

PROTOCOL ON THE ESTABLISHMENT OF HUMANITARIAN ASSISTANCE IN DARFUR

The Government of the Republic of Sudan, the Sudanese Liberation Movement and the Movement for justice and Equality, hereinafter known as the parties, have agreed as follows:

Principles

The concept and execution of the humanitarian assistance in Darfur will be conform to the international principles with a view to guarantee that it will be credible, transparent, and inclusive and notably: the 1949 Geneva Convention and its two 1977 Additional Protocols, the 1948 Universal Declaration on Human Rights, the 1966 International Convention on Civil and Public Rights, the 1951 Geneva Convention on Refugees, the Guiding Principles on Internal Displacement (Deng Principles) and the provisions of General Assembly Resolution 46/182.

Article 1: Humanitarian Principle

Human sufferings will be taken into account wherever they are found; rights of all vulnerable persons will be respected and protected. The rights to receive humanitarian assistance and protection, and to provide it, is fundamental.

Article 2: Impartially Principle

Humanitarian assistance is provided regardless of ethnic origin, gender, nationality, opinions, race or religion.

Assistance to victims will be guided only by urgent distress cases.

Article 3: Neutrality Principle

Humanitarian assistance will be provided by humanitarian agencies without taking sides on political, religious agencies without taking sides on political, religion or ideological basis. All the parties admit the neutrality of assistance and protection.

Article 4: Dignity Principle

The right of any person to live in security and dignity will be affirmed and protected.

Article 5: Transparency Principle

The humanitarian agencies will work on a transparent and apolitical basis. Information will

be openly shared. There will be in particular a regular flow of information from the humanitarian agencies to the authorities concerned, and vice-versa. The humanitarian agencies will make the humanitarian assistance, their personnel and materials clearly identifiable by the parties, who will respect the emblems.

Article 6: Accountability Principle

The humanitarian agencies are accountable to the beneficiaries, the authorities concerned and to those who provide resources. The UN Humanitarian Coordinator will represent the humanitarian community vis a vis the Government.

SPECIFIC PROVISIONS

The operational criteria for setting up humanitarian assistance programmes to be observed and respected by the humanitarian agencies include:

Article 7: Unrestricted Access

The Parties guarantee the freedom of movement to the personnel participating in assistance activities, including evaluation of needs, humanitarian assistance distribution and follow-up, that will help to reach people in need of humanitarian assistance without delay. The Government of the Republic of Sudan will, particularly, facilitate trips of the humanitarian personnel to, from and within Darfur.

Article 9 (sic): Protection

The parties will take the necessary protection measures to ensure that the beneficiaries of humanitarian assistance be not deprived of the assistance they receive nor be subject to attacks.

Article 10: Return of the displaced and refugees

The Parties will facilitate the return of the refugees and the displaced to their origin communities on a voluntary basis and under security and dignity conditions. They will put in place adequate protection measures and their property will be restored or their losses compensated.

The Parties undertake to respect the above principles and provisions, and will work in cooperation with the humanitarian assistance agencies to facilitate the establishment of humanitarian assistance in Darfur.

Done at N'djamena, this 8th Day of April, 2004.