



PinkPaper - Cellule de veille et d'action juridique en matière d'asile

Background information on SOUTH SUDAN

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Introduction

South Sudan has become one of the most violent countries in Africa as well as one of the deadliest due to internal conflicts and lack of effective leadership. In recent years, violence against civilians, mass killing in both southern and western Sudan has become increasingly prevalent. As a result, millions of people got displaced and a million of were killed by either governmental or anti-governmental forces. The aim of this report is to highlight the trends, drivers and causes of migration and displacement for South Sudan – the issues that are leading the country into turmoil. This report also examines the separation of the country into two different jurisdictions as well as contains information about ethnic conflict and the political unrest.

General Country Information

Geography/ Location: South Sudan is located in East Africa, bordered by Sudan to the north, Ethiopia to the East, Uganda to the South, Republic of Congo to the Southwest and Kenya to the southeast.

A Glimpse of Political History

The post-colonial history of Sudan begins with the modern Republic of Sudan which inbred its boundaries from Anglo-Egyptian Sudan which was under the British rule. It was also a condominium of United Kingdom and Egypt from 1899 to 1956. As Egypt was technically part of the Ottoman Empire until 1914, it expanded its control over Sudan afterwards.

Sudan attained its independence without conflict and rival political parties having agreed on the form and content of a permanent constitution and adopted Transitional Constitution. However, Sudan although now is an independent state but inherited a lot of problems from the condominium. As of 17th November 1958, a military coup occurred as the parliament was to assemble. The military government (known as Abbud regime) ruled for 6 years under and meanwhile in some dissident military officers took several attempts to displace Abbud and failed

but continued to undermine the government. In the other hand, Sudanese Communist party gained popularity as anti-government organization. The Abbud regime constantly failed to stabilize the country and to introduce a credible and social development program but still remained in power with army's supports. As a result, it gave a birth of political turbulence in Sudan and the military regime was followed by an interim government until April 1965 parliamentary election. After the election, a coalition government was formed but they were still in a fix whether to agree on permanent constitution or to cope with the problems deriving from political faction, economic stagnation and ethnic dissidence. The most post-independence governments were controlled by Arab Muslims who regarded Sudan as a Muslim Arab State. In 1969, dissatisfactions continued to mount in Sudan, as a consequence the second coup took place on 25th May, led by Col. Gaafar Nimeiry who established a new regime under his power, became a prime minister and banned all political parties and abolished parliament. In 1971, Prime minister Gaafar Nimeiry regime was again toppled by what is called "a briefly successful coup in July 1971" led by Sudanese Communist party but failed to garner support nationally and internationally and after few days with the counter-coup led by Nimeiry loyalists, restored Gaafar Nimeiry to power. Another unsuccessful coup was initiated by Ansar in 1976. Thus Sudan remained unstable in terms of both politically and economically for several decades while experiencing civil wars.

The First Sudanese Civil War lasted for almost 17 years (1955 to 1972) between the northern part of Sudan and the Southern part of Sudan demanding regional autonomy and representation. Almost half a million of people died in this war and it ended with the agreement in 1972, 27th March. However, the agreement that ended the first Sudanese Civil War failed completely, and remained unable to dispel the tension that had originally caused the War, and eventually had led Second Sudanese Civil War reigniting the north-south conflict. The backgrounds to the First Sudanese Civil War was predominantly made up by British and Egyptian government under a condominium governing agreement. Sudan was administrated as two separate regions (South Sudan and North Sudan) where southern leaders feared being subsumed under the political power of the larger north as it was inhabited primarily by Christian and traditional African believers whereas Northern Sudan inhabited by Muslims.¹ As the British Egyptian government failed to ensure equity in the government representation for Southern African-Christian and even after the independence the tensions continued to simmer between South and North part of Sudan which eventually led First Sudanese Civil War.

The Second Sudanese Civil War lasted for 22 years (from 1983 to 2005), and is believed to be one of the longest civil wars in world history. As a result, two million people died and the death toll was one of the highest of any war since Second World War² and large numbers of human rights violations were observed including mass killings and slavery. This war ended with the peace

¹ Sudanese Civil War: Africans, Arabs, and Israelis in the Southern Sudan 1955-1972 (Palgrave Macmillan, 2016) p. 151.

² Sudan: Nearly 2 million dead as a result of the world's longest running civil war, U.S. Committee for Refugees, 2001. Archived 10 December 2004 on the Internet Archive. Retrieved 10 April 2019.

agreements between the government of Sudan and the rebel Sudan People's Liberation Army and South Sudan became independent in 2011.

Sudan After Separation (2011- present)

Prior to the independence of Southern Sudan, since the co-rule of Britain and Egypt in 1956, Sudan was divided culturally and ethnically between the majority Muslim Arab in north and Majority-Christian in South. As a result of the two long lasting civil wars, eventually in 2011 Southern Sudan became independent through a referendum which was held in January 2011. South Sudan was already set to be one of the world's newest and poorest nations, with little in the way of economy, infrastructure, health and education services relying only into the oil revenues. In addition, the post-independent political situation in South Sudan was worsening because unsuccessful and incompetent leadership. The South Sudanese Civil War begins between government and opposition forces in 2013: after an attempted coup, fight broke out and costing more than 1000 deaths³, igniting the civil war and leading to a humanitarian disaster of over a million of refugees⁴. The government of the South Sudan stumbled and fell quite often trying to stabilize the political situation under the rule of President Kiir. Attempts have been made for negotiation, and peace agreement which were mediated by international organization like IGAD (Intergovernmental Authority of Development) but the government and rebellion forces failed ceasefires discarding efforts of negotiation and the government was fighting alongside Ugandan troops against the anti-governmental forces (Sudan people's Liberation Movement in Opposition).

The United States and other aid group accused the government for blocking international aid as a tactic of punishment for population.⁵ The rebel troops were attacking everywhere including hospital, where they slaughtered 126 patients out of 127⁶ and the government troops violated cease fire agreement and continued to attack UN bases sheltering thousands of civilians⁷. Approximately 58 people are estimated to have been killed in this attack. UN Security Council

³ Kulish, Nicholas (27 April 2018). "New Estimate Sharply Raises Death Toll in South Sudan". Archived from the original on 15 October 2017. Retrieved 10 April 2019 – via NYTimes.com. Sam Jones. "South Sudan atrocities amount to war crimes, report warns". The Guardian. Archived from the original on 8 October 2014. Retrieved 10 April 2019

⁴ "OHCHR - Protection of South Sudan's one million internally displaced is eroding – UN expert warns". www.ohchr.org. Archived from the original on 18 February 2018. Retrieved 10 April 2019.

⁵ "South Sudan's people are starving, and fighters are blocking aid". Washington Post. 31 March 2017. Retrieved 10 April 2019. https://www.washingtonpost.com/world/africa/south-sudans-people-are-starving-and-fighters-are-blocking-aid/2017/03/31/69ef31c2-0f60-11e7-aa57-2ca1b05c41b8_story.html?noredirect=on&utm_term=.a2b354f44a14

⁶ Odera, Carl (22 January 2014). "South Sudan accuses rebels of massacring 127 hospital patients". The Daily Star. <http://www.dailystar.com.lb/News/Middle-East/2014/Jan-22/244945-south-sudan-accuses-rebels-of-massacring-127-hospital-patients.ashx>

⁷ At least 58 killed in attack on U.N. base in South Sudan". The Daily Star. 18 April 2014. www.dailystar.com.lb/News/Middle-East/2014/Apr-18/253786-at-least-58-killed-in-attack-on-un-base-in-south-sudan.ashx#axzz2zFqGR4cf

expressed outrage at the attack⁸ and United Secretary-General Ban Ki-Moon accentuated “any attack on the UN peacekeepers will constitute a war crime. In late 2016, government attack on Yei, villages were destroyed with 3000 homes burned. However, the UN peacekeepers deployed in South Sudan also were attacked several times and were killed. UN peacekeeper from Bangladesh was killed in 2018⁹ after three consecutive attacks on peacekeepers.

Ethnic tensions in South Sudan are one of the fundamental reasons for ongoing political crisis that had led civil war. In 2011, two ethnic groups (Murle and the Lou Nuer) were fighting against each other as Riek Macher (founder of the Sudan People’s Liberation Movement in Opposition) representing an ethnic Nuer and the President Kiir belongs to an ethnic Dinka having a long history of ethnic conflict even though they were both members of the SPLM the organization led the struggle in separating Sudan. The Nuer White Army from Nuer ethnic group, released a statement, threatened to wipe out all Murle tribe as part of the solution to the war which led Pibor massacre, estimated 900¹⁰ to 3000¹¹ people including women and kids were killed. Almost 1300 children were abducted and raided over cattle (over 375,186 cows were stolen) to raise as their own.¹²

Ethnic Cleansing in South Sudan: South Sudan has a long history of ethnic violence among varied ethnic groups¹³ (it has 64 tribes) with the largest being the Dinkas, which is 35% of the population as well as predominate in government. The Nuers is the second largest ethnic group primarily inhabiting the Nile Valley. The Fighting among nomadic groups often aggravated because of the wider Sudanese nomadic conflicts (non-state conflict between rival nomadic tribes over scarce resources, such as grazing land, cattle and drinking water) have resulted in a large number of casualties and exiled hundreds of thousands of people¹⁴.

Murle-Nuer conflict led Uror Massacre in 2011, where 640 people were killed and the perpetrators burned down over 3400 houses and hospital. Simultaneously, in 2011, Pibor

⁸ Wilson, Steve (19 April 2014). "Deadly attack on South Sudan base may be considered a 'war crime'". The Daily Telegraph. Retrieved 19 April 2014. <https://www.telegraph.co.uk/news/worldnews/africaandindianocean/south-sudan/10775859/Deadly-attack-on-South-Sudan-base-may-be-considered-a-war-crime.html>

"Attacks against the United Nations and civilians in South Sudan: Security Council Press Statement". Permanent Mission of Luxembourg to the United Nations. Retrieved 19 April 2014. <https://newyork-un.mae.lu/en/News/Attacks-against-the-United-Nations-and-civilians-in-South-Sudan-Security-Council-Press-Statement>

⁹ Un peacekeeper from Bangladesh killed in South Sudan, 26 June 2018

<https://www.news24.com/Africa/News/un-peacekeeper-from-bangladesh-killed-in-south-sudan-20180626>

¹⁰ "Incidents of intercommunal violence in Jonglei state" (PDF). UNMISS. Retrieved 10 April 2019.

https://unmiss.unmissions.org/sites/default/files/june_2012_jonglei_report.pdf

¹¹ "Why hundreds of people are dying over cattle in East Africa". Los Angeles Times. Retrieved 10 April 2019.

¹² "In South Sudan, massacre of 3000 is reported". New York Times. Retrieved 10 April 2019.

<https://www.nytimes.com/2012/01/06/world/africa/in-south-sudan-massacre-of-3000-is-reported.html>

¹³ "Horrific attacks prompt South Sudan's communities to form armed groups". the guardian. 7 December 2015. Retrieved 7 July 2016. <https://www.theguardian.com/global-development/2015/dec/07/south-sudan-horrific-attacks-prompt-communities-take-arms>

¹⁴ "UCDP Non-State Conflict Dataset". Uppsala Conflict Data Program.

massacre was orchestrated by Nuer white army, aimed at wiping out entire Murle tribe lasted for a year resulting heavy casualties. Akobo country attack in 2013 was done by Murle youth killed 100 civilians¹⁵ and 14 SPLA soldiers¹⁶. In 2016, Murle fighters attacked Ethiopia (Jikawo and Lare areas of the Gambela Region) where 300,000 south Sudanese refugees were hosted, killed at least 208 people and stole cattle and kidnapped at least 108 women and children from the Nuer tribe.¹⁷ Ethiopian army instigated counter-attack in order to rescue women and children abducted in this cross-border raid.¹⁸ As of March 2017, again thousands of Murle gunmen raided in Gambela Region in Ethiopia and abducted 43 children.¹⁹

Dinka-Nuer Conflict: This is a tribal conflict originated during the Second Sudanese Civil War, as several factions split from the SPLA often along ethnic lines and were funded and armed by Khartoum.²⁰ The South Sudan Liberation Movement(SSLA) was established in 1999 as a Nuer dominated faction in the Civil War.

Bor massacre: In 1991, more than 2000 civilians were killed by SPLA-Nasir and Nuer White Army, led by Riek Macher in **Bor**(the capital of Jonglei State in South Sudan). According to the Amnesty International the death toll was even more.²¹ In the following year, more than 25000 people died from famine as the fighting had displaced them from their land they cultivated and cattle were either snatched or shot. ²² Noticeably, Southerners died more because of their internal conflict rather than by northerners during the war.²³

South Sudanese Civil War: As of April 2011, just after the separation of South Sudan from north, the SSLA (South Sudan Liberation Army) led by Peter Gadet (army general) formed a rebel army fighting against the main SPLA forces.²⁴ According to Southern authorities the rebels was backed by Al-Bashir's Khartoum Government and was accused of tribal clashes in Warrap State(South Sudan). In order to put down the rebellion, SPLA forces attacked in Unity State and set fire to over

¹⁵ "Jonglei: MSF treats civilians wounded in Akobo county attack". Sudan Tribune. Retrieved 10 April 2019 <http://www.sudantribune.com/spip.php?article45533>

¹⁶ "Jonglei: Hundreds feared dead or missing in Akobo county attack". Sudan Tribune. Retrieved 10 April 2019. <http://www.sudantribune.com/spip.php?article45461>

¹⁷ Reporters, The Telegraph (17 April 2016). "Armed men massacre 140 civilians in Ethiopia cross-border raid". Retrieved 10 April 2019. <https://www.telegraph.co.uk/news/2016/04/17/armed-men-massacre-140-civilians-in-ethiopia-cross-border-raid/>

¹⁸ "Ethiopia army seeks to rescue Gambella's abducted children". BBC. Retrieved 1 0April 2019. <https://www.bbc.com/news/world-africa-36071090>

¹⁹ "Ethiopia reports deadly raid by gunmen from South Sudan". aljazeera. 15 March 2017. Retrieved 10 April 2019 <https://www.aljazeera.com/news/2017/03/ethiopia-reports-deadly-raid-gunmen-south-sudan-170315130515870.html>

²⁰ "Deadly clashes on South Sudan's path to freedom". time.com. 12 February 2011. Retrieved 10 April 2019.

²¹ Tangled web of South Sudan politics spells bleak future". bbcnews.com. 19 December 2013. Retrieved 10 April 2019. <https://www.bbc.com/news/world-africa-25454168>

²² "Reclaiming the past in Southern Sudan". bbcnews.com. 1 July 2006. Retrieved 10 April 2019. http://news.bbc.co.uk/2/hi/programmes/from_our_own_correspondent/5133324.stm

²³ "Deadly clashes on South Sudan's path to freedom". time.com. 12 February 2011. Retrieved 10 April 2019. <http://content.time.com/time/world/article/0,8599,2048788,00.html>

²⁴ Richmond, Matthew (10 May 2011). "Southern Sudan Clashes in Warrap State Kill 72, Army Says". BusinessWeek.

7000 homes in May 2011.²⁵ In 2013, civil war flared up as a feud between president Salva Kiir and then-Vice President Riek Machar as he failed coup attempt to seize control of the president. The President immediately dismissed Vice-President Riek Machar and entire cabinet. In other hand, Nuer and Dinka SPLA troops broke out in South Sudan. The fighting between SPLM Dinka troops and Nuer soldiers continued until 2015, the Compromise Peace Agreement was signed by the government and rebel forces mediated by IGAD and established the Joint Monitoring and Evaluation Commission(JMEC) to monitor and overseeing implementation of the agreement.

Tensions in South Sudan continued to escalate because of this never-ending ethnic violence ascended into fighting among several groups. Significant numbers of massacres were marked, such as **Bentiu massacre, Mapel massacre, Jonglei-Boma conflict, Suilluk-Dinka fighting, Fertit-Jur-Dinka fighting, Equatorian-Dinka fighting, Dinka-Arab fighting, Inter-Dinka fighting** and so on. The State completely failed to control these tribal groups from committing atrocities, as a result devastating humanitarian crisis emerged. The estimated death toll in South Sudan is half of a million as a result of civil war and even the aid workers are not exempted from this barbarism. According to Aid Worker Security Report²⁶, at least 113 aid workers have been killed by gunfire in South Sudan. In addition, obtaining actual figure of the death toll difficult s because large parts of South Sudan are remained inaccessible.

The Current Conflict (A crisis of governance)

A crisis of governance provoked renewed civil war and became ethnicized as the focus one the independence referendum detracted from reforming the Sudan People's Liberation movement (SPLM) into a democratic political party. As a result, the fighting ignited by Ugandan military intervention in support of government and led to the formation of SPLM/A in opposition. The Agreement on the Resolution of the Conflict in South Sudan was proposed at the initiative of the IGAD but remained ineffective. The States were divided among ethnic lines and the conflict continues.

Economy

The economy of South Sudan is one of the weakest in the world and continued to collapse due to the ongoing self-inflicted political crisis, worsening the humanitarian situation. As being the most oil-dependent country in the world, with oil accounting for almost the totality of exports and around 60% of GDP.²⁷ However, the growing economic crisis because of internal conflicts and restricted options in the region are the predominant reasons for migration. As the economic crisis plagues the country due to sharp devaluation of the currency, civilians hardly afford food, drink and medical care.²⁸

²⁵ "SPLA set fire to over 7,000 homes in Unity says Mayom county official". Sudan Tribune. 24 May 2011. Retrieved 10 April 2019. <http://www.sudantribune.com/spip.php?article39010>

²⁶ <https://reliefweb.int/report/world/aid-worker-security-report-figures-glance-2018>

²⁷ <https://www.worldbank.org/en/country/southsudan/overview>

²⁸ <https://www.voanews.com/a/sudan-economy-facing-crisis-after-sharp-currency-dip/4608120.html>

What is the current standpoint of South Sudanese civil war?

In 2018, a ceremony held in Ethiopia for a new peace agreement, where all parties to the conflicts signed the agreement but it does not address many issues at the core of the conflict. Many experts fear, this agreement won't last long as before and will continue to propagate until the root causes of the violence are addressed²⁹. The humanitarian crisis still needs to be confronted efficiently as the Sudanese were the fifth, sixth and seventh largest groups of migrants and refugees arriving in Italy in 2015, 2016 and 2017, respectively³⁰. However, recently the president Al-Bashir ousted from the power in a military takeover amid ongoing protests after 30 years of his presidency. The president Al-Bashar was indicted by the International Criminal Court on charges of war crimes and crimes against humanity over the Darfur conflict³¹.

Historically, migration and displacement have long been a crucial part of livelihood for Sudanese, predominantly because of its political and economic instability. In addition, some of this migration occurred due to drought and famine to Libya, Egypt and the Gulf countries. Since 2003, millions of people were forcibly displaced and killed due to government and militia attacks as well as because of the destruction of livelihood.

Who Migrates to Europe and Why

Years of civil war have devastated South Sudanese economy and killed half of a million people. According to the United Nations, hundreds of thousands are at risk of starving to death and they fled for safety and food. Whoever remaining in South Sudan must rely on imports because all areas are emptied of people. According to United Nations data, imported food is overwhelmingly expensive—a single meal costs two times the national daily income³². The people cannot purchase things they see in the market, some eat only one meal a day³³. A vast majority of young men migrated to Europe instead of neighboring states because of changes in asylum laws and strategies of deterrence.

Conclusion

The economic and political crisis in South Sudan unquestionably is detrimental to its people as well as it protracted humanitarian crisis in this everlasting civil war. South Sudan is not controlled by any effective state authority, and its heavily armed groups continued to fight discarding a peaceful settlement and experiencing a major economic crisis. The government security forces continue jeopardizing the unarmed civilians, and the anti-governmental forces disregard the attempts of peace talk or cease fire agreement initiated by international organizations.

²⁹ <https://www.nytimes.com/2018/09/26/world/africa/south-sudan-civil-war-deaths.html>

³⁰ <https://www.odi.org/sites/odi.org.uk/files/resource-documents/12384.pdf>

³¹ BBC (12 July 2010). "Darfur warrant for Sudan's Bashir: ICC adds genocide". British Broadcasting Corporation. <https://www.bbc.com/news/10603559>

³² https://www.washingtonpost.com/world/africa/life-is-miserable-even-when-theres-food-in-south-sudan-many-cant-afford-it/2018/11/17/8b57c6b6-8f67-11e8-ae59-01880eac5f1d_story.html?utm_term=.8ea8c5e1312d

³³ Ibid.

Continuous efforts are required at the national, regional and international levels to address the unsettled causes of conflict and ongoing violence and the attention of the international community is sorely needed.