

EN

ANNEX

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

1. IDENTIFICATION

Action: Darfur: contributing to human security, conflict prevention, stability and peacebuilding

Action Reference: NDICI CR 2021 / 31

Cost: EUR 7 000 000 (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) 2021/947.

Lead service: FPI

2. ACTION SUMMARY

Sudan is at a critical juncture in terms of its reintegration into the international community and its ongoing fragile transition towards democracy as shown by the recent military coup. In parallel to the turmoil that has characterised the political landscape, recurrent outbreaks of intra- and inter-communal violence in the periphery of the country have intensified since the beginning of the year. More people have been displaced in the first six months of 2021 than in the whole of 2020. In Darfur in particular, stability and the protection of civilians, which were already inadequate, are now deteriorating even further. This increase in violence takes place against the backdrop of competing internal priorities across the country and the delay in the establishment of the 12,000 soldiers of the Joint Protection Force for Darfur.

This 18-month action aims to contribute to human security, conflict prevention, stability and peacebuilding by targeting several different potential hotspots for inter-communal violence across Darfur, through four separate projects. While targeting different geographical areas within the five Darfur states, each component will address potential sources of tension in the targeted area with a focus on community-level engagement with a specific focus on women, peace and security.

3. BACKGROUND AND RATIONALE

3.1 BACKGROUND

Since April 2019, date when a civilian-led protest movement ended the 30 year rule of President Omar al-Bashir, Sudan has been slowly trying to move to a civilian government and to reintegrate into the international community. Reforms were introduced, including a power sharing agreement bringing together the civilian opposition and members of the security forces under a transitional Sovereign Council.

In October 2020, the Sovereign Council signed the Juba Peace Agreement (JPA) with representatives of armed groups from all over Sudan, including Darfur, with the objective to bring stability and lasting peace – crucial to supporting the transition to democracy – particularly in Sudan’s peripheries marked by marginalisation and long lasting conflict.

However, the path to peace and stability has been hampered by the slow and weak implementation of the JPA, by the absence of workable national policies on flagship issues such as return, resettlement, transitional justice, and security as well as by the fact that several of the most influential rebel groups remain outside of the peace process, some of which continue to fight government forces, particularly in the Jebel Marra area. The recent military coup exacerbates this situation.

Furthermore, underlying economic and political grievances remain, as do the intercommunal tensions aggravated by fierce competition over land and water that contributes to expanding migration patterns and a subsequent increase in small-scale conflicts. With the majority of the population dependent on agriculture or pastoralism, and therefore on the availability of water, erratic weather patterns are putting further stress on already unstable societies, thereby exacerbating conflicts.

Meanwhile, the mandate of the UN-AU mission in Darfur (UNAMID) ended on 31 December 2020. On 6th May 2021 the United Nations – African Union Hybrid Operation in Darfur (UNAMID) officially handed over its former headquarters in Central Darfur to the Government of Sudan, completing its drawdown plan. This left a vacuum in terms of the assumption of responsibility for the provision of physical security of civilians, risking erosion of the fragile peace and security gains achieved over its last 13 years presence.

The establishment of the UN Integrated Transition Assistance Mission in Sudan (UNITAMS) in June 2020 cannot fill the above-mentioned governance and security gap due to its limited mandate, composition and little operational capability. Its mandate is to provide support to Sudan for an initial 12-month¹ period during its political transition to democratic rule through a range of political, peacebuilding and development initiatives, including assisting the nation to achieve the goals of the Constitutional Declaration of August 2019, and carrying out its National Plan for the Protection of Civilians.

The creation of the Joint Security Keeping Force² (JSKF) envisaged by the JPA to replace the withdrawing UNAMID international peacekeeping forces has not brought tangible results so

¹ Mandate was extended until 3 June 2022.

² Originally, to be composed of 12 000-men from the Sudanese Armed Forces (SAF), the Rapid Support Forces (RSF), the Police Forces, the General Intelligence Forces and the five signatory armed rebel movements,

far as it is not yet operational nor deployed. The JSKF is meant to create the security conditions for the implementation of the various JPA protocols on the ground. It is intended to seal a new trust between civilian populations and transitional security forces, the latter still closely associated with the abuses committed under the Bashir government. However, to date these objectives have not materialised and the safety, security, human rights and wellbeing of civilians have not been prioritised.

In early 2021, coupled with this decrease in security provision, there has been a surge in inter-communal violence in different parts of Sudan, in particular Darfur. More people have been displaced in Darfur in the first months of 2021 than in the whole of 2020. Displacement in Darfur has escalated significantly in 2021, leaving Sudan with the highest rates of internally displaced people (IDPs) due to conflict since 2014. The UNHCR Sudan Protection Sector reported 164,895 IDPs in West Darfur since the outbreak of violence in January 2021, with more than 55,000 newly displaced people since the outbreak of violence in April 2021.

There is a clear need to act in the region before the situation worsens. The recent military coup has provided additional reasons to invest in the stability of the country. After a month of tensions and protests, on 22 November, Prime Minister Abdallah Hamdok reached an agreement with the leaders of the October 25 coup whereby he would establish and lead a new technocratic cabinet pending elections, planned for mid-2023. However, wider support for the deal is limited: most civilian political forces have rejected it. Major protests greeted the developments, with many accusing Hamdok of betraying the 'revolution'.

Sudan's jeopardised transition remains of strategic value for the EU and its various interests from defending democratic values to upholding regional stability in the Horn of Africa³.

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

The current situation is a threat to the fragile gains made in terms of overall peace and stability in Darfur and creates an urgent need to enhance human security and manage conflict locally to avoid destabilising the democratic transition and peacebuilding efforts, 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, second paragraph, points (a), (b), (c), (d), (f), (l), (m), (n), (o) and (p) of Regulation (EU) 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; b) support for the implementation of UNSCRs on women, youth,

supposed to be in place at the end of the mandate of UNAMID on 31 December 2020 and should be fully trained and operational by 2022.

³ Sudan - Council conclusions (9 December 2019) 14623/19

peace and security; (c) support for the establishment and functioning of interim administrations mandated in accordance with international law; (d) support for the development of democratic, pluralistic state institutions, including measures to enhance the role of women in such institutions, effective civilian administration and civilian oversight over the security system, as well as measures to strengthen the capacity of law-enforcement and judicial authorities involved in the fight against terrorism, organised crime and all forms of illicit trafficking; (f) support for reinforcement of State capacity - in the face of significant pressures to rapidly build, maintain or restore its core functions, and basic social and political cohesion; (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, and (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

Risks	High, medium, low	Mitigation
Due to the coup, mass protests result in violence; rising ethnic tension and violence in communities; widespread internal armed conflict; the country is set back to strict military rule.	Medium/High	<p>Implementing partners will systematically monitor the situation and initiate mitigation plans with a focus on the safe engagement of staff and beneficiaries.</p> <p>Implementing partners will ensure that EU support does not imbue beneficiaries in the country with a false sense of security.</p>
Due to the coup, increased polarisation among all actors and a limited appetite for dialogue.	Medium/High	<p>The implementing partner will use a participatory approach engaging stakeholders in the design of the project activities.</p> <p>The implementing partner will initiate activities aiming at trust and consensus building.</p>
Security situation in areas where implementation deteriorates.	Medium	Implementing partners will assess the security situation and will ensure security of staff by abiding

		to security guidelines, will work through local field structures with tailored protocols and will revise project locations if required.
Access to full representation of local communities is not possible because of human (e.g. spoilers) or natural (e.g. floods) constraints	Medium	Implementing partners' experience and local knowledge will ensure co-operation against potential spoilers via societal incentives for participation. They will also integrate navigation constraints during the rainy season via scheduling and improvised transport.
Communities refuse the participation of marginalised groups, in particular women's participation.	Low	Implementing partners will use their experience in involving marginalised groups e.g. women and youth in a way that enables them to participate fully and will signal the value of their contributions to the whole community; they will ensure a gender balance on the staff team.
Locally selected pilot projects are not successful in reducing conflicts.	Medium	Learning through doing: projects will be constantly monitored and adapted with a fail fast approach including the monitoring of the number and range of projects which are likely to spread risks.
Restrictions imposed by authorities on access to supplies to the targeted areas, including possible those related to lockdown measures due to COVID-19.	Medium	Procurement, coordination and logistics processes will be 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.	Low	Alternative implementation modalities or extra precautions including the provision of personal protective equipment (PPE) and physical distancing will be considered

4. OBJECTIVES

4.1 OVERALL OBJECTIVE

The overall objective of the action is to support peace building in Sudan.

4.2 SPECIFIC OBJECTIVES

4.2.1 The specific objective is to contribute to human security, conflict prevention, stability and peacebuilding by targeting several potential hotspots for inter-communal violence across Darfur.

5. ACTION COMPONENTS AND EXPECTED RESULTS

The main expected results/outcomes include:

Expected Outcome (1): the implementation of the Juba Peace Agreement is strengthened, notably by supporting the effective implementation of its security arrangements in Darfur.

Activities (indicative):

- 5.1.1 To support local dialogues and conflict prevention initiatives;
- 5.1.2 To facilitate workshops for a better understanding at regional (Darfur) and national level of local and regional dynamics and challenges to peace in Darfur;
- 5.1.3 To conduct workshops with different representatives of the community (men, women, youth, people with disabilities, security actors) across different population groups and ethnicities to disseminate information about the Juba Peace Agreement;
- 5.1.4 To provide 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.

Expected Outcome (2): The capacities of individuals and groups within high-risk communities in a variety of Unarmed Civilian Protection methods are strengthened in order to enhance the scale and impact of existing and emerging local community self-protection initiatives, processes or infrastructures.

Activities (indicative):

- 5.2.1 To train or support individuals or populations with specific vulnerabilities (e.g. women, youth, displaced people or human rights defenders) to protect themselves and/or participate in peace and decision-making processes;
- 5.2.2 To organise Community-based protection teams, to support them to initiate their own activities for peace and security or expand their access to and influence on decision makers;
- 5.2.3 To train and advise State and non-state actors to apply knowledge and skills or initiate activities to strengthen the protection of civilians;

- 5.2.4 To support networks or groups to collaborate across ethnic, religious, or tribal fault lines to reduce violence or influence security and decision-making processes;
- 5.2.5 To increase and improve the responsiveness of actors with a mandate or responsibility to protect civilians;
- 5.2.6 To engage parties in conflict to resist provocations and respond with nonviolent means or choose not to retaliate.

Expected Outcome (3) Local conflicts over land, power and identity, are addressed focussing on the cattle corridor broadly spanning the border of South Darfur with Central African Republic into North Darfur.

Activities (indicative):

- 5.3.1 Organisation of consultations and encounters with local communities and authorities in order to understand the different fears, needs and aspirations of different groups within each community;
- 5.3.2 Organisation of workshops to reach a series of local peace agreements, detailing activities and policy recommendations to address root causes of conflict at local level in Darfur;
- 5.3.3 Convene public community gatherings (Town Halls) across the zone of intervention, where people can hear and discuss the findings of the consultations, the encounters and the workshops;
- 5.3.4 Implementation of pilot projects, providing peace dividends, to generate scalable models.

Expected Outcome (4): Support to UNITAMS/UN mediation and conflict prevention capacity are provided contributing to prevention of violence and sustainable peacebuilding in West Darfur.

Activities (indicative):

- 5.4.1 To strengthen capacity of local authorities and community-based structures to manage, mitigate and resolve local inter-communal conflicts;
- 5.4.2 To develop/strengthen community early-warning systems for stronger community protection;
- 5.4.3 To support the establishment of the Protection of the Civilians committee by the government in West Darfur.

Expected Outcome (5): Provision of peace dividends and community engagements through community centres is increased.

Activities (indicative):

- 5.5.1 To create community engagement systems to support social change and social cohesion;

- 5.5.2 To support access to basic services for children and local communities;
- 5.5.3 To support youth activities through cultural events and games to strengthen cooperation;
- 5.5.4 To provide Quick Impact projects, such as the provision of primary health care facilities, improving access to water and sanitation, benefitting both IDP and host communities.

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 measures⁴.

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 Outcome 5.1.

(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 15 November 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 5.2.

⁴ 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.

(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 15 November 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.

6.1.3 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 Outcome 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 15 November 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.

6.1.4 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 5.4 and 5.5.

The Commission authorises that the costs incurred may be recognised as eligible as of 15 November 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 7 000 000**. 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)	900 000	N/A
Component 2:		
6.1.2 - Direct grant (direct management)	2 500 000	N/A
Component 3:		
6.1.3- Direct grant (direct management)	1 750 000	N/A
Component 4:		
6.1.4 - Indirect management with an International Organisation	1 850 000	N/A
Total	7 000 000	N/A

6.3 ORGANISATIONAL SET-UP AND RESPONSIBILITIES

The action shall be implemented under direct management for components 1, 2 and 3 and indirect management for component 4. It will be devolved and sub-delegated to the **European Union Delegation in Sudan**, 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 with and complements the Annual Action Plan 2021 of the EU Delegation to Sudan, which aims to i) enhance access to justice/Human Rights and trade governance; ii) improve farming productivity through agro-ecology and iii) create jobs and

green growth through an integrated solid waste management in Khartoum. In particular, this rapid crisis response action intends to lay the ground in terms of human security for component i) which seeks among others to facilitate the implementation of the legal aid/access to justice programme in Darfur, specifically. With regard to the second component of the Annual Action Plan 2021, all potential implementing partners will be coordinating with the International Partnership Directorate's (INTPA) implementing partner, the Food and Agriculture Organization of the United Nations (FAO); as FAO is working on land tenure and veterinary services in Darfur.

Furthermore, it will complement EU's humanitarian assistance in Darfur, notably by ensuring this action benefits host communities surrounding the IDP settlements 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 who could be interested in potentially following up some of the Service for Foreign Policy Instruments (FPI)-funded actions in the longer term.

Finally the action supports the EU policy on forced displacement and development⁵.

⁵ EU Communication 'lives in Dignity' COM(2016) 234