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Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Sudan - Researched and compiled by the Refugee Documentation Centre of Ireland on 10 to 13 January 2012

Information on the current political and security situation in Sudan

In October 2011 a document published by *Human Rights Watch* notes:

“When South Sudan declared independence in July, the international community breathed a sigh of relief. A difficult six-year process, set forth in the ambitious 2005 peace agreement that ended Sudan's 22-year-long civil war, was finally over. The world appeared to feel it could stop focusing on Sudan. But Sudan's wars have not ended. They have, in fact, multiplied. Five of Sudan's 16 states are mired in armed conflicts. Since June, new conflicts have erupted in two volatile states — Southern Kordofan and Blue Nile — just north of the South Sudan border, while the three states in the western region of Darfur are still a war zone, although that conflict has dropped from the headlines.” (Human Rights Watch (25 October 2011) *In Sudan, peace remains elusive*)

A report issued by the *International Crisis Group* in January 2012 states:

“Relations between Sudan and South Sudan deteriorated further. Tension over the status of Abyei continued, with UN Secretary General Ban Ki-moon calling for the withdrawal of both sides' armed forces, while the two countries' militaries clashed in the disputed territory of Jau. Southern President Salva Kiir accused Khartoum of destabilising South Sudan with cross-border militia raids and bombings. Khartoum, meanwhile, accuses the South of hosting JEM rebels, who are stepping up attacks in North Kordofan.” (International Crisis Group (2 January 2012) *CrisisWatch N°101*)

A document published in October 2011 by *The African Centre for the Constructive Resolution of Disputes*, comments on Sudan and South Sudan noting that:

“Both countries are now beset by an increasing number of internal conflicts as well as increasing crossborder tensions.” (The African Centre for the Constructive Resolution of Disputes (1October 2011) *The New Sudans: The First 100 Days*, p.1)

Commenting on a number of reports issued on Sudan/South Sudan, *IRIN News* in December 2011 cites a study by the International Crisis Group, stating:

“Post-CPA, there is no coherent political framework to deal with the many remaining challenges in Sudan, with international attention focused on safeguarding South Sudan's referendum and independence largely having underestimated the impact of secession on the north, the report says.” (IRIN News (19 December 2011) *Sudan-South Sudan: What they are saying about the Sudans*)

CPA is an acronym for the Comprehensive Peace Agreement which was signed in 2005.

This document published by *IRIN News* also cites:

“According to a report by Germany’s University of Halle, The Genesis of Recurring Wars in Sudan, “the resurgence of armed conflict in the Nuba Mountains [in South Kordofan] implies that the CPA was not a ‘comprehensive’ and ‘final’ settlement accord to northern Sudan’s recurring political conflicts. It was rather a long-term ‘truce’ or ‘ceasefire’, as far as the northern Sudan is concerned.” (ibid)

The document issued by *IRIN News* also states:

“Poverty and severe marginalization of the peripheries, combined with poor governance, are at the centre of continuing conflicts in Sudan, says a report by Sweden’s Uppsala University, The Crises Continue - Sudan’s Remaining Conflicts.” (ibid)

IRIN News in this article states that:

“...both Sudan and South Sudan accuse each other of supporting rival insurgents.” (ibid)

An *Amnesty International* report published in December 2011 states:

“The area of Abyei, which straddles the border between north and South Sudan, has long been a major flashpoint of political and inter-communal tensions between the region’s Dinka Ngok population and the northern nomadic Misseriya tribes. The Misseriya migrate southward through Abyei annually to graze their cattle during the dry season, and some have settled in Abyei in recent decades. Key provisions of internationally brokered agreements to resolve the Abyei conflict between the Government of Sudan (GoS) and the Sudan’s People Liberation Movement/Army (SPLM/A) – now the Government of South Sudan (GoSS) – have not been implemented, notably those concerning oil wealth sharing, governance, access, border demarcation, and the holding of a referendum” (Amnesty International (December 2011) *Sudan-South Sudan, Destruction and Desolation in Abyei*, p.19).

This report also points out:

“In the absence of a referendum the status of Abyei remains disputed, with both Sudan and South Sudan claiming it as part of their own territory and with the two communities trying to consolidate their hold on the area ahead of the referendum.” (ibid)

It is also stated in this document that:

“Abyei is one of the so-called ‘Three Areas’ or ‘Transitional Areas’ where key provisions of the 2005 CPA between the GoS and the SPLM have not been implemented and where conflict has broken out in 2011. Whereas the agreement provided for a referendum to decide on the status of Abyei, in the other two areas, Southern Kordofan and Blue Nile, the peace agreement provided for “popular consultations” which could at most result in a measure of autonomous rule within Sudan. Conflict erupted in Southern Kordofan and Blue Nile in June and September, respectively, between the SAF and the SPLA-North (essentially composed of the former ninth and tenth divisions of the SPLA) as the GoS moved to assert tighter control over the areas and to disarm SPLA fighters. Armed confrontations are ongoing in both areas and, together with frequent and indiscriminate air strikes by SAF against civilian residential areas, have caused the displacement of more than

120,000 residents to refugee camps across the borders in South Sudan and Ethiopia, with more refugees continuing to arrive at the camps every day.” (ibid, p.21)

In December 2011 the *Small Arms Survey* in a report notes that:

“As the Sudanese army moved into Jau, a contested territory on the border between the two Sudans, and the deadlock between the two countries over oil transit fees deepened, the crisis in Abyei remained as intractable as ever.” (Small Arms Survey (12 December 2011) *The Crisis in Abyei – (Update as of 12 December 2011)*)

In December 2011 a report issued by *IRIN News* notes:

“Five years after a peace deal was signed to end a rebellion in eastern Sudan, a perceived failure to address the marginalization that sparked the uprising could unleash a new wave of violence, according to several officials. Although the region has been overshadowed by war in Darfur, the secession of the South and fighting between Sudanese forces and rebels on the border with South Sudan, the east is ‘a volcano waiting to erupt’, a well-placed international official in Kassala, who wished to remain anonymous, told IRIN.” (IRIN News (8 December 2011) *Sudan: Security “volcano” ready to blow in the east*)

The *New York Times* in December 2011 states:

“Khalil Ibrahim, a powerful Sudanese rebel leader who once mounted a daring and near-successful raid that took his fighters from the sun-blasted deserts of Darfur to the doorstep of the capital, Khartoum, died on Saturday from wounds he received in battle, the Sudanese government said.” (New York Times (25 December 2011) *Sudan’s Government Says Powerful Rebel Leader Is Dead*)

This document also states:

“The death of Mr. Ibrahim, a shrewd and wily leader, represents an enormous blow to the Justice and Equality Movement, the resilient group that he founded several years ago and that had recently teamed up with other dissidents in Darfur for a multipronged rebellion against the government in Khartoum. Sudan is home to countless rebel groups. But Mr. Ibrahim’s group, with its thousands of battle-hardened fighters and links to dissatisfied Islamist elements within the government in Khartoum, is widely believed to be the gravest threat. His forces are unified, heavily armed, passionate and loyal — at least, they were under his leadership — and Mr. Ibrahim had repeatedly rebuffed efforts to make peace with the government.” (ibid)

A report published in November 2011 by *Amnesty International* points out:

“Amnesty International is alarmed by the recent wave of arbitrary arrests of activists, trade unionists and perceived or known members of opposition parties and peaceful demonstrators in Sudan.” (Amnesty International (11 November 2011) *Sudan: Government crackdown on activists and political opponents*, p.1)

In December 2011 *IRIN News* states:

“Aid agencies must now plan for worsening humanitarian conditions in Sudan’s South Kordofan and Blue Nile states where ongoing conflict pitting the Sudan Armed Forces (SAF) against the Sudan People’s Liberation Movement-North (SPLM-N) has resulted in the mass displacement of civilians towards South Sudan’s Unity and

Upper Nile states and into neighbouring Ethiopia.” (IRIN News (9 December 2011) *Sudan-South Sudan: Humanitarian crisis warning as thousands flee fighting*)

Commenting on Darfur the *United Nations Security Council* in December 2011 points out that:

“During the reporting period, incidents of fighting remained relatively few. However, the security situation for internally displaced persons and vulnerable groups, as well as for humanitarian and United Nations personnel, remained of concern.” (United Nations Security Council (30 December 2011) *Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur*, p.5)

Radio Dabanga in January 2012 notes:

“Renewed fighting in Darfur between Darfurian rebel groups and government forces leads to the worst security situation in five years.” (Radio Dabanga (5 January 2012) *Battlefield Darfur*)

In November 2011 a report published by the *Enough Project*:

“...has recently documented that Sudanese military forces in Blue Nile state have engaged in the killing and raping of civilians, resulting in tens of thousands of refugees and displaced persons fleeing for safety in neighboring Ethiopia and South Sudan, and within Blue Nile. The civilian toll from an indiscriminate aerial bombardment campaign is rising. In addition to these devastating effects on civilians, Sudanese President Omar al-Bashir, in September, used the violence in Blue Nile as a pretext to declare a state of emergency in the state and remove its democratically elected governor, Malik Agar, forcing him into hiding.” (Enough Project (29 November 2011) *A View from Blue Nile*, p.1)

The *Society for Threatened Peoples* in January 2012 states:

“Considering the continued attacks on villages in South Kordofan by the Sudanese air force, the Society for Threatened Peoples (STP) appealed to the UN Security Council on Wednesday, to advocate for an immediate stop to the attacks on civilian targets in Sudan.” (Society for Threatened Peoples (5 January 2012) *UN Security Council must do more to protect civilians in Sudan*)

A report issued in January 2012 by *Agence France Presse* points out that:

“...the country witnessed a crackdown on political and press freedom after South Sudan formally split from the north in July, following an almost-unanimous vote that followed decades of civil war.” (Agence France Presse (3 January 2012) *Opposition paper shut down again in Sudan*)

In December 2011 *Freedom House*:

“...condemns the brutal crackdown on peaceful, student-led protests in Khartoum and the arrest of more than 70 people by state security forces.” (Freedom House (28 December 2011) *Regime Quashes Dissent in Brutal Khartoum Crackdown*)

This document also notes that:

“Sudan is not an electoral democracy and has been ruled by a military-backed regime that brought President Omar al-Bashir to power in 1989. President Bashir is wanted by the International Criminal Court for war crimes, crimes against humanity and genocide for his involvement in the Darfur conflict. In July 2011, the Republic of South Sudan was established after South Sudanese overwhelmingly voted in a referendum for separation as guaranteed under the 2005 Comprehensive Peace Agreement, which ended the decades-long civil war. The NCP regime as a result has brutally cracked down on peaceful protests in the country and continued to fight rebels in Darfur, and most recently, in the South Kordofan and the Blue Nile states in an effort to maintain its grip on power.” (ibid)

The *Economist Intelligence Unit* in December 2011 commenting on Sudan points out that:

“The government is dominated by the National Congress Party (NCP). Until July 2011 it was in a coalition with its former adversary in the north-south civil war, the Sudan People's Liberation Movement (SPLM), and a few minor parties such as the Eastern Front. Since South Sudan's independence, the positions formerly filled by the SPLM lie vacant, although a cabinet reshuffle is expected soon.” (Economist Intelligence Unit (16 December 2011) *Sudan: Political structure*)

This document reporting on South Sudan states:

“The government is dominated by the Sudan People's Liberation Movement (SPLM).” (ibid)

A publication issued by *Human Rights Watch* in January 2012 reporting on Sudan notes:

“The government continues to arbitrarily detain people with presumed links to SPLM-North. The crackdown on the party intensified following the outbreak of fighting between its forces and government forces in June in Southern Kordofan and in September in Blue Nile. These states are north of the Sudan-South Sudan border but are historically aligned with the south.” (Human Rights Watch (3 January 2012) *Sudan: End Violence Against Peaceful Protesters*)

In January 2012 *Reuters* states:

“The United Nations has received alarming reports of malnutrition in two Sudanese border states where the army is fighting insurgents, a senior U.N. official said on Wednesday. Fighting broke out in June between the Sudanese army and SPLM-North rebels in South Kordofan and spread in September to the state of Blue Nile. Both states border newly independent South Sudan. The violence has already forced about 417,000 people to flee their homes, more than 80,000 of them to South Sudan, the United Nations estimates. Locals have faced air raids and sporadic ground fighting, according to rights groups and refugees.” (Reuters (4 January 2012) *“Alarming malnutrition” in Sudan conflict zones: U.N.*)

This report also notes:

“South Sudan declared independence in July, under the terms of a 2005 peace deal that ended decades of civil war with the Khartoum government. Both Blue Nile and South Kordofan contain groups who sided with the south in the civil war and say they continue to face persecution inside Sudan. SPLM-N is one of a groups of rebel

movements in underdeveloped border areas who say they are fighting to overthrow Sudan's President Omar Hassan al-Bashir and end what they see as the dominance of the Khartoum political elite." (ibid)

Current information on JEM/Justice and Equality Movement, including treatment of members in Sudan

A report published by *BBC News* in December 2011 states:

"Sudan's foreign ministry spokesman Al-Obeid Meruh said that 350 members of a Darfur-based rebel group, the Justice and Equality Movement (Jem) had crossed into South Sudan on Wednesday, AFP reports. He said the international community should put pressure on South Sudan's government 'to stop supporting these troops and disarm them', AFP reports. Jem's leader Khalil Ibrahim was killed a few days ago by Sudanese government forces." (BBC News (29 December 2011) *Southerners 'killed by Sudan air raids'*)

A report issued by *The Guardian* in December 2011 points out that:

"Khalil Ibrahim led the Justice and Equality Movement, or JEM, the most organised and effective military force in the conflict-torn western region. The group did not join a peace deal signed last year in Doha, Qatar, between other Darfur rebel groups and the Sudanese government." (The Guardian (26 December 2011) *Darfur rebel leader killed in military offensive, says Sudan*)

This article also notes:

"A security officer with the United Nations mission in Darfur (Unamid) said JEM mostly operated out of North Kordofan state and no longer had an official presence in Darfur." (ibid)

In December 2011 *BBC News* notes:

"Darfur's main rebel group, the Justice and Equality Movement, has confirmed that its leader has been killed, but said it happened in an air strike." (BBC News (25 December 2011) *Sudan Darfur rebel Khalil Ibrahim killed*)

This report also states:

"Mr Ibrahim founded the Jem and made it the most powerful and most heavily armed rebel group in Darfur." (ibid)

This article also notes:

"Attacks launched by the group include one on the capital, Khartoum, in 2008. More than 220 people were killed when rebels drove across the desert to Omdurman, just across the River Nile from the presidential palace. Government troops eventually repulsed them after heavy fighting. Just on Saturday, the Jem said they were planning a new advance. The rebels signed a ceasefire with the Sudanese government in February 2010 but abandoned peace talks soon after, accusing Khartoum's forces of launching new raids in Darfur." (ibid)

A report published in December 2012 by *Agence France Presse* states:

"Ibrahim's JEM was the most heavily armed group in the Darfur region, although its recent strength remains unclear." (Agence France Presse (26 December 2011) *Sudan rebel front vows unity after top leader killed*)

In January 2012 Agence France Presse points out:

"The JEM and other members of the new Sudanese Revolutionary Front -- including factions of the Sudan Liberation Army (SLA) of Darfur -- refused to sign a Darfur peace initiative in July that Qatar brokered with UN assistance. Ladsous said that the JEM was in the process of choosing a new leader." (Agence France Presse (11 January 2012) *UN says Sudan government blocking Darfur patrols*)

Herve Ladsous is a peacekeeping chief.

In October 2011 a survey carried out by the *Small Arms Survey* notes:

"The Justice and Equality Movement (JEM) was established early in 2003 by a group of educated, politically experienced Darfurians, many of them former members of the Popular Congress Party (PCP) of Hassan Turabi, architect of Sudan's Islamic revolution. Most of its leaders and membership initially came from the Kobe tribe, a Zaghawa sub-group more numerous in Chad than in Darfur. Since 2007 JEM has worked actively to recruit Darfurian Arabs, including from government-supported militias or 'janjaweed'." (Small Arms Survey (17 October 2011) *Justice and Equality Movement (JEM)*, p.1)

A report by *Amnesty International* in December 2011 states:

"Seven prisoners in North Darfur, Sudan, had their death sentences upheld on 29 November. Two of them were under 18 years old at the time of the alleged crime. The seven prisoners are part of a group of ten people tried by the South Darfur Special Criminal Court in October 2010 for a carjacking in May 2010. A total of eleven individuals allegedly affiliated with the Darfurian armed opposition group, the Justice and Equality Movement, were tried in relation to the attack." (Amnesty International (6 December 2011) *Sudan: Further information: Sudan death sentences upheld*)

In January 2012 *Sudan Vision* notes that:

"A group of former rebel Justice and Equality Movement (JEM) field commanders Wednesday announced their defection from JEM and expressed willingness to join the peace process based on the Doha Darfur Peace Document to address issues." (Sudan Vision (12 January 2012) *Twenty JEM Leading Figures Desert Movement, Accept Doha Peace Document*).

Treatment of failed asylum seekers to Sudan including treatment at Khartoum airport

Amnesty International in January 2011 states:

"The Egyptian authorities reportedly intend to forcibly return Faisal Mohammed Haroun Suleiman to Sudan, possibly as early as Sunday 16 January. If returned to Sudan, he would be at grave risk of torture and an unfair trial leading to a possible

death sentence.” (Amnesty International (14 January 2011) *Sudan: Urgent Action - Darfuri asylum-seeker risks forcible return*)

A report published in August 2011 by the UK-based NGO *Waging Peace* notes:

“In June 2011, Waging Peace interviewed a Sudanese asylum seeker, with the pseudonym Mr. M. This man is a Darfuri who sought asylum in the UK in 2003. In 2004, his asylum application was rejected and he was returned to Khartoum. Upon his return, Mr. M was detained at the airport and questioned about his activities in the UK as well as wider Darfuri and other NCP opposition activity within the UK. Mr. M was moved to a ‘ghost house’, a NISS house of detention in Khartoum, where he spent the next one and a half years. Mr. M was then transferred to Kober prison near Khartoum, where he spent two years detained in the political wing. During his time in the ghost house, he was interrogated every two or three days by multiple NISS officers about his time in the UK, questioned on how money was being given to the rebels in Darfur from the UK and about the membership and content of meetings held by rebel groups in the UK. Mr. M refused to answer these questions and was accused of being a spy for the West. Once he was in Kober Prison, Mr. M’s interrogation became less frequent, tending to take place when significant events occurred in Darfur, though his questioning concerned similar themes. Eventually the NISS released Mr. M, without providing a reason for his long detention. He was asked to refrain from political activity and required to sign in at the security headquarters in Khartoum on a weekly basis. Violating this agreement, Mr. M moved to an Internally Displaced Persons (IDP) camp in Darfur. He stayed there for a year and a half before being re-captured by the NISS along with his wife while they were participating in a political meeting in 2009. He was then transferred to another ghost house, where he was kept for a further two months. He has now made it back to the UK, and his current asylum claim is pending.” (Waging Peace (4 August 2011) *The Sudanese National Intelligence and Security Service*)

In September 2011 a *Waging Peace* report comments on the interrogation of Sudanese asylum seekers in the UK by Sudanese officials stating:

“According to the asylum seekers’ testimony the Sudanese Embassy interviewers appeared to possess confidential information about the interviewees. If this is the case, it would constitute a serious breach of confidentiality by the UKBA and may amount to a breach of Section 13(3) of the Immigration and Asylum Act 1999 whereby the Secretary of State must not disclose whether the person concerned has made a claim for asylum in providing identification data. At least one of the interviewees claimed he was offered a financial bribe by the Embassy officials to encourage him to answer their questions. The conduct of the interviews placed the attending asylum seekers in an excessively intimidating position, putting them in front of the very people from whom they are seeking political asylum with no third party witnesses or protection.” (Waging Peace (September 2011) *“The Border Agency are playing a game to scare us”*, p.4)

This report also points out:

“However, interviewees were asked for information clearly in excess of that required to obtain travel documentation and verify nationality, including previous jobs held in Sudan and the whereabouts of family members in Sudan. Such information is extremely sensitive and potentially dangerous. Answering such questions not only potentially endangers the interviewees, but their families back in Sudan and indeed entire areas in Sudan where these people live. The Sudanese National Intelligence

and Security Service (NISS) is perhaps the most powerful wing of the Government of Sudan, with no checks on its authority to arrest and detain anyone perceived to be at odds with the incumbent regime. Their brutal targeting of individuals who are in opposition to the state is well documented." (ibid, p.4)

The *Daily Telegraph* in March 2009 states:

"A failed asylum-seeker who returned to Darfur from Britain under a government repatriation scheme was later murdered by Sudanese security officers, it has been reported." (Daily Telegraph (17 March 2009) *Failed asylum seeker murdered after returning to Darfur*)

A report from *BBC News* in October 2007 states:

"Asylum seekers from Sudan's war-torn Darfur region have been tortured after being deported back to their capital from the UK, a human rights group says." (BBC News (3 October 2007) *UK deportees 'tortured in Sudan'*)

No further information on this issue could be found among sources consulted by the RDC within time constraints.

Information on the current political and security situation in South Sudan

In January 2012 *BBC News* points out that:

"South Sudan gained independence from Sudan on 9 July 2011 as the outcome of a 2005 peace deal that ended Africa's longest-running civil war. An overwhelming majority of South Sudanese voted in a January 2011 referendum to secede and become Africa's first new country since Eritrea split from Ethiopia in 1993." (BBC News (5 January 2012) *South Sudan profile*)

A report issued in September 2011 by *International Alert* states:

"Foreign analysts have already warned that corruption has become endemic, freedom is under intense threat and inter-tribal violence is spreading across South Sudan." (International Alert (30 September 2011) *Evaluating the EU's Role and Challenges in Sudan and South Sudan*, p.14)

A paper published in November 2011 by the *Small Arms Survey* notes:

"Beginning in the aftermath of state and national elections in April 2010, South Sudan has faced an eruption of armed insurgencies, the majority of them led by former Sudan People's Liberation Army (SPLA) commanders in the Greater Upper Nile region. The conflicts sparked by these insurgent commanders, and SPLA countermeasures, have directly or indirectly caused the deaths of thousands of South Sudanese, provoked mass displacement of communities in Greater Upper Nile, and challenged the government's ability to secure this strategic and volatile region. In a number of cases, the rebellions are closely connected to state and national politics and governance challenges, and the often-contradictory responses to them have exposed deep rifts both within and between the SPLA and the government. At a time when the Republic of South Sudan faces multiple other threats along its border with Sudan, its authorities have made some short-term gains in countering the insurgencies, but have ultimately failed to contain the rebel threat." (Small Arms

Survey (November 2011) *Fighting for spoils, Armed insurgencies in Greater Upper Nile*, p.1)

A report issued in 2011 by *Democracy Reporting International* states:

“The SPLM remains the political ‘big tent’ where most of the various tribal-political forces coexist, often on the basis of cooption and sharing the spoils of government. Currently the party is registered in Khartoum and has both northern and southern branches. Like many liberation movements elsewhere, it tends to dominate political life in the south. The main party in the north, the National Congress Party (NCP), also has a presence and a limited degree of electoral support in the south. Some 20 other parties have a presence in the south, including the Sudan African National Union (SANU), South Sudan Defence Force (SSDF), United Democratic Front (UDF), and United Democratic Sudan Forum (UDSF). In one way or another, most are associated with the struggle for self-government in the south. The leaders of some (e.g., SANU and SSDF) are associated with the first civil war (1955–1972). Others, such as the UDSF, were founded during periods when the SPLM/A was split along political lines. A breakaway faction of the SPLM, the SPLM – Democratic Change (SPLM DC), was formed in June 2009 by Lam Akol.” (Democracy Reporting International (2011) *South Sudan, Prospects For Democracy In The World's Newest State*, p.8)

An article in the *Christian Science Monitor* in October 2011 points out that:

“The Sudan People's Liberation Movement dominates South Sudan's political arena, and its reticence to allow political opposition to develop could hurt its image among Western donors.” (Christian Science Monitor (25 October 2011) *South Sudan, darling of the West, faces charges of political repression*).

A *United Nations Security Council* report issued in November 2011 notes:

“Since 9 July, the South Sudanese political leadership has focused on forming a new Government and establishing new Government institutions.” (United Nations Security Council (2 November 2011) *Report of the Secretary-General on South Sudan*, p.2)

This document also points out:

“The reporting period witnessed important initiatives by the Government of South Sudan to neutralize internal security threats through the integration of militia groups into SPLA, alongside efforts aimed at political reconciliation. However, militia groups outside this process and intercommunal violence remain significant sources of insecurity, with large numbers of civilian casualties, especially in Jonglei State. While fighting in Southern Kordofan and Blue Nile States and lack of progress in Abyei have not led to violence in South Sudan, concerns remain that conflict could spill over the border with little warning.” (ibid, p.5)

It is also noted in this report that:

“The reporting period witnessed significant threats to the civilian population in some parts of South Sudan, particularly Jonglei State.” (ibid, p.9)

This document also states:

“As a legacy of the civil war, South Sudan faces enormous challenges in the area of rule of law, including a lack of capacity in the judicial and prisons institutions, a limited Government presence outside the State capitals and a critical shortage of well-trained civil servants.” (ibid, p.13)

The report also notes that:

“The human rights challenges in South Sudan are enormous, while the institutional capacity of the Government to manage human rights issues is very limited.” (ibid, p.14)

In December 2011 *Refugees International* notes that:

“The Republic of South Sudan (RoSS) is going through a major displacement crisis. The country is playing host to tens of thousands of refugees who fled fighting in Sudan’s Southern Kordofan and Blue Nile States. In addition to this, hundreds of thousands of people are displaced due to violence within South Sudan itself. The country also has to contend with a large influx of southerners returning from northern cities.” (Refugees International (15 December 2011) *South Sudan: Displacement Plagues World’s Newest Nation*, p.1)

A report issued by *BBC News* in November 2011 notes:

“The situation up and down the border seems to be getting worse, just four months after South Sudan became independent.” (BBC News (15 November 2011) *Border battles threaten the new Sudans*)

In December 2011 an article published by *Reuters* states:

“The armed forces of Sudan and South Sudan clashed in a border region claimed by both sides on Wednesday, in a rare direct confrontation between the old civil war foes.” (Reuters (7 December 2011) *Sudan, S.Sudan armies clash in disputed border region*)

An article in *The Guardian* issued in January 2012 states:

“When South Sudan became independent six months ago, many anticipated trouble between the world’s newest state and its northern neighbour Sudan. But the worst loss of life has come in violence between groups within South Sudan itself, reflecting long-simmering animosities that were masked in the runup to independence.” (The Guardian (10 January 2012) *Explainer: violence in South Sudan*)

This document also notes:

“The greatest loss of life occurred in Jonglei, an isolated and swampy state with limited mud roads often impassable for months during heavy rains.” (ibid).

In January 2012 an article published by *Agence France Presse* notes:

“Renewed tribal clashes in South Sudan’s troubled Jonglei state have killed at least 24 people, days after a cattle vendetta rattled the stability of the world’s newest state, officials said Monday.” (Agence France Presse (9 January 2011) *Renewed South Sudan clashes kill at least 24*)

This report also states:

“South Sudan has declared Jonglei a national ‘disaster area’ while the United Nations has said it will launch a ‘massive’ emergency operation to help some 60,000 people affected by the violence.” (ibid)

In January 2012 *BBC News* notes:

“South Sudan has declared a disaster in Jonglei state, where some 100,000 people have fled recent clashes between rival ethnic groups.” (BBC News (5 January 2012) *Jonglei clashes: South Sudan declares a disaster*)

This report also states:

“The UN says some 350,000 people were displaced because of intercommunal violence last year. This presents a major challenge to the government of the newly independent state, which also faces cross-border tensions with its northern neighbour Sudan. South Sudan is one of the world's poorest regions - it gained independence from Sudan in July 2011 and has hardly any roads, railways, schools or clinics following two decades of conflict, which have left it awash with weapons.” (ibid).

In November 2011 the *Internal Displacement Monitoring Centre* notes:

“Ongoing fighting on both sides of the newly-established border between Sudan and South Sudan continues to displace civilians and threaten stability in the region. The countries have blamed each other for violence on their respective sides since South Sudan became independent in July 2011.” (Internal Displacement Monitoring Centre (11 November 2011) *Sudan and South Sudan: Violence on both sides of the border continues to displace civilians*)

The *United Nations News Service* in December 2011 states:

“The security situation in the disputed area of Abyei remains fragile, with both South Sudan and Sudan failing to withdraw their armed forces as agreed under a demilitarization pact reached in June, the head of United Nations peacekeeping told the Security Council today.” (United Nations News Service (8 December 2011) *Security fragile as stalemate over Abyei persists - senior UN official*)

This report also states:

“South Sudan became independent from Sudan on 9 July. A referendum on the status of the Abyei area on the border was to have been held in January this year, but never took place amid disagreement on voter eligibility. Dozens of people have been killed this year as a result of clashes in Abyei and surrounding areas and tens of thousands of have been forced to flee their homes.” (ibid).

A report from *IRIN News* in December 2011 notes:

“Land deals done in newly-independent South Sudan ‘threaten to undermine the land rights of rural communities, increase food insecurity, entrench poverty, and skew development patterns’ in the resource-rich but poor nation, a new report says. The

US-based Oakland Institute (OI) says deals done prior to South Sudan's independence this year for almost 9 percent of the new nation's land will do little to help the nation build itself up from one of the least developed countries in the world." (IRIN News (12 December 2011) *Analysis: Land deals "threaten South Sudan's development"*)

This document also points out that:

"South Sudan became the world's newest country on 9 July when it seceded from the north after decades of war." (ibid)

The *European Commission* in November 2011 notes:

"It is estimated that more than 8 million people are living in South Sudan, the newest but also one of the poorest states in Africa. Years of conflict and underdevelopment, coupled with seasonal flooding, frequent dry spells, and frequent disease outbreaks ensure that South Sudan remains a serious concern for the humanitarian community. The country is characterised by a lack of infrastructure and basic services such as safe water sources, sanitation facilities, health services or roads; a weakened economy, low literacy rate; and a profoundly poor population." (European Commission (November 2011) *South Sudan Fact Sheet*)

This report also states:

"The humanitarian situation remains grim and unpredictable, especially in the northern states bordering the Republic of Sudan. Fighting in the Transitional Areas has increased the number of people seeking refuge in South Sudan." (ibid)

The *Enough Project* in November 2011 states:

"Four months since independence, the South Sudan government is still attempting to exert control over its territory, warning militias are going to intensify attacks in the border states." (Enough Project (November 2011) *Confronting Rebels, South Sudan Faces Key Test*).

In November 2011 *Agence France Presse* notes:

"With rebel movements and other armed groups still operating, insecurity still reigns and South Sudan faces a tough task mopping up weapons and restoring stability." (Agence France Presse (28 November 2011) *South Sudan in fresh battle to disarm civilians*)

In December 2011 a report issued by the *United Nations News Service* states:

"More than 1,000 people are estimated to have been killed in ethnic clashes within South Sudan this year, with Jonglei one of the states worst affected by the violence. Thousands more civilians have been displaced from their homes." (United Nations News Service (28 December 2011) *Ban voices deep concern at ethnic tensions in South Sudan*)

The *United Nations News Service* in January 2012 states:

"The head of the United Nations refugee agency today urged the international community to show greater solidarity with South Sudan as it strives to cope with enormous humanitarian challenges as tensions between communities cause internal displacement amid a refugee influx from Sudan. "This country is facing at the present moment, six months after independence... a number of huge humanitarian challenges that needs massive solidarity from the international community," said António Guterres, the UN High Commissioner for Refugees, who is on visit to South Sudan, in an interview with UN Radio. South Sudan seceded from Sudan in July last year after voting overwhelmingly for separation in a referendum held as part of the 2005 Comprehensive Peace Agreement (CPA) that ended the decades of civil war." (United Nations News Service (9 January 2012) *UN official urges more help for South Sudan to cope with crises*)

A report published in January 2012 by the *United Nations News Service* notes:

"South Sudan has faced renewed bouts of inter-ethnic violence since it became independent in July last year after voters backed secession from Sudan in an earlier referendum." (United Nations News Service (8 January 2012) *Cycle of ethnic violence in South Sudanese state must end, UN envoy says*)

In January 2012 *Reuters* states:

"Up to 50,000 people have fled violence in a remote border area of South Sudan, the United Nations said on Monday, after days of clashes between two tribes. South Sudan became independent in July last year under a 2005 peace deal with Khartoum to end decades of civil war. But the new nation is struggling to build state institutions and stop rebel and tribal bloodshed that has killed thousands." (Reuters (2 January 2012) *Up to 50,000 flee South Sudan violence: U.N.*)

A report issued by *Reuters* in January 2012 notes:

"...the government in Juba has been struggling to assert its authority over a country roughly the size of France and end tribal and rebel violence that killed thousands last year." (Reuters (7 January 2012) *Fleeing South Sudanese in "desperate need" of food: U.N.*)

The *Irish Times* in January 2012 states:

"More than 3,000 villagers were massacred in the recent burst of communal violence in South Sudan, local officials have said, with the fledgling South Sudanese government, which just won its independence six months ago, seemingly unable to stem the bloodshed." (The Irish Times (7 January 2012) *3,000 villagers reported killed in South Sudan*)

In January 2012 a report published by the *Centre for Strategic and International Studies* states:

"The world's newest country, South Sudan, has been convulsed by serious violence between rival ethnic groups." (Centre for Strategic and International Studies (6 January 2012) *Violence in South Sudan*)

This document also notes:

“Barely six months on from independence, the scale of the challenge facing South Sudan is painfully clear. The government is struggling to establish control of its vast, chaotic, and underdeveloped territory while meeting the demands of its citizens for public services. Establishing security is its greatest challenge. Given its history of conflict with the government in Khartoum, the focus has been on deterring external threats from its northern neighbor. But internal insecurity is perhaps an even greater threat. Inter- and intra-ethnic clashes and low-level insurgencies are features of life in parts of the country.” (ibid)

It is also stated in this report that:

“The state apparatus for confronting this chronic instability is extremely limited. The South Sudan Police Service is still in an embryonic stage of development. It is inexperienced, under-equipped, and with just 3,000 officers in Jonglei, hopelessly overstretched. The onus for maintaining internal security continues to rest with the Sudan People's Liberation Army (SPLA), whose heavy-handed interventions have a tendency to enflame the situation.” (ibid)

The *New York Times* in January 2012 states:

“South Sudan, born six months ago in great jubilation, is plunging into a vortex of violence. Bitter ethnic tensions that had largely been shelved for the sake of achieving independence have ruptured into a cycle of massacre and revenge that neither the American-backed government nor the United Nations has been able to stop. The United States and other Western countries have invested billions of dollars in South Sudan, hoping it will overcome its deeply etched history of poverty, violence and ethnic fault lines to emerge as a stable, Western-friendly nation in a volatile region. Instead, heavily armed militias the size of small armies are now marching on villages and towns with impunity, sometimes with blatantly genocidal intent.” (New York Times (12 January 2012) *Born in Unity, South Sudan Is Torn Again*)

This document also points out:

“South Sudan's government has been extremely reluctant to wade into these feuds, because the government itself is a loosely woven tapestry of rival ethnic groups that fought bitterly during Sudan's long civil war” (ibid).

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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