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### ANNEX

#### **Neighbourhood, Development and International Cooperation Instrument (NDICI) – Global Europe Exceptional Assistance Measure regarding Sudan**

##### **1. IDENTIFICATION**

Action: Responding to the spillover of the crisis in Tigray: support to conflict prevention and peaceful coexistence in Eastern Sudan

Action Reference: NDICI CR 2021 / 08

Cost: EUR 5 000 000 (European Union contribution).

Budget Line: 14 02 03 10

Duration: Maximum 18 months. The authorising officer responsible may decide to extend this period twice by a further period of up to six months, up to a total maximum duration of 30 months, under the conditions laid down in Article 23(4) of Regulation (EU) No 2021/947.

Lead service: FPI

##### **2. ACTION SUMMARY**

At the beginning of November 2020, Ethiopia's Prime Minister ordered a military action against the Tigray People's Liberation Front (TPLF) in the northern Tigray region. The conflict rapidly escalated, displacing hundreds of thousands people. Since early November 2020, more than 63,000 refugees have arrived in Eastern Sudan escaping the armed conflict. The situation in Sudan, which is already hosting the second highest number of refugees in Africa, remains very fragile, not least as the country is undergoing a complex democratic transition process, experiencing an economic crisis, COVID-19 and slow social reform.

This latest influx of refugees has the potential to destabilise the already marginalised region of East Sudan, prone to climate change, ridden by inter-communal violence and suffering from scarcity of resources and lack of basic services, and to generate tensions with local communities.

The objective of the action is to mitigate the spillover of the Tigray conflict in Ethiopia into Sudan by diffusing tensions and promoting peaceful coexistence between host communities and refugees, as well as among refugee communities. This will be achieved by fostering opportunities for dialogue and dispute resolution focusing on positive social interaction and the establishment of dispute resolution mechanisms; the reinforcement of community-based protection and psychosocial support, especially for youth and women (sexual and gender

based violence and child protection form part of the issues to be addressed); reducing the risk of youth becoming conflict actors by imparting life skills and providing livelihood support; and strengthening the provision of basic services for both local communities and refugees; strengthening relationships between host communities, host authorities and refugees on the one hand, and among refugee communities on the other hand.

The action will focus on Gedaref State and in particular on the Um Rakuba refugee camp and surrounding communities. Given the evolving security situation in the contested Al Fashaga border area between Sudan and Ethiopia, some of the actions may also focus on land and property rights there, provided that conflict-sensitivity can be assured.

### **3. BACKGROUND AND RATIONALE**

#### **3.1 BACKGROUND**

On 4 November 2020, following an attack on a military base, Ethiopia's Prime Minister ordered a military retaliation against the TPLF in the northern Tigray region. The conflict rapidly escalated affecting hundreds of thousands people. On 7 November a first wave of people from Ethiopia fleeing the armed conflict started to arrive in Sudan.

Since early November 2020, Eastern Sudan has received over 63,000 refugees<sup>1</sup>. Out of these, roughly 20,000 refugees have been relocated to Um Rakuba camp which is considered at full capacity, with the remainder being relocated to Tunaydbah camp. Both camps are located in Gedaref State, which is considered to be among Sudan's least developed ones, being vulnerable to climate change (natural disasters and water shortages are recurrent and food insecurity and high malnutrition rates prevalent) and marginalised, offering few basic services to the population. This fragile situation continues to further deteriorate, both for political and socio-economic reasons.

On the one hand, disagreements over key government positions have made the political landscape fragile and tense. Tribal tensions remain very high and are at times politicised: although armed groups part of the Sudanese Revolutionary Front (SRF coalition) have participated in the wider Juba peace negotiations, subsequent appointments to relevant federal positions were less inclusive. Additionally, tensions are also arising among the Ethiopian refugees belonging to different ethnic communities (Amharans and Tigrayans) and between Tigrayans refugees and Amharans farmers already settled in Sudan and living close to the camps where refugees are relocated.

On the other hand, shortages of basic goods and commodities and the ongoing COVID-19 pandemic have heavily impacted the socio-economic landscape. The prolonged lockdown instituted to contain the spread of COVID-19 through movement restrictions and curfews has further exacerbated the vulnerabilities of many people in Sudan. Many whose livelihoods depend on cross border mobility of nomadic and pastoral communities have seen their economic outcomes deteriorate drastically, while businesses have closed and many individuals working in the informal sectors have lost their incomes.

Against this backdrop, with large new refugee settlements being set up, the demand for basic services, such as access to sources of water and energy, often exceeds the available supply. Competition for natural resources, particularly water and firewood, is a significant cause of disputes in displacement settings, and these can easily escalate in the absence of effective

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<sup>1</sup> 62,383 Refugees' arrivals registered (10 April, UNHCR)

dispute resolution mechanisms and resource sharing agreements. Some conflicts over housing, land and property are already being observed both between the host community and the refugees and within the refugee camps.

Additionally, the permeable nature of the borders increases refugees' vulnerabilities and exposure to smuggling, human trafficking, kidnapping and other crimes, perpetrated by individuals, local organised gangs, or transnational criminal organisations. Given the precarious living conditions and vulnerable situation many women and young girls, in particular, are facing increased risks of sexual and gender-based violence, sexual exploitation and violence. Many of those who fled Ethiopia have also reported violence and trauma in their journey to Sudan, after witnessing the atrocities committed during the conflict in Tigray. Other reports from key informants on the ground claim an increase in prostitution in Gedaref, creating discontent among some members of host communities.

The instability of the region could be further exacerbated by the tensions that continue to mount on the border between Sudan and Ethiopia over the fertile Al Fashaga region, after several weeks of clashes in the first quarter of 2021 between Sudanese and Ethiopian forces. Further displacements could occur if the situation escalates.

The EU remains extremely concerned by the conflict and its spillover on the wider region. A large part of the Tigray population, including those displaced within the region, remains cut off from basic services and communications, as well as humanitarian assistance since the beginning of the crisis. Accordingly, HR/VP mandated Pekka Haavisto, Finnish Foreign Minister to travel to Ethiopia and its neighbouring regions to discuss the situation in Ethiopia, notably the crisis in Tigray and its regional implications, assess the situation on the ground and to see how the international community could provide support in finding peaceful solutions to the current crises facing the region. Notably, during his visit to Sudan, Haavisto also visited the Um Rakuba refugee camp in Eastern Sudan. In a region with needs already high and resources scarce, especially in rural areas, Haavisto has reported that the situation is increasingly critical.

### **3.2 RATIONALE FOR CRISIS RESPONSE ACTIONS UNDER THE RAPID RESPONSE PILLAR OF THE NEIGHBOURHOOD, DEVELOPMENT AND INTERNATIONAL COOPERATION INSTRUMENT**

The spillover of the crisis in Tigray, with the latest influx of refugees in Eastern Sudan, has the potential to destabilise this already marginalised region of Sudan, prone to instability and inter-communal violence, constituting an exceptional and unforeseen situation in the sense of Article 4(4) of the NDICI Regulation. An adequate response cannot be provided under any other European Union Instrument due to the urgency with which the funds are required and due to available resources already being firmly committed.

Annex IV, paragraph 1, points (a), (g), (l), (m), (n), (o) and (p) of Regulation (EU) No 2021/947 specifically provides for the use of the NDICI rapid response pillar to: (a) support through the provision of technical and logistical assistance, for the efforts undertaken by international, regional and local organisations and by State and civil society actors in promoting confidence-building, mediation, dialogue and reconciliation, transitional justice, women's and youth empowerment, in particular with regards to community tensions and protracted conflicts; (g) support for measures necessary to start the rehabilitation and reconstruction of key infrastructure, housing, public buildings and economic assets, and essential productive capacity, as well as other measures for the re-starting of economic activity, the generation of employment and the establishment of the minimum conditions necessary for sustainable social development; (l) support for measures to ensure that the

specific needs of women and children in crisis and conflict situations, including preventing their exposure to gender-based violence, are adequately met; (m) support for the rehabilitation and reintegration of the victims of armed conflict, including measures to address the specific needs of women and children; (n) support for measures to promote and defend respect for human rights and fundamental freedoms, democracy and the rule of law, and the related international instruments; (o) support for socio-economic measures to promote equitable access to, and transparent management of, natural resources in a situation of crisis or emerging crisis, including peace-building; (p) support for measures to address the potential impact of sudden population movements with relevance to the political and security situation, including measures addressing the needs of host communities.

**3.3 RISKS AND ASSUMPTIONS**

<b>Risks</b>	<b>High, medium, low</b>	<b>Mitigation</b>
Restrictions imposed by authorities on access for supplies to the targeted areas, including related to lockdown measures due to COVID-19.	Medium	Procurement, coordination and logistics processes are flexible and quickly adapted to increased import barriers in order to minimise the impact of delays in the delivery of commodities.
COVID-19 cases increase in areas of implementation impacting planned interventions and increasing the likelihood of staff and beneficiaries being exposed to the virus.	Medium	Alternative implementation modalities or extra precautions including the provision of personal protective equipment (PPE) and physical distancing may need to be considered for the work to proceed with safety of staff and beneficiaries considered.
Security situation in areas of implementation (Gedaref state) deteriorates.	Low	Implementing partners will assess the security situation on the ground and in line with UNDSS security advisory will continue the implementation of the project if conditions allow.
In the case of implementation in the contested border areas (following careful ongoing analysis): Security situation in the Al Fashaga area deteriorates and the Sudanese security forces are unable to hold secured border areas putting at risk programme and staff.	Medium	Implementing partners to establish focal points for monitoring the situation in the targeted districts and adjust the programme accordingly.
Political space becomes more constrained for civil society and	Medium	Project implementers to closely collaborate with the Government

media to engage around and report on accountability issues.		at all levels to avoid restrictive space for the projects to function.
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## 4. OBJECTIVES

### 4.1 OVERALL OBJECTIVE

The overall objective is to mitigate the spill over of the Tigray crisis to Sudan.

### 4.2 SPECIFIC OBJECTIVES

4.2.1 The specific objective is to support conflict prevention in Eastern Sudan through diffusing tensions and promoting peaceful coexistence between host communities and refugees, as well as amongst refugee communities from Ethiopia.

## 5. ACTION COMPONENTS AND EXPECTED RESULTS

**Expected Outcome (1):** opportunities for dialogue and dispute resolution for host and refugees communities are fostered through positive social interaction and the establishment of dispute resolution mechanisms.

Activities (indicative):

- 5.1.1 Mapping of existing dispute resolution mechanisms and stakeholders;
- 5.1.2 Conduct of workshops with different representatives of the community (men, women, youth, people with disabilities) across different population groups and ethnicities to initiate dialogue;
- 5.1.3 Capacity building on collaborative dispute resolution mechanisms, such as negotiation, mediation and arbitration skills, with the aim to strengthen already existing mechanisms for dispute resolution within target communities;
- 5.1.4 Creation of social and cultural link between the different groups living in the targeted areas including hosting/surrounding communities of intervention in the form of arts and opportunities for cultural exchange.

**Expected Outcome (2):** community-based protection and psychosocial support, especially for youth and women are reinforced (sexual and gender based violence and child protection form part of the issues to be addressed).

- 5.2.1 Formation of protection networks;
- 5.2.2 Delivery of protection risk awareness and protection monitoring services;
- 5.2.3 Identification of at-risk groups/individuals for provision of ad-hoc support and/or administrative assistance;
- 5.2.4 Provision of comprehensive general protection case management services;
- 5.2.5 Establishment of robust feedback and complaints response mechanism;
- 5.2.6 Creation and activate a multipurpose intracommunity youth space;

5.2.7 Provision of psychosocial support through the provision of recreational activities and semi-structured/structured curricula.

**Expected Outcome (3)** the risk of youth becoming conflict actors is reduced by imparting life skills and providing livelihood support.

Activities (indicative):

- 5.3.1 Conduct of labour market assessments;
- 5.3.2 Provision of agricultural training courses;
- 5.3.3 Provision of life skills training;
- 5.3.4 Strengthening traditional space and off-season irrigation systems where needed to support enhanced local agricultural production that is climate smart, cost-effective and durable;
- 5.3.5 Support for implementation of food processing activities;
- 5.3.6 Establishment of other income generating activities for both hosting communities, refugees and migrant communities especially targeting youth and women;
- 5.3.7 Organisation of meetings with the private sector in Sudan to establish a sustainable value chain which will link farmers and local producers (producers) to the retailers (private sector).

**Expected Outcome (4):** the provision of basic services for both local communities and refugees is strengthened.

Activities (indicative):

- 5.4.1 Establishment of community led works-committees both in camps and host communities;
- 5.4.2 Development of new water points and/or the rehabilitation and extension of existing ones;
- 5.4.3 Improvement of access to sanitation facilities, while addressing cross-cutting sexual and gender based violence and protection, including the construction of safe laundry and bathing spaces for women where menstrual hygiene management activities can take place in a safe and dignified manner;
- 5.4.4 Rehabilitation of at least one primary health centre that serves the host community and can provide assistance to the refugees hosted in the camp;
- 5.4.5 Training of health-care workers;
- 5.4.6 Prepositioning and providing essential medical supplies and equipment;
- 5.4.7 Construction or rehabilitation of at least two schools, one serving the host community and one serving the refugees, and support the training of teachers in coordination with the Ministry of Education.

## **6. IMPLEMENTATION**

### **6.1 IMPLEMENTATION MODALITIES**

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures<sup>2</sup>.

### **6.1.1 Grant: direct award (direct management)**

#### **(a) Purpose of the grant**

The objectives, priorities and expected results are described in section 5, in particular under the Specific Outcomes 5.1, 5.2 and 5.4.

#### **(b) Type of applicants targeted**

The types of applicants targeted by this direct award are international and national non-governmental organisations and non-profit organisations.

#### **(c) Justification of a direct grant**

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified because the action entails, at the date of the Financing Decision, crisis management aid, as referred to in Article 195(a) and as defined in Article 2(21) of the Financial Regulation.

#### **(d) Exception to the non-retroactivity of costs**

The Commission authorises that the costs incurred may be recognised as eligible as of 1 May 2021 because the deteriorating situation in the country may cause further instability and inter-community tensions and immediate support to strengthen rapid response is critical.

### **6.1.2 Grant: direct award (direct management)**

#### **(a) Purpose of the grant**

The objectives, priorities and expected results are described in section 5, in particular under the Specific Outcomes 5.1 and 5.3

#### **(b) Type of applicants targeted**

The types of applicants targeted by this direct award are international and national non-governmental organisations and non-profit organisations.

#### **(c) Justification of a direct grant**

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified because the action entails crisis management aid as referred to in Article 195(a) and as defined in Article 2(21) of the Financial Regulation at the date of the Financing Decision.

#### **(d) Exception to the non-retroactivity of costs**

The Commission authorises that the costs incurred may be recognised as eligible as of 1 May 2021 because the deteriorating situation in the country may cause further instability and inter-community tensions and immediate support to strengthen rapid response is critical.

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<sup>2</sup> [www.sanctionsmap.eu](http://www.sanctionsmap.eu) Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website, it is the OJ version that prevails.

### 6.1.3 Indirect management with an international organisation

Part of this action may be implemented in indirect management with an entity which will be selected by the Commission's services using the following criteria: the financial and operational capacity of the organisation; presence on the ground; good working relations with and access to all relevant stakeholders, including the authorities at central and local levels; demonstrated capacity to deliver work in a conflict sensitive manner.

The implementation by this entity entails achieving the outcomes in section 5, in particular under the Specific Outcomes 5.1, 5.3 and 5.4.

The Commission authorises that the costs incurred may be recognised as eligible as of 1 May 2021 because the deteriorating situation in the country may cause further instability and inter-community tensions and immediate support to strengthen rapid response is critical.

### 6.2 INDICATIVE BUDGET

The total European Union contribution under this Financing Decision **will not exceed EUR 5 000 000**. A breakdown among components is provided hereunder, and is indicative.

#### Indicative budget breakdown

Components	EU contribution (amount in EUR)	Indicative third party contribution, in currency identified
Component 1:		
6.1.1 - Direct grant (direct management)	1 500 000	N/A
Component 2:		
6.1.2 - Direct grant (direct management)	1 620 000	N/A
Component 3:		
6.1.3- Indirect management with an International Organisation	1 880 000	N/A
Total	5 000 000	N/A

### 6.3 ORGANISATIONAL SET-UP AND RESPONSIBILITIES

The action shall be implemented under direct management for components 1 and 2 and indirect management for component 3. It will be devolved and sub-delegated to the **European Union Delegation**, with the support of the Commission for the conclusion of the contracts implementing the action.



#### **6.4 PERFORMANCE AND RESULTS MONITORING AND REPORTING**

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and outcomes) as measured by corresponding indicators, using as reference the Logframe matrix. The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

#### **6.5 EVALUATION**

Having regard to the nature of the action, an evaluation will not be carried out for this action or its components.

In case an evaluation is not foreseen, the Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the partner.

The financing of the evaluation shall be covered by another measure constituting a financing decision.

#### **6.6 AUDIT**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

The financing of the audit shall be covered by another measure constituting a financing decision.

#### **6.7 COMMUNICATION AND VISIBILITY**

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Requirements for European Union External Action (or any succeeding document) shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

## **7. COMPLEMENTARITY, COORDINATION AND FOLLOW-UP**

The action is consistent and complements the EU response to the crisis, which aims to prevent conflict escalation and allow post-conflict stability by strengthening accountability mechanisms for human rights violations and abuses and conflict sensitive media reporting in Ethiopia.

Furthermore, it will complement EU's humanitarian assistance in Sudan, notably by ensuring this action benefits host communities surrounding the refugee camps targeted by humanitarian aid. Coordination is also ongoing with Member States present in Sudan, currently providing humanitarian and development aid, as well as with other like-minded donors, such as Switzerland, who are interested in potentially following up some of the FPI-funded actions in the longer term.

The action supports the EU policy on forced displacement and development<sup>3</sup> and complementarity with longer term EU actions under the NDCI geographic pillar focusing on supporting forcibly displaced people, green growth and job creation, which might also target refugee populations in East Sudan should refugees not have the possibility to return to Ethiopia in the near future, will be ensured, pending the finalisation of the programming exercise.

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<sup>3</sup> EU Communication 'lives in Dignity' COM(2016) 234