



“THEY ARE KILLING US LOUDLY BUT NO-ONE IS LISTENING”



Humanitarian
Aid Relief Trust

Sudan and South Sudan

January 2016

Visit Report

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ACRONYMS AND TERMINOLOGY

| | |
|-----------------|----------------------------------------------------------------------------------------------------|
| AU | African Union |
| AUCISS | African Union Commission of Inquiry on South Sudan |
| AUHIP | African Union High Level Implementation Panel |
| FEWS-NET | Famine Early Warning Systems Network |
| GoS | Government of Sudan |
| IDP | Internally Displaced Person |
| IGAD | The Intergovernmental Authority on Development |
| IHL | International Humanitarian Law |
| MSF | Médecins Sans Frontières |
| NCP | National Congress Party |
| NRRDO | Nuba Relief, Rehabilitation and Development Organisation |
| NSCC | New Sudan Council of Churches |
| OPCW | Organisation for the Prohibition of Chemical Weapons |
| PoC | Protection of Civilian Site |
| PTSD | Post-Traumatic Stress Disorder |
| RSF | Rapid Support Forces |
| SPLA/M-N | Sudan People’s Liberation Army/Movement – North |
| SPLM | Sudan People’s Liberation Movement |
| SPLM-IO | Sudan People’s Liberation Movement – In Opposition |
| SRF | Sudan Revolutionary Front (Coalition between rebel groups in Darfur, Blue Nile and South Kordofan) |
| UNDP | United Nations Development Programme |
| UNOCHA | United Nations Office for Coordination of Humanitarian Affairs |
| UNHCR | United Nations High Commissioner for Refugees |
| SSP | South Sudanese Pound |

Cover Photos [clockwise from top]:

1. *An IDP in Tobo County, Nuba Mountains shows where her family hides between the rocks when the Antonov bombers come.*
2. *An abandoned GoS armoured vehicle left from when SAF captured Doroji in 2012 stands behind a bomb crater from subsequent SAF aerial bombardment.*
3. *Shrapnel from a barrel bomb dropped from Antonov aircraft at Doroji.*
4. *School building at Doroji destroyed by SAF aerial bombardment.*

Cover Quote: The Commissioner of Tobo County (formally Buram County), South Kordofan.

PROJECTS AND PARTNERS

HART is involved in projects in both Sudan and South Sudan with our partners at the New Sudan Council of Churches (NSCC), the Nuba Relief, Rehabilitation and Development Organisation (NRRDO – www.nrrdo.org), the Diocese of Wau (wau.anglican.org) and Marol Academy (marolacademysudan.org - we were unable to visit Marol Academy on this occasion).

Sudan

During 2015 HART allocated funds to support of secondary schooling for refugees, girls and boys, from the Nuba Mountains, in Yida camp. This enabled the school to re-open and provided teachers' salaries until further funding arrived from other donors.

Although we were unable to visit the Blue Nile area on this occasion, we were able to meet with representatives of that area who had received funding from HART in 2015 for emergency food and medical aid.

The people of the Nuba Mountains and Blue Nile express a shared priority of education. We seek funding for school materials and stipends for teachers in order to enable them to provide education to a generation who is yet to live through a period of peace.

South Sudan

HART focus in South Sudan for the past two years has been the provision of basic food and medicines to internally displaced peoples (IDPs) in Wau. In some camps, IDPs are now able to return home and will require support for rebuilding their lives in areas destroyed by violence.

HART also visited schools supported by the Diocese of Wau and their project for agricultural development. This project involves the free provision of ox-ploughs (including necessary training), thereby increasing the efficiency of cultivation. We were told by communities using the ox-ploughs that they had been able to triple harvest yield.

PROGRAMME AND ACKNOWLEDGEMENTS

This report relates to a visit by a delegation from HART to South Sudan and South Kordofan, Sudan in early January 2016.

HART wishes to offer our warmest thanks to everyone who gave us their time, hospitality and logistical support, and who shared their stories and insights with us. Particular thanks go to our partners (described above), for their support on this visit and for all of their inspirational work for peace and development in such difficult circumstances.

In South Sudan we visited Juba, Wau (Western Bahr-el-Ghazal) and Yida Camp (Unity State). We were able to spend two nights in the Nuba Mountains, Sudan, visiting Umdorien, Tobo and Doroji.

SUDAN

- While there has been relative calm in South Kordofan for the past four months, those we interviewed within the Nuba Mountains expressed their deep concern over the build-up of Sudan Armed Forces (SAF) troops in strategic positions around Kauda. They anticipate imminent attacks which are likely to target civilian infrastructure as before.
- The Government of Sudan (GoS) continues to deny humanitarian assistance to the Two Areas (South Kordofan and Blue Nile). In the areas that we visited, this is likely to be particularly serious this year as the effects of El Niño resulted in a short and delayed rainy season in 2015 which had disastrous effects on the planting season and subsequent harvest. The Commissioner of Tobo County told us, *“My prediction for 2015: Famine.”*
- As we travelled into the Nuba Mountains, at every check point there was a gathering of displaced people travelling either to or from Yida camp in South Sudan. This constant flux of the displaced is linked to them being trapped between two conflicts. Last year, we were told, *“There is nowhere to hide.”* Within the Nuba Mountains, we met with internally displaced peoples (IDPs) who are living in caves in order to shelter from the aerial bombardment.
- We were able to meet with Major General Gagot, Chief of Staff of the SPLA-N. He was able to provide information on the weaponry utilised by SAF, which includes barrel bombs, cluster bombs, long-range missiles and artillery. He also provided insight into the National Dialogue process: *“They want the international community to see that they are willing, but they are not trying to negotiate peace, how can it be a national dialogue when they are only negotiating between themselves?..Their priority is security and national dialogue, in which their main concern is disarming the SPLA-N. Our priority is humanitarian access and cessation of hostilities. We believe that the ceasefire should be the end of the war - cessation of hostilities and inclusive dialogue must come first.”*
- Significantly, the current priority for communities within the Nuba Mountains (the same was reported for those within Blue Nile) is education. As people hope for a future of peace, they see the importance of educating the next generation who have grown up in a context of conflict: *“Children are our future. We want them to grow up learning that the word can be more powerful than the weapon. We want to give them hope and ambition to do great things and bring peace to the region.”* A lack of resources and teachers makes provision of education a significant challenge. HART’s partners are doing excellent work to create this opportunity for children within the Two Areas.

SOUTH SUDAN

- HART was deeply concerned to learn that the UNHCR has stepped up its pressure to relocate refugees and IDPs from Yida camp to Ajoung Thok and Pamir (a new site now under construction). Yida has never been an officially recognised camp as, according to UN guidelines, it is situated too close to the border. These two suggested sites are not suitable due to their proximity to SAF and SPLM-IO bases making the population feel unsafe, and for physical reasons such as being situated on marshy land. Furthermore, refugees who had attempted to make the move had been forced to return to Yida as service provision in Ajoung Thok was so poor. Adequate reasons for this move have not been provided by the UNHCR, particularly as the two suggested camps for relocation are not significantly further from the border than Yida.
- Politically, the reports that we received on the overall situation in South Sudan were more positive. A peace agreement was signed in late August 2015 and negotiations are currently underway to prepare for the formation of a transitional government of national unity. Progress has been slow and some key deadlines have been missed. Salva Kiir’s presidential decree for the establishment of 28 States has been met with mixed reactions, but is seen by many as an electoral stunt for popularity which will not result in much decentralisation of power.
- There is a great deal of excellent work being conducted on the ground for purposes of reconstruction and reconciliation by creative local actors.

1.1. SOUTH KORDOFAN AND BLUE NILE STATES, SUDAN INTRODUCTION

Since 2011, humanitarian access has been denied to the South Kordofan and Blue Nile States by the Government of Sudan (GoS). In the Two Areas, controlled by the SPLA-N, the GoS continues to perpetuate a *de facto* 'genocide' on civilians, with a near relentless campaign of aerial bombardment and ground offensives targeting civilian infrastructure. We saw evidence of destroyed schools, clinics, planted agricultural land and homes.

Displaced civilians described the use of circling search planes prior to an attack, the use of searchlights at night, low flying jets (with suspected heat sensors), helicopter gunships and surveillance drones. The MSF hospital in Frandala was attacked twice despite GoS having been supplied with accurate coordinates of its location¹. This, combined with the horrific strike rate of schools, medical facilities and permanent concrete structures in known civilian areas, suggests the deliberate targeting of civilians in violation of international law. In addition to this, weaponry deemed too inaccurate for use in civilian areas, including barrel bombs dropped from great height and cluster munitions, is commonplace. Furthermore, we were told of suspected use of chemical weapons, indicated by skin complaints and behaviour of people and animals following some attacks (this is unconfirmed due to the lack of access to the region for testing).

The months of January to June 2015 saw daily aerial bombardment of civilian areas. Frequent bombing, shelling and ground attacks have continued since. This has created a climate of fear which has caused mass displacement and the discontinuation of essential activities such as cultivation of crops. SAF attacks on food stores and crops appear to be a deliberate and systematic tactic, as indicated by the leaked (and seemingly authentic^{2,3}) minutes from a high-level GoS security meeting in 2014: *"We must not allow them to harvest these crops. We should prevent them. Good harvest means supplies to the war effort. We must starve them, so that, commanders and civilians desert them and we recruit the deserters to use them in the war to defeat the rebels."*⁴; *"We should attack them before harvest and bombard their food stores and block them completely."*⁵ In addition to this, 2015 was a year of late and below-average rainfall. Production rates are estimated at 35% of usual yield⁶. FEWS predict that 'lean season' will begin in March 2016, two months earlier than usual illustrating the urgent need for humanitarian assistance⁷. The Commissioner of Tobo County told us; *"My prediction for 2016: Famine."*

In August 2015, Amnesty International released a report that definitively concluded that the attacks by the GoS on civilian populations in South Kordofan amount to war crimes⁸. As there has been non-international armed conflict in South Kordofan since 2011, all parties to the conflict are thus bound by international humanitarian law (IHL). The GoS have breached this law by repeatedly failing to distinguish between civilians and combatants under the fundamental 'principle of distinction'⁹. The report states: *'Targeting civilian infrastructure and civilian areas which have no legitimate military objective, using prohibited weapons and other weapons in an indiscriminate way are war crimes. It is time for the international community to stop averting its gaze from South Kordofan and take urgent*

¹ Médecins Sans Frontières (2015), 'Sudan: MSF Hospital Bombed in South Kordofan':

<http://www.doctorswithoutborders.org/article/sudan-msf-hospital-bombed-south-kordofan>

² HART (2014), 'Sudan: Authenticity of leaked meeting minutes': <http://www.hart-uk.org/news/sudan-authenticity-leaked-meeting-minutes/>

³ Dabanga (2014), 'Leaked security document 100% genuine': Sudanese dissident': <https://www.dabangasudan.org/en/all-news/article/leaked-security-document-100-genuine-sudanese-dissident>

⁴ Lt. Gen. Siddiig Aamir – Director of M.I. and Security in Reeves, E. (2014), 'English translation of leaked 31 August 2014 minutes of high-level security, military meeting; complete text': <http://sudanreeves.org/2014/09/29/arabic-original-and-hand-written-english-translation-of-31-august-2014-meeting-pages-3-6/>

⁵ Lt. Gen. (PSC) – Imadadiin Adawi – Chief of Joint Operations in Reeves, E. (2014), 'English translation of leaked 31 August 2014 minutes of high-level security, military meeting; complete text': <http://sudanreeves.org/2014/09/29/arabic-original-and-hand-written-english-translation-of-31-august-2014-meeting-pages-3-6/>

⁶ Interview with the Commissioner of Tobo County

⁷ FEWS-NET (2015), 'Conflict, poor harvests to result in a deterioration of food security in South Kordofan by March': <http://www.fews.net/east-africa/sudan/food-security-outlook-update/december-2015-0>

⁸ Amnesty International (2015), "Don't we matter?" Four years of unrelenting attacks against Civilians of Sudan's South Kordofan State': <https://www.amnesty.org/en/documents/afr54/2162/2015/en/> [Download]

⁹ ICRC, 'Customary IHL: Rule 1. The Principle of Distinction between Civilians and Combatants': https://www.icrc.org/customary-ihl/eng/docs/v1_cha_chapter1_rule1

action to end this conflict.’ Attacks of an identical nature have been perpetrated against civilians in Blue Nile State and therefore IHL has been breached in both of the Two Areas.

Despite all of this, the resounding priority identified unanimously by our interviewees is education. We were told, *“Children are our future. We want them to grow up learning that the word can be more powerful than the weapon. We want to give them hope and ambition to do great things and bring peace to the region.”* In the Nuba Mountains, children are studying and sitting exams according to the Kenyan curriculum. In a conference in April 2015, it was agreed that the South Sudanese curriculum would be taught in Blue Nile. Both of these curriculums are taught in English, which the local communities believe will give their children the best opportunities for the future.

WAR CRIMES

As a state party of the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, Sudan is legally obliged to respect and protect the right to life of people within its territory.

The GoS' failure to distinguish between civilian and combatant targets and use of indiscriminate weapons in civilian areas in the non-international armed conflict taking place in Blue Nile and South Kordofan constitutes war crimes.

There is no shortage of reporting on human rights abuses in the Nuba Mountains and South Kordofan. Excellent organisations such as Nuba Reports¹⁰, South Kordofan Blue Nile Coordination Unit and the Sudan Consortium are harnessing the power of citizen journalists and human rights monitors to produce regular reports of the current situation. The Commissioner of Tobo told us; *“The Government of Khartoum is not killing us secretly, they attack in broad daylight. They are killing us loudly, but no one is listening. We have no food, we have no shelter, our children have no education or immunisation. So we are going to keep speaking the truth – we will not be silent.”* The problem is how this information is received by the international community who continue to turn a blind eye to the bombings and attacks on civilians.

We implore the international community to reconsider cross-border aid to Blue Nile and South Kordofan to assist civilians who are without support and have had their ability to subsistence farm stripped from them by the merciless campaign of terror by the GoS. Healthcare, education and agricultural resources are urgently required to enable civilians to survive.

1.1. HUMANITARIAN CRISES

The GoS has denied humanitarian access to areas of South Kordofan and Blue Nile states under the control of the SPLA-N since 2011. This means that civilians who are suffering at the hands of their own government are denied support with medical, educational and emergency aid including food.

FLASH STATISTICS

- Over 2,000 bombs were dropped on civilian targets in 2015¹¹.
- There are 242,473 Sudanese refugees in South Sudan¹².
- South Sudanese refugee arrivals in Sudan (since 15 Dec 2013): 198,707¹³. A constant flux of refugees between the two countries exists because civilians are trapped between the two conflict situations, unable to find security in either country.
- According to UNICEF, 51% of school age children in South Sudan are out of school; 41% in Sudan¹⁴ (this figure refers to the whole of Sudan, but is likely to be considerably higher in the Two Areas).

¹⁰ www.nubareports.org

¹¹ Nuba Reports (2016), 'Jan 2016 Situation Report':

https://gallery.mailchimp.com/8f4546a2fa9b0892261b50497/files/SitRep_Jan2016_NR.pdf

¹² UNHCR (2015), 'South Sudan': <http://data.unhcr.org/SouthSudan/country.php?id=251>

¹³ UNHCR (2015), 'Weekly Humanitarian Bulletin: Issue 52':

http://reliefweb.int/sites/reliefweb.int/files/resources/OCHA_Sudan_Weekly_Humanitarian_Bulletin_Issue_52_%2821_-_27_December_2015%29.pdf

¹⁴ Radio Tamazuj (2016), '51% of S Sudanese kids out of school; 41% in Sudan': <https://radiotamazuj.org/en/article/51-s-sudanese-kids-out-school-41-sudan>

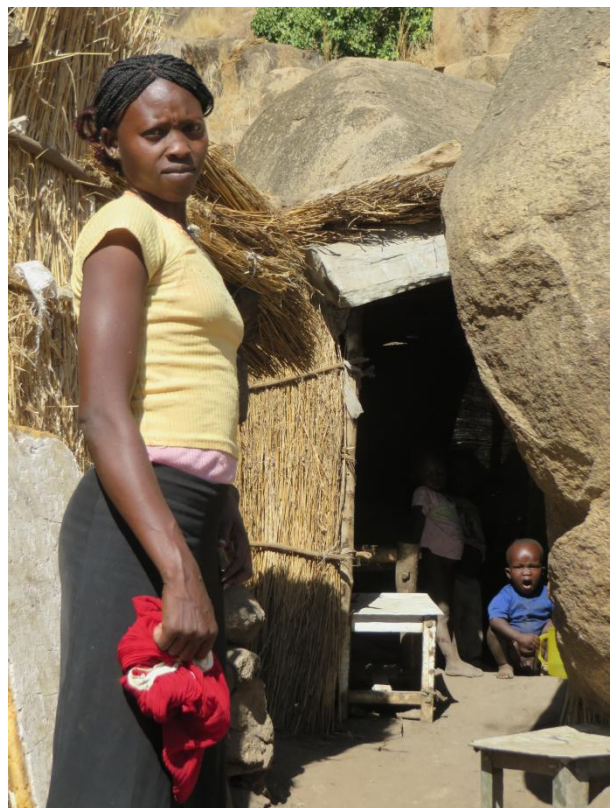
- According to the Food Security Monitoring Unit (FSMU), 45,000 people in South Kordofan and Blue Nile states have been displaced due to poor harvests.
- At least 162,000 children under 5 years old in rebel-controlled areas in Blue Nile and South Kordofan states have not received any form of vaccination since the war broke out.
- Registered refugees in South Sudan in camps near the border with Sudan¹⁵:

| Locality | Camp Name | Population (as of 30 th November 2015) |
|---------------------------------|--------------|---------------------------------------------------|
| Near border with South Kordofan | Yida* | 70 1666 |
| | Adjoung Thok | 30 749 |
| Near border with Blue Nile | Doro | 51 336 |
| | Yusuf Batil | 40 222 |
| | Kaya | 22 232 |
| | Gendrassa | 17 744 |

The UNHCR is currently applying pressure to the refugees in Yida camp to relocate to Adjoung Thok and Pampir, a new camp which is under construction¹⁶. (Please see Page 13 for further information)

CASE STUDY: TOBO COUNTY

Most of the IDPs that we interviewed at Tobo had been there since 2012. For the first two years of living in temporary settlements next to the caves for shelter they ate only bark and leaves, having fled their homes in surrounding villages due to aerial and ground attacks by SAF. Since then, they have been trying to earn a living by collecting grass and firewood to sell and cultivating a small area of land that resident villagers were not using. They have made their own farming tools from scrap metal. They have dug deep, open wells nearby which are unsafe as they have wide mouths making them susceptible to contamination. This shape of well drastically increases the risk of falling in while fetching water due to the unstable edge. Like all people in the Nuba Mountains, the low and unpredictable rainfall of last year poses a serious food security threat for this year. We were told, *“Life is tough here. We do not have enough food. But because of the caves I feel safest here. My elderly grandmother cannot make it to Yida so she sleeps here in the caves and here my children can go to school.”*



Above: An IDP in Tobo who told us, *“We moved to the caves because every day there was bombing by the Antonov. Since then, we live here with the insects and snakes. It is not safe for children but less dangerous than Antonovs. The cobra came and killed a goat, there are also scorpions and mosquitoes.”*

THE CASE FOR CROSS-BORDER AID

In 2014, the UN Security Council authorised cross-border aid to regions of Syria, without the need for consent of the Government, under Resolution 2165¹⁷. An open letter signed by 36 legal practitioners and scholars found that in the case of Syria, the provision of cross border aid by the UN is legal for three significant reasons¹⁸:

- *‘First, the United Nations clearly meets the first condition for legitimate humanitarian action, which requires it respect the principles of humanity, neutrality, impartiality, and non-discrimination in delivering aid.*

¹⁵ UNHCR (2015), ‘South Sudan’: <http://data.unhcr.org/SouthSudan/country.php?id=251>

¹⁶ Nuba Reports (2015), ‘ON THE MOVE AGAIN; 70,000 REFUGEES COMPELLED TO LEAVE CAMP’: <http://nubareports.org/on-the-move-again-70000-refugees-compelled-to-leave-camp/>

¹⁷ UNSCR (2014), ‘Resolution 2165’: <http://unscr.com/en/resolutions/2165>

¹⁸ The Guardian (2014), ‘There is no legal barrier to UN cross-border operations in Syria’: <http://www.theguardian.com/world/2014/apr/28/no-legal-barrier-un-cross-border-syria>

- *Second, in many of these areas various opposition groups, not the Syrian government, are in control of the territory. In such cases, the consent of those parties in effective control of the area through which relief will pass is all that is required by law to deliver aid.*
- *Third, under international humanitarian law parties can withhold consent only for valid legal reasons, not for arbitrary reasons. For example, parties might temporarily refuse consent for reasons of "military necessity" where imminent military operations will take place on the proposed route for aid. They cannot, however, lawfully withhold consent to weaken the resistance of the enemy, cause starvation of civilians, or deny medical assistance. Where consent is withheld for these arbitrary reasons, the relief operation is lawful without consent.'*

HART argues that humanitarian organisations that meet the conditions of legitimate humanitarian action, should be granted immediate permission to enter areas of South Kordofan and Blue Nile states which are under SPLA/M-N control to provide humanitarian assistance for these same reasons.

Major General Gagot, Chief of Staff of the SPLA-N, highlighted that the SPLA-N had repeatedly proposed cross-border aid from South Sudan and Ethiopia, as communities in the Two Areas would not be able to trust aid that was brought through Sudan for fear that Khartoum would use it to target them further and poison any food items¹⁹. He said, *"We have proposed cross-border aid. The priority for the SPLM-N is the provision for the humanitarian needs of health care and food. The people here can't eat anything which comes from Khartoum – they couldn't even feed their animals with it. But Khartoum continues to say 'no' to cross-border aid. We want an agreement to allow cross-border aid and for the UN to implement this."*

It is unacceptable that international community is allowing the GoS to deny civilians life-saving assistance such as food, water and medicines, on top of the impunity with which they are breaking international humanitarian law. Food, medicines and educational resources cannot be misinterpreted as support for the SPLA-N and therefore there is no valid reason for denying humanitarian access to the region for five years. As our partner, Nagwa Konda, Director of NRRDO put it, *"Providing chalks or pens or exercise books cannot be used for military purposes."*

In addition, further assistance should be provided to the excellent humanitarian and monitoring networks of people local to the Two Areas to assist their own communities in their priorities of food, healthcare and education provision. During visits to the Two Areas since 2011, the HART team has been consistently impressed with the resilience and determination of local actors to deliver support to their communities and to record violations of their own human rights.

1.2. THE MILITARY SITUATION

In the weeks prior to our visit, both the Nuba Mountains and Blue Nile had experienced a lull in aerial bombardment and ground attacks. However, we heard repeatedly that this cannot be taken to infer that peace has arrived in the region. Historically, the frequency of attacks on the regions has increased in December, when the rainy season ends²⁰. Residents of the area are intensely aware that the GoS battalions have been repositioning and predict imminent attacks.

Major General Gagot expressed concerns about the build-up of Government troops in strategic positions surrounding Kauda, indicating impending attacks according to their goal of capturing the town. This strategy had been announced by Sudan's Defence Minister Awad Ibn Ouf, who vowed in November that SAF would actively seek to capture the SPLM-N stronghold of Kauda²¹.

WEAPONRY UTILISED BY SAF

- Antonovs carrying barrel and cluster bombs
- MiG and Sukhoi fighter jets
- Armoured trucks
- BM-21 Grad launch vehicles
- 107MM rockets – long range missiles were deemed the most dangerous weaponry used seeing as civilians were unable to hear them coming and seek shelter
- 122MM Howitzer D-30 artillery gun
- Land mines
- Suspected use of chemical weapons

¹⁹ This had been the route suggested by the GoS when they suggested that they would reconsider humanitarian access to the Two Areas last year. This route is unacceptable to local people and highlights again that the GoS is not serious about true national dialogue.

²⁰ Nuba Reports (2016), 'South Kordofan Jan 2016 Situation Report':

https://gallery.mailchimp.com/8f4546a2fa9b0892261b50497/files/SitRep_Jan2016_NR.pdf

²¹ Sudan Tribune (2015), 'Sudanese rebels ready to repulse attacks in South Kordofan':

<http://sudantribune.com/spip.php?article57203>

During our visit, we received news of an attack by the Abbasiya Glory Brigade in which the RSF killed six, raped women and looted the market²². Our partner Benjamin Barnaba of the NSCC said; *“They are called Abbasiya Glory but they raped and steal from Abbasiya – so where is the glory?”* Other brigades are congregating in Kadulgi, further causing concern for attacks in the immediate future.

WEAPONRY

An incomplete list of weaponry utilised by SAF is listed in the box on Page 7.

Major General Gagot told us that the GoS’ main international supporters and suppliers of arms are Russia, China, Iran and members of the Arab League, most notably Qatar. We were told that aerial bombardment is the greatest killer, but that local communities fear long range missiles the most as they are unable to hear them coming and so cannot hide.

Worryingly, Major General Gagot described symptoms following some attacks that point towards the possible use of chemical weapons²³. These symptoms include skin complaints, paralysis and behavioural change in both humans and animals. This claim is unverified due to a lack of access to the region for testing.

Due to the low level technology utilised by SAF, many bombs that fall on civilian areas do not explode. This has meant that the region has experienced almost daily incidences of children and animals being injured by unexploded bombs and missiles, which act as *de facto* mines. Close to Tobo, a 3m long unexploded missile is buried in the ground. It is not safe to go near and so the community is unable to access this area of land for cultivation. There are personnel who have been trained in de-mining. However, as there are no funds available for equipment they are unable to use this expertise.



Above: 8 cluster bombs fell on the civilian area Umsirdiba, Umdorien County on 21st and 26th June 2015 [photograph by local villager]. Cluster munitions are indiscriminate weapons banned under the Convention on Cluster Munitions, that Sudan is yet to join. Cluster bombs scatter submunitions unpredictably over a wide area.

1.3. THE POLITICAL SITUATION

In November 2015 the 10th round of peace talks between the GoS and rebel groups (SRF coalition) from South Kordofan and Darfur failed. Mediated by the African Union High Level Implementation Panel (AUHIP), negotiations ran for a week with primary focus on humanitarian access and cessation of hostilities.

We were told by Major General Gagot, Chief of Staff of the SPLA-N, *“They are doing this to mislead the international community. It is propaganda. They are not negotiations – al Bashir has been appointed the Chair and we have been unable to meet in a neutral location. How can our rights be respected like this? They want the international community to see that they are willing, but they are not trying to negotiate peace, how can it be a national dialogue when they are only negotiating between themselves? We wanted an inclusive preparatory meeting, but Bashir called a consultative meeting which only included a few individuals. Their priority is security and national dialogue, in which their main concern is disarming the SPLA-N. Our priority is humanitarian access and cessation of hostilities. We believe that ceasefire should be the end of the war - cessation of hostilities and inclusive dialogue must come first. At the moment all we have is talking, but we want a road map and an end game. We need a comprehensive solution for the whole of Sudan, not just the Two Areas.”*

The restrictions on humanitarian aid were supposedly a central part of negotiations. The GoS refused access from South Sudan and Ethiopia due to the perceived risk of weapons being smuggled across the border to the SPLM-N. The SPLM-N do not consider it safe for aid to reach civilians in Blue Nile and South Kordofan through Sudan due to

²² AllAfrica (2016), ‘Sudan: ‘RSF Kill Six in Nuba Mountains’ – Observatory’: <http://allafrica.com/stories/201601121475.html>

²³ Sudan became a signatory to OPCW in 1999.

mistrust of the GoS and the belief the GoS could use aid as a means of further targeting civilians, for example by poisoning supplies.

Bashir is using national dialogue to mislead international community. In reality, the GoS are evading any true negotiation, dialogue or steps towards peace through the nuances in their terminology. The SPLA/M-N have lobbied for negotiations which include all opposition groups, i.e. an inclusive dialogue. However, the GoS persistently refuses to open dialogue beyond themselves and the SRF.

1.4. RECOMMENDATIONS TO THE INTERNATIONAL COMMUNITY

- Demand an immediate end to all attacks on civilians, including aerial bombardment, and for humanitarian access to affected populations in South Kordofan and Blue Nile.
- Press for an urgent, independent, UN or AU mandated Commission of Inquiry into serious human rights violations and crimes against humanity committed in Blue Nile and South Kordofan States since conflict broke out in 2011.
- Expand the current UN arms embargo on Darfur to cover the whole of Sudan, and thus help to prevent further violations of international humanitarian and human rights law in the country.
- Hold to account all those responsible for atrocities committed against civilians, including by strengthening targeted sanctions and travel bans on President al-Bashir and other Sudanese officials indicted for genocide, war crimes and crimes against humanity, and by identifying other individuals responsible for violations of international law.
- Given that the GoS will not allow international aid organisations access to many war affected areas, the international community should deliver cross-border humanitarian aid in order to reach those in need – the precedent for which is already set by the UN Security Council’s authorisation of cross-border aid to Syria according to resolution 2165 (2014). This Spring, emergency food aid will be an undeniable priority but the international community should also respect the local wish to focus on educational support.
- Apply pressure to the GoS and SPLA-N to engage in inclusive dialogue, with focus on developing a road map for comprehensive peace. Press for immediate humanitarian access to the Two Areas and immediate cessation of hostilities.
- Support the work of local communities and organisations providing education in the Nuba Mountains and Blue Nile, by providing essential supplies and funding for teachers.
- Swiftly enact an immunization programme to prevent the escalation of infectious diseases such as polio and tuberculosis, which can spread across borders and pose a threat to the region.
- Support local communities with necessary equipment in order to carry out de-mining and bomb disposal work in the Nuba Mountains and South Kordofan.

2.1. SOUTH SUDAN INTRODUCTION

On 26th August 2015, President Salva Kiir signed a peace agreement with Riek Machar after a year of peace talks held in Addis Ababa, Ethiopia under the mediation of IGAD-PLus.

Since 15th December 2013, civil war has raged in South Sudan with severe consequences for the civilian population. The death toll from this conflict is unknown. Previous war years of 1989-2005 meant that the country of South Sudan, formed in 2011, was founded upon already devastated infrastructure. In 2015, South Sudan was named the world's most fragile state according to the Fragile States Index²⁴.

5.1 million people are in urgent need of humanitarian assistance²⁵. On top of the challenges presented to civilians by extreme insecurity, nearly one in every three people in South Sudan are food insecure and malnutrition is widespread. Additionally, South Sudan has been the country worst affected by the oil shock, resulting in a 15% drop in GDP and severe consequences for civilians due to soaring inflation rates. This, combined with ongoing insecurity, has meant that poverty is on the rise, reaching 57.2% in 2015²⁶.

The signing of the peace agreement has led to challenging negotiations concerning power sharing and the ceasefire has been broken often. Unrealistic deadlines have not been met. However, the peace agreement is generally a positive sign for the future and most whom we met seemed optimistic. It remains highly important that the process is owned by the South Sudanese. The international community must take a supporting role in negotiations, but be wary of applying too much pressure to this fragile and complex dialogue.

HART's partner, Bishop Moses, said in his recent newsletter: *"We must look to peace this year not as a thing we deeply desire but as our new way of life. We must care for this peace as carefully as a mother cares for her new baby."*



Above: A man near Wau operates a foot pump for water, purchased by the community without external support. Wherever we travelled we saw signs of inspiring human resilience in spite of the challenging circumstances.

2.2. HUMANITARIAN CRISES

The humanitarian situation in South Sudan is one of the worst in the world. The long-awaited African Union Commission of Inquiry on South Sudan (AUCISS) report was released on 28th October 2015²⁷, finding that widespread human rights violations had been committed by both the Government and the rebels²⁸.

²⁴ Fund for Peace (2015), 'Fragile States Index: 2015': <http://library.fundforpeace.org/fsi15-report>

²⁵ UN OCHA (2016), 'Humanitarian Bulletin: South Sudan':

http://reliefweb.int/sites/reliefweb.int/files/resources/OCHA_SouthSudan_hb_25Jan2016.pdf

²⁶ World Bank (2015), 'South Sudan: Economic Overview':

<http://www.worldbank.org/en/country/southsudan/overview>

²⁷ AUCISS (2015), 'FINAL REPORT OF THE AFRICAN UNION COMMISSION OF INQUIRY ON SOUTH SUDAN':

<http://www.peaceau.org/uploads/auciss.final.report.pdf>

²⁸ For a summary of this 300 page report on human rights violations in South Sudan please see the following summary article on HART's blog – HART (2015), 'The Main Findings: The African Union Commission of Inquiry on South Sudan': <http://www.hart-uk.org/blog/the-main-findings-the-african-union-commission-of-inquiry-on-south-sudan/>

STATISTICS²⁹

- 'More than 2.3 million people – one in every five people in South Sudan - have been forced to flee their homes since the conflict began, including 1.66 million internally displaced people (with 53.4 per cent estimated to be children) and nearly 644,900 refugees in neighbouring countries.'
- 'South Sudan is hosting 265,700 refugees from Sudan, the Democratic Republic of the Congo, Ethiopia and the Central African Republic. It is expected that the number of refugees in South Sudan will rise to 304,072 by the end of 2016. With nearly 90 per cent of refugees living in camps in Upper Nile and Unity States where the conflict has been particularly intense, tensions over scarce resources have increased between refugees and host communities.'
- 'Some 185,000 internally displaced people (IDPs) have sought refuge in UN Protection of Civilians (PoC) sites, while around 90 per cent of IDPs are on the run or sheltering outside PoC sites.'
- 'Nearly one in every three schools in South Sudan has been destroyed, damaged, occupied or closed, impacting on the education of more than 900,000 children, including some 350,000 who have been forced out of school by the conflict.'
- 'More than 686,200 children under age 5 are estimated to be acutely malnourished, including more than 231,300 who are severely malnourished. Nearly one in every three pregnant and lactating women is malnourished.'
- 'Between 15,000 and 16,000 children are estimated to be recruited by armed actors in South Sudan.'
- 'An adolescent girl in South Sudan is three times more likely to die in childbirth than complete primary school.'
- 'The overall death toll is unknown. In Leer, Mayendit and Koch counties of Unity State alone, an estimated 1,000 civilians were killed, 1,300 women and girls were raped and 1,600 women and children were abducted from April to September 2015.'
- 'Mortality has been exacerbated by acute malnutrition and disease, including an unprecedented malaria outbreak and a cholera outbreak in 2015 for the second year in a row.'
- '3.9 million people –nearly one in every three people in South Sudan – were severely food insecure and 3.6 million were considered to be 'stressed', in September 2015. An estimated 30,000 people were facing catastrophic food insecurity (IPC Level 5) in Unity State, leading to starvation, death, and destitution.'
- Livelihoods have been decimated by the conflict and economic decline. Livestock have looted, killed and are susceptible to disease and crops have been destroyed or planting delayed due to violence, displacement and unfavourable weather.
- 'Severely under-developed and under-maintained roads makes 60 per cent of the country inaccessible by road during the rainy season.'
- As of September 2015, 55 per cent of the health facilities in Unity State, Upper Nile State and Jonglei were no longer functioning. The rising cost of living and the impact of the conflict have undermined people's ability to access safe water, including the destruction of water points.
- '110 million square metres of land is contaminated by landmines and explosive remnants of war.'
- 'South Sudan's economic crisis has been driven by the rapidly depreciating value of the South Sudanese Pound (SSP), shortages of hard currency, global declines in oil prices, and significant dependence on imports. The decline in oil price has crippled the Government's social services sector and negatively affected more than 40 percent of the population.'
- 'The price of staple foods, such as sorghum, maize and beans, are at record highs (up to 150% compared to average).'
- 'Since December 2013, an additional one million people have been pushed below the poverty line.'
- At least 43 humanitarian workers have been killed since December 2013³⁰.

²⁹ UNOCHA (2015), 'South Sudan: Humanitarian Needs Overview':
http://reliefweb.int/sites/reliefweb.int/files/resources/2016_HNO_South%20Sudan.pdf

YIDA CAMP

Yida Refugee Camp is home to 78,000 registered refugees from the Nuba Mountains, Sudan, and surrounding areas in South Sudan. The true population is significantly higher as the UNHCR stopped registering new arrivals in April 2013, but insecurity in the locality has meant that people keep arriving on a daily basis.

The camp has never been an official refugee camp due to its proximity to the border (12km) which is too close according to UN guidelines. Instead, Yida is described by the UN as a 'settlement'. The UNHCR is now insisting that the refugees and IDPs within the camp must be relocated. The two suggested sites for relocation are Ajuong Thok, just 2km further away from the border, and a new camp Pamir, which is a similar distance from the border³¹. It is proposed that Yida will remain the reception point for new arrivals who will then be transported to Pamir or Ajuong Thok.

Pamir is unsuitable due to its proximity to a SAF base as well as an SPLM-IO area. Civilians who have fled these armed groups do not feel safe to take refuge next door. The camp is also inaccessible by road during rainy season. Ajuong Thok has already reached its 31,000 capacity and service provision is already failing. The camp is situated on marshy land and hostility from the host community means that inhabitants have no option to cultivate surrounding land. We were told, *"People are settled in Yida, they feel safe and there is enough space for them to have a small plot of land. Some people moved to Ajuong but there was gun fire nearby. People were scared and were trying to run into the bush."*

The UNHCR is pressuring this move by forcing the NGOs it funds to relocate. We were told: *"It has been publicised that everyone has to be moved by June 2016 other than the elderly and those who are sick. There are also rumours that food rations will be cut which will be the biggest incentive to move."* Al Nour Salih, Yida camp leader, told us, *"Blocks 11, 13 and 15 are now without water. People have to walk up to 30 minutes to get water and it has become very crowded at the water point. Food is also not like before. We were given four malwas [just under 4 kg] of sorghum per month. Now this is reduced to three. They have reduced salt from two to one. Nutritious flour is given to pregnant women and small children and this is still available but only those who are registered. All services are only available with a card. No card, nothing. Unregistered refugees here have no card. People try to share out their rations."*

Al Nour Salih gave us this final message, *"The people fled war to come here for refuge. But this treatment from the UN makes them return to war territories which is just humiliating. Conditions here are worse than conditions in camps anywhere else in the world. People should be given the dignity of choice to stay because this is where they feel safe."*

EDUCATION IN YIDA CAMP

Al Nour Salih told us, *"The situation regarding education is the worst. At least UNHCR supports some health. For education there is zero provision. 17,000 school age children are registered here in eight primary schools and one secondary school. There are another 47,000 receiving no schooling. So if you go to market, there are street children with no education. This will increase crime. There are many unaccompanied minors who have no care from anyone. Another issue is young girls. Because of*



Above: The HART delegation met with the community-organised education office at Yida.

³⁰ UN OCHA (2016), 'Humanitarian Bulletin: South Sudan':

http://reliefweb.int/sites/reliefweb.int/files/resources/OCHA_SouthSudan_hb_25Jan2016.pdf

³¹ Nuba Reports (2015), 'On the Move Again; 70000 refugees compelled to leave camp':

<http://nubareports.org/on-the-move-again-70000-refugees-compelled-to-leave-camp/>

conditions and lack of education, there is a lot of early or forced marriages and other exploitation.”

Pre-school – 33 centres providing for over 8000 children

The Pre-school Supervisor told us, *“Our challenge is very complicated, we are here and we are not receiving any provision of toys or materials for the kids. Even the construction of centres depends on the community completely. We need some plastic sheets and mats for kids to sit on when they are inside. Also in terms of teachers, they need some support technically to improve their skills. They are all voluntary and we are so grateful for what they do. Providing materials is a big problem for us and it is very important you know, the kids need some toys and also some material for schooling, some books that can help them count from one to ten. We miss all those things, but by ourselves we create some. Because of the condition of pre-school education, really, the kids are suffering. They are not finding a proper education or a proper care. And we here in this office did our best to make something out of this situation.”*

Primary Schools – Eight schools serving 16,795 pupils, 8275 of which are girls.

Supported by HART’s partner NSCC.

The Primary School Supervisor told us, *“In primary schools here, I have around 120 teachers, among them all there are 4 ladies. Why only four? Here teachers are teaching voluntarily, there’s no support, no incentives. The ladies prefer to take care of their own families at home. Girls have more needs than boys and only lady teachers can support them properly so this is the reason that we need more lady teachers.*

And also, for teachers, there is a movement of teachers because of incentive. You cannot force somebody to work one full year and then not give him anything. So when a teacher comes and helps for one month, two months, and then she decides to go, that is a very big challenge. Sometimes I go back to NSCC, and they support us with a bit of incentive. I know their resources are very limited and so we are grateful to them for this.

Also, training. The training we are getting from the New Sudan Council of Church, that is very good but not enough. We’re training teachers every year, for one month. But we need something to do, like a scholarship for the teachers. Or 3 years, 2 years training, that would be good, it will improve the situation here.

Second thing, the school material that we used to receive, it’s not enough to give pupils and teachers to work with.

It’s the second term, and we don’t have anything in our hands. Here we are following the curriculum of Kenya. Here we do not have textbooks, it’s not available, but in Kenya, you have available textbooks. Also, because of the environment of the school, you see some weeks a huge number of pupils in the market. When we ask them, they tell us, they don’t have exercise books, they don’t have pens. A very big number of students, they are in the market, the street. They need special treatment so we can support them and they can go back to their schools. Benjamin [HART’s partner] supplied us with some text books. We thank him very much.”



Above: Photograph showing pupils in class at one of the Primary Schools in Yida and the construction of the classroom.

Secondary School – one school serving approximately 400 pupils.

Supported by HART partner NRRDO.

From the Secondary School Supervisor we heard, *“The issue concerning secondary school, we are only one secondary school in Yida. They are sending 15 teachers from Kenya who are running this school mostly, they are qualified teachers who are doing good work. After last year, 2015, we no longer have money to pay their jobs, that’s why at the beginning of this year, I don’t know what will take place, but I appreciate them, I appreciate their effort, what they are doing, it’s really great.*

The environment where the school is established is not fair, when you look at it you can’t tell that it is for high school because the infrastructure is a bit poor. Things like library, supposed to be for the students. It was going to be established, but it was delayed. Then the issue concerning seats, which were supposed to be for the students, but they are not provided, it’s not there. It’s not fair for the students. Even around the compound, it’s not giving a good picture to show that this is a school for the students.

Then another issue is about the uniform, in pure fairness, to identify a student, a pupil from the villages, is very difficult, they are just mixed and you can’t identify them because we don’t have uniform.

Then the issue of books, actually the issue of books, we started with Form One and then Form Two, actually we managed to put in place enough books for these two classes. And then we started from Form Three and next year we are going to have Form Four. There is no books for these students.

There are very many challenges. As was mentioned earlier, the girls have special needs and we are not able to properly support them. That’s why most of them are broken out from the school and they are not paying attention to their studies, they are not performing well because of this.”

2.3. THE POLITICAL SITUATION

Slow but generally positive progress has been made since the signing of the peace agreement in late August 2015. Those interviewed generally felt that signs for the future seemed positive although the road ahead would be challenging. The importance of allowing the space and time for comprehensive negotiations was highlighted to us, especially in light of key deadlines which have been missed.

Individuals expressed doubt as to the success of the international community’s strategy of applying a great deal of pressure to the fragile negotiations. Concerns were voiced that external governments, especially non-African ones, are lacking in a realistic understanding of Salva Kiir’s position: that he is not a ruthless dictator who can do whatever he likes but must bargain with various holders of power and the negotiation with powerful individuals is difficult.

We were told, *“The danger is that the International Community seems to claim it [the Peace Agreement] is set in concrete. The only concrete part is that there must be a stop to the violence. Setting deadlines in concrete risks destroying the process itself. The South Sudanese people need to ‘own’ and to ‘buy in’ to the process and to the way the long-term peace is to be achieved. To the International Community I would say, ‘Don’t be so strict about the road that you lose the objective. Criticise the government but don’t undermine it.’*

We need to be quite clear that the Peace Agreement was signed not because of the threat of sanctions, but despite of them confusing the situation. There was a definite commitment that something needed to be worked out. It is in the interests of some to paint a picture of a government unwilling to compromise and responding only to threats but this is not necessarily the case.”

Allocation of the Central Ministries

While we were in Wau, the allocation of the governmental ministries for the proposed transitional government of national unity were agreed. The total of 30 ministries were divided as follows:

- *“It gives the South Sudan government 16 ministries, including finance and planning, defense, information, national security, and justice and constitutional affairs.*
- *The rebels got 10 ministries, including petroleum, interior, labour, mining, and land, housing and urban development.*
- *Foreign affairs and transport were given to a group of former political detainees not aligned with either the South Sudan government or the rebels.*
- *Other political parties in South Sudan got two.”³²*

A notable expert on South Sudan told us that he views this as a genuinely positive sign for future power sharing. The selection of the central ministries alternately between the sides has created a fair and hopefully sustainable base for the future government to work together more effectively.

Another positive sign is Salva Kiir’s public apology on 7th January 2016 for the suffering caused by the war: *“I apologise on behalf of the SPLM to the people of South Sudan for the suffering they are going through as a result of war... People will have to account for the crimes they have committed”.*³³

Ultimately we were told that this peace agreement is essential to, *“Hold the men of violence in check for long enough for their support to dwindle and for community structures to develop. The people will create the path to peace if they have the opportunity.”* The positive role of the church as a long-term mediator and reconciliatory influence was also highlighted.

28 STATES

During our time in Juba, shortly after the appointment of the new Governors of the 28 States, news channels were filled with stories of the newly appointed Governors³⁴

1. Hon. Natisio Loluke Manir, Governor Imatong State.
2. Hon. Louise Lobong Lojore, Governor Namurnyang State.
3. Hon. Africano Monday, Governor Maridi State.
4. Hon. Joseph Gelle Pachiko, Governor Amadi State.
5. Hon. Patrick Raphael Zamoi, Governor Gbudwe State.
6. Hon. Augustino Jadalla Wani, Governor Jubek State.
7. Hon. Juma Ali Malou, Governor Terekeka State.
8. Hon. David Lokonga Moses, Governor Yei River County.
9. Hon. Elias Waya Nyipouch, Governor Wau State.
10. Hon. Ronald Ruai Deng, Governor Aweil State.
11. Hon. Rizik Zachariah Hassen, Governor Lul State.
12. Hon. Deng Deng Akuei, Governor Aweil East State.
13. Hon. Bona Pariek Biar, Governor Twic State.
14. Hon. Abraham Gum Makuach, Governor Gogrial State.
15. Hon. Akech Tong Aleu, Governor Tonj State.
16. Hon. Ring Tueny Mabol, Governor Eastern Lake State.
17. Hon. Abraam Makoi Bol, Governor Western Lake State.
18. Hon. Madang Majok Meen, Governor Gok State.
19. Hon. Dr. Joseph Monytil Wejang, Governor Northern Lich State.
20. Hon. Teker Riek Dong, Governor Southern Lich State.
21. Hon. Mayol Kur Akuei, Governor Rweng State.
22. Hon. Philip Aguer Panyang, Governor Jonglei State.
23. Hon. Dr. William Othon Awer, Governor Western Nile State.
24. Hon. Chol Thon Balok, Governor Eastern Nile State.
25. Hon. James Kok Ruai, Governor Western Bieh State.
26. Hon. Peter Bol Kong Nguoth, Governor Eastern Bieh State.
27. Hon. Peter Lam Buoth, Governor Latjor State.
28. Baba Medan Konyi, Governor Boma State.

³²Butty, J. (2016), ‘South Sudan Rebels Hail New Power-Sharing Deal’:

<http://www.voanews.com/content/south-sudan-rebels-hail-new-power-sharing-deal/3136406.html>

³³Sudan Tribune (2016), ‘President Kiir apologises for the December 2013 war’:

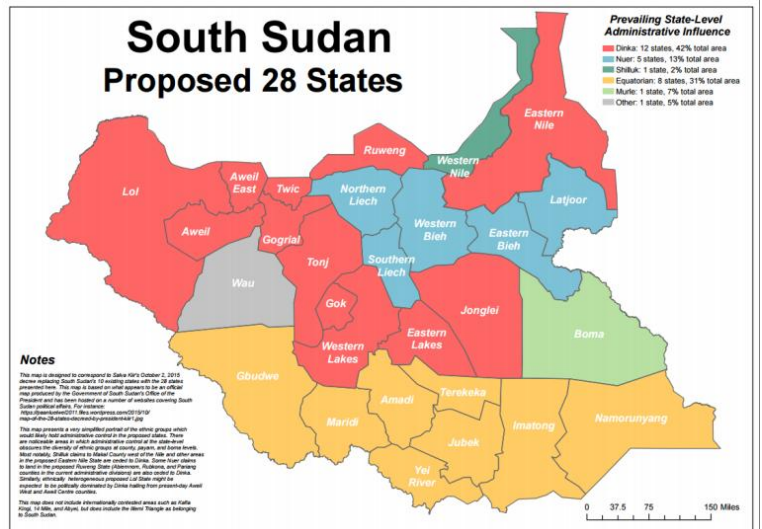
<http://www.sudantribune.com/spip.php?article57630>

³⁴Gurtong (2015), ‘Kiir Appoints Governors Of 28 Newly Created States’:

<http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/18209/Kiir-Appoints-Governors-Of-28-Newly-Created-States.aspx>

We were told, “The breakdown of South Sudan in to 28 states seems to be twofold: firstly, it means there are more positions, in governorships and administrations, to dole out and placate those wishing to have their hands in the spoils; secondly, it answers a genuine, though probably misguided, popular feeling that it is good to own one’s own ‘little corner’ as a people. This is misguided because it is unlikely to increase efficiency of government and the satisfying of people’s needs, while costing considerably more in bureaucracy and assemblies.”

Another source told us, “The creation of 28 States is popular with the people but they do not understand it fully. Really it is a stunt before the election and all it will mean is that there are more big cars in South Sudan.”



Source: Radio Tamazuj

NUER AND DINKA

Of tensions between the Dinka and the Nuer, we were told, “The present power sharing is not popular amongst many of the Nuer. They seem to have ‘bought in’, on a considerable scale, to the idea that the violence was inter-tribal and not motivated by political rivalries and ambitions utilising inter-tribal tensions. Therefore, sharing with those identified as ‘the enemy’ makes no sense to them.

Alongside of this, there also seems a real possibility that the Dinka have developed a ‘victim mentality’, seeing themselves as perpetually painted as the ‘bad guys’, with attacks and atrocities against them largely ignored. It has to be added that, while attacks on the Dinka may be less publicised, evidence points to attacks on them totalling far less than those on others.”

2.4. RECOMMENDATIONS TO THE INTERNATIONAL COMMUNITY

- Ensure comprehensive, effective delivery of humanitarian aid to all affected regions.
- Support the peace agreement but allow for the process to be South Sudanese owned. Keep in mind that the process is more important than the deadlines.
- Provide support to local peace-building, reconstruction and reconciliation projects addressing grievances across the country.
- Press for and support investigations of serious crimes committed during the conflict, and ensure ongoing monitoring of and accountability for human rights violations.

RECOMMENDED PROJECTS TO SUPPORT

Please be in touch if you would like further information on any of the projects which HART supports in either Sudan or South Sudan. In both countries, our partners' work is underfunded despite the starkly apparent need of the civilian populations in these regions.

Humanitarian access is denied to South Kordofan and Blue Nile and so civilians are entirely without assistance other than that which is provided by community-based organisations such as NRRDO and NSCC. In South Sudan, Bishop Moses remains optimistic that the newly signed Peace Agreement will mean that many of the IDPs in Wau will be able to return home. They will urgently require support for immediate needs such as food, water and shelter when they return to rebuild their lives.

We seek further funding for each of these highly accountable projects that are delivering extraordinary results in areas unreachable or difficult to reach by major aid organisations and the media.

Caroline (Baroness) Cox, Founder and President
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