



Humanitarian Aid Decision

23 02 01

Title: Assistance to uprooted and host populations in the return process in Sudan

Location of operation: SUDAN

Amount of Decision: EUR 8,000,000

Decision reference number: ECHO/SDN/BUD/2005/03000

Explanatory Memorandum

1 - Rationale, needs and target population.

1.1 - Rationale

The signing of the Comprehensive Peace Agreement (CPA) on 9 January 2005 and the formation of the Government of National Unity (GNU) ended more than 20 years of civil war in Sudan. This peace agreement has not included the Greater Darfur Region and other areas (e.g. Eastern Sudan), where different degrees of conflict are unfortunately still ravaging livelihoods and social fabrics.

The CPA has been conducive to improved security conditions in many areas in Southern Sudan and in the three transitional regions of Abyei, Nuba Mountains and Southern Blue Nile. Hence thousands of war uprooted people, including both Internally Displaced Persons (IDPs) and refugees may now return to their areas of origin.

In effect, Sudan hosts the largest population of IDPs in the world, estimated at up to 6 million¹. Furthermore, up to 800,000 refugees are registered by UNHCR in Sudan's neighbouring countries. This is the result of decades of underdevelopment and climatic impacts (such as drought and desertification), coupled with marginalisation, conflicts, open war and destruction of assets and economies. From 2001, conflict in the Greater Darfur Region contributed to an important increase in the total figure of IDPs and refugees.

On 30 July 2005, the death of John Garang, the newly appointed Vice-President of the GNU and Southern leader, sparked several days of riots particularly in Khartoum and highlighted tensions between the Northern and the (displaced) Southern populations. Authorities meanwhile intensified the demolition of IDP dwellings and quarters in the Khartoum suburbs

¹ Two million IDPs are believed to live in the area of greater Khartoum and up to 2 million continue to be displaced in Darfur.

and the forced re-location of its inhabitants to unprepared sites often in the middle of nowhere. Other political forces are also at play, attempting to promote the return of Southerners to the South.

These push and pull factors have led to the prognosis of large return movements to Southern Sudan in the coming dry season from November 2005 to May/June 2006. The UN assumes that, during this period, around 580,000 IDPs may return to their places of origin from within the South and from the North whilst a limited yet increasing number of refugees may return as well from neighbouring countries. According to some sources, thousands of spontaneous returns have already taken place in 2005 (see section 1.2. below). The outlook regarding IDP and refugee populations generated by conflicts in other parts of Sudan, notably in Darfur, is markedly different as violence is on the increase. Nevertheless, in some areas, IDPs have seen improvements in the situation and continue to explore ways to return to their villages, such as to work their land on a temporary and case by case basis.

This decision builds on previous humanitarian aid decisions for Sudan adopted by the European Commission in 2005² and aims to provide vital support to initiatives that have already started addressing the most pressing needs emerging from ongoing spontaneous and potential future population movements throughout the country. The timing of this decision is essential as to being able to frontload support to humanitarian activities from the beginning of the dry season (November 2005 – May 2006), when conditions for return might be most favourable. Operations financed under these additional funds shall run well into 2006 and shall therefore complement the humanitarian programme of the European Commission for 2006 (Global Plan 2006³). Targeted assistance will be provided to returnees and host communities, whilst consideration will be given to the provision of assistance in their current areas of displacement. Finally, this decision shall complement quick impact rural development programmes financed by the European Commission through European Development Funds aiming at facilitating reintegration and resettlement in areas of return.

1.2. - Identified needs

International humanitarian organisations have intensified their planning and interventions for potential IDP and refugee population movements during the dry season that is about to start. Meanwhile, in large areas, the traditional mid-year hunger season caused high rates of acute malnutrition.

According to the interim figures released by the Sudan Relief and Rehabilitation Commission⁴, around 400,000 IDPs and 200,000 refugees have already returned to South Sudan and the transitional areas between January 2004 and March 2005.⁵ However, many of the returnees arrive to areas which have suffered severely and where basic social services are extremely limited or non-existent. Moreover, the capacity of local institutions and communities is far from ready to meet the expected massive returns.

The main needs in protection and assistance to return and host populations are highlighted below:

- Protection:
 - information for returnees on conditions in areas of return and along return routes;
 - prevention of forced return (as well as relocation and new displacement);
 - reduction of barriers preventing voluntary return (harassment, taxation, etc.);
 - awareness raising in communities;

² ECHO/SDN/BUD/2005/01000, ECHO/SDN/BUD/2005/02000

³ ECHO/SDN/BUD/2006/01000

⁴ The Sudan Relief and Rehabilitation Commission (SRRC) is the humanitarian wing of the Sudan People's Liberation Movement/Army (SPLM/A).

⁵ UNHCR. "Sudan Operations. South Sudan". October 2005.

- improved conditions of return (re-unification of families, equal access to services, community based protection networks, psycho-social services, legal support and strengthening of local capacities, etc.).
- Assistance and preparedness:
 - transport of voluntary returning populations;
 - the creation and running of multi-sectoral interventions (health, water and sanitation, food, NFIs, information);
 - service and transit-points⁶, along routes of return;
 - tracking and monitoring of return movements;
 - capacity building and reintegration (special focus on returning skilled persons so as to accelerate indigenous service delivery);
 - mine awareness and demarcation/ clearance;
 - HIV/AIDS and communicable disease awareness and prevention.

1.3. - Target population and regions concerned

Considering the scenarios and situation depicted above and taking into account the movements up to the last rainy season, one could consider that more than half a million will have returned by mid 2006.

Tables I and II (below) present the estimated number of returnees to South Sudan and the locations of current displacement:⁷

Table I – Returnee numbers and expected destination

State(s)	Estimated Number	Percentage
Bahr el Ghazal	103,500	18%
Upper Nile	76,500	13%
Equatoria	252,000	43%
Transitional areas	148,000	26%
Total	580,000	100%

Equatoria has been identified by the UN as the area likely to receive the largest number of returnees followed by the transitional zone, Bahr el Ghazal and Upper Nile (including Unity State).

Table II – -Areas of current displacement

Location	Estimated Number of IDP and Refugees
Khartoum	2,000,000
Northern	200,000
North East	353,000
Gedaref and Senar	102,000
Nile States	440,000
Kordofan	189,000
South Darfur (old case load)	74,000
Unity	135,000
Barh el Ghazal	210,000
Equatoria (excluding West)	26,000
Neighbouring countries	458,400
Total	4,187,400

Targeted assistance will be provided to returnees and host communities, whilst consideration will be given to the provision of assistance in their current areas of displacement.

⁶ Way Stations should not become new sites of displacement; therefore the norm is to assist returning populations passing through these facilities for up to 3 days.

⁷ UN, Sudan – Support for Spontaneous Returns 2005/06, UN Operational Plan, June 05.

1.4. - Risk assessment and possible constraints:

- The fragile political processes, as well as the political pressures on the returnee issue may lead to a deterioration of the conditions for return and/or influence choices of potential returnees leading to unsustainable numbers;
- Transit-areas, temporary points of assistance, way-stations, and the former GoS garrison towns⁸ may become magnets and poles of further displacement;
- The little governance capacity of the nascent Government of South Sudan (GoSS) may lead to important protection and legal issues;
- Insecurity in areas of return, including mine threats, could prevent large population movements and affect level of assistance and access by humanitarian agencies. In particular, the presence of the Ugandan-based Lord's Resistance Army (LRA) in Equatoria could further destabilise the area. Furthermore, numerous loosely aligned militia, as well as potential ethnic clashes, could create havoc;
- Inadequate transport capacity;
- Allocation of land to returnees and potential land disputes.

2 - Objectives and components of the humanitarian intervention proposed⁹

2.1. - Objectives

Principal objective

To assist uprooted and host populations in the return process in Sudan.

Specific objective

To provide integrated assistance to returnees and host communities including areas of current displacement, transit and origin.

2.2. – Components

The aim is to help returnees to make the best possible decisions for return whilst assisting and protecting them and the host communities. In Darfur and other areas of Sudan, such as the North-East, there is a need to closely follow and eventually, depending on the specific circumstances, support evolving movements of people.

The funding made available through this decision will enable to respond to the most urgent needs arising from the return process of both IDPs and refugees in and into Sudan. The main components identified are:

Coordination

- Coordination amongst all stakeholders, including authorities, beneficiaries, humanitarian and developmental actors as well as donors to realise most appropriate assistance and effectively respond to possible changes;

⁸ These towns are: Juba, Torit, Malakal, Renk, Nasir, Bor, Bentiu, Wau, Aweil, Gogrial and Raja.

⁹ Grants for the implementation of humanitarian aid within the meaning of Council Regulation (EC) No.1257/96 of 20 June 1996 concerning humanitarian aid are awarded in accordance with the Financial Regulation, in particular Article 110 thereof, and its Implementing Rules in particular Article 168 thereof (Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002, OJ L248 of 16 September 2002 and Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002, OJ L 357 of 31 December 2002).

Rate of financing: In accordance with Article 169 of the Financial Regulation, grants for the implementation of this Decision may finance 100% of the costs of an action. Humanitarian aid operations funded by the Commission are implemented by NGOs and the Red Cross organisations on the basis of Framework Partnership Agreements (FPA) (in conformity with Article 163 of the Implementing Rules of the Financial Regulation) and by United Nations agencies based on the Financial and Administrative Framework Agreement (FAFA). The standards and criteria established in ECHO's standard Framework Partnership Agreement to which NGO's and International organisations have to adhere and the procedures and criteria needed to become a partner may be found at http://europa.eu.int/comm/echo/partners/index_en.htm.

- Tracking, recording and analysis of returnee movements and needs, as well as of progress in situations and conditions from departure to return.

Protection:

- Initiate and promote information activities and campaigns on conditions in areas of return and along return routes to enable returnees to take informed decisions, as well as increase awareness in host communities on returnees and their needs;
- Advocate for returnee's rights and promote the integration of returnees (such as prevention of forced return, relocation and new displacement, promotion of equal access to services in areas of return, community based protection networks);
- Provision of legal aid and counselling (legal support and strengthening of local capacities, re-unification of families) as well as medical/ psychosocial assistance (traumatic experiences of children in conflict, other e.g. Sexual Gender Based Violence, etc.).

Health:

- Provide targeted healthcare in transit-points, way-stations and areas of return;
- Focus on HIV/AIDS awareness and care activities and other communicable diseases in transit-points and way-stations, as well as in areas of return.
- Sustain the support to primary health care programmes and extended services (endemic diseases, malnutrition, maternal and child health and EPI) in transit and eventual communities of return.

Mine Action:

- Realise mine risk education, awareness, demarcation and targeted clearance activities in the transit areas of return and eventual communities of return.

Water and sanitation:

- Provide sufficient safe water at transit-points and way-stations and eventual communities of return;
- Improve safe environmental conditions.

Logistics, non food items (NFI) and emergency shelter:

- Support logistical needs linked to returns, particularly for the transportation of vulnerable groups;
- Provide NFIs, shelter items and, where required, assistance to ensure reintegration to returnees and host populations.

Emergency preparedness and response:

- Strengthen the emergency preparedness and response capacity so as to react to sudden population movements.

3 - Duration expected for actions in the proposed Decision:

The duration for the implementation of this decision will be 12 months.

Humanitarian operations funded by this decision must be implemented within this period.

Expenditure under this Decision shall be eligible from 01/11/2005. It is essential to cover operations of well placed humanitarian agencies as from this date so as to take advantage of the dry season (November 2005 – May 2006), when most of the returns are expected to occur.

Start Date: 01/11/2005.

If the implementation of the actions envisaged in this decision is suspended due to *force majeure* or any comparable circumstance, the period of suspension will not be taken into account for the calculation of the duration of the decision.

Depending on the evolution of the situation in the field, the Commission reserves the right to terminate the agreements signed with the implementing humanitarian organisations where the suspension of activities is for a period of more than one third of the total planned duration of the action. The procedure established in the Framework Partnership Agreement in this respect will be applied.

4 - Previous interventions/Decisions of the Commission within the context of the current crisis

List of previous DG ECHO operations in SUDAN

		2003	2004	2005
		EUR	EUR	EUR
Decision number	Decision type			
ECHO/SDN/210/2003/01000	Global Plan	20,000,000		
ECHO/SDN/210/2003/02000	Emergency	2,000,000		
ECHO/SDN/BUD/2004/01000	Global Plan		20,000,000	
ECHO/SDN/BUD/2004/02000	Ad Hoc		10,000,000	
ECHO/SDN/BUD/2004/03000	Ad Hoc		10,000,000	
ECHO/SDN/BUD/2004/04000	Ad Hoc		15,000,000	
ECHO/SDN/BUD/2004/05000	Ad Hoc		31,000,000	
ECHO/SDN/EDF/2004/01000	Ad Hoc		5,000,000	
ECHO/SDN/BUD/2005/01000	Global Plan			20,000,000
ECHO/SDN/BUD/2005/02000	Ad Hoc			15,000,000
	Subtotal	22,000,000	91,000,000	35,000,000
	Total	148,000,000		

Dated : 12/10/2005

Source : HOPE

5 - Other donors and donor co-ordination mechanisms

Donors in SUDAN the last 12 months					
1. EU Members States ¹		2. European Commission		3. Others ²	
EUR		EUR		EUR	
Austria	100,000	DG ECHO	66,000,000	US	446,599,423
Belgium	1,100,000	Other services*	244,980,000	Canada	21,777,038
Cyprus	443,000			Japan	2,585,721
Denmark	9,789,000			Norway	40,885,459
Estonia	26,000			Switzerland	10,874,311
Finland	2,300,000				
France	1,445,000				
Germany	24,706,000				
Ireland	3,795,000				
Italy	1,398,000				
Luxembourg	1,650,000				
Netherlands	48,455,000				
Sweden	4,264,000				
United Kingdom	95,264,000				
Subtotal	194,735,000	Subtotal	310,980,000	Subtotal	522,721,952
		Grand total	1,028,436,952		

Dated : 12/10/2005

1 Source : DG ECHO 14 Points reporting for Members States. <https://hac.cec.eu.int>

2 Source: OCHA. The OCHA figures were in US\$ and were converted at a rate of US\$1 = €0.830565

* Donated amount in 2005

6 - Amount of decision and distribution by specific objectives:

6.1. - Total amount of the decision: EUR 8,000,000

6.2. - Budget breakdown by specific objectives

Principal objective: To assist uprooted and host populations in the return process in Sudan.				
Specific objectives	Allocated amount by specific objective (EUR)	Geographical area of operation	Activities	Potential partners¹⁰
To provide integrated assistance to returnees and host communities including areas of current displacement, transit and origin.	8,000,000	Khartoum South Kordofan Equatoria Barh el Ghazal Upper and Southern Blue Nile Barh el Jebel Darfur <i>And any other area of origin and return in the country</i>	<ul style="list-style-type: none"> • Coordination amongst all stakeholders, including authorities, beneficiaries, humanitarian and developmental actors as well as donors to realise most appropriate assistance and effectively respond to possible changes; • Tracking, recording and analysis of returnee movements and needs, as well as of progress in situations and conditions from departure to return. • Initiate and promote information activities and campaigns on conditions in areas of return and along return routes to improve returnees decisions as well as increase awareness in host communities on returnees and their needs; • Advocate for returnee's rights and promote the integration of returnees (such as prevention of forced return, relocation and new displacement, promotion of equal access to services in areas of return, community based protection networks); • Provision of legal aid and counselling (legal support and strengthening of local capacities, re-unification of families) as well as medical/ psychosocial assistance (traumatic experiences of children in conflict, other e.g. Sexual Gender Based Violence, etc.). • Provide targeted healthcare in transit-points, way-stations and transit areas of return; • Focus on HIV/AIDS awareness and care activities and other communicable diseases in transit-points and way-stations as well as in all other programmes in Sudan; • Sustain the support to primary health care programmes and extended services (endemic diseases, malnutrition, maternal and child health and EPI) in transit and eventual communities of return. • Realise mine risk education, awareness, demarcation and targeted clearance activities in the transit areas of return as well as eventual communities of return. • Providing sufficient safe water at transit-points and way-stations as well as increasing the access to potable water in the transit areas of return as well as eventual communities of return; • Realising safe environmental conditions at transit-points and way-stations as well as improving environmental sanitation conditions, such as by conducting campaigns, in the transit areas of return as well as eventual communities of return. • Support logistical needs linked to returns, particularly for the transportation of vulnerable groups; • Support the provision of targeted multi-sectoral material assistance to provide immediate relief to returnees en route (such as food, NFIs, shelter items) as well as support the provision of items to promote re-integration on the basis of need to returnees and host populations (such as seeds and tools). • Strengthen the emergency preparedness and response capacity so as to react to sudden population movements. 	- ACF – FRA, ACF-UK, CAFOD, CONCERN UNIVERSAL, CONCERN WORLDWIDE, CORDAID, CROIX-ROUGE - CICR-ICRC – CH, CROIX-ROUGE – DEU, CROIX-ROUGE – DNK, CROIX-ROUGE – ESP, DRC,,- EMDH, HANDICAP (FR),,HANDICAP (BEL),- HEALTH NET INT., HELPAGE INTERNATIONAL – UK, IAS (SWE), IOM, IRC – UK, ISLAMIC RELIEF, MAG – UK, MEDAIR UK, MSF – BEL, MSF – CHE, MSF - ESP - MSF – FRA, MSF – NLD, NORWEGIAN REFUGEE COUNCIL, OXFAM – UK, SAVE THE CHILDREN – NLD, SAVE THE CHILDREN – UK, TEARFUND – UK, UN - UNHCR – BEL, UN - UNICEF – BEL, UN – UNOCHA, UN - WFP-PAM, WHO - OMS
TOTAL:	8,000,000			

¹⁰ ACTION AGAINST HUNGER UK, ACTION CONTRE LA FAIM, (FR), ARTSEN ZONDER GRENZEN (NLD), CATHOLIC AGENCY FOR OVERSEAS DEVELOPMENT (GBR), CATHOLIC ORGANISATION FOR RELIEF AND DEVELOPMENT AID (NLD), COMITE INTERNATIONAL DE LA CROIX-ROUGE (CICR), CONCERN UNIVERSAL (GBR), CONCERN WORLDWIDE, (IRL), CRUZ ROJA ESPAÑOLA, (E), DANSK FLYGTNINGEJALP, DANSK RØDE KORS, (DNK), DEUTSCHES ROTES KREUZ, (DEU), ENFANTS DU MONDE - DROITS DE L'HOMME, HANDICAP INTERNATIONAL (BEL), HANDICAP INTERNATIONAL (FR), HEALTH NET INTERNATIONAL, (NLD), HELPAGE INTERNATIONAL (GBR), INTERNATIONAL AID SERVICES, INTERNATIONAL ORGANIZATION FOR MIGRATION (INT), ISLAMIC RELIEF, International Rescue Committee UK, MEDAIR UK (GBR), MEDECINS SANS FRONTIERES (CHE), MEDECINS SANS FRONTIERES (F), MEDECINS SANS FRONTIERES BELGIQUE/ARTSEN ZONDER GRENZEN BELGIE(BEL), MEDICOS SIN FRONTERAS, (E), MINES ADVISORY GROUP (GBR), NORWEGIAN REFUGEE COUNCIL (NOR), OXFAM (GB), SAVE THE CHILDREN (NLD), TEARFUND (GBR), THE SAVE THE CHILDREN FUND (GBR), UNICEF, UNITED NATIONS - WORLD FOOD PROGRAMME, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES - BELGIUM, UNITED NATIONS, OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS, WORLD HEALTH ORGANISATION - ORGANISATION MONDIALE DE LA SANTE

7 - Evaluation

Under article 18 of Council Regulation (EC) No.1257/96 of 20 June 1996 concerning humanitarian aid the Commission is required to "regularly assess humanitarian aid operations financed by the Community in order to establish whether they have achieved their objectives and to produce guidelines for improving the effectiveness of subsequent operations." These evaluations are structured and organised in overarching and cross cutting issues forming part of ECHO's Annual Strategy such as child-related issues, the security of relief workers, respect for human rights, gender. Each year, an indicative Evaluation Programme is established after a consultative process. This programme is flexible and can be adapted to include evaluations not foreseen in the initial programme, in response to particular events or changing circumstances. More information can be obtained at:

http://europa.eu.int/comm/echo/evaluation/index_en.htm.

8 - Budget Impact article 23 02 01

-	CE (EUR)
Initial Available Appropriations for 2005	476,500,000
Reinforcement from Emergency aid reserve	100,000,000
Transfers Commission	-5,000,000
Total Available Credits	571,500,000
Total executed to date (as at 24/10/2005)	555,613,870
Available remaining	15,886,130
Total amount of the Decision	8,000,000

COMMISSION DECISION
of
on the financing of humanitarian operations from the general budget of the European
Union in
SUDAN

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,
Having regard to Council Regulation (EC) No.1257/96 of 20 June 1996 concerning humanitarian aid¹, and in particular Article 15(2) thereof,

Whereas:

- (1) Sudan hosts the largest population of Internally Displaced People in the world and up to 800,000 refugees have been registered by the United Nations.
- (2) The Comprehensive Peace Agreement signed in January 2005 paves the way for thousands of war-uprooted people to return to their areas of origin.
- (3) Thousands of displaced and refugees have already spontaneously returned to their areas of origin where basic services are limited or inexistent and the capacity of local authorities and communities is unable to cope with massive returns.
- (4) The United Nations is planning for 580,000 returnees arriving in the 2005-2006 dry season starting in November 2005.
- (5) Humanitarian organisations have already started addressing the most pressing needs emerging from ongoing spontaneous and potential future population movements throughout the country.
- (6) It is essential to support to humanitarian activities from the beginning of the dry season in November 2005.
- (7) An assessment of the humanitarian situation leads to the conclusion that humanitarian aid operations should be financed by the Community for a period of 12 months.
- (8) It is estimated that an amount of EUR 8,000,000 from budget line 23 02 01 of the general budget of the European Union is necessary to provide humanitarian assistance to over 1,000,000 uprooted persons and their host populations, taking into account the available budget, other donors-contributions and other factors.
- (9) In accordance with Article 17 (3) of Regulation (EC) No.1257/96, the Humanitarian Aid Committee gave a favourable opinion on 15 December 2005.

HAS DECIDED AS FOLLOWS:

¹ OJ L 163, 2.7.1996, p. 1-6

Article 1

1. In accordance with the objectives and general principles of humanitarian aid, the Commission hereby approves a total amount of EUR 8,000,000 for humanitarian aid operations to assist uprooted and host populations in the return process in Sudan by using line 23 02 01 of the 2005 general budget of the European Union.
2. In accordance with Article 2 (a) of Council Regulation No.1257/96, the humanitarian operations shall be implemented in the pursuance of the following specific objective:

To provide integrated assistance to returnees and host communities including areas of current displacement, transit and origin.

The total amount of this decision is allocated to this objective.

Article 2

1. The duration for the implementation of this decision shall be for a maximum period of 12 months, starting on 01 November 2005.
2. Expenditure under this Decision shall be eligible from 01 November 2005.
3. If the operations envisaged in this Decision are suspended owing to *force majeure* or comparable circumstances, the period of suspension shall not be taken into account for the calculation of the duration of the implementation of this Decision.

Article 3

This Decision shall take effect on the date of its adoption.

Done at Brussels,

For the Commission

Member of the Commission