



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Country Operations Plan 2007

SUDAN

2007 COUNTRY OPERATIONS PLAN

SUDAN

Part I: OVERVIEW

1. Protection and socio-economic operational environment

During the last four decades, the Sudan has hosted large number of refugees mainly from Ethiopia, Eritrea, but also from Uganda, Chad and the Democratic Republic of the Congo. Chronic instability, conflicts in the region and the political situation in these countries forced them to flee and seek asylum and have further contributed to their protracted stay in Sudan. A similar situation in the South and West of Sudan led many Sudanese nationals to seek asylum in neighbouring countries, as well as safe havens in other parts of Sudan. In fact Sudan has the largest IDP caseload worldwide which is estimated at 6 million people. As this document addresses fundamentally the situation of refugees, references to IDPs and returnees (Sudanese) will be limited to contextualise the current refugee program and overall environment in which UNHCR operates in the country.

The composition, causes of flight, legal status and living conditions of refugees in Sudan are varied and complex. Roughly, 210,000 persons of concern to UNHCR (excluding IDPs and returnees) currently reside in Sudan, 175,000 of them in regions whose programmes are covered by the Annual Budget. They comprise the following groups:

Over 152,342 Eritreans, who underwent individual registration, include:

- a) Some 80,000 recognized as 1951 Convention refugees during the 2002-2004 joint COR-UNHCR RSD screening;
- b) 9,747 Eritreans who arrived in Sudan after the screening and have been recognized as refugees by COR between 2005 and now;
- c) 26,595 Eritreans who registered for the screening but did not yet undergo an interview due to the sudden discontinuation of the exercise at the end of 2004 because of lack of funds;
- d) Over 36,000 Eritreans rejected during the screening, who nevertheless remain of concern based on “UNHCR Position on the Return of Rejected Asylum-Seekers to Eritrea”, as announced by the Department of International Protection.

In addition there are nearly 15,000 Ethiopians who arrived in Northern Sudan after 1991 and were recognized as refugees by the Sudanese Government. This includes less than 2,000 Ethiopian refugees found to be in need of continued international protection during the 2000-2001 joint COR-UNHCR Ethiopian Cessation RSD screening.

Other smaller caseloads of persons of concern include:

- 8,000 Ugandans living in various urban locations in Northern Sudan
- 5,000 Chadian refugees in West Darfur who arrived in Sudan in the mid-1980s
- 14,230 new asylum seekers from Chad in West Darfur
- 6,300 refugees from DRC (5,700 in South Sudan and 600 in Khartoum State)

- 3,300 CAR refugees in South Sudan, and
- About 8,000 Ethiopian refugees of Anuak ethnic origin in South Sudan, largely in Pochalla, Pibor, Bor and Juba.

In addition to those individually registered by the government or UNHCR, there are over 4,000 Eritrean asylum seekers and several thousand Ethiopian asylum seekers who have not been registered by the government. Likewise, there are roughly 18,000 Eritreans who did not apply for the Cessation screening but are covered by the Position Paper on non-return.

Of these caseloads, almost 100,000 persons of concern - mainly Eritreans and a few Ethiopians - remain dependent on basic humanitarian assistance provided primarily by UNHCR and WFP in twelve camps located in Eastern States¹ of Sudan (a region which comprises the Eastern States of Red Sea, Kassala, and El-Gedaref; and the Central States of Sinnar and El-Gezira).

Another 110,000 persons of concern to UNHCR reside outside camps, either in rural settlements or in shanty towns around urban centres.

The signing on 9 January 2005 of the Comprehensive Peace Agreement (CPA) by the Government of Sudan (GoS) and the Sudanese People's Liberation Movement (SPLM) brought to an end the 21-years of armed conflict between the Government of Khartoum and SPLM. This positive development has prompted Sudanese refugees in neighbouring countries and internally displaced persons (IDPs) to start returning to their areas of origin in the South².

While implementation of the CPA is progressing, though not without obstacles, the situation in Darfur has remained volatile. For instance, a new attack on civilians has caused new displacement. Due to this continuous fighting taking place in Darfur, the security situation has deteriorated and hampered the operations of UNHCR³, UN Agencies and other humanitarian organizations working in the region. With steps towards an agreement aimed at lasting peace for the Darfur region not expected to be concluded soon, the situation at the Chad-Darfur border will continue to deteriorate.

. New movements of refugees as well as armed groups are continuing to criss-cross this border. Meanwhile, relations between Khartoum and N'Djamena continue to deteriorate. UNHCR has had to devise contingency plans for possible influxes of refugees or returnees, which could occur as a result of increased instability in this fragile border region.

During the second half of 2005, the border dispute between Ethiopia and Eritrea heightened the tension in the East of the country. This situation prompted UNHCR and its partners to devise other contingency plans for a potential refugee influx into the region. The deteriorating human rights and security situation in Eritrea has led to a complete stop in the repatriation of Eritrean refugees. Consequently, the expected solution to the protracted refugee situation in the camps of Eastern Sudan has not been achieved. On the contrary, the number of individually registered Eritreans of concern to UNHCR has grown due to an influx of new asylum seekers (6,300 persons during 2005). Potential threats to security in eastern Sudan, however, were not only from outside the country, but also from within. The opposition Eastern Front parties have intensified their

¹ The five refugee hosting States are referred as Eastern Sudan for easy reference.

² Assisted under South Sudan SB projects

³ Assisted under Darfur SB projects

demand for greater power and resource sharing for these States and have engaged in the use of force to achieve this. This is in addition to the presence of SPLA elements, especially in Hamesh Koreib. As a result, Kassala and the Red Sea State are already home to some 234,000⁴ IDPs, both in camps and urban areas. These people are unable to return to their areas of origin because of ongoing tensions and increasing militarisation of parts of this region, especially Hamesh Koreib and bordering towns in the Red Sea and Kassala States, which also serve as bases for the Eastern Front.

The Government of Sudan⁵ is a party to the 1951 Convention and its 1967 Protocol as well as to the 1969 OAU Convention. Despite the adoption of an Asylum Act in 1974, and over three decades of hosting refugees, the Sudanese national asylum system and its institutional capacity remain weak. Although UNHCR has been providing very costly capacity building support to relevant governmental structures since 1968, the main government institution in charge of asylum issues, the Commissioner for Refugees (COR), still remains completely dependent on UNHCR funding. In addition to being the government counterpart, COR is the main implementing partner for UNHCR. For this purpose, COR has over 750 workers who are totally dependent on UNHCR for their salaries. This dual capacity of COR is a constant source of friction with UNHCR and constitutes a major drain on the resources of this refugee programme.

Persons of concern to UNHCR in Sudan face severe protection challenges. Most of these arise because of limited geographical coverage and arbitrary RSD decisions, as well as inadequate registration and documentation by Government. Even if such persons are properly documented, they cannot freely enjoy many basic rights. Therefore, UNHCR has to constantly intervene whenever it learns of violations of refugee rights. Proper treatment of asylum seekers and refugees is not yet reflected in domestic legislation and practices. Moreover, no budgetary allocations are made by Government to adequately cover expenses involved in handling refugees and asylum seekers.

In 2007, UNHCR will intensify its efforts in promoting and supporting the creation of a national asylum system which better reflects the rights and aspirations of persons of concern. The primary objective will be the establishment of a reliable and computerised registration system which will ensure timely and free of charge provision of documents to both asylum seekers and refugees.

Most persons of concern live in twelve active camps and a number of closed camps in the Eastern region of Sudan. Their protracted presence in these camps, coupled with limited prospects for durable solutions, has made these refugees highly dependent on humanitarian assistance. However, this basic care and maintenance assistance has diminished over the years, as UNHCR resources have dwindled, and the net result has been a general deterioration of refugee living conditions. In most of these camps, such conditions are below the acceptable level of standard indicators in such key sectors as education, water and sanitation.

In spite of numerous requests by UNHCR, the Sudanese Government will not consider local integration as a potential durable solution for these refugees. While many refugees themselves are reluctant to fully integrate for fear of losing their identity and rights to an eventual return, those who would like to opt for local integration are prevented from doing so as refugees are not permitted to naturalize.

⁴ Reference IOM, IDP Intentions Concerning Return to their Places of Origin, Report on Survey Results, Volume 1, Khartoum, June 2005

⁵ Government of Sudan here is for easy reference is meant the Government of National Unity of Sudan

The Eastern region is one of the least developed parts of Sudan with limited natural resources. Demands for wealth sharing have led to increased local and ethnic tensions as well as to a power struggle and the formation of armed opposition groups. The refugees and local communities are largely interdependent and benefit from each others' services and resources, mainly land and pasture, health and education facilities. UNHCR has been providing direct assistance to refugees and has contributed to environmental protection, as well as to the rehabilitation of infrastructure (e.g. through the SOLSES project). However, greater support is required to ensure balanced assistance and sustainable development to all groups. This requirement goes beyond UNHCR's capacity, resources and mandate. A multi-agency approach and comprehensive programmes are options which, if implemented, will greatly contribute to enhance the protection and possible integration of the refugees.

2. Operational goals and potential for durable solutions

The **Overall Objective of UNHCR's presence and operation in the Sudan** is to support and monitor the GoS in fulfilling its obligations to protect refugees and other persons of concern. UNHCR will also seek complementary solutions for the protracted refugee situation as well as facilitate the reintegration of returnees and IDPs.

As indicated earlier, the humanitarian and refugee situation in Sudan is complex and interrelated. UNHCR's engagement in terms of assistance and protection for the Ethiopian, DRC and Ugandan refugees in the South and Chadian refugees in Darfur regions, as well as their eventual repatriation, are managed under the "**Chad-Sudan Special Operation**". The "**Annual Programme**" for the Sudan is therefore planned and implemented in the context of the "**Special Operation**" but it also relates to UNHCR's programmes in the East & Horn of Africa.

The focus of the Annual Programme Operation has so far been on the provision of assistance to refugees. In the coming 3-5 years UNHCR will pursue a major shift in its focus, strategy and approach, from care and maintenance to promoting more comprehensive and adequate protection and durable solutions.

In order to achieve this, UNHCR needs to revise and clarify its relations with COR and to seek the support and engagement of **a wider network of government institutions, regional state authorities, international and non governmental organisations.**

UNHCR's objective will be pursued through a three pronged protection and durable solutions strategy that aims at:

- Developing the national asylum system, including through institutional reforms that strengthens access to protection and durable solutions,
- achieving self-reliance and eventually local integration for a substantial number of persons of concern,
- Complementing the programme by a multi-year resettlement plan.

In line with the UNHCR Global Objectives, the following is the summary of the main country objectives established for the coming 2-3 years:

Summary of the main country objectives:

I. Establish an effective national asylum system that ensures that all asylum seekers and refugees are protected in accordance with international standards (GSO2)

Since February 1974, Sudan has been party to the 1951 *Convention* and its 1967 *Protocol relating to the Status of Refugees* and since November 1978 to the 1969 OAU *Convention governing the specific aspects of refugee problems in Africa*. Sudan's asylum policy and practice are regulated by the very succinct *Regulation of Asylum Act* (the Asylum Act), which entered into force in May 1974 and contains a mere sixteen articles.

Despite being responsible for refugee affairs for more than 3 decades, the Commission for Refugees (COR) has not yet managed to develop capacity to effectively carry out registration and documentation of refugees and refugee status determination on national level.

Registration and documentation practices by COR are rudimentary, not adequate to answer challenges posed by the current situation in the region and highly arbitrary in their implementation, thus giving room for abuse. Poor documentation of refugees and asylum seekers remains the largest stand alone cause of gaps in the provision of international protection by Sudan.

Since the beginning of 2005, the government only operates one RSD centre for new-arrivals in Kassala province. Access to RSD in other regions is extremely limited and arbitrary.

In 2007 the government will be assisted in developing and implementing a nation-wide computerized refugee and asylum seeker registration and documentation system.

The government will also be assisted in the creation of an enhanced national asylum system, initially through the establishment of a second RSD screening centre in the capital which will also serve as a hub for other regions of the country, except for the Eastern states.

With regard to, the Ethiopians and Eritreans who lost their refugee status with the application of the cessation clauses,,UNHCR will ensure that their acquired rights will be taken into account by the authorities. UNHCR will insist on new arrangements for persons who cannot be expected to leave the country of asylum because of the prevailing situation in the country of origin or because of other compelling reasons, e.g., their long stay in the host country resulting in strong family, social and economic links. Such arrangements may include the following: (i) continued refugee status or another appropriate status on humanitarian grounds, (ii) the granting of legal immigrant status through temporary or permanent residence, (iii) or naturalization.

II. Shift from the care and maintenance assistance to the pursuit of viable durable solutions (GSO 3)

- **Improved livelihoods and self-reliance as a critical step towards achieving eventual solutions for the protracted camp-based refugees in Eastern Sudan, (GSO1, and 3).**
- The majority of the Eritrean refugees have been living in camps for many years, some even for as long as forty years. This protracted refugee situation has

rendered them dependent on relief assistance. In 2005/2006, UNHCR introduced small-scale pilot projects which showed greater potential for improving their livelihoods and which sought the participation of refugees in seeking their own solutions. In the coming years, UNHCR, in collaboration with other partners, will support the government and other partners to mobilise the **productive capacities of refugees** through skills training, income generation, community participation and other activities to enable them participate in finding solutions to their situation and become self-reliant. UNHCR will also advocate with national and regional authorities for the provision of cultivable land and other opportunities. In this respect, UNHCR will spearhead the formulation of sector-specific and region-wide project proposals, in conjunction with other UN agencies and State Governments of the region, to secure funding from the Multi Donor Trust Funds (MDTF), managed by the World Bank, and aimed at improving productive capacities and development of impoverished regions of Sudan. Regional project proposals will include refugee hosting/impacted areas of Eastern Sudan in the sector interventions envisaged. Such interventions will improve on and expand those originally foreseen under the SOLSES project and will aim at making the impoverished communities (both of refugees and locals) of this region self-reliant. As a key requirement of the MDTF is that project proposals be “owned” by State Governments, UNHCR has already broached the issue of entering into a partnership with some State Governments, in the East, and other UN agencies in order to formulate sectoral project proposals as envisaged under this approach. As the devolution of economic planning to States is a relatively new phenomenon in Sudan, those State Governments with whom the issue has been discussed have been very receptive to the idea of UNHCR and other UN agencies helping such States secure a share of the over USD 4 billion available under the MDTF, as they do not have readily available technical personnel to undertake such tasks. Once accepted and funded, implementation of the projects will be the responsibility of the State with initial technical support, guidance and monitoring from the consortium of UN agencies involved in formulating the projects. This UN involvement will diminish and phase out as State Governments develop their own capacity.

- **Enhance co-existence and cohabitation of refugees and their host communities through sustainable area development (GSO 3)**

The majority of refugees in Eastern Sudan would wish to return to their country of origin, if this were feasible. Unfortunately, this is not feasible under current circumstances. Some refugees, because they have developed strong ties with local communities through their long presence, e.g., through intermarriages, having been in Sudan, similarity of ethnicity and culture, economic transactions, etc., would opt for local integration. For instance, some 4,500 recognised refugees and some 17,000 people of concern have opted to remain in the closed camps due to their bonds with the communities in the areas. Such people would readily opt for local integration if they were given a chance to do so.

Refugee-hosting areas are under-developed and badly require better economic activities and improved infrastructure. Refugees and local communities in these areas have acquired interdependent relations. Despite inadequate services and below standard conditions in the camps, a large number of local communities access the primary and basic assistance that is offered in the camps (e.g., education, health, water, facilities), while refugees benefit from Government

provided secondary services and facilities for Sudanese nationals (e.g., post-primary education, referral treatments, agricultural land, job markets, etc). Balanced and coherent support for all these communities is hence vital to maintaining harmonious coexistence and sustainable development in the area. Through the comprehensive self-reliance strategy proposed above, UNHCR will not only advocate with national and state authorities and development agencies to jointly address the needs of these communities, **but will also actively participate in the development of specific project proposals aimed at addressing such needs in** the provision of social services, environmental protection and enhancing local productive capacities.

This area based development and self-reliance are the two components of one main pillar of the strategic solutions for Eritrean camp-based refugees and a fundamental pre-requisite for UNHCR to embark on the other prong of the strategy: a multi-year, large resettlement program. Both prongs are mutually reinforcing and complementary in the search of solutions for the worst protracted refugee situation worldwide. They are also fundamental elements of a rights and principled approach to solutions based on a fair interpretation of the concept of burden and responsibility sharing: the international community, through financial contributions and resettlement quotas, matches the commitment of the asylum country to permit local integration, pending repatriation of a significant portion of the refugee population.

Exit strategy: At the end of 2004, it has become clear that the repatriation of Eritrean refugees to their country of origin would not yield the expected results and the number of refugees in Eastern Sudan would still be considerably higher than previously foreseen. Therefore, the whole exit strategy of closure and consolidation of the camps had to be revised or modified. Another component of the exit strategy from Eastern Sudan is the rehabilitation of the refugee hosting areas and the hand over of rehabilitated infrastructures to the local authorities. This component of the strategy developed into the SOLSES programme. The idea behind SOLSES was that, once the handing over of the camps was completed, other agencies would take on the development role in the framework of a rural development programme. As mentioned before, the change in the circumstances and the continued presence of some 120,000 refugees implied the need to refocus and expand what was envisaged under the SOLSES programme. The inclusion of self reliance activities is ongoing and the role of UNHCR will initially be more central, as UNHCR will not only play its traditional catalytic role of attracting other actors, but will actively participate in the formulation of project proposals, as outlined above. However, with the active involvement of the State Governments in this area development and self-reliance strategy from the start, the implementation and sustainability the interventions envisaged in each sector will be the responsibility of the State Governments, while UNHCR and other external actors will play a support role and gradually phase out. Such support will, for UNHCR be largely limited to the technical tasks of helping the State Governments formulate viable project proposals which include refugee hosting/ impacted areas, and ensuring that envisaged interventions apply to refugees as well. Resettlement, self reliance and local integration, together with repatriation are all components of a strategy that aims at scaling down UNHCR role in Eastern Sudan, subject to GOS acceptance and cooperation in these issues, and eventually phase out altogether, after five years.

III. Enhance the use of resettlement in a third country as a tool for international protection, as well as a means for providing a strategic and complementary durable solution for a large group of protracted urban and camp based refugees whose prospects for return are limited and voluntary repatriation is not an option. (GSO3)

In the past three years, resettlement was introduced mainly as a protection tool, but also as a means to address the lack of other durable solution for some families (some 2,000 or so individuals from 2004 to 2006). However, in the coming 2-3 years, a multi-year resettlement programme is envisaged as a strategic complementary solution for a larger group (20,000 persons) of refugees from the eastern camps, particularly those whose prospects for local integration are limited and voluntary repatriation is not an option. Hence, the programme will be considered a solution as well as a burden sharing mechanism with the host country. Its effective implementation, however, will be dependent upon a series of conditions: interest of a target group of refugees, support and commitment of a broad base of donors and key resettlement countries, and genuine support of the Government of Sudan for a self-reliance program on behalf of the remaining camp-based refugee population.

IV. Promote the self reliance of urban refugees by supporting income-generating activities (GSO3)

The revised policy on **urban assistance to refugees** developed by the Branch Office in 2006, and which **places emphasis on self-reliance**, will further explore the possibility of increasing the current limited level of assistance in favour of the urban refugees. Furthermore, the promotion of self reliance will be emphasised by initiating various income-generating activities that will suit the refugees' urban environment.

V. Ensure gender equality, consideration of diversity and special protection and assistance for those at risk and vulnerable refugees (GSO1)

- Special attention will be given to ensure equal access to services and opportunities for women, men, girls, and boys, including individuals and groups of all ages with specific needs.
- **Camp Profiling**, updating and validating segregated data (age, sex, ethnicity, social condition, etc), and the **Age, Gender and Diversity Mainstreaming participatory assessment** will be conducted in 2006. The outcome of these activities will be incorporated in protection strategies and monitoring mechanisms, in order to enhance the protection of women, men, girls, and boys, including individuals and groups of all ages with specific needs.

VI. Promote and facilitate voluntary repatriation, when conditions are conducive to the return of refugees (GSO3)

During the previous years, repatriation has been pursued as the best durable solution option. The policy will remain in place as far as return is voluntary and conditions in countries of origin are conducive for return. However, massive return in the near future cannot be foreseen, unless drastic improvement of situations in the countries of origins takes place. Implementation of this strategy will be pursued in line with the existing tripartite agreements with respective countries. New and revised tripartite agreements will be concluded with relevant countries of origin when need arises.

VII. Enhance the management of security to implement the Minimum Operational Security Standards applicable to UNHCR operation in Sudan.

The challenging and, in many cases, dangerous and isolated operating environment will again compel UNHCR to adopt proactive and innovative approaches to staff safety and refugee security. Specific measures will have to be undertaken to ensure that both working and residential environments are MOSS and MORSS compliant. Initial financial investments will be necessary for achieving these in some sites.

Part II: COMPREHENSIVE NEEDS AND PARTNERSHIP (maximum 4 pages)

1. Outcomes of joint planning and management of identified gaps

In addition to internal discussions and field monitoring, UNHCR held joint workshops with key stakeholders, including COR, representatives of regional states, implementing partners, UN agencies and NGOs in Es Showak and Wad Medani. Major gaps were identified and challenges and solutions discussed. Similar workshops were held with refugee representatives (women, elderly, youth and special groups) from the camps in Eastern Sudan.

Assessments and field observation have clearly indicated that most of sector indicators are below or just marginal to minimum standards (e.g. 60 students/classroom/teacher, below 33% latrine coverage, and 7-13 litres water/person/day, 4% HIV/AIDs prevalence). Many factors, like diminishing funds, aged equipments and facilities, lack of refugee initiative and limited burden sharing, have led to this situation. Emphasis on total care and maintenance, as opposed to self-reliance, has also contribute to these persisting gaps, as refugees have come to expect that everything will be done for them.

Undefined legal status (those whose RSD cases are pending or rejected), limited or lack of job and market opportunities, inadequate water supply, and lack of secondary education remain the highest concerns and priorities among refugees.

The number of agencies and partners involved in the refugee operation is very limited. The available implementing partners mainly depend on the dwindling UNHCR financial resources. Major interventions and innovative approaches that are beyond UNHCR capacity, dwindling resources and traditional mandate, are required to improve the livelihoods, mobilise refugee participation and offer sustainable development options.

UNHCR will develop and expand its partnerships with stakeholders and development oriented agencies, as outlined above, to viably address the identified gaps. A multi-agency and multi-year approach, incorporating the development of refugee hosting areas, will be introduced to reorient the programme from assistance towards improved livelihoods and self-reliance. At the same time, UNHCR will redouble its efforts to seeking complementary, viable solutions, such as a large scale resettlement programme, as strategic tool, as outlined above

This requires rethinking in terms of plans, resources, capacity of UNHCR and implementing and other partners. The initial phase will require reallocation of resources, community sensitization and mobilization, participatory needs assessment and project formulation. There will still be the need for upgrading the services in the camps to ensure that international standards are met and rights are secured. The programme will be implemented in a period of 3 to 5 years, starting from 2007. It is envisaged that more than 60% of the camp population will get out off the dependency syndrome by year 2009.

UNHCR inputs will then be substantially reduced, should the programme become successful.

2. Comprehensive needs and contributions

a) Contributions by the host government, refugee and/or local communities

The Government of Sudan provides, through COR, agriculture land and residential sites for refugees where available, access to water and natural resources. It also provides staff for the overall management of refugee presence, for camp management, asylum determination and the delivery of assistance. However, the financial contribution of UNHCR is essential, as the government has no significant capacity or budgetary allocation for the management of the refugee programme. Regional states allow refugees to access, when available, secondary education, medical referrals, and job markets.

Refugees have potential and are prepared to take up their role in the management of camps and the organisation of the society, notwithstanding the fact that they perceive free assistance by UNHCR as an established right and have become dependent on it.

b) Financial contributions of partners

The involvement and contributions of UN agencies, development organisation and NGOs are very limited. WFP remains a long partner contributing food to refugees in Eastern Sudan. It is committed to assist about 90,000 refugees with monthly food rations. Nevertheless, the food pipeline provides at best 70% of the required ration scale. Given limited cultivation of land, food security remains precarious and malnutrition rates (8-15%) are high.

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| Needs-based budget | Total (all figures in US \$) | 30,000,000 |
| of which, estimated | UNHCR | 7,753,232 |
| | WFP (where applicable) | 7,000,000 |
| | Operational partners | 500,000 |
| | Implementing partners | 200,000 |
| | Unmet needs | 14,546,768 |