

SUDAN: HUMANITARIAN ACTION STILL UNDER FIRE IN DARFUR

The conflict in Darfur has evolved but the people it has displaced continue to languish in camps unprotected from violent attacks and increasingly cut off from humanitarian assistance. The fragmentation of rebel groups since the signing of the Darfur Peace Agreement in May 2006 and the emergence of disgruntled Arab militias that feel abandoned by the government have dramatically altered the face of the conflict. Humanitarian workers have become the easy targets of all sides: physical attacks by rebel groups, armed militias, and bandits; expulsions by the Sudanese government; and resource-draining bureaucratic impediments that prevent them from operating effectively.

Over the past four years the international humanitarian operation in Darfur has kept the people displaced by the conflict alive. The Government of Sudan is now claiming that the Darfur crisis is over and that it is time for returns and development. In the build-up to the deployment of the United Nations-African Union Hybrid Mission in Darfur (UNAMID), donor governments and international organizations must place equal priority on assuring that any returns are voluntary and on maintaining the overall effectiveness of the humanitarian operation. Humanitarian assistance and protection will remain essential as the vulnerability of the people of Darfur shows no signs of decreasing.

Remove Bureaucratic Impediments

The Government of Sudan's regulations create intentional bureaucratic misery for international organizations working in Darfur. The Government routinely violates agreements brokered by the UN to expedite the processing of visas and permits for international staff, resulting in international non-governmental organizations being forced to spend unconscionable amounts of time and resources on complying with bureaucratic procedures. An immediate priority is the renewal of the so-called Moratorium, which nominally ensures the fast-track processing of visas, permits and other documents for international NGOs. In 2007, the Government of Sudan extended the Moratorium for one year until January 31, 2008. Unless the Moratorium is now renewed for at least another year, all visas and permits for international NGO staff working in Darfur will expire at the end of January, and the humanitarian operation in Darfur will grind to a halt.

Defend Humanitarian Principles

Humanitarian workers fear speaking out in defense of humanitarian principles. The Government of Sudan has a policy of controlling and silencing humanitarian agencies because they witness the ongoing abuses. In 2007, the government has expelled many

Policy Recommendations

1. The United States work with its allies in Europe to increase pressure on the Government of Sudan to cease obstructing the humanitarian operation in Darfur, and particularly push for an immediate renewal of the Moratorium and an end to the harassment of civil society organizations.
2. The UN Country Team produce an overall plan to address the problems in Kalma camp. The plan must anticipate the need to prevent forced relocations in Darfur and ensure that any returns and relocations are safe and voluntary.
3. The United States increase funding to protect civilians in Darfur by supporting UNHCR in assuming the lead role in protection and camp coordination in North and South Darfur, by providing immediate funds and resources to expedite the UNAMID deployment, and by funding capacity building for civil society organizations.
4. UNAMID urgently organize a wide-spread public information campaign for displaced Darfuris about its mandate, expected force composition, and protection role.

humanitarian workers from Darfur and prevented others from working there by bureaucratic obstacles.

Providing effective humanitarian assistance includes finding ways to report on violations or unmet needs, but in Darfur reporting on even minor incidents can lead to government closure of programs. International aid agencies need a strong UN Country Team to serve as the buffer between them and the government and to advocate, publicly or privately as appropriate, for respect of humanitarian principles. The UN is also vulnerable to expulsions and limits on their operations, demonstrated most recently by the forced removal of the South Darfur head of the UN Office for the Coordination of Humanitarian Affairs (OCHA). But the overall UN presence in Sudan is essential to the international credibility of the Sudanese government, and the UN is therefore in a stronger position to advocate for adherence to humanitarian principles than beleaguered NGOs.

Prevent Forced Returns and Relocations

Since 2004 the Government of Sudan has been calling for displaced people in camps to return to their villages, despite the fact that it is not safe for them to do so. In the past three months there has been a disturbing escalation in government rhetoric about the need for displaced Darfuris to go home. While the government is claiming that large numbers of Darfuris are now returning, there is in fact minimal sustained voluntary return taking place, and 270,000 people have been newly displaced by violence in 2007.

The government appears to want to re-draw the map of Darfur before UNAMID deploys. Feeling threatened by large camps, they have forcibly relocated people from Otash camp in South Darfur, and they are now threatening to forcibly disarm and dismantle Kalma camp. There are also reports of local officials harassing people and offering inducements to community leaders to get them to accept relocations or returns. Any returns or relocations which take place must comply with international humanitarian principles; they must be voluntary, safe and with dignity.

Provide for Protection and Camp Coordination

Millions of Darfuri civilians are still living in situations where their physical safety is at risk. Darfur needs the presence of a strong UN agency with a protection mandate in North and South Darfur to identify vulnerable individuals and report on abuses. The Protection Section of the UN Mission in Sudan (UNMIS) currently takes the lead. But UNMIS Protection is expected to phase out of Darfur by January 1, 2008, and this could leave a potentially dangerous gap.

The UN Refugee Agency (UNHCR) is responsible for protection and camp coordination in West Darfur, and is currently negotiating with the Government of Sudan to assume the lead protection and camp coordination role in the other Darfur states. UNHCR is well suited to this task, but to perform it effectively will require a huge increase in its Darfur staffing. Establishing sub-offices outside of the state capitals will be required, which will be costly as well. Camp coordination is strongly linked to the provision of protection. Effective camp management prevents tensions from rising, which in turn reduces outbreaks of violence. OCHA is presently handling camp coordination in North and South Darfur, a role for which it is unsuited.

Strengthen Local Civil Society Organizations

The Government of Sudan mistreats and intimidates local NGOs, including by suspending their registrations and forcibly closing their offices. Local NGO workers often face arrest, detention and torture. In recent weeks local NGO and civil society workers have been subjected to frequent harassment and questioning by national security and intelligence agencies. Local activists are particularly being questioned about the funding they receive from foreign sources. Local NGOs will not be able to survive if their funding sources are cut off. Despite the high level of funding for the international humanitarian operation in Darfur, very little funding reaches local groups due to the inflexibility of the various funding mechanisms.

Convey the Real Story on UNAMID

There is a disturbing lack of accurate information reaching the Darfuri people about UNAMID. Information on the hybrid force does reach the camps through local networks, but it is often distorted by those with different political agendas. In addition, the Government of Sudan is deliberately confusing the people about UNAMID's role through media and propaganda. Many factors may delay and hamper UNAMID's operations: the lack of an inclusive peace process; difficulties with the implementation of the North-South Comprehensive Peace Agreement (CPA); Sudanese government obstruction; and the failure of the U.S. and other international donors to provide the required resources. The majority of Darfuris have unrealistically high expectations for UNAMID, which will mean inevitable disappointment and will reduce the prospects of success by the force.

Advocate Melanie Teff and Advocacy Associate Camilla Olson just returned from a three week mission in Khartoum, Sudan. They were denied access to Darfur, as the Sudanese government refused to approve their travel permits.

SUDAN:

KEY FACTS ON BUREAUCRATIC IMPEDIMENTS & THE DIFFICULTIES OF WORKING IN DARFUR

The United States must work with its allies in Europe to increase pressure on the Government of Sudan to cease obstructing the humanitarian operation in Darfur, and particularly push for an immediate renewal of the Moratorium and an end to the harassment of civil society organizations. As part of its wider tactic to control and stifle the humanitarian response in Darfur, the Government of Sudan uses bureaucratic impediments as a way of grinding down both international and local non-governmental organizations. The time and resources spent on processing visas and permits not only limits the ability of international NGOs to run their programs, it has a demoralizing effect on everyone involved in the overall humanitarian response.

- ❑ It is estimated that international NGOs provide at least 80% of humanitarian assistance in Darfur. International donors, particularly the U.S., which is the largest contributor to the international response in Darfur, are in effect paying for compliance with bureaucratic procedures when they could be paying for lifesaving assistance. At the same time, the difficulties facing Sudanese civil society organizations are largely ignored by the international community.
- ❑ The Moratorium must be renewed now in order to prevent the humanitarian response in Darfur from grinding to a halt. The “moratorium on restrictions” for humanitarian work in Darfur was instituted in 2004 as a result of the Joint Humanitarian Communiqué signed by the Government of Sudan and the United Nations to alleviate the bureaucratic difficulties that international NGOs faced in setting up operations to respond to the growing emergency in Darfur. The Moratorium established a set of fast-track procedures to expedite the processing of visas, permits, and customs clearance of goods and equipment. When the Moratorium was first established, it was only renewed every few months. In 2007 the Government of Sudan extended the Moratorium for one year, until January 31, 2008.
- ❑ Each time the Moratorium is renewed it costs the international NGO community approximately \$250,000 in fees associated with the required paperwork, which of course does not include the time and resources lost on bureaucratic procedures or on staff who are prevented from working while their paperwork is processed. At the moment, all visas for international NGO staff in Darfur will expire at the end of January when the Moratorium ends. If the Moratorium is not extended immediately for at least another 12 months there will be a large backlog of visas and permits that will have to be processed for close to 1,000 international NGO workers in Darfur. This will leave a gap in staffing, and will seriously jeopardize the continuation of humanitarian programs in Darfur.
- ❑ The international community must find ways to support local civil society organizations in Sudan. They need financial assistance and support from international donors and organizations to advocate on their behalf with the Government of Sudan when it subjects them to harassment. National intelligence and security forces target civil society organizations, particularly those that work on issues such as gender based violence or human rights. Civil society organizations often

have their registration suspended for periods of time and staff are brought in for questioning and sometimes subjected to mistreatment or torture. One NGO told the RI team that their office was closed down by the government for several weeks for no apparent reason, cutting off services to the local population.

- ❑ **In the past few weeks the Government of Sudan has started to question the funding sources of many civil society organizations.** Their leaders are concerned that the government may be intending to fully implement sections of the “Organization of Humanitarian Voluntary Work Act, 2005”, which regulate their international funding. If this is enforced then civil society organizations will be required to obtain approval for their international funding proposals from the government, which may prevent them from being able to obtain any funding at all.
- ❑ **Civil society organizations in Sudan are unable to build their capacity due to lack of funding.** International donors will not fund administrative costs, which prevents local organizations from establishing new offices or hiring more staff. At the same time, they are unable to access funding available in Sudan because they must compete with much larger and better resourced UN agencies and international NGOs.
- ❑ **The harassment that civil society organizations face means that they are often silenced in what they can say about the situation in Darfur.** But they play an important role in linking women activists through local networks and in focusing on vulnerable populations such as youth. Promoting the development of a strong civil society in Sudan is an essential element of creating the conditions for future reconciliation in Darfur.

SUDAN:

KEY FACTS ON PREVENTING FORCED RETURNS AND RELOCATIONS

The UN Country Team must develop a strategy to deal with any potential forced relocations and disarmaments of camps in Darfur. It must also continue to ensure that any returns and relocations are safe and voluntary. The Government of Sudan's obstructionist behavior towards the humanitarian operation in Darfur has the effect of frequently putting the UN Country Team on the defensive. In the case of Kalma camp, the UN Country Team was forced to react in an ad hoc manner to the government's sudden proposal to forcibly disarm the camp. The UN and African Union Mission in Sudan (AMIS) appear to have held off a forced disarmament of Kalma for the moment through continued dialogue with the local administration in South Darfur. But the Government of Sudan is not likely to wait long before pushing again for forced disarmament and relocation of Kalma and other more politicized camps.

- ❑ The Government of Sudan is publicly claiming that the Darfur crisis is over and that it is time for returns and development. Calls by the Government of Sudan for all displaced persons to return to their home villages are not new, but there has been a sharp increase in rhetoric on this issue over the past three months. President Omar al-Bashir has stated that by the time UNAMID arrives, the camps in Darfur will no longer exist. Further, the Government of Sudan is making false claims that large numbers of displaced people have already returned home from the camps. In fact, in 2007 there have been minimal sustainable returns taking place. The conflict in Darfur has not yet been resolved and security conditions are not yet ripe to sustain large-scale returns. Additionally, in most parts of Darfur there is nothing for the displaced to return to; their villages have been destroyed or are currently occupied by others. The insecurity in Darfur means that humanitarian agencies have very limited access to people in rural areas outside of the main towns in Darfur. It would therefore be impossible for them to access areas of return to monitor the safety of any returnees.
- ❑ The Government of Sudan feels threatened by large camps of displaced people in Darfur which they cannot control. They see the camps as a power base for rebel leaders, and therefore they are taking steps to break up these camps. This is despite the fact that in August 2004 the Government of Sudan signed a Memorandum of Understanding (MOU) with the International Organization for Migration (IOM) which provided that they would not forcibly return people, and that they would allow IOM to monitor returns and issue a determination as to whether the returns were forced or voluntary. In January 2005, the Government of Sudan signed a Letter of Understanding (LOU) with the Office of the United Nations High Commissioner for Refugees (UNHCR) to similar effect with regard to West Darfur, where UNHCR takes the lead on protection.
- ❑ The Government of Sudan is alleging that certain camps in Darfur are militarized, in order to justify forcibly relocating people. Although there is an increasing presence of rebel factions

in the camps, these are civilian camps with a presence of some arms; camp residents are not part of rebel movements' fighting forces. Although it is clear that there are arms in Kalma camp, it is not clear how many. The vast majority of the injuries suffered during the clashes in October 2007 were not caused by gunshots. It is in the government's interest to contribute to implosion in the camps by sparking conflicts and bringing in arms. It is alleged that this is what occurred in Kalma camp in South Darfur (see below). The Government of Sudan has carried out at least one forced relocation in breach of its MOU with IOM --- from Otash camp in South Darfur on October 28, 2007, when security forces entered the camp at night and forcefully removed camp residents, including women and children, threatening them with sticks and rubber hoses.

- ❑ **The UN Country Team must put forward a holistic proposal to address the problems in Kalma camp and the longer-term concern of continued forced relocation and return by the Government of Sudan.** The proposal for Kalma should include restitution of law and order, voluntary disarmament (including political negotiations with rebel leaders to remove arms from the camp), and coordination of the camp to be divided up by geographical sector. The tensions in Kalma could have been diffused if the government had not prevented the NGO that was providing camp management in Kalma from working, thus leaving this huge camp without any effective camp management. After the October 2007 violence the government did not allow any food deliveries to Kalma for one month. The UN Country Team needs to have plans in place to deal with expulsions and obstructions of the humanitarian response in Darfur.

Conflict in Kalma Camp

The October 2007 conflict resulted from tensions that had been building in Kalma camp between signatories and non-signatories of the Darfur Peace Agreement, which led to ethnic divisions. Predominantly Fur supporters of the Abdul Waheed faction of the Sudan Liberation Army rebel group (SLA/AW) made a pre-emptive strike against the predominantly Zaghawa supporters of the Minni Minnawi faction of the SLA (SLA/MM) in the camp. The arming of certain factions in Kalma camp and the breakdown in rule of law, particularly the attempted carjacking of a UN vehicle inside the camp, escalated the clashes, which resulted in the deaths of at least three civilians. SLA/AW supporters attacked the Zaghawa section of Kalma, burning shelters, and driving approximately 15,000 people out of the camp, the majority of them Zaghawa. Government security forces and police eventually entered the camp.

Many argue that this conflict was manipulated by the Government of Sudan, exacerbating ethnic tensions. It is alleged that the Government of Sudan was either actively arming Zaghawa supporters of SLA/MM or at least knowingly allowing them to bring arms into Kalma camp. It is also alleged that the Government of Sudan spread rumors that they would bomb Kalma if the Fur did not take action against "criminal elements" in the camp.

The Government of Sudan has threatened to forcibly disarm Kalma camp and relocate its 90,000 residents to several smaller satellite camps, to be divided by ethnic group. This raises concerns that less favored ethnic groups could be moved to more remote locations with less access to international aid and protection. It could also lead to an escalation in conflict, with each ethnic group arming to protect itself.

Darfuri civil society leaders told Refugees International that the residents of Kalma will not consent to relocation. If the Government of Sudan goes through with its plan to break up Kalma, then further violence will be inevitable. Several international humanitarian organizations also stated that it is not logistically feasible to move such a large number of people and to provide them with new shelters and adequate assistance.