitted to the SPLM/A for their consideration. The IDP Protection Network for the South within the SRRA was also set up, to promote IDP protection, through advocacy and education. The Seminar aimed at raising awareness about IDP needs in SPLM/A controlled areas and increasing non-state actors' accountability to international humanitarian and human rights standards, and engaging non-state actors to assume their responsibility towards the protection of IDPs. It also aimed at supporting strategies to support mass return and reintegration of IDPs. (Brookings/etc, 25 November 2002, p.1, 11-13)

In 1995 Southern rebel forces signed a Ground Rules agreement with OLS, which brought together human rights and humanitarian law. The signatories undertake to observe the

Convention on the Rights of the Child and the Geneva Conventions. The Ground Rules were according to Hendrie et al, a move towards making humanitarian aid conditional.

In 1998, the SPLM/A affirmed commitment to international Conventions on Human Rights, and in 1999 the Government and SPLM/A signed the 'Principles Governing the Protection and Provision of Humanitarian Assistance to War-Affected Civilian Populations' which bind SPLM/A (not a formal signatory to international treaties) to "customary human rights law".

### **The SPLM response to the return of IDPs**

The Sudan Relief and Rehabilitation Commission (SRRC), the relief branch of the SPLM, appealed for \$866.7 million to donors, in order to assist the return and reintegration of IDPs during the first year following the peace agreement (9 January 2005). The pledge was to cover basic needs and services, transport, food, health, housing, food security and education of an estimated 4 million IDPs and 500,000 returning refugees, during all phases including relief, repatriation, reintegration, resettlement and rehabilitation. This donor appeal excluded infrastructure reconstruction such as of roads, as well as institutional capacity-building and broader economic activities. (SRRC, 1 January 2004)

### **Joint GoS/SPLM planned response**

One of the first priorities of the Government of Sudan and SPLM/A for November 2004-June 2005, as put forward in their Joint Paper on "[Urgent Needs](#)" is the return and reintegration of IDPs. The priority needs for that sector include transport, food, shelter along routes of return, mine action, protection from abuse, communicable diseases including HIV/AIDS and community-based resettlement and reintegration, as well as road repair.

## **International response**

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### **International response to the IDPs, 1989-2005**

The UN Security Council established the United Nations Mission (UNMIS) in Sudan in March 2005 to support the implementation of the CPA, provide protection and assistance to vulnerable groups, and facilitate and coordinate the voluntary return of refugees and internally displaced persons. The mission was set up in addition to the UN agencies which have been working in Sudan for decades and there is a need to improve the coordination between the new and the old UN institutions.

Yet, the UN and NGOs have been preparing for the expected return of hundreds of thousand of IDPs under highly volatile circumstances. The agencies have deployed staff to collect information about the number, gender, age and destination of returnees along routes of return. UN assistance to IDPs returning spontaneously includes mine protection, return and reintegration packages in urban centers close to the final destinations as well as micro-credit schemes to support the local economy. Nevertheless, as demonstrated by reports of IDPs returning to camps in Khartoum, humanitarian assistance alone may not be sufficient. There is a clear risk that lack of investment in infrastructure and livelihood opportunities in the south could derail the process of reintegration of IDPs and refugees, thus putting the overall peace process in jeopardy.

Operating in Sudan has posed formidable challenges to agencies on account of logistics, distances and scale. UN coordination in Sudan has been weak partly because most senior staff

have been far removed from the operations at hand, commonly based in Khartoum, Nairobi and Lokichoggio. This situation is due to change with more senior staff in the field after the signing of the peace in early January 2005. There was also room for improving coordination between the UN and the government, which often met only when there was an issue of divergence to be resolved.

The Humanitarian/Relief Coordinator (HC/RC) is responsible for UN coordination and is the conduit to the coordination structures of the Government of the Sudan as well as opposition movements. The HC/RC is assisted by two deputies. The Deputy Humanitarian Coordinator for Southern Sudan is based out of Rumbek and Nairobi. He is also the UNICEF Chief of Operations for southern Sudan and is responsible for managing and coordinating the assistance effort in southern Sudan, and to liaise with the SPLM/A and new civil administration. The Deputy Humanitarian Coordinator for Northern Sudan is based in Khartoum and is also the WFP Representative and is responsible for the Darfur crisis. There is a network of UN-OCHA Field Coordination offices in key locations throughout Sudan, staffed by national officers.

The RC/HC oversees coordination of humanitarian activities relating to IDP policy and programming through a division of tasks between UNDP, OCHA, the IDD (Geneva), and several implementing partners. The RC/HC reports to the UN Emergency Relief Coordinator (ERC), Jan Egeland. On the political and peace building fronts, the UN Advance Mission in Sudan (UNAMIS) was set up in June 2004, headed by the Special Representative of the Secretary General for Sudan (SRSG), Jan Pronk, who reports to the UN Secretary General. UNAMIS is directed and supported by the Department of Peacekeeping Operations.

In view of anticipated challenges of supporting large-scale IDP return to areas of choice or origin upon signature of a peace agreement, the ORCHC sought to promote collaborative approaches between Sudanese authorities, the UN system (including IOM), the Red Crescent Movement and NGOs for effective and coordinated IDP programming. The ORCHC has been strengthened in 2003, with six new services: 1. The Area Coordination Service, to cover the full spectrum of humanitarian, recovery and development issues. 2. The Information and Public Communication Service including the Sudan Information Gateway website, designed to improve coordination and information-sharing. 3. The Joint Planning and Review Service, responsible for working with relevant stakeholders including Sudanese counterparts on the formulation of common plans for UN assistance, and CAP. 4. The Partnerships Development Service, providing an overview of the resources channelled to Sudan, advocacy for resource mobilisation and facilitation of missions. 5. The Operational Support Service and 6. A Security Coordination Service.

Coordination arrangements with donors, regional bodies, NGOs and Sudanese counterparts have also been streamlined and strengthened in 2003 to optimise the efficiency and effectiveness of the assistance community's support. Jointly with the two Sudanese parties, the UNCT has also established two Tripartite Working Groups on Access and Cross-line Activities, and Humanitarian Cooperation, chaired by the UN RC/HC, which meet at monthly intervals to follow-up on the TCHA process and ensure coordination on the ground. (UN, 18 November 2003, Vol.I, p.9-11)

A Joint Planning Mechanism (JPM) was also created in 2003, in order to enable the GoS and SPLM/A to jointly assess needs, develop priorities, and draw up action plans for implementation during the pre-interim period, on transitional recovery requirements capacity building and quick-start initiatives.

In 2003, OCHA undertook three additional tasks as requested by the UNCT and Inter-Agency Working Group on the Sudan (NY). It created an *Inter-agency Task Force on IDPs* focusing on IDPs, refugees, ex-combatants and residual and host populations. OCHA also recruited a senior IDP Adviser to ensure effective joint and inter-agency planning of return and reintegration programmes for the displaced in Sudan.



OCHA fielded international *Field Coordination Support Officers* in 2003 to the southern sector to assist HAC and SRRA in establishing planning committees and to expand data collection (UN, November 2002, pp. 66-67)

In August 2002, an informal inter-departmental Working Group on Sudan was established in UN Headquarters, New York with representation from DPA, DPKO, OCHA, OHCHR, UNDP, WFP and UNICEF. The Group, in close collaboration with the UN Country Team (UNCT) and IDP Policy Unit, Geneva and under the guidance and leadership of the UN Resident/Humanitarian Coordinator, was tasked with undertaking immediate contingency planning for a ceasefire and peace agreement. Regular briefings by the SRSG should inform the contingency planning process.

***Who does what where in Darfur; [click here](#)***

### Operation Lifeline Sudan

In 1989 Operation Lifeline Sudan was launched as a large-scale relief operation to IDPs. OLS was a coordinated relief effort between UN agencies such as WFP, the United Nations Children's fund (UNICEF), the United Nations Development Programme (UNDP), and other international organizations, including the International Committee of the Red Cross (ICRC) and international NGOs. The number of OLS staff (UN and NGO) in the field in 2004 increased from an average 550 to 700 per day in SPLM/A areas—and is expected to increase further. The Government of Sudan and the SPLM agreed that OLS would have access to 'war-affected people irrespective of who controls the territory in which they are located.' and pledged to honour the safe corridors that would permit food aid to reach all those in need.

(Ruiz 1998, pp. 146-147)

OLS activities in the Northern Sector are organised from Khartoum and fall within the management of the government of Sudan. The southern Sector pertains to most non-government areas in the South. Managed from Nairobi, it is a cross-border operation with a main logistical base at Lokichokkio in northern Kenya. UNICEF is the lead agency for the south and coordinates UN and NGO activities. UNICEF also handles logistics from Lokichokkio. (Hendrie et al July 1996, p. 3)

As of 2002, OLS was a “consortium of five UN agencies and 41 humanitarian NGOs (international and indigenous) with a budget of roughly U.S.\$150 million, OLS currently provides humanitarian assistance to some 2.5 million people in southern Sudan as well as to camps for internally displaced persons (IDP) in Khartoum. [...] It was the first UN program to rely on negotiated access with the primary warring parties to provide relief assistance to war-affected populations within a sovereign country.” (ICG, 14 November 2002, p8)

Some agencies have pointed out that the “collaborative approach” to respond to IDPs could be improved by having a humanitarian coordinator present in southern Sudan as well as an IDP focal point within OLS (Brookings/etc, 25 November 2002). Coordination between agencies working in GoS controlled areas and SPLM/A controlled areas has been weak, sometimes even within the same agency. Some NGOs pointed out that policies on the internally displaced developed by the Government of Sudan and the SPLM/A should be cohesive with each other. Regrettably, some NGOs had refused to cooperate with SPLM/A's IDP policies because it was a non-state actor.

## **International response to IDPs in Darfur region, 2003-2005**

In Darfur, the IDPs have had improved access to food and shelter throughout 2005 as a result of the increased presence of UN agencies and international NGOs and despite the recent escalation of the conflict and the ensuing access problems. However, if the security situation continues to deteriorate as has been the case in September–October 2005, this positive development could come to an end soon. The UN has already relocated non-essential staff out of parts of West Darfur in response to increasing assaults and attacks on IDPs and aid workers in September and October 2005. The African Union peace-keeping mission has not been able to provide sufficient physical protection for IDPs and humanitarian workers, despite having deployed almost 7000 personnel, including 4800 troops as of October 2005.

As a result, more IDPs may be forced to cross the border to seek protection and assistance from UNHCR in neighbouring Chad. This may have disastrous consequences for Chadian host communities which have already stretched their resources to the limits. To avoid an even greater crisis, the African Union has been urged to redouble its troops on the ground with the immediate financial support of the European Union.

In October 2004, the UN CT agreed upon an overall protection strategy for Darfur, identifying five priority-areas: protection of civilians in displaced camps and outside camps, sexual and gender based violence, involuntary returns and relocations, and child protection (IASC, 27 October 2004). Several inter-agency protection working groups (on Child protection or SGBV) were set up in Khartoum and Darfur, to collect information, monitor returns and follow up cases of abuses. However, a clear protection leadership and coherent strategy to monitor returns were still lacking in North and South Darfur where UN agencies with a protection expertise had limited presence (HRW, 15 November 2004). IOM and OCHA have not been able to adequately fulfil their coordination roles in these two regions, leaving serious gaps in the areas of protection and IDP camp management (UN, 3 March 2005). At the initiative of OCHA, “lead agencies” among international NGOs and ICRC were appointed to coordinate 27 IDP locations, leaving about 600,000 displaced people without a clearly identified camp/area coordinator, by end of 2004 (UN RC 25 January 2005; UN, 3 March 2005).

Despite a significant increase of field staff, the number of war-affected civilians has increased at a rate which outpaced the ability of aid agencies to provide for their basic needs: from one million in June to an unprecedented total of 2.4 million by the end of 2004, of which 1.84 million were IDPs (UN H/RC, 1 January 2005).

“Despite its shortcomings and limitations due to increasing insecurity, the humanitarian response continues to improve. Food distribution reached 1.48 million people [in December 2004], some 140,000 more than the previous month. Shelter and non-food items were provided to 73% of the IDP population while 56% were covered by sanitation activities. Of the total affected population, 49% had access to clean water, 62% to primary health facilities and 54% to secondary health facilities. Of major concern is the observation of the first signs of food shortages amongst the general population, expected after the failure of the 2004 harvest season.

[...]

Agencies have embarked on several additional initiatives to attempt to improve the quality of the operations during 2005, compiled in a 120 -day plan covering the period between January and April 2005. The main initiatives would consist of (a) strengthening assessment, analysis and the identification of gaps; (b) finalizing agreements on the coordination of the 40 most volatile IDP gatherings in Darfur; (c) encouraging regular surveys and assessments to better assess the quality of interventions; (d) supporting efforts to improve IDP registration; and (e) making use of

and participating in the recently revised protection structure and the MCM [management and coordination] mechanisms through monitoring, reporting of incidents and profiling of IDPs.

[...]

As of 1 January 2005, food was delivered to 1.48 million (62%) of the total 2.4 million affected population, an increase in the number of beneficiaries by over 140,000 compared to last month.

[...]

In 2004, 95% of the targeted IDPs, or 1.4 million people (311,000 households) had received plastic sheeting and blankets.

[...]

As of 1 January 2005, 1.2 million conflict-affected persons (49% of the total affected population) in Darfur have benefited from improved access to safe water and one million IDP's (56% of the total IDP population) have access to sanitation activities through the efforts of various NGOs, NWC/WES and UNICEF since May 2004.

[...]

Increased insecurity in the region and equipment problems were major constraints to the success of the water well drilling programme over the past four months.

[...]

The agriculture sector received only 16% of its funding requirements through the end of 2004. Most significantly, insufficient funds have yet been mobilized to establish emergency response capacity seed stocks in preparation for the main 2005 planting season in May/June.

[...]

As the region faces a seed shortage, rising prices of inputs and huge needs in 2005 (with more than 465 000 HHs requiring assistance), procurement and pre-positioning for the targeted 272 000 HHs must begin now. Support to saving the livestock assets of IDPs (donkeys and shoats) must also begin now with the start of the dry "dead" season and hunger gap and in view of increasing competition for drought-diminished water resources between humans and their livestock assets. Water point rehabilitation outside urban centres, fodder delivery and veterinary interventions in both camps and villages must be implemented.

The concentration of humanitarian assistance on IDPs in camps, although justified, is increasing tensions between those assisted and those affected residents and host communities that are not receiving assistance. Consequently, IDP camps and towns will experience an influx of, this time, drought- and "crop failure"-affected households into IDP camps and urban centres in search of food, water and health care during the dry season/hunger gap. Similarly, this antagonism will lead to increased food distribution disruptions and acts of banditry against food convoys during the hunger gap period. More balanced targeting and donor contributions that support host communities and drought-affected residents (in addition to IDPs) are crucial." (UN R/HC, 1 January 2005)

Humanitarian needs were not adequately met in Darfur until mid-2004 owing to insecurity and lack of human and financial resources on the ground. A total of \$1.14 billion has been pledged for Darfur since September 2003 (UN R/HC, 1 January 2005). But it is only in the final third of the year that funds became available (UN RC, 25 January 2005). The food sector was the best funded in 2004, amounting for 35 per cent of the funds received, benefiting some 62 per cent of 2.4 million people by January 2005 (UN R/HC, 1 January 2005). WFP had received over half of the \$438 million appealed to feed 2.8 million people in Darfur for 2005, by February 2005 (IRIN, 24 February 2005). Nevertheless, WFP warned that there was a large shortfall in non-cereal food items and that it needed to preposition food stocks before the rainy season in July, as huge areas would become inaccessible by road.

By contrast, the agricultural sector was the least funded (16%) with close to half a million households in need of seeds for 2005. Most of the displaced are subsistence farmers and there was a near total crop failure in 2004, with a reduction of planted areas to up to 90 percent among IDPs (UN, 30 November 2004, p.99).

“Roughly one third of the entire population of Darfur has been affected by the conflict, which began in February 2003. As of 1 October 2004, 1.6 million people were displaced within Darfur, 200,000 Darfur refugees had fled to Chad and 420,000 other civilians were affected either directly or indirectly by the conflict. [...] In 2005, these numbers are expected to rise to 2.5 million people due to continued violence and displacement, increased pressures on host communities, and severe crop failure.” (UN, 30 November 2004, p.98)

“This number includes people displaced from their homes by conflict; host communities whose coping mechanisms, resources and basic services are under extreme stress, and those whose crops have failed during the latest planting season. While the operating environment in Darfur continues to present formidable challenges, it is felt that with initial capacity and logistics more or less in place, the humanitarian community in 2005 should focus more on improving the quality and targeting of assistance and expanding its presence to currently under-served areas.” (UN, 30 November 2004, p.8) Protection of civilians will be strengthened in Darfur through a “protection by presence” approach, however this is no substitute for concrete measures to end impunity, and it cannot alone build an environment conducive to the respect of human rights and protection. Agencies are in a process to implement an inter-agency protection strategy, restructuring the inter-agency Protection Working Group in Khartoum, and strengthening the protection working groups in the field by deploying qualified staff.

The UN launched the **Greater Darfur Special Initiative** worth \$US 22.8 million in September 2003 to respond to the crisis which had exploded in Western Sudan in February 2003. The overall aim of the fast-track programme was to meet urgent human survival and welfare needs of IDPs, refugees and host communities and to help consolidate peace. Most of the appealed funds were received as of March 2004. However, most of it could not be used because continued insecurity had prevented humanitarian operations. The Initiative also aimed to expand UN and NGO presence on the ground to carry needs assessments and start delivering relief (UN R/HC, 15 September 2003, pp.1-4)

The Greater Darfur Region covers 510,888 sq. km. representing one fifth of Sudan’s geography. It also has approx. 20% of the country’s population, at about 6.77 million (1993 census). At the time of the launch of the Greater Darfur Special Initiative, there were about 400,000 IDPs within Darfur and up to 70,000 refugees in neighbouring Chad.

The response to Darfur was slow and late. During the first year and a half it received little international attention. This was due to a combination of ongoing insecurity, government of Sudan restricting access and the lack of resources, which prevented agencies from setting up operations. Some also argued that it was due to the reluctance of some humanitarian workers to threaten the north-south peace process and funding for post-conflict development activities (IRIN, 31 December 2003). March 2004 marked a turning point as international attention increasingly shifted to Darfur. Sustained pressure on the GoS by the international community resulted in considerable easing of access restrictions, and a commensurate increase in humanitarian agencies engaged in the relief effort.

International attention and sustained pressure on the government of Sudan eased access restrictions. There was massive lobbying and advocacy done by the Office of the UN R/HC, the UN Secretary-General, the UN Security Council, NGOs and governments to improve protection of displaced persons, mobilise assistance to the war-affected populations and for the government of Sudan to demobilise their militias, stop targeting civilians, stop forced returns and relocations and allow unimpeded access to humanitarian and rights agencies. However the crisis has escalated while the humanitarian situation has deteriorated and the number of uprooted people has more than doubled between 2004 and 2005.

Darfur is the region for which the largest amount of funds has been pledged of all Sudan (42%) for 2005. In March 2004, in response to the rapidly worsening humanitarian situation in Darfur, the UNCT revised its 2004 appeal, and mobilised considerable human and financial resources for Darfur. By September 2004, over 60 NGOs and around 5,000 national and 700 international staff were working in Darfur; and as of early November, close to 80% of the financial requirements for Darfur were met. The UNCT published the *90-day Humanitarian Action Plan for Darfur* in June 2004 in order to respond to the needs of at least 90% of the then IDP population. By October, relief was being delivered to between 50% and 70% of the conflict-affected population. However, as of September, the security situation for aid workers has deteriorated and is affecting the provision of aid. The increase in the number of beneficiaries was also the result of the availability of life-sustaining goods and services such as food or water, which most Darfur residents had been unable to access due to years of drought and warfare. This created a pull-factor as insecurity and the lack of resources prevented agencies from delivering support in areas of origin.

In spite of the Ceasefire Agreement and the multiple agreements entered into between the GoS and the UN, and notwithstanding international attention and pressure, ceasefire violations, as well as attacks against civilians and humanitarian aid workers are on the rise and make the provision of humanitarian assistance more difficult. The outlook for 2005 remains very poor and the increases in assistance have not been enough to keep up with the increase in needs. The aim in 2005 will be to deliver the greatest number of services to the greatest number of people in the most locations possible. The provision of humanitarian assistance outside IDP camps is also considered critical to avoid creating pull factors for people to migrate to or remain in camps where they are dependent on aid rather than to remain on their land.

“A Letter of Understanding (LOU) on the voluntary return of IDPs to and within West Darfur was signed on 31 January 2005 by UNHCR and the GoS’s Humanitarian Aid Commission (HAC). The LOU, which raises protection standards, supersedes previous agreements with respect to voluntary return and relocation in West Darfur and allows UNHCR to assume full responsibility for protection issues in West Darfur, as requested by the Secretary General in October 2004” (UN RC, 15 February 2005). UNHCR is currently expanding its presence in West Darfur.

### **Response on returns, forced returns and relocations in Darfur**

Several mechanisms have been put in place to address protection gaps, with mixed results. While IOM was mandated by the UN and the government of Sudan to “oversee and assist in the voluntary return of displaced persons” in August 2004, there were persistent reports of IDPs being forcibly relocated and returned against their will by the authorities, in spite of their stated fear and prevailing insecurity (HRW, 15 November 2004; RI, 10 November 2004; GoS, IOM, UN, 21 August 2004). While a protracted and overcrowded camp situation is not in the interest of the people of Darfur, population movements must be strictly voluntary and the security conditions in the region are clearly not conducive to a safe, voluntary and dignified return (Principle 28). Despite the fact that the UN clearly states in the 2005 appeal that the escalation of insecurity and increasing displacement will certainly not be conducive to voluntary returns in safety and dignity during 2005, return nevertheless appears as one of the four strategic goals of the UNCT for Darfur in 2005:

#### **“STRATEGY FOR 2005**

While the provision of life-saving assistance will continue to be a priority in 2005 and provided at roughly the same levels, for greater numbers of people, there will be a shift to a more strategic focus in four areas:

1. Strengthening the human rights and humanitarian protection framework,
2. Ensuring the voluntariness of returns in safety and dignity,

3. Improving the quality and targeting of aid, and
4. Increasing cost-effectiveness of programmes through the use of common services. “(UN, 30 November 2004, p.100)

“The threat of involuntary return and relocation is real and ongoing, despite a 21 August Memorandum of Understanding signed between the GoS and the IOM on voluntary returns.” (UN, 30 November 2004, p.99)

Following an agreement between the International Organization for Migration (IOM) and the GoS, in August 2004, the UNCT has supported the establishment of a coordination mechanism to oversee the return of IDPs in Darfur despite rising insecurity.

“With ongoing insecurity and increasing displacement, large-scale returns are not anticipated in 2005. There are currently some isolated incidences of returns. The majority, however, are not staying, citing ongoing security concerns. To the extent that returns are expected in 2005, it is assumed that the numbers will not exceed 100,000 people. The returns process will be governed by the 21 August MOU signed between the GoS and the IOM and through a Management Coordination Mechanism (MCM). The MCM is tasked with reviewing the voluntariness and appropriateness of returns and relocations. IOM is responsible for the returns process in North and South Darfur; UNHCR in West Darfur.” (UN, 30 November 2004, p.100)

“At the moment, there is no coherent strategy agreed upon among the various international actors for facilitating and monitoring returns. The role of the International Organization for Migration (IOM), which was initially highlighted in a U.N. –Government of Sudan agreement as a key partner for facilitating and monitoring the return process, appears to have been partly side-lined, due in part to the hasty manner in which the agreement was negotiated without consultation with the agencies needed to implement any such return plan.” (HRW, 15 November 2004)

**To see US sanctions against perpetrators of crimes against humanity and genocide in Darfur, Sudan, and for other purposes, click [here](#)**

## **Mechanisms strengthening protection**

### **IRC, 1 May 2004, p.22-3**

“The improved security on the ground can mainly be attributed to the cessation of hostilities in October 2002 (and, in the Nuba Mountains, to the specific ceasefire agreement there in January 2002). Three major actors have contributed to strengthening the impact of these agreements:

*The Joint Military Commission.* Established on initiative by ‘the Friends of Nuba Mountains’ (largely EU driven), the JMC was deployed in Nuba in 2002 to monitor the ceasefire and examine complaints received from the general public. Working closely with the parties, the JMC is seen as a good example of active monitoring and joint intervention, which have substantially contributed to freedom of movement and confidence building. [...]

*The Civilian Protection Monitoring Team.* Initiated by the US Government’s envoy, former Senator John Danforth, CPMT was established in 2002 to monitor the protection of civilians. On the basis of a mutual agreement between GoS and SPLA, CPMT works across the North and South. The general public (including international organizations) is eligible to submit complaints on violations, whereby CPMT investigate the allegations, share their findings with GoS and SPLA and make public their reports.

*The Verification and Monitoring Team.* VMT is an IGAD driven mechanism that was established in February 2003 in an addendum to the cessation of hostilities agreement of October 2003. Mandated to monitor compliance, VMT conducts joint investigations with GoS and SPLA on violations raised by the parties. Although VMT technically monitors the parties' military activities, literally every complaint involves civilians caught in the crossfire. Similar to the JMC, the VMT's collaboration with the parties has contributed to confidence- and capacity-building.

All three mechanisms have gained the confidence of the GoS and SPLA. However, international organizations and national stakeholders feel that the mandates of VMT and CPMT limit their capacity to intervene and provide redress. While the former is tied to political constraints related to the peace negotiations, the latter has no mandate to take remedial action. It is, therefore, strongly suggested on the ground that these mechanisms, including JMC, be integrated with an expanded mandate within the framework of the forthcoming UN Mission."

### **Missions of the Representative of the Secretary-General on Internally Displaced Persons**

**UNCHR, 27 November 2002, p.15-16, para 41; 47**

"The **Third mission of the Representative of the Secretary-General on internally displaced persons to Sudan, in May 2002**, had three main objectives: 1. to participate in a USAID-sponsored mission to assess the potential for expanding support to return programmes for IDPs; 2. to follow up on his second mission from September 2001, in regard to the development of a government IDP policy; and to engage in further discussions with the Government on its involvement and responsibilities in the return programmes for IDPs.

Questions of when people cease to be categorized as displaced were raised to the Representative by members of international NGOs and the UN, particularly in the face of donor fatigue and the lack of opportunities for non-exploitative integration into the northern economy. Creation of safe corridors to facilitate the safe movement of IDPs between north and south was suggested to the Representative."

**UNCHR, 27 November 2002, p.3**

"During the **Representative's first visit to the Sudan [in 1992]**, he found a significant contrast in the conditions of persons from the south displaced around Khartoum and those in Abyei, which became a transition zone for southerners fleeing northward and for the displaced in the north returning southward. While the displaced in the camps around Khartoum were provided with humanitarian assistance, they were forcibly relocated a significant distance from the city and the inhabitants felt alienated and marginalized as citizens. Those in the Abyei area, however, while not receiving significant assistance from any sources, enjoyed a sense of belonging and dignity in what in effect was their natural setting.

In comparing the two situations, the Representative recommended three options for the internally displaced in the country: to assist them to return to the areas nearest their natural setting and to give them support to reintegrate into those communities; to give them freedom as citizens to move to any area of their choice anywhere in the country; or to give them better accommodation and services in the displacement camps, if they chose to remain there.

During a **second mission to the country in September 2001**, nearly a decade later, the Representative found that although the conditions of those displaced in the north significantly improved, the options he had recommended earlier remained valid. In particular, there was a great deal of demand among the Dinka to return to their areas of origin in the south, especially

areas where a degree of security had been restored. This was particularly the case with respect to the Ngok Dinka of Abyei. In agreement with several United Nations agencies, the Representative decided to contribute the monetary value of the Rome Prize for Peace and Humanitarian Action which he had received to be used towards promoting people-to-people peace in the Abyei area and to facilitate a programme of return for the Dinka on both sides of the north-south border. A task force was established by the United Nations agencies to design the projects and an implementation strategy. The implementation of the return programme began in January 2002, with the establishment of three villages in which displaced populations from Abyei town were resettled. These included both Dinkas and Missiyira Arabs. However, the process of implementation has been exceedingly slow and the wishes of the Dinka for massive return to their area has remained unmet.”

## **Policy and recommendations**

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### **International political response in Sudan (2005)**

#### **United Nations Advance Mission in Sudan (UNAMIS) and United Nations Mission in Sudan (UNMISUD)**

“Prospects for peace in Darfur will only be strengthened if the Comprehensive Peace Agreement signed on 9 January 2005 between the Government of the Sudan and the Sudanese People’s Liberation Movement/Army is implemented successfully.” (UNSC, 4 March 2005)

“The United Nations support on the request of the parties the peace process in Sudan. In Resolution 1547 the UN Security Council “Requests the Secretary-General, pending signature of a Comprehensive Peace Agreement to take the necessary preparatory steps, including, in particular, pre-positioning the most critical logistical and personnel requirements to facilitate the rapid deployment of the above-mentioned possible operation principally to assist the parties in monitoring and verifying compliance with the terms of a Comprehensive Peace Agreement as well as to prepare for the Organization’s role during the transitional period in Sudan;

This Mission is called UNAMIS (United Nations Advance Mission in Sudan). The plan is that, once the SPLM/A and the Government of Sudan have signed a comprehensive peace agreement, UNAMIS will become UNMISUD (United Nations Mission in Sudan), a full scale peace support mission.

But in its Resolution 1556, the UN Security Council has added new duties to UNAMIS: Jan Pronk, the Special Representative of the Secretary General (SRSG) and the head of UNAMIS has the task to support the Government of Sudan in resorting security in Darfur and to disarm the Janjaweed militias. And UNAMIS has now not only to plan for a peacekeeping mission for the south of Sudan, but also for Darfur.” (JMC, UNMISUD)

“The logistical and operational plan to deploy just over 10,000 troops for monitoring and verification has been developed in detail. The core of this consists of 750 military observers. They will have to carry out a difficult task in a wide area of 1000 by 1250 km, with very poor communications. Professional planning requires that they will have to be assisted by an enabling force of round 5000 and a protection force of about 4000, all included in the total number of 10,000.” (UN SRSG, 4 February 2005)



“Secretary-General Kofi Annan [...] voices concern that, despite appeals to at least 100 nations, the UN “has received a very limited number of responses.” So far there are enough commitments to meet only the first phase of the planned deployment.” (UN News, 3 February 2005)

“Security Council members are discussing a new resolution that will authorize a U.N. “peace support” force of 10,000 personnel to monitor the peace agreement ending the 21-year civil war between the Sudanese government and the main southern-based rebel movement, the Sudan People's Liberation Army.

The draft resolution, which focuses on southern Sudan, provides little relief for civilians suffering from the armed conflict that is now devastating Darfur. The resolution would impose only travel sanctions and asset freezes on yet to be designated individuals for their involvement in human rights abuses, and extend an arms embargo on the Sudanese government's arms shipments to Darfur.” (HRW, 25 February 2005)

### **African Union Mission in Sudan (AMIS) in Darfur**

No progress was made on the political settlement of the Darfur conflict. Darfur peace talks convened in Abuja in November 2004 broke down after the government of Sudan launched a serious military offensive. Conflict escalated again in Southern Darfur in December and January. (UN SC, 4 March 2005)

The government of Sudan agreed to the African Union deploying an observer mission in Sudan, the African Union Mission in Sudan (AMIS) end of May 2004, mainly to monitor implementation of the April 2004 ceasefire. Despite Government of Sudan reluctance the Peace and Security Council of the AU strengthened the mandate of AMIS (African Union Mission in Sudan) in October 2004 to include “(i) ensure that the rules and provisions of the ceasefire are implemented; (ii) contribute to a secure environment for the delivery of humanitarian aid; (iii) assist in the development of proactive public confidence building measures; and (v) observe and monitor the service delivery of local police and to enhance the quality of these services through training.” (EC, 26 October 2004)

By March 2005, the AU had only about 1,900 troops deployed, mainly in state capitals, out of a planned 3,500, to monitor a region the size of France (BBC, 7 March 2005). It has outspokenly condemned violations by all sides and has managed to effectively protect civilians and prevent some attacks. However, these peace efforts have not received adequate support from the international community. As a result, the AU's impact remains limited by its small numbers, inadequate resources and logistical capacity (HRW, 6 January 2005). As suggested by the protection working groups, the AU has deployed civilian police teams to support local stations which are often under-staffed to deal with abuses (UN CT, 1 January 2005).

Only about half of the funds requested for the AU mission out of \$44 million had been received as of November 2004. For 2005, the AU force had a budget of about \$220 million with the EU funding some \$100 million and the U.S. \$45 million. The EU provided €80 million for a period of 12 months. The enlarged African Union observer mission will comprise 314 troops, 626 military observers, 1073 protection forces and 815 civilian police officers. (RI, 28 February 2005).

“While the AU considers the Darfur crisis as an African problem to be solved by the Africans, thereby discouraging international intervention and winning the cooperation of the Government of the Sudan, it will need strong support from the international community in terms of equipment, logistics and funding. This would certainly be a more constructive way of managing the crisis than the armed intervention threatened by some circles in the international community.” (UN CHR, 27 September 2004)

“The increased African Union mission, even with the agreed-upon additional troops and slightly more robust mandate to protect civilians under “imminent threat.” cannot by itself do all that is necessary to create the conditions for voluntary safe return and reversal of ethnic cleansing. It must have a clear mandate, under Chapter VII of the U.N. Charter and the African Union Charter, to protect civilians;

[...]

Even the A.U. forces remain concentrated in just five locations in Darfur, [...] visiting rural areas in the course of investigations, but without any permanent presence.

[...]

From the start of the crisis in Darfur, the Security Council, in effect, delegated to the African Union the responsibility to provide the international military presence needed to bring security to Darfur, in the face of Sudanese government’s de facto refusal to protect its citizens. The fledgling A.U. offered to increase its forces and to expand its mandate to include civilian protection, in a sharp change from its predecessor, the decidedly non-interventionist Organization of African Unity. After protracted negotiations, the Sudanese government consented to increased A.U. forces and a slightly expanded mandate.” (HRW, 15 November 2004)

“The AU has agreed to take on board the Protection Working Groups suggestions regarding the deployment of approximately 200 fourperson civilian police teams at police stations throughout Darfur. It is hoped that common priorities will be identified and improved policing will enhance security. Nevertheless, it is being observed that more than ever the local police are often incapable of responding to the violence being committed because of their limited numbers.” (UN R/HC, 1 January 2005)

### **Security Council Resolutions**

International attention was at its height with the visits of the Secretary-General of the United Nations, Kofi Annan and the United States Secretary of State, Colin Powell in June 2004. The S-G’s visit resulted in the joint communiqué of 3 July 2004 between the UN and the government of Sudan, in which the parties agreed to take concrete measures to respond to the crisis, including facilitating access for the delivery of humanitarian assistance, protecting human rights, demobilising the Janjaweed and the rebels and settling the conflict through negotiations between the government and rebel groups. A Joint Implementation Mechanism was established to monitor compliance with the commitments made through the joint communiqué. The Mechanism was co-chaired by Sudanese officials, the UN and the newly appointed Special Representative of the Secretary-General for the Sudan, Jan Pronk.

On the 30 July 2004, the Security Council adopted resolution 1556 (2004) on the situation of Darfur, calling on the government to address the crisis effectively by disarming the Janjaweed within 30 days, facilitating humanitarian access, negotiating a political settlement, as well as prosecuting the militia leaders who had committed crimes or face punitive measures from the international community.

“The United Nations Security Council has passed two resolutions on Darfur[as of 15 November 2004], threatening sanctions against Sudan’s government if it does not disarm and prosecute the militias

and others responsible for abuses in Darfur. But these resolutions have had little effect in either restraining the Sudanese government, its allied militias or in improving security and protection for civilians.

[...]

Despite several “early warnings,” the matter of Darfur was not even on the Security Council agenda until April 2004. [...] The Security Council on July 30, 2004, ended its protracted delay in taking action on Darfur and passed Resolution 1556. [...] This resolution, to the credit of the Security Council, gave the government of Sudan thirty days to “disarm the Janjaweed militias and

apprehend and bring to justice Janjaweed leaders and their associates” [...]. It threatened “further actions” if the Sudanese government failed to comply with the resolution.

The Sudanese government failed to disarm the Janjaweed or bring any to justice. Instead, the Secretary-General’s Special Representative for Sudan, Jan Pronk, was treated to a “show” disarmament of 300 Popular Defense Force members. [...] At the same time, many reported that numerous Janjaweed, far from being disarmed, were being transferred to the uniformed police, armed forces, and PDF—and into a specially created “Border Intelligence Guard.”

The Secretary-General’s report to the Security Council on August 30, 2004 flatly stated that the government of Sudan had not met its obligation to stop attacks against civilians and ensure their protection “fully, despite the commitments it has made and its obligations under resolution 1556.”<sup>96</sup> Despite this conclusion, the report did not recommend any specific action against the government of Sudan but merely urged it to accept the A.U. offer to provide troops to protect civilians in Darfur.

The next Security Council resolution (Resolution 1564) on September 18, 2004 did not follow through on the threat of “further measures” from the previous resolution. The resolution instead continued to threaten, this time specifying the possibility of sanctions for noncompliance, including on the petroleum sector and individual members of the government. In a positive move, the Security Council authorized the establishment of an international commission of inquiry to “investigate reports of violations of international humanitarian law and human rights law in Darfur by all parties, to determine also whether or not acts of genocide have occurred, and to identify the perpetrators of such violations with a view to ensuring that those responsible are held accountable”. (HRW, 15 November 2004)

On 19 November 2004, UNSC passed resolution 1574 demanding “that Government and rebel forces and all other armed groups immediately cease all violence and attacks, including abduction, refrain from forcible relocation of civilians, cooperate with international humanitarian relief and monitoring efforts, ensure that their members comply with international humanitarian law, facilitate the safety and security of humanitarian staff, and reinforce throughout their ranks their agreements to allow unhindered access and passage by humanitarian agencies and those in their employ, in accordance with its resolution 1502 (2003) of 26 August 2003 on the access of humanitarian workers to populations in need and with the Abuja Protocols of 9 November 2004;” (UN SC, 19 November 2004)

“The Sudanese government has continued to use helicopter gunships and Antonov airplanes in attacks against civilians in Darfur and has failed to take any steps to “neutralize and disarm the Janjaweed/armed militias,” in violation of a Security Protocol signed between Khartoum and two Darfurian rebel groups on November 9. Meanwhile, the rebels as well as the government have repeatedly broken the AU-mediated ceasefire with minimal consequences.” (HRW, 10 December 2004)

While the Commission of Inquiry recommends that those responsible should answer for their acts before the International Criminal Court “the EU reaffirms its constant support for the International Criminal Court, and reiterates its common position on the ICC, while noting that it is for the United Nations Security Council to take a rapid decision on this matter.” (EU, 7 February 2005)

The fact that the North-South peace agreement lacks any provision for a truth commission, prosecutions or other forms of accountability for crimes committed during that war perpetuates impunity and does not deter Sudanese officials and military leadership to continue to commit abuses in Darfur and elsewhere. (HRW, 6 January 2005)

## Reference to the Guiding Principles on Internal Displacement

### **Known references to the Guiding Principles on Internal Displacement (as of March 2005)**

- References to the Guiding Principles Reference to the Guiding Principles in the national legislation
- Other References to the Guiding Principles (in chronological order)
- Availability of the Guiding Principles in local languages
- Training on the Guiding Principles (in chronological order)

### Reference to the Guiding Principles in the national legislation

None

### Other references to the Guiding Principles

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| <p>SPLM/A draft policy on internal displacement</p> <p>SPLM/A policy on internal displacement was developed by a working group at the training workshop on the Guiding Principles in Rumbek, September 21-23, 2002, facilitated by the IDP Unit of OCHA, Brookings – SAIS Project on Internal Displacement and OCHA Nairobi. Participants, displaced themselves at least once, included the SRRA, the RASS and representatives of the emerging judiciary branch of the SPLM/A.</p> <p>Objectives of the policy:</p> <ul style="list-style-type: none"><li>- "Ensuring that all internally displaced persons enjoy proper protection and dignified treatment by SPLM/A authorities according to international human rights and humanitarian law.</li><li>- To promote and facilitate the search for durable solutions for those internally displaced in the SPLM/A controlled areas and those returning from the (GoS) controlled territories. To enable the internally displaced to enjoy the same rights and freedoms as all citizens under areas controlled by SPLM/A.</li><li>- To clarify the role of all actors including that of the internally displaced, SPLM/A civilian authorities, intergovernmental organizations and local and international NGOs operating in the area with clear rules and principles to guide their response to the internally displaced.</li><li>- To promote the inherent capacities and productivity of the internally displaced to lead a dignified life. In this connection, internally displaced must be given access to land during the period of their displacement." (IDP Unit, 5 October 2002, p.5)</li></ul> <p><u>Source:</u> SPLM/A, a working group at the training workshop, facilitated by the OCHA IDP Unit, Brookings – SAIS Project on Internal Displacement and OCHA Nairobi.</p> <p><u>Date:</u> 23 September 2002</p> <p><u>Document:</u> Draft Policy to Address the Needs of Internally Displaced Persons in SPLM/A Controlled Areas</p> <p>To access the full document click on URL:<br/><a href="http://www.reliefweb.int/idp/docs/reports/WorkshopRumbek0902.pdf">http://www.reliefweb.int/idp/docs/reports/WorkshopRumbek0902.pdf</a></p> |
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Discussion on the development of a national policy on internal displacement:

"Francis M. Deng, the UN Secretary-General's Representative for Internally Displaced Persons, raised the issue during his visit to the country from 11 to 18 September, when he held official meetings with President Omar al-Beshir and other senior officials to discuss the development of a national policy and strategy on internal displacement, including the establishment of a national focal point and an institution with a specific mandate for meeting the needs of all those

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| <p>affected.</p> <p>Members of the Government expressed support for this approach and agreed to undertake a comprehensive study that would review current Government policy and develop cooperative strategies in light of the Guiding Principles on Internal Displacement and UN institutional arrangements.</p> <p>The Government also agreed to use the study as the background document for an international conference to be held next year [2002] in Khartoum which would provide a forum in which the Government, UN agencies, international and non-governmental organizations, the donor community and the internally displaced themselves could discuss the national response to internal displacement and develop ways of enhancing that response with the support and collaboration of the international community." (UN DPI 20 September 2001 )</p> <p>UN to assist in the dissemination of the Guiding Principles in Arabic:</p> <p>"The Representative was also informed that the discussions with the Director of the Peace Unit also addressed the possible role of the United Nations, specifically UNDP, in supporting this process. While further discussion was required, a number of areas in which UNDP could potentially support the process were outlined, including wide dissemination of the Guiding Principles in Arabic and English and financial and logistical support to the process. In this regard, UNDP has suggested that the process as a whole could benefit from an agreed upon strategy rather than addressing constraints at each step." (UNCHR 5 February 2002, para. 40)</p> <p>Sudan joins a consensus in favour of resolution 56/164 to disseminate the application of the Guiding Principles:</p> <p>"Subsequent to the mission, at the fifty-sixth session of the General Assembly and during the Third Committee's consideration of the draft resolution on internally displaced persons, the representative of the Sudan to the Third Committee expressed concerns that the Guiding Principles had not been formally adopted by an intergovernmental forum, but, in the spirit of cooperation and support for the work of the Representative, agreed to join a consensus in favour of a resolution (56/164) that encourages the further dissemination and application of the Principles, including holding regional and other seminars on internal displacement. In the subsequent meeting with delegations, hosted by the Permanent Representative of Switzerland to promote dialogue between Governments and the Representative of the Secretary-General, the delegate of the Sudan reiterated the support of his Government for the work of the Representative and their commitment to seeking ways of promoting dialogue with a view to reaching a consensus in support of the Guiding Principles, an approach to which the Representative is equally committed." ( UN DPI 20 September 2001</p> <p>For full text of the UN Resolution (56/164) on <u>Protection of and assistance to internally displaced persons, 20 February 2002, see UN GA website</u><br/> <a href="http://www.un.org/documents/ga/res/56/a56r164.pdf">http://www.un.org/documents/ga/res/56/a56r164.pdf</a></p> |
| <p>Source: UN DPI ;UNCHR</p>  |
| <p>Date: 20 September 2001; 5 February 2002</p>   |
| <p>Documents: Specific Groups and individuals: Mass exoduses and displaced persons</p> <p>Report of the Representative of the Secretary-General on internally displaced persons, Mr. Francis Deng, submitted pursuant to Commission on Human Rights resolution 2001/54</p> <p>Addendum</p> <p>Report on the Mission to the Sudan<br/> <a href="http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/31dd5b1c12941997c1256b79004e6c39?Opendocument">http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/31dd5b1c12941997c1256b79004e6c39?Opendocument</a></p>   |

**Availability of the Guiding Principles**

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| <p>The Guiding Principles have been translated in Arabic</p>  |
| <p>Source: UNCHR</p>  |
| <p>Date: 11 April 2001</p>  |
| <p>Document: To access the Arabic document click on URL:<br/> <a href="http://www.unhchr.ch/pdf/principles_arab.pdf">http://www.unhchr.ch/pdf/principles_arab.pdf</a></p> |

### Training on the Guiding Principles

Sudan IDP Policy Training Workshop (Sept 2002)

The OCHA IDP Unit workshop was to start consultation process for a national-driven formulation of an IDP policy  
To enable implementation of the policy of attention to IDPs data collection and early warning systems were needed

"On August 28 and 29 the Government of Sudan held a workshop to discuss the formulation of an IDP Policy. The workshop, facilitated by the IDP Unit of OCHA included participants from several ministries involved in responding to internal displacement.

The purpose of the workshop was to assist the Government of Sudan identify possible elements of an IDP policy by providing facilitated disseminated training on key human rights law and humanitarian law as it applied to internally displaced. The purpose of the workshop was not to produce policy nor begin the consultation process with concerned stakeholders but, to provide a forum for national officials to brainstorm and discuss both the process and possible contents of a policy. The Guiding Principles were used, inter alia, as a framework for discussion.

[...]the Commissioner of the Humanitarian Aid Commission, Dr. Sulaf El Din Salih made it clear the development of the policy was going to be Sudanese-owned and driven process." (OCHA IDP Unit, 5 September 2002, p.2, 5, 11-12)

Implementing partners would be: the Ministry of International Cooperation and the Humanitarian Aid Commission, Ministries of Interior, Social Planning and Culture and Ministry of Housing at the state level as well as international organizations, national and international NGOs, as well as civil society and the traditional chiefs and social/ political leaders of the displaced communities.

Source: OCHA IDP Unit

Date: 5 September 2002

Document : Sudan IDP Policy Training Workshop – North

To access the full document click on URL

<http://www.reliefweb.int/idp/docs/reports/Workshop-Kartoum-09-02.pdf>

Training workshop on the Guiding Principles with the SPLM/A, SRRA and RASS, facilitated by OCHA IDP Unit and Brookings SAIS Project the 21-23 September 2002, in Rumbek Sudan.

On September 21-23 the SPLM/A held a training workshop on the Guiding Principles in Rumbek.

The workshop was facilitated by the IDP Unit of OCHA, Brookings – SAIS Project on Internal Displacement and OCHA Nairobi. All participants had been displaced themselves at least once, and they included the SRRA, the RASS and representatives of the emerging judiciary branch of the SPLM/A.

The main objectives included: Develop a policy on internal displacement, based on the GP, human rights law, humanitarian law, for IDPs in SPLM/A controlled areas.

Provide general training on human rights law, humanitarian law and refugee law by analogy. (IDP Unit, 5 October 2002, p.2)

Some selected recommendations of the workshop: Participants pledged to promote IDP protection and address their needs. In order to ensure voluntariness, safety and dignity of return, or resettlement, participants proposed creation of joint structure between representatives of the GOS and SPLMA to facilitate coordination and information sharing. Underscored was the need for comprehensive assessment and survey of IDPs in Sudan to clarify their number, location and needs.

Participants considered persons displaced within oil-rich areas to be conflict-induced displaced. In the event of successful peace talks it was recommended that a national commission representing both GoS and SPLM/A be established with the mandate to harmonize existing policies on IDPs.

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| <u>Source:</u> OCHA IDP Unit  |
| <u>Date:</u> 5 October 2002   |
| <u>Document:</u> SPLM/A IDP Policy Training Workshop – South  |
| To access full document click on URL<br><a href="http://www.reliefweb.int/idp/docs/reports/Workshop%20Rumbek%2009%2002.pdf">http://www.reliefweb.int/idp/docs/reports/Workshop%20Rumbek%2009%2002.pdf</a> |

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| <p>Sudan IDP Policy Training Workshop (Sept 2002)</p> <p>The OCHA IDP Unit workshop was to start consultation process for a national-driven formulation of an IDP policy<br/> To enable implementation of the policy of attention to IDPs data collection and early warning systems were needed</p> <p>"On August 28 and 29 the Government of Sudan held a workshop to discuss the formulation of an IDP Policy. The workshop, facilitated by the IDP Unit of OCHA included participants from several ministries involved in responding to internal displacement.</p> <p>The purpose of the workshop was to assist the Government of Sudan identify possible elements of an IDP policy by providing facilitated disseminated training on key human rights law and humanitarian law as it applied to internally displaced. The purpose of the workshop was not to produce policy nor begin the consultation process with concerned stakeholders but, to provide a forum for national officials to brainstorm and discuss both the process and possible contents of a policy. The Guiding Principles were used, inter alia, as a framework for discussion.</p> <p>[...]the Commissioner of the Humanitarian Aid Commission, Dr. Sulaf El Din Salih made it clear the development of the policy was going to be Sudanese-owned and driven process." (OCHA IDP Unit, 5 September 2002, p.2, 5, 11-12)</p> <p>Implementing partners would be: the Ministry of International Cooperation and the Humanitarian Aid Commission, Ministries of Interior, Social Planning and Culture and Ministry of Housing at the state level as well as international organizations, national and international NGOs, as well as civil society and the traditional chiefs and social/ political leaders of the displaced communities.</p> |
| <u>Source:</u> OCHA IDP Unit  |
| <u>Date:</u> 5 September 2002   |
| <u>Document :</u> Sudan IDP Policy Training Workshop – North  |
| To acces the full document click on URL<br><a href="http://www.reliefweb.int/idp/docs/reports/Workshop-Kartoum-09-02.pdf">http://www.reliefweb.int/idp/docs/reports/Workshop-Kartoum-09-02.pdf</a>  |

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| <p>OCHA workshop in Juba focused on the Guiding Principles (May 2001):</p> <p>"UN-OCHA Juba conducted a two-day Rights Awareness workshop in Juba town. The workshop focused on Humanitarian Principles, Human Rights, International Humanitarian Law, and the Guiding Principles for IDPs. Participants included representatives from Government, Military Intelligence, Security, NGOs, and IDP leaders." (OCHA 31 May 2001).</p> <p>"Other seminars on the Guiding Principles are being prepared for Wau and Khartoum (May or June 2002)" (E-mail OCHA Khartoum 19 March 2002) .</p> <p>No report of the May 2001 workshop has been forwarded to us at 20 March 2002.</p> <p>Mission of the UN representative for internally displaced as well as workshop no internal displacement postponed in May 2001 due to government's perceived infringement on sovereignty:</p> <p>Workshop on Internal Displacement seen as an infringement on sovereignty by the Government of Sudan (May 2001)<br/> However the Representative reiterated that sovereignty carries responsibilities towards citizens<br/> "The May [2001] mission was to have been combined with a workshop on internal displacement, to be held in Khartoum.</p> |
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which was agreed to by the Government

[...]

As the Representative also noted in his report to the General Assembly, at the last moment, elements within the Government opposed the mission and the workshops proceeding as planned, for reasons that were not initially explained, although the Representative learned later they had to do with concerns over potential infringement of national sovereignty (ibid., para. 72). However, as also reported, the Government did indicate that the Representative was welcome to visit the country in order to discuss the situation, with the optimistic expectation that agreement on alternative arrangements could be reached. Thus, the mission as undertaken in September was markedly less extensive than that which had been planned for May. It focused ostensibly on dialoguing with the Government and representatives of the international community in Khartoum on the problem of internal displacement in the Sudan with a view to laying the foundations for an enhanced national response to the problem with the support of, and in cooperation with, the international community. Discussing with the authorities the holding of a previously agreed upon seminar in Khartoum was also central to the objectives of the mission.

[...]

The approach taken by the Representative in this and all his country missions, and one which was particularly pertinent to concerns of the Government of the Sudan regarding national sovereignty, rests on the recognition that internally displaced persons fall within the domestic jurisdiction and therefore within the national sovereignty of the States concerned. It is also based on the fundamental assumption that national sovereignty carries with it responsibilities towards the citizens and that under normal circumstances Governments discharge that responsibility. When, for a variety of reasons, Governments are unable to provide their citizens with adequate protection and assistance, they are expected to invite, or at least welcome, international cooperation to supplement or complement their own efforts." (UNCHR 5 February 2002, summary)

Source: OCHA; E-mail OCHA Khartoum ; UNCHR

Date: 31 May 2001; 19 March 2002; 5 February 2002

Documents: Specific Groups and individuals: Mass exoduses and displaced persons

Report of the Representative of the Secretary-General on internally displaced persons, Mr. Francis Deng, submitted pursuant to Commission on Human Rights resolution 2001/54

Addendum

Report on the Mission to the Sudan

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