

Humanitarian crisis in South Kordofan: the need for a political solution

Key messages

- The humanitarian situation in the border states of South Kordofan and Blue Nile states is approaching crisis levels in some areas, with serious threats to the physical safety of civilians, restricted access for humanitarian organisations and escalating humanitarian needs.
- The current conflict is rooted in long-standing grievances that were not resolved through the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan People's Liberation Movement (SPLM).
- A strengthened international humanitarian response is urgently needed to address escalating humanitarian and protection needs – requiring stronger leadership and engagement with the conflict parties on their responsibilities to protect civilians and to facilitate humanitarian access.
- Drawing on experiences of the previous conflict in this region, significant diplomatic efforts are now required to restart a political dialogue between the parties inclusive of civil society, aimed at finding a long-term peaceful resolution to the conflict

In June 2011, conflict broke out again between the Government of Sudan (GoS) and the Sudan People's Liberation Movement/Army-North (SPLM/A-N) in the state of South Kordofan, on the border with new Republic of South Sudan. Tensions spread to the border state of Blue Nile in September 2011. The conflict has had devastating consequences for civilians in these areas. Over 130,000 civilians have fled the two states, crossing into neighbouring Ethiopia or the Republic of South Sudan to escape the fighting. There is also great concern for those who have remained. Reports from South Kordofan in April 2012 describe 'almost-daily aerial bombardment by government forces, the destruction of grain and water sources that are critical to their survival, arbitrary detentions, and sexual violence against women'.¹ Access for humanitarian organisations has been severely

¹ Human Rights Watch, 'Sudan: Crisis Conditions in Southern Kordofan', 4 May 2012.

restricted, both by the security situation and by impediments imposed by the GoS. Very limited international humanitarian assistance has been provided to people in areas under SPLM/A-N control since the fighting began, and no comprehensive assessment of humanitarian needs has been possible. Assistance has also been limited in areas under government control. Information on the situation in Blue Nile state is particularly scarce, and so this Briefing Note focuses primarily on South Kordofan.

The current humanitarian situation

Information available indicates that there are serious concerns regarding the protection of the civilian population, severe restrictions on access for humanitarian organisations to affected populations and an increasingly urgent need for food, water, shelter, health care and other life-saving assistance.

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Displacement to neighbouring countries

Over the last year there have been successive flows of refugees into neighbouring countries from South Kordofan and Blue Nile states. Some 32,000 people have fled to Ethiopia, where the UN High Commissioner for Refugees (UNHCR) has established refugee camps in Sherkole and Tongo and a transit centre at Ad-Damazine. An additional 106,000 people have fled to South Sudan.² Refugees from South Kordofan are concentrated at the Yida refugee camp in Unity state in South Sudan, close to the border with the Republic of Sudan. Refugee flows are increasing; UNHCR reports that between 1 and 11 May 3,200 people fled to Yida camp from the Nuba Mountains of South Kordofan, a rate of 550 per day – double April's rate, and six times that of March. By 11 May, the camp's population had reached 30,000.³ Refugees face a range of threats to their safety and security. Yida camp is reportedly 'heavily militarised',⁴ with a pervasive presence of SPLM/A-N and military personnel from the Republic of South Sudan. The camp is only a few kilometres from the border with the Republic of Sudan, and has suffered several aerial attacks by the Sudan Armed Forces (SAF).⁵ In April 2012, UNHCR reported that it was urging refugees to move to sites further away from the border.⁶ Provision of protection and humanitarian assistance to refugees in South Sudan has been made more difficult with the arrival of the annual rainy season, from April to October, and road access between the Unity state capital Bentiu and Yida has been cut.

The ability of the Government of South Sudan (GoSS) to respond to the needs of these refugees – and to the needs of the several million food-insecure people in South Sudan more widely – is limited by the lack of infrastructure and basic services in many areas. Government capacity is also constrained by a developing fiscal crisis prompted by the government's decision to suspend oil production in response to what it regards as unreasonably high handling fees charged by Khartoum to transport oil extracted in the south to ports in the north for export. Oil revenues constitute 98% of South Sudan's revenue.⁷

Insecurity and displacement in South Kordofan and Blue Nile

The influx of refugees is indicative of the seriousness of the situation inside South Kordofan and Blue Nile

2 OCHA Sudan, Weekly Humanitarian Bulletin, 7–13 May.

3 Andrej Mahecic, 'Sudanese Refugees Face Rising Challenges as Outflow Grows', UNHCR Press Briefing, Briefing Notes, 11 May 2012.

4 Sudan Tribune, 'SPLM-N Claims Khartoum Mobilising 45,000 Paramilitary Force', 19 March.

5 Andrew Edwards, '35,000 Newly Displaced Near Sudan–South Sudan Border', UNHCR Press Briefing, Briefing Notes, 24 April 2012.

6 *Ibid.*

7 IRIN, 'South Sudan Briefing – Life Without Oil', 14 February 2012.

states. There is currently no reliable information on the number of civilian casualties, although the UN Office of the High Commissioner for Human Rights (OHCHR) has reported 'serious violations of international human rights and international humanitarian law, including extrajudicial killings, arbitrary arrests and illegal detention, enforced disappearances, attacks against civilians, looting of civilian homes and destruction of property'.⁸ There is currently very limited information on the threats to civilians in areas under SPLM/A-N control, but it is believed that many thousands were unable to flee their home areas because roads were closed or because they could not afford transport out of the state.⁹ Estimates vary, but Sudanese humanitarian actors in South Kordofan suggest that approximately 350,000 civilians have been displaced within the state.¹⁰ UN estimates in March put the figure at 300,000 'displaced or severely affected'.¹¹ Many are reportedly sheltering in caves in the hills.¹² Both the SAF and the SPLM/A-N are reported to have laid mines in front-line areas.¹³

Livelihoods and food security

The conflict is having a significant impact on livelihoods and food security. Refugees fleeing to South Sudan have told humanitarian organisations that they are 'relying on wild food because they could not plant because of the fighting and limited commercial supplies of food'.¹⁴ Agricultural assets have been lost during displacement and income from trade and small businesses has dried up in SPLM/A-N areas because of the limited movement of people and goods. Actors on the ground report that markets are emptying, with fewer goods available at ever-increasing prices. Staples such as sorghum are becoming scarce and prices have risen by up to 60% compared to the last quarter of 2011.¹⁵ FEWSNET reports that food insecurity has reached emergency levels in SPLM/A-N areas.¹⁶ With bleak projections of a poor harvest in October, food security is unlikely to improve in the near future.¹⁷

8 UN OHCHR, *Thirteenth Periodic Report of the United Nations High Commissioner for Human Rights on the Situation of Human Rights in the Sudan: Preliminary Report on Violations of International Human Rights and Humanitarian Law in Southern Kordofan from 5 to 30 June 2011*, 2011.

9 UNHCR, 'South Kordofan Refugees Look Back in Worry', 30 April 2012.

10 Human Rights Watch, 'Sudan: Crisis Conditions in Southern Kordofan', 4 May 2012.

11 OCHA, 'Sudan: Humanitarian Snapshot (31 March 2012)'.¹⁷

12 K. Dhala, 'Amnesty International: Wire', January/February 2012, vol. 42, Issue 001.

13 UN OHCHR, *Thirteenth Periodic Report*.

14 OCHA Sudan, Weekly Humanitarian Bulletin, 7–13 May.

15 OCHA Sudan, Weekly Humanitarian Bulletin, 16–22 April.

16 FEWS NET (2012) SUDAN Food Security Outlook: April to September 2012.

17 IRIN, 'South Sudan: Worsening food crisis', 20 February 2012.

Medical services

Local actors report that the conflict has severely affected the already limited medical services available in South Kordofan. There are only two functioning secondary health facilities in SPLM/A-N-controlled areas (in Heiban locality), and primary healthcare facilities are of limited use given a lack of drugs. Annual vaccinations for polio, measles, tuberculosis (BCG) and diphtheria have been interrupted by the conflict,¹⁸ and the UN Children's Fund (UNICEF) was unable to complete polio vaccinations for children under five years of age in March because of lack of access to SPLM-N areas at that time.¹⁹ There are reports of measles in Yida camp originating from South Kordofan,²⁰ and there are concerns that the arrival of the rains will see an increase in waterborne diseases.

The humanitarian response

Humanitarian access

Access for humanitarian agencies to conflict areas has been severely restricted. Many international NGOs and international UN agency staff left when the fighting began, and the prevailing security situation has meant that those who remained have been unable to safely access populations in need. The GoS is only granting travel permits for senior international UN humanitarian staff to GoS-controlled Kadugli.²¹ The Governor of South Kordofan state, Ahmed Haroun, has criticised international humanitarian interventions and stressed that aid is better provided through local organisations.²²

Since the conflict began there has been only one inter-agency assessment of the humanitarian situation in South Kordofan, led by the Humanitarian Aid Commission (HAC). The assessment, carried out between 27 January and 10 February with the World Food Programme (WFP), UNICEF, the World Health Organisation (WHO), the Food and Agriculture Organisation (FAO), the Sudanese Red Crescent (SRC), Mubadiroon, Jasmar, Pancare and SOS Sudan, did not include the large areas under SPLM/A-N control. Information about these areas has mainly been gathered through national humanitarian actors (former staff of UN agencies and NGOs operating in South Kordofan before the conflict restarted) and via UNHCR reports collected

¹⁸ OCHA Sudan, Weekly Humanitarian Bulletin, 9–15 January.

¹⁹ UNICEF reported that 376,000 were vaccinated, constituting 71% of all the under-five children in the state. The remaining 29% (153,000 children) live in SPLM-N areas and could not be reached. OCHA Sudan, Weekly Humanitarian Bulletin, 12–18 March.

²⁰ South Sudan National Health Cluster Meeting Minutes, 11 May 2012.

²¹ See OCHA, 'Sudan: Weekly Humanitarian Bulletin', 20–26 February and 7–13 May.

²² 'Sudan's State Governor Threatens To Expel Foreign Aid Groups', *Sudan Tribune*, 13 January 2012.

from South Kordofan refugees who have fled to South Sudan.²³

At present the SRC is able to operate in GoS areas of South Kordofan and limited humanitarian interventions by international organisations have been possible. UNICEF has supplied the State Ministry of Health with nutritional supplies for children in Dilling through local and international NGOs, and is providing some 'catch-up classes' to displaced children in Dilling and Al Qoz.²⁴ In addition, the UN Office for the Coordination of Humanitarian Affairs (OCHA) reports that 518 metric tons of WFP food has been distributed to 32,330 displaced people in Kadugli town, El Berdab, El Kuok and Damik.²⁵

As a result of the restrictions on access to South Kordofan, most of the international humanitarian response has focused on refugees in Unity and Upper Nile states in South Sudan and in Ethiopia. Although humanitarian organisations are providing food assistance, services and non-food items, camps are reportedly under-stocked and under-serviced and are struggling to cope with the rapid increase in population. Overall, notwithstanding access constraints, international humanitarian organisations have been slow to respond and there has been very limited humanitarian advocacy on the serious protection and assistance needs of affected populations. Senior and sustained engagement with the GoS and the SPLM/A-N and GoSS on key issues such as protection of civilians and access has been inadequate, and diplomatic and financial support from donor states has been lacking. Clearly, a more coherent and comprehensive strategy is now required to promote protection of civilian populations and to secure unimpeded humanitarian access. Reflecting on the experiences of the past in this region may offer some important lessons to inform the current international response.

Learning from the past

The humanitarian response to the previous conflict

There are disturbing parallels with the previous conflict in relation to the threats facing civilians and restrictions on the delivery of humanitarian assistance. People in these states have experienced decades of civil war from 1983 to 2005 between the SPLM/A and the Government of Sudan. During the civil war government troops and the allied Popular Defence Force (PDF) repeatedly burned down villages and destroyed crops across

²³ Edwards, '35,000 Newly Displaced Near Sudan–South Sudan Border'.

²⁴ OCHA Sudan, Weekly Humanitarian Bulletin, 7–13 May.

²⁵ OCHA Sudan, Weekly Humanitarian Bulletin, 14–20 May.

the region.²⁶ SPLA-controlled areas were cut off from trade and contact with the outside world. Farms on the plains were abandoned and, combined with drought, this led to a severe famine in South Kordofan in 1990–93. While the civilian population in government-held areas also suffered displacement and food insecurity, health care and education were available and humanitarian assistance was allowed in.

With respect to restrictions on humanitarian assistance, the SPLM-controlled areas of South Kordofan and Blue Nile were not covered by the Operation Lifeline Sudan (OLS) agreement between the Government of Sudan, the SPLM and the UN. The aid blockade against SPLM-controlled areas lasted 13 years and was only relieved in 2002, when a ceasefire agreement was brokered by the Swiss government for the Nuba Mountains of South Kordofan. The agreement came about as a result of sustained and coordinated diplomatic efforts by a number of Western countries, and it was monitored by an ad hoc, agile and narrowly-mandated Joint Military Commission (JMC) and Joint Monitoring Mission (JMM). This helped to stabilise the security situation and enabled the development of a cross-line mechanism for assistance under the auspices of the UN, known as the Nuba Mountains Programme Advancing Conflict Transformation (NMPACT). NMPACT provided the starting point for the more effective and principled delivery of assistance and greater access.

Conflict drivers and the shortcomings of the CPA implementation

The evolving humanitarian crisis in South Kordofan and Blue Nile states is closely linked to the failure of previous political processes to address the root causes of decades of conflict in Sudan. Earlier conflict in the border areas was essentially driven by a number of chronic grievances, including a lack of recognition and respect for the diverse cultural and religious identities of the people in these areas; a lack of political representation and failure to share power with the peoples of South Kordofan and Blue Nile; economic marginalisation and inequitable wealth-sharing; and a failure to address land-grabbing and issues of tenure and land use.

These long-standing complaints are at the heart of the recent resumption of violence. The key element of the CPA that was meant to address these grievances was the Protocol on the Resolution of Conflict in Southern Kordofan/Nuba Mountains and Blue Nile States, signed by the

²⁶ African Rights, *Facing Genocide: The Nuba of Sudan*, 1995.

Sudanese government and the SPLM on 26 May 2004. The protocol called for elections, a popular consultation process to ascertain local people's views on the agreement, as well as a Parliamentary Assessment and Evaluation Commission to assess and evaluate the implementation of the peace agreement. It also set out mechanisms of governance, wealth sharing and regulation of land tenure and use through a Land Commission, and agreed security arrangements.

Box 1: The CPA and South Kordofan and Blue Nile States: the failure to address the root causes of the conflict

- **Security arrangements:** Under the provisions of the CPA, Joint Integrated Units (JIUs) with equal numbers of SAF and SPLA soldiers were formed to provide security during the interim period. No significant security incidents occurred prior to the recent outbreak of conflict, but each party accused the other of failing to fulfil prior commitments. The SPLA-N did not withdraw its troops south of the border, while the SAF refused to reduce its troop numbers to peacetime levels, nor did they dissolve the Popular Defence Force (PDF) and other Misseriya and Hawazma militias.
- **Consultative process:** The consultative process outlined in the protocol was a way to canvas views from the population on the CPA and ways forward. This however had been stalled in the interim period and was officially postponed in June 2011 by the GoS.²⁷
- **Parliamentary assessment and evaluation commissions:** In both states a commission was established to assess and evaluate the implementation of the CPA during the interim period and report back to the respective legislatures on areas of the agreement that were still unaddressed, to ensure the faithful implementation of the agreement. No reports have been made public to date.
- **State elections:** The May 2011 legislative and executive state elections in South Kordofan and Blue Nile were contentious, with evidence of irregularities and inconsistencies in statistics and procedures that raised questions as to its validity and possible manipulation by the ruling party.²⁸

²⁷ 'Bashir Delineates Sudan's "Second Republic", Promises Reforms', *Sudan Tribune*, 13 July 2011.

²⁸ See A. Verjee, *Disputed Votes, Deficient Observation: The 2011 Election in South Kordofan, Sudan*, Rift Valley Institute African Elections, Project Research Paper.

Had all the components of the CPA been properly implemented, the agreement should have set in motion a process for the political resolution of tensions in the border states. However, the Sudanese political system has been unable to fulfil agreements and provide opportunities for people at the periphery to participate in their own governance. Meanwhile, the international community has failed to act to protect the achievements of the CPA and stem escalating tensions between Sudan and South Sudan. This has meant that progress towards peace and recovery made during the interim period has largely been lost. There has been a lack of sustained international attention to South Kordofan and Blue Nile states following the signing of the CPA. Since the conflict restarted, many international actors have adopted a 'wait and see' approach, regarding the current conflict as a proxy war between the Government of Sudan and the Government of South Sudan. Whilst there is undoubtedly a shared history between the fighting forces in South Kordofan and Blue Nile and the ruling party and national army in South Sudan, it would be wrong to analyse the current conflict in such simplistic terms. In particular, the creation of the new Sudan Revolutionary Front (SRF) adds to the complexity of the current situation. The SRF comprises widely divergent armed groups from peripheral areas such as Darfur and the east, as well as South Kordofan and Blue Nile states, who have pledged to use civil political action and armed struggle to overthrow the GoS. It remains to be seen whether their fundamental differences in ideology can be overcome. It also remains to be seen whether the new alliance is willing to hold itself accountable to the people it purports to represent, not only politically but also in terms of attempting to ensure that human rights are respected and the humanitarian needs of civilians are prioritised.

Time to act

Notwithstanding the complexity of the situation in South Kordofan and Blue Nile states, some tentative conclusions can be drawn. First, the erosion of trust between the parties in this region suggests that a peaceful solution to the current conflict is unlikely, at least in the short term. Second, the failure to implement the CPA protocols on issues specific to the border areas effectively means that the root causes of local conflict have not been addressed. A new process must be developed to help foster an equitable relationship between the centre and the periphery if lasting peace in the border states is to be achieved.

The international community's response to the crisis in South Kordofan and Blue Nile has been wholly inadequate. Despite early warnings of an outbreak of violence, the necessary impetus and leadership to prevent and then respond to escalating tensions have been lacking on both the political and humanitarian tracks. A clear, well-resourced and comprehensive strategy is required to address the escalating humanitarian crisis in the short term, including senior-level engagement with all conflict parties on their responsibilities to protect civilians and facilitate humanitarian access. Strong diplomatic support for this humanitarian engagement will be required. Simultaneously, concerted efforts are required to restart a credible political process to address the long-standing causes of conflict in this region.

An encouraging development is the recent involvement of the African Union (AU) and the League of Arab States (LAS), which together with the UN have tabled a proposal for access to provide and deliver humanitarian aid to war-affected civilians. UN Security Council Resolution 2046 (2012) of 2 May stressed that the solution to the conflict is political and not military, urged the Government of Sudan and the SPLM-N to enter talks²⁹ and 'strongly urged' the GoS and the SPLM-N to accept the UN/AU/LAS proposal on humanitarian aid. While the SPLM-N accepted this proposal over three months ago, by the end of May the government had yet to endorse it.³⁰ Although the action of the AU and LAS has not yielded any substantial progress so far (and it does not include a call for a ceasefire), it is nevertheless a positive reflection of increasing Arab involvement in broader African issues. It is hoped that there may be a longer-term role for this group of external stakeholders in addressing the political and humanitarian situation in Sudan.

Evidently, stronger efforts are urgently required from regional and international actors to ensure the protection of civilian populations; to secure agreement on and implementation of proposals for humanitarian access; to halt a further escalation in the humanitarian situation; and, ultimately, to secure a political resolution to the conflict. More specifically, international actors should consider the following actions:

- The international community must strengthen diplomatic efforts to secure a cessation of hostilities and ensure respect for international humanitarian law by all parties to the conflict.
- The international community must adopt a more robust strategy of engagement with

²⁹ AFP, 'Sudan Parliament Rejects Talks with Rebels', 14 May 2012.

³⁰ *Ibid.*

the GoS aimed at negotiating immediate unimpeded humanitarian access to all affected populations in South Kordofan and Blue Nile.

- Continued support should be offered to the AU/AL/UN proposal for the provision of humanitarian aid. This should include the development of detailed protocols for cross-line delivery of humanitarian assistance using agreed international tripartite monitoring arrangements.
- Consideration should be given to how to support local actors, community-based organisations (CBOs), religious structures and markets, which can provide assistance and protection in the absence of an international response mechanism.
- International organisations and donors should urgently step up preparations to cope with a new influx of refugees and an increasing caseload in insecure and remote areas of South Sudan (i.e. northern Unity and eastern Upper Nile states).
- Coordinated meetings of senior decision-makers from core donor countries should be initiated, informed by key resource people to develop strategies to respond to immediate humanitarian needs and address the root drivers of conflict.
- A much higher level of political engagement is required both bilaterally and multilaterally to identify an effective mediation track that can help facilitate a lasting political solution to the crisis. This must be supported by a wide group of regional and international actors, and led by a smaller set of actors with a clear mandate.
- The international community must recognise that sustainable peace cannot be imposed from outside, and therefore must engage with and support Sudanese actors who have an interest in the promotion of a lasting peace.