



The Political Stakes of Displacement in South Sudan

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Overview

This policy brief considers how forced displacement has affected South Sudan, in relation to its neighbours. The brief shows:

- Humanitarian aid is only partially accessible for internally displaced people and returning displaced people face a myriad of problems.
- The politics around internally displaced persons governance remains rooted in ethnically polarized divisions resulting in gazetted Protection of Civilian Sites.
- There is a seemingly deliberate policy of the state to create conflict and force civilians to seek refuge in the neighbouring countries.
- Regional power dynamics reflect the changing dynamics of the states in the region in hosting South Sudanese refugees. While refugees contribute to the economies of the states in the region, the influx of South Sudanese refugees is also putting immense pressure on resources.
- The changing perception of displaced people in South Sudan and neighbouring Uganda. Displacement is highly ethnic and politicized like never seen before, while cordial relations between South Sudan refugees and host are strained.

LIST OF ACRONYMS

CAR	Central African Republic
CPA	Comprehensive Peace Agreement
DRC	Democratic Republic of the Congo
IDPs	Internally Displaced Persons
IGAD	Intergovernmental Authority on Development
IOM	International Organization for Migration
OLS	Operation Lifeline Sudan
PoC	Protection of Civilian Sites
RRC	Relief and Rehabilitation Commission
RRP	Refugee Response Plan
SPLM	Sudan People's Liberation Movement
SPLM IO	Sudan People's Liberation Movement-in-Opposition
TGONU	Transitional Government of National Unity
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs

1. CONFLICT IN SOUTH SUDAN – A SNAPSHOT OF THE DISPLACEMENT HISTORIES OF THE SUDAN AND SOUTH SUDAN

Sudan's conflict-related displacement has remained a long standing and recurrent manifestation for over 50 years, resulting in many people moving both as refugees and as Internally Displaced Persons (IDPs) (Kindersley 2015). Since independence in 1956, the central Sudanese state concentrated power and economic resources in North Sudan and systematically marginalized the South of the country, leading to tensions that sparked the first civil war in 1955 which lasted for the next two decades (Czirják 2018). After a 1972 peace agreement that was immediately abrogated by the political leadership in Khartoum, a second civil war started in 1983. This continued until 2005, leading to the signing of the Comprehensive Peace Agreement (CPA) and South Sudan's eventual secession (Czirják 2018). The CPA provided for a power sharing deal where Southern Sudan could run its own autonomous government and with the option to remain united with the Sudan or become independent. At the end of the interim period in 2011, a referendum was held to determine the fate of the South. Southern Sudan citizens overwhelmingly voted to separate from the Sudan and a new state was declared on the 9th of July 2011 (Czirják 2018).

In the two waves of civil wars, prior to secession, there were different types of movement taking place, in what was then still the Sudan. First of all,

according to the International Organization for Migration (IOM) (IOM 2011), due to economic resource disparities, migrants mainly comprised of young educated males moving to cities and to more resource-rich and developed states (IOM 2011). Those migrating to larger cities in search of economic opportunities often settled at the periphery of the cities and would be forcefully displaced under the guise of enforcing national development projects (Eldin 2020). Subsequently, many migrants became forcefully displaced along their journey (Eldin 2020). Second, there were cycles of displacement resulting from the conflicts as outlined above. For instance, by 2004, the IDP population in the Sudan exceeded 5 million people with the single largest emergence from the Southern part of the Sudan in 1983. The two decades of the Sudanese civil war, from 1955 to 1972 and 1983 to 2005, saw huge displacement from the Southern part of the Sudan to Khartoum. Political instability became the single factor in explaining the IDP crisis in the Sudan from the time of its independence in 1956 to 2005 (Assal 2004).

Third, repeatedly there have been a significant number of returns, both spontaneous and organized, where refugees and IDPs returned to the Southern Sudan as. The return of internally displaced from Northern Sudan to the South, as well as refugees returning from neighbouring countries, i.e. Uganda, Kenya, Ethiopia, Sudan, Congo by 2005, after the signing of the CPA, was facilitated by the IOM and UNHCR respectively. UNHCR facilitated the return of refugees and the IOM for IDPs (IOM 2011). This peaked at over 126,000 returns in 2007, and included both voluntary returns under tripartite agreements¹ and other forms of assistance (for example, 59,076

¹ Tripartite agreements established by Sudan, the neighbouring country and UNHCR.

under tripartite agreements in 2008) and voluntary returns without assistance, including 75,101 in 2007, see Table 1 below.

Table 1: Returns after 2005 CPA

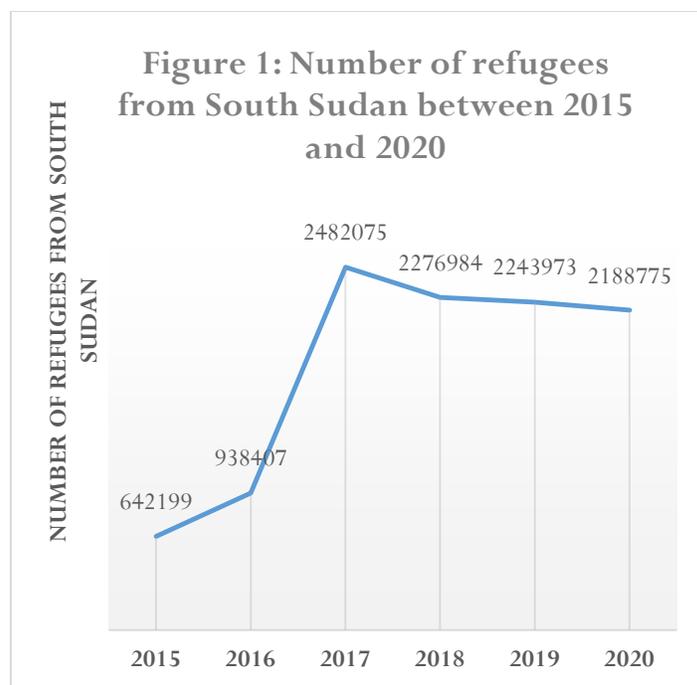
	2005	2006	2007	2008
Voluntary returns under tripartite agreements	0	20,996	45,822	59,076
Assisted voluntary returns	215	4,818	5,137	1,233
Voluntary spontaneous returns (without assistance)	70,485	5,666	75,101	0
Total	70,700	31,480	126,060	60,309

Source: (IOM 2011)

Despite these huge returns after the signing of the CPA, by 2010 an estimated 390,000 Sudanese refugees remained in camps or urban settings in neighbouring countries (IOM 2011).

Post-independence Displacement Configurations

Just barely two years later after South Sudan attained independence in 2011, the country descended into a civil war in December 2013 (Estey 2020). Seven years after the start of the conflict, the regional impact of the crisis continues to rise and many more South Sudanese continue to cross international borders. Nearly 2.5 million South Sudanese fled in 2017, and by 2020 there are still 2.18 million South Sudanese refugees in neighbouring countries, see Figure 1 below (UNCHR 2019c).



Sources: UNHCR South Sudan Regional Refugee Response Plans (RRRPs) End Year 2019-2020 (Refugee numbers from September / October each year) : <https://reporting.unhcr.org/node/21611>

Many more South Sudanese remain displaced as IDPs, both in Protection of Civilian Sites (PoCs) and the United Nations Mission in South Sudan (UNMISS) at bases in Bentiu in Unity state, Bor in Jonglei State, Malakal in Upper Nile State and in Juba, see Map below. Starting with 350,000 displaced in 2011, by 2019 this peaked with 1.87 million displaced persons. By 2019, there were 1.6 million displaced people in South Sudan due to both conflict and disasters, see Figure 3 below.

The PoCs have been operational since 2013. Other IDPs remain in remote often hard to reach places (IOM 2016).

Figure 2: Map of South Sudan



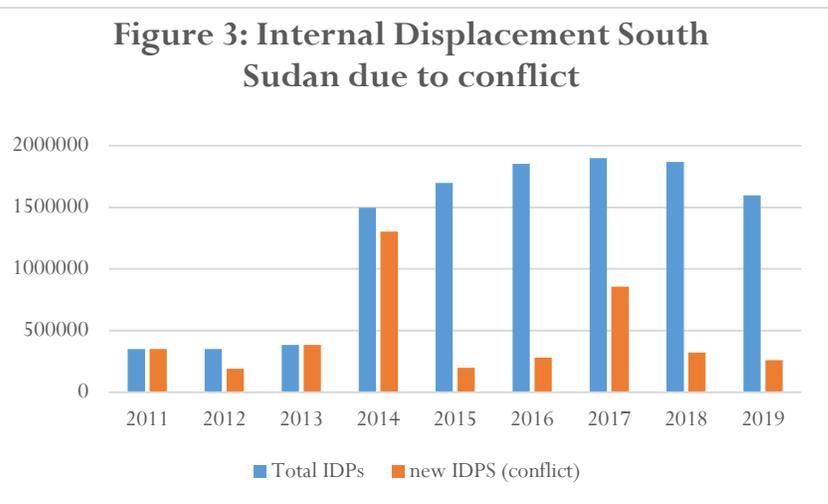
Source: United Nations Geospatial Information Section

Movement (SPLM) political divides, between Dr. Riek Machar and the main leader of the movement, Dr. John Garang, in 1994, resulted in ethnic targeting between the Dinka – belonging to John Garang and the Nuer to which Dr. Riek belonged. When a political stalemate between the President of the Republic, his Excellency Salva Kiir Mayardit and his deputy Dr. Riek Machar turned violent in 2013, the conflict also took on an ethnic undertone and resulted in the IDP situation at the UN bases and the civil war that ensued.

While the Sudanese civil wars were waged on long-standing North - South divides, the South Sudan conflicts became ethnic and brought in a recurrent practice of the political leadership in dividing civilians along ethnic lines. The Transitional Constitution of South Sudan, introduced with independence in 2011 and amended in 2015, generously guarantees ethnic tolerance on one hand, and yet politicians continue to use ethnicity to divide populations. Histories of ethnic polarization have become a central feature of political disagreements and continue to influence the ways in which politicians fight their wars and mobilize support (Koons and Gutschke 2014).

There remains a feeling that the parties to the agreement may continue to stick to irreconcilable positions, impeding the smooth implementation of the provisions of that agreement (Xinhua 2020). For example, the Sudan people’s Liberation

Figure 3: Internal Displacement South Sudan due to conflict



Source: Internal Displacement Monitoring Centre (2019)

The South Sudan conflict was immediately fought along ethnic lines, where the Dinka, being the majority tribe, was pitted against the Nuer, the second largest tribe. The ethnic polarization and conflicts organized and executed along ethnic lines has resulted in a situation where both Dinka and

Nuer continue to live in ethnically-exclusive PoCs at UN bases (Koos and Gutschke 2014).

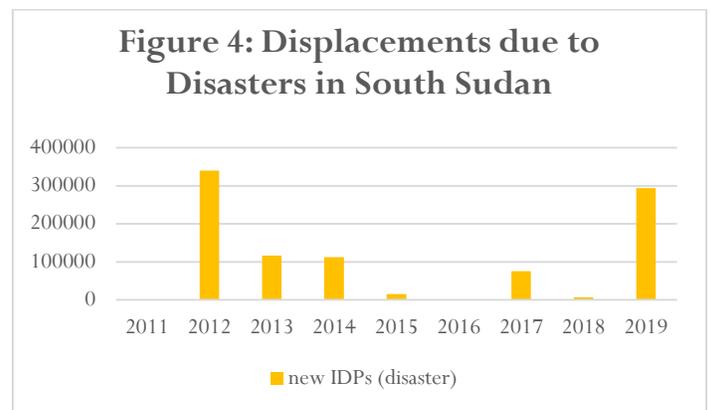
The same ethnically-exclusive patterns of settlement was experienced in 2016. A Revitalized Agreement on the Resolution of the Conflict in South Sudan (R- ARCISS) in September 2018. The revitalized agreement was signed between the government in Juba and the Sudan People’s Liberation Movement in the Opposition in Khartoum, Sudan (IGAD 2018). The conflict in South Sudan caused massive displacements and even after the signing of the 2015 and the revitalized agreement in 2018, the state has not made the environment safer and conducive to foster returns and ensure those in the country stay. This is because the implementation of the agreement remains slow and because of a spike in violence that spread through many parts of the country (Guardia, 2019). Consequently, due to the increased incidence of both localized and national level conflicts, including natural disasters like flooding and the recent locust invasion, South Sudanese remain extremely vulnerable and many civilians continue to live as IDPs or continue to cross international borders as refugees (Guardia, 2019).

Finally, in 2019, localized conflicts intensified, especially in the conflict prone Jonglei State and the Pibor administrative area. The Jonglei and Pibor administrative area has had long standing problems with cattle raiding, as well as women and child abductions carried out regularly by youths from the 1960s onwards. Cattle raids and abductions were conducted in the past using traditional weapons like spears, resulting in lesser casualties and lesser displacements. More recently, traditions of cattle raiding using traditional weapons transformed to using modern weapons and became lethal, resulting in massive

death tolls, cattle raids, and abduction of women and children on a large scale (Idris 2018).

The establishment of the Transitional Government of National Unity (TGONU) in April 2016 provided hope that the 2.2 million South Sudanese refugees would eventually be able to return home. However, conflict has continued in most parts of the country due to the fact that some of the signatories to the permanent ceasefire protocol failed to adhere to their side of the bargain (Estey 2020). Also localized conflicts continue to affect many of the states in South Sudan. In the post-independence civil war period, there have been some spontaneous returns from Uganda, Ethiopia and from CAR which means the 2019 – 2020, Regional RRP continuously adjusts to changing operational dynamics around (UNCHR 2019b). Overall, the numbers have been low, however, in 2019 about 100,000 refugees returned spontaneously to South Sudan from Uganda (42%), Sudan (30%) and Ethiopia (22%) (UNCHR 2019a).

Recently natural disasters such as floods and locusts have complicated things for the new transitional government (UNOCHA 2020), including over 200,000 who were displaced by natural disasters in 2019, see Figure 4 below.



Source: Internal Displacement Monitoring Centre (2019)

2. THE SOUTH SUDANESE STATE AND THE PROTECTION OF DISPLACED PERSONS – OBSTRUCTING HUMANITARIAN ACCESS AND PROBLEMATIC RETURNS

Since 2013, the South Sudanese state has struggled to ensure both political and economic stability in the capital, Juba, and the 10 states in South Sudan. Through the Ministry of Humanitarian Affairs and the Relief and Rehabilitation Commission, in coordination with both humanitarian and development agencies, the Sudanese state offers assistance to civilians fleeing conflict.

In the following, I discuss state-supported interventions to IDPs living in PoCs in the Upper Nile State, Unity State, Jonglei State and Central Equatoria State. Long standing tribal tensions and rivalries erupted in a fully blown civil war in 2013 and again in 2016.

At the start of the 2013 conflict, a never seen before phenomenon of IDPs emerged. The spark of what became the start of the first South Sudanese civil war started when a Dinka led door to door search and killing of people of the Nuer ethnicity started in December 2013 in Juba. This eventually sparked a retaliation against the Dinka by the Nuer in their areas. Almost instantly, the only safe haven for those being targeted in Juba, in Bor, Bentiu and Malakal became the United Nations Mission bases in the areas where civilians of the two ethnicities were under imminent harm. As ill prepared as the UN bases were, the Special Representative of the UN at the time, Ms. Hilde

Johnson, made a tough call and accepted the multitudes fleeing to shelter at the UN bases country wide – these shelters became the Protection of Civilian Sites or PoCs (Reliefweb, 2018) . While the nature of displacements may vary, the PoC sites are unique and never existed near UN bases on such a large scale (McLaughlin and Scalco 2018).

Approximately 203,000 IDPs continue to stay there today in the confines of 5 United Nations peacekeeping bases seeking protection from the crisis and through a fear of being targeted due to their ethnicity, see Table 2 below.

Table 2: Overview of Location and Number of Civilians Seeking Protection

Region	Location	Number of Civilians Seeking Protection
Central Equatoria State	UN House PoC I & PoC III in Juba	29,476
Unity State	PoC in Bentiu	115,479
Upper Nile State	PoC in Malakal	27,924
Jonglei State	PoC in Bor	1,931
Western Bahr El Ghazel State	PoC in Wau	13,243
	TOTAL	188,053

Source: UNMISS February 2020

For example, In Juba the PoCs house IDPs from the ethnic Nuer (McLaughlin and Scalco 2018). The nature of the displacement remains ethnic and so is the settlement along the PoC sites. The flight of IDPs to the protection of civilian sites within or around UN bases, was spontaneous and the UN facilities were not prepared to receive a huge number of civilians (McLaughlin and Scalco 2018). Nonetheless, those in the PoC receive humanitarian assistance in the form of shelter and

other non-food items, medication, water and food from a range of international and national humanitarian assistance practitioners, including the UN partners. These actors also provide basic services such as education and health care (Lilly 2014). When the sites started to become semi-permanent, development actors began to intervene to provide training on business skills and on human rights issues. The UN Mission in South Sudan remained in charge and continues to do so to provide security and other forms of protection within its broader UN Protection of civilian mandate adopted in 2014.

The very existence of the PoCs, brought the UN mission into tension with the government. In 2013 and early 2014, the government had maintained that the PoCs in Juba housed rebels affiliated to Dr. Riek and the SPLM IO, which the UN constantly rebutted, insisted that the PoCs are not exclusive to one faction. The government eventually reluctantly agreed to the PoC arrangements, requesting that as soon as a peace deal was reached between the government and the SPLM IO, the PoCs be dismantled (Lilly 2014). As of November 2020, the United Nations Mission in South Sudan handed over the responsibility of the PoC and the protection of civilians to the government. Not only was the responsibility of protecting the civilians in the former PoCs assigned to government, but PoCs were redesigned as IDP camps (Emmanuel 2020). Whether this means that the safety of all displaced can be ensured, will remain to be seen.

While there remains a huge number of persons displaced across South Sudan, the IDP population in the PoCs is a new and unique humanitarian crisis phenomenon in the recent history of the UN and a first for South Sudan on such a large scale (McLaughlin and Scalco 2018). This is the first of its kind, where large scale numbers of IDPs

congregated within or near UN peacekeeping bases protected by armed peacekeepers. While the state authorities such as the Ministry of Humanitarian Affairs and the RRC continue to collaborate with both humanitarian agencies to provide humanitarian assistance and development agencies to deliver humanitarian assistance, the current situation illuminates the state's failure to protect its own civilians. The continuing situation of civilians living in the PoCs demonstrate both how a predominantly Dinka led government does not tolerate civilians from the Nuer ethnicity and how the opposition led party, the SPLM IO remains intolerant to Dinka civilians, especially in areas under their control.

Other people displaced across South Sudan rely heavily on both international humanitarian and developmental agencies and a few local organizations who have provided food and non-food items, including both medical water and sanitation kits (McLaughlin and Scalco 2018). Both humanitarian and development assistance to IDPs living with host communities or at the PoCs is provided by the aid and donor communities and not the government. Namely at all levels of IDP assistance, the United Nations High Commissioner for refugees (UNHCR), World Food Programme (WFP), IOM, International and national organizations provide all assistance (Brookings Institution 2013). The Ministry of Humanitarian Affairs as well as the Relief and Rehabilitation Commission (RRC), remain poorly funded and rely on funding and assistance from international humanitarian and developmental organizations. The Ministry of Humanitarian Affairs is tasked with coordinating the work of all humanitarian actors in South Sudan and the RRC deals with registration of the organizations and providing access to the organizations to reach areas where civilians are in need of assistance. Before

humanitarian actors can freely deliver assistance, they first have to seek the permission of the Ministry of Humanitarian Affairs.

Obstructing humanitarian aid

Repeatedly, the South Sudanese government has been implicated in obstructing humanitarian access to its own civilians displaced as IDPs. The state has a reputation, of harming its own civilians displaced in many parts of South Sudan, in particular through its armed forces. This includes those who congregated in the PoCs as well as informal IDP settlements with host communities (Maxwell et al. 2015). The government, through its security agents has, at several times, attempted to forcefully enter the PoCs and tried to convince the UN to dismantle them. However, each time the government has made demands to dismantle or access the POCs, the UN has expressed their concern about the safety of the IDPs (LSE 2019a).

The government has a take and obstruct relationship to humanitarian actors. When there is conflict, the state in South Sudan on one hand quickly looks to humanitarian actors to provide assistance, but on the other hand, selectively facilitates access to the aid organizations, by refusing access to certain areas where civilians remain in need. The Ministry of Humanitarian Affairs and RRC make decisions on where aid should be delivered and most of the time the decision is not based on the needs of the IDP populations, but on ethnic considerations (IRIN News 2014). Even in such situations, where there is conflict, the state authorities have been accused of selectively channelling assistance to areas dominated by populations of the ruling elites in Juba (Chancey and Mawhinney, n.d.).

The government has a traditionally positive relationship to humanitarian actors but still plays out their conflict division to essentially obstruct

humanitarian actors. The positive relationship to humanitarian actors goes back historically from the periods of the Operation Lifeline Sudan (OLS), 25 (1989 – 2005) the Sudanese government and the SPLM/ South Sudan People's Defence Forces (SPLA) being the main rebel groups, were engaged by the OLS in negotiations about humanitarian assistance and this engagement gave the impression of entitlement to the SPLM as rebels on one hand and the conferment of state legitimacy to humanitarian aid actors on the other (Maxwell et al. 2015). The OLS was the largest ever coordinated humanitarian assistance that allowed the participation of donors and NGOs to provide relief to, mostly, IDPs caught up in the 1983- 2005 conflict in the South of the country. For the OLS to provide assistance, they had to negotiate with the Sudanese state in the North and with the SPLM rebels in the South. Negotiating with rebels from the SPLM in the South gave the SPLM the impression that they were a legitimate actor in permitting humanitarian actors operate in the South. But IDPs are always caught up in the conflict. For example in the Equatoria region and other places where rebel groups are still fighting the government, IDPs remain on the run and with no basic services or humanitarian assistance whatsoever (UNOCHA 2019).

An impossible return

Those who have attempted to return to their homes, often allege that they are subject to security threats and harassment from the security agents. In most of the conflict prone areas, all infrastructure and basic services are non – existent because the government, at both national and state levels, lacks the resources and capacities to provide services to returning civilians. Some civilians who have returned, find that their homes and properties were completely destroyed by the armed forces (Norwegian Refugee Council 2019).

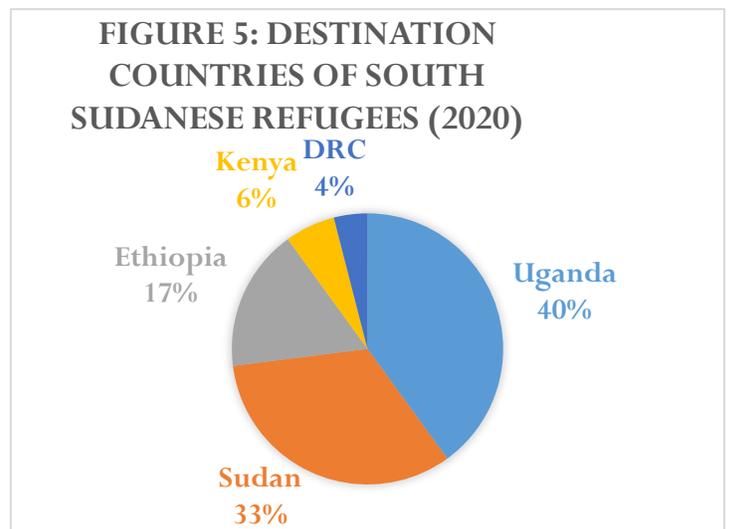
Others who ventured out to reclaim their properties were denied access to them and had to return to the IDP dwelling until real peace is attained (Sullivan 2019). While the signing of the revitalized agreement in 2018 brought hope that some of the IDPs in the POCs would be able to return to their homes, as things stand now, it remains unsafe for any organized returns for IDPs to return to their homes, even in the capital Juba. Insecurity remains persistent and, even those who live at the POCs, their safety can only be assured within the confines of the camps. The IDPs in the PoCs reported several allegations of physical and sexual harassment suffered by those who ventured out of the site to look for food, firewood and any other necessities (Campbell 2018). In recent months there has also been a rise in the IDP populations in other areas afflicted by conflict and natural disasters, like flooding and locusts, causing significant challenges for civilians.

The dynamics around the IDPs situation at the POCs and those who are settled in other places continue to raise concerns regarding the capacity of the government to protect its own citizens. It was reported several times that in the event a conflict erupts between the government and any rebel group, the state army targets civilians they were obliged to protect. This situation remains one of the biggest factors that deter the IDPs from returning to their homes. They remain too afraid to return and await real peace (Sullivan 2019).

3. REFUGEES AND REGIONAL POWER DYNAMICS

South Sudanese citizens remain hosted in the neighbouring countries and in line with article 1 (2) of the 1969 Organization of African Unity (OAU, now the AU), governing the specific aspects of refugees in Africa. While the

Transitional Government of National Unity (TGONU) and the UN’s RRP was developed to ensure that response to the refugee crisis is well coordinated, continued violence in nearly all parts of South Sudan has inhibited civilians from cultivating crops and created an environment that does not permit civilians – both IDPs and refugees - to settle or return. When each cycle of violence subsides, spontaneous returns are experienced, but as soon as the returnees attempt to settle and rebuild their lives, another cycle of violence erupts causing civilians to cross the borders as refugees once more (Gebrekidan 2017). After the signing of the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R- ARCISS) in September 2018, it was expected that stability and calm would return to many conflict riddled areas in South Sudan to allow civilians to return home. However, two years on after the signing of the revitalized agreement, many South Sudanese continue to cross international borders as refugees (Norwegian Refugee Council 2019), see also Figure 5 below.



Source: UNHCR (2020)

These crossings are influenced by recurrent conflicts and also the difficult economic situation, as well as endemic levels of sexual and gender based violence (UNCHR 2014). Those who have tried to return from neighbouring countries find themselves in more difficult situations than when they were displaced.

Whilst the South Sudanese government can obviously do a lot more when it comes to governing IDPs – it has little control over those refugees that flee the country and sometimes (temporarily) return. That does not mean, however, that refugees do not play into regional power dynamics.

While the history of refugee crossings within the East African and Intergovernmental Authority and Development (IGAD) region remains complex and not exhaustively understood, the brief will now illuminate some of the state's relationships to each other with regard to refugees and how different governments have managed the crisis and how this has affected their relationships.

South Sudan lies within the East African and IGAD regional bloc. South Sudan applied to join the East African block for economic and political integration into the region. However as soon as South Sudan was admitted as part of the regional block, recurrent conflicts continued to affect progression towards beneficial economic and political commitments. When the revitalized agreement of 2018 was signed the East African regional bloc and the UNHCR lauded the efforts of the parties to sign peace agreement, and to eventually facilitate the return of South Sudanese back home (Xinhua 2020).

The Intergovernmental Authority on Development (IGAD) was engaged as a peacemaker in the South Sudan conflict right from the time it broke out in December 2013. While

the responsibility for hosting South Sudanese refugees rested with the host countries and humanitarian agencies like the UN and supported by International donors, IGAD and the member states in the region played a diplomatic role in the response to the South Sudan crisis (Mawadza and Carciotto 2016). IGAD engaged in peace mediation as soon as the conflict broke out in 2013 and remains engaged in pushing for the full implementation of the revitalized agreement. Member states of IGAD like Uganda were even permitted to deploy their troops in the wake of the conflict, with the intention to stabilize the fragile state (Mawadza and Carciotto 2016). IGAD has engaged long enough and done all it can as a regional bloc, but the rest of the political commitments must be respected by the parties to the agreement. Nonetheless, IGAD's engagement was often made complex by the geopolitical interests of its neighbours who were accused of intervening to only further their economic and political interests and not intervening for the benefit of the South Sudanese people (Mawadza and Carciotto 2016). The geopolitical contestations amongst the member states in the IGAD region directly impacted the resolution of the conflict on South Sudan, because instead of fronting joint resolutions regarding the conflict and how to deal with the South Sudan Political elites, the countries remain divided due to both economic and political concessions to be made. Each IGAD member state engaged with the South Sudan political elites for their own interests. E.g. Sudan and Uganda remain interested in the oil resources and economic benefits in South Sudan, while Egypt was interested in furthering its control of the Nile waters by manipulating the South Sudan political leadership to believe they held their best interests at heart by defending them at the UNSC (Mawadza and Carciotto 2016).

Relatedly, refugees have been welcomed in many of South Sudan's neighbouring countries, which some believe is equally playing into their own interests and limited resources. For instance, host communities in DRC, complained of being denied the benefits of the influx of refugees and humanitarian presence, such as employment. The tensions between host communities and the South Sudanese refugees, increased tensions and in order to defuse the tension and mitigate its potential to escalate, national, regional and international organisations need to consider the perspectives of the host communities affected by the refugee crisis (Tumutegyereize 2017).

Refugee Protection

South Sudan has almost cyclical relationships with its neighbouring countries, with refugees moving back and forth over the borders. The most established and persistent of these is with neighbouring Uganda. Since independence from the British in 1956, Sudanese and later South Sudanese and Ugandans have repeatedly crossed shared borders to escape civil wars. These crossings have had social, economic and political repercussions for the refugees (LSE 2019b). In August 1955, months before the Sudanese independence, Southerners took up arms in what would become the first civil war of the Sudan. By the end of the war in 1972, over 74,000 Southern Sudanese had moved to and settled in four camps in Northern Uganda (LSE 2019b).

While many settled in camps, some self-settled in areas of economic viability in other parts of Uganda. When the war ended, UNHCR assisted these Sudanese refugees to return, but many chose to remain because they had permanently settled in Uganda. Uganda's civil war of 1979 also pushed Ugandan refugees to settle in what was then relatively peaceful parts of Southern Sudan. When

the second Sudanese civil war started in 1983, Ugandans who had settled as refugees in Southern Sudan and Southern Sudanese themselves crossed the border back into Uganda. Over two decades later, when the CPA was finally signed in 2005, many South Sudanese were assisted by UNHCR and other partners to return, while others returned spontaneously by themselves. Throughout this period, the UNHCR and partners, including the two governments supported the returns from Uganda (LSE 2019b). While the government in Khartoum and in the South did not provide financial resources for the return of refugees, they were regularly consulted and briefed on plans to repatriate refugees, and IDPs. The two governments approved the joint policy framework for the return of displaced persons (UNCHR 2006).

Uganda was labelled the most receptive host to Sudanese and South Sudanese refugees over the decades, working towards meeting the security and livelihoods needs of refugees (Kaiser 2010). Uganda has been called one of the best places in the world for refugees because of its welcoming policies and its tolerance of refugee populations, especially those from Sudan in the 70s and the 90s, and that could be due to the fact that there was empathy and understanding of the conflict dynamics in the Sudan by the Ugandan government (BBC 2017). The Ugandan refugee Law, adopted in 2006 and a range of other bylaws and the Refugee Regulations adopted in 2010 is considered as progressive in the whole African region because it accords refugees the right to work, move around the country and live in the community (Refworld 2010).

In other places, there was also a variety of policies in place to support refugees albeit without necessarily being fully implemented. In Kenya, a new refugee law was eventually enacted in 2006

and became operational in 2007. The new law defined refugee status, replete with exclusion and cessation clauses. The refugee law also outlined the rights of refugees and asylum seekers and also established institutions that would manage refugee affairs. Despite the provision of the refugee law, its implementation remains difficult. For instance, while the law provided for the right to work and access work permits, the same law restricted the movement of refugees. Refugees were also required to reside in refugee camps and not elsewhere, unless they had authorization (Maina 2019). The Sudanese/ South Sudanese refugees that live in the capital Nairobi do so with no assistance (United States Committee for Refugees and Immigrants 2000). An official report commissioned by the UNHCR noted that the Kenyan government paid little attention to refugee situations and such circumstances were expressed as barely providing protection and security for refugees (United States Committee for Refugees and Immigrants 2000). The Kenyan refugee settlements also barely provided the kind of safe refugee places implied by the notion of asylum (United States Committee for Refugees and Immigrants 2000). Sudanese/ South Sudanese refugees were at one point repatriated back home by the UNHCR, with some repatriated without assistance of the UNHCR (United States Committee for Refugees and Immigrants 2000).

As for the DRC, it remains a party to the 1951 convention relating to the status of refugees and the 1969 conventions governing the specific aspects of refugee problems in Africa (United States Committee for Refugees and Immigrants 2000). The DRC eventually adopted a law that created a national commission for refugees in the Ministry of Interior to decide on asylum cases in 2002. The DRC state also enacted a very progressive constitution that guaranteed the rights

of refugees to movement. Despite these progressive developments in the area of refugee protection, the country regularly detained refugees for lack of documentation (United States Committee for Refugees and Immigrants 2000).

Additionally, from the 1980s, Sudanese/ Southern Sudanese refugees fled to Ethiopia in dire conditions. Despite the influx of Sudanese/ South Sudanese refugees into Ethiopia, the camps were not adequate to meet the needs of the influx of people. There are currently about 400,000 South Sudanese refugees in Gambela, making Ethiopia the second largest refugee hosting country after Uganda (Fascar 2019). The Ethiopian Parliament adopted a new refugee law in January 2019, hailed by the UN as the most progressive refugee law in Africa. Provisions of the new law grant refugee populations access to local integration, a wide range of services, and improved socio- economic integration, thus making Ethiopia a favourable refugee hub to refugees from South Sudan than other places like Somalia, Eritrea and Sudan (Maru 2019).

Refugee-hosting fatigue

The Organization for Economic Co-operation and Development (OECD) explored refugee contributions to host countries in a report published in September 2017. The report highlighted some of the economic contributions made towards the host countries' economy by the refugees, E.g. the contribution of South Sudanese refugees in Uganda (Khoudour and Andersson 2017). South Sudanese refugees have equally contributed to the development of Kenya (Opon and Antara 2018). Despite the rigid refugee policies of Kenya, the South Sudanese refugee settlements in Kakuma brought development to the area (Opon and Antara 2018). The same situations have been registered in host countries

like Ethiopia, Sudan, DRC, CAR (Khoudour and Andersson 2017). However, with the eruption of conflict in 2013 and in 2016 in South Sudan, refugee fatigue was experienced within host communities in the region. Refugee and host communities' relationships have become more troubled and uneasy. This is because not only are the South Sudanese refugees fighting amongst themselves, they also started to fight with their host communities. It is often alleged that the South Sudanese refugees have taken their fights to the refugee settlements (Kamoga 2019).

Despite the South Sudanese situation being the biggest refugee crisis in the world, the recurrent conflicts and natural disasters continued to force South Sudanese to cross into the neighbouring countries from 2013 and this caused fatigue in even the best refugee hosts, like Uganda. It was envisaged that after the signing of the 2015 agreement on the resolution of the conflict in South Sudan, a peaceful environment would be established to facilitate the return of South Sudanese refugees from all the countries where they had sought refuge (IGAD 2015). In fact, as soon as the 2015 agreement was signed some refugees returned spontaneously and before they could settle down in their homelands, the 2016 conflict erupted once more and those who returned found themselves fleeing back into refuge once more. In the absence of durable solutions and a conducive environment at home the refugees remain hesitant to return home (Mahmood 2018).

The solution to the South Sudan refugee crisis remains completely dependent on the violence in South Sudan. These back-and-forth movements are not without tensions. Increased influx of South Sudanese refugees into the DRC has had an impact on the conflict dynamics in the DRC (Tumutegereize 2017). While the movement of people from the two countries is not something

new, the recent attitudes towards South Sudanese refugees for assistance offered to the South Sudanese refugees in DRC is exacerbating tensions because the humanitarian assistance is mainly provided to the refugees and not the host communities (Tumutegereize 2017). Moreover, the recurrent influx of South Sudanese refugees into Northern Uganda for instance, results in regular confrontations and violence between the refugees and the host communities in Uganda. While the hospitality of Uganda to South Sudanese refugees was well documented in recent years, i.e. from 2013 to date, there is a change in the way the refugees are perceived. For instance, a report notes that "the refugees Ugandans hosted in the past were different from the ones being hosted now. The current refugees are violent and divided along ethnic lines. They regularly fight amongst themselves" (Pommier 2014). The changing perception will be discussed next.

4. THE CHANGING RECEPTION OF DISPLACED PERSONS

This section reviews the societal understanding of displacement from two angles. Firstly, how host communities and IDPs see one another and secondly, how South Sudanese refugees are viewed by the countries hosting them and vice versa. To start with, as of 2018, South Sudan's baseline on IDPs has been set at 1.5 million people (UNOCHA 2019). This means that there are many people either displaced to the PoCs or moved to other host communities within the country of 10.98 million people. Displacement has been regular and rampant creating a situation of scarce resources for the host communities internally. Outside of internal migrations to seek better services and to rejoin family members that

have migrated, threats such as conflicts, natural hazards like droughts, flooding and locust invasions exacerbate the IDP situations by causing massive movements of IDPs from their areas of origin to safer areas within the country. These conditions have forced migrations of pastoralists into spaces of farmers and caused significant resource-based tensions and lethal conflicts. While internal and local conflicts have been continuous in South Sudan, cattle raiding and movement of pastoralists remain one of the biggest triggers of conflict between farmers in areas of Greater Equatoria and Western Bahr El Ghazel and pastoralists (Idris 2018). Equally crucial are PoC movements that remain fluid ('Migration Crisis Operational Framework 2018-2019: IOM South Sudan' 2019).

Inside PoCs alone, all of the communities Nuer and Dinka communities had to be separated because they could not co-exist. Ethnic differences continued to cause conflicts even in the PoCs. Having said that, in some PoCs civilians of the same ethnic groups are involved in conflicts, like in Juba where conflicts have erupted amongst the Nuer population (Wudu and Tanza 2018). Such conflicts in PoCs amongst single tribes of Dinka or Nuer, occurred and were caused by social relations, social activities and scarcity of resources (Briggs and Monaghan 2017). Usually, the triggers to the conflicts range from minor to major issues that end up escalating for days. Henceforth, relationships between IDPs and host communities have not been entirely smooth and conflicts have erupted in the PoCs where the two tribes of Dinka and Nuer were first put together (Briggs and Monaghan 2017).

Though the conditions outside of the PoCs also remain unsafe, many of the host communities in Juba and in areas of PoC establishments in Bentiu, Bor and Malakal, feel the IDPs make excuses to

stay in the camp because they want free things. "The IDPs, in the PoCs should go back home. They have nothing to fear. They are only there because they are lazy and do not want to work." These are sentiments expressed by communities calling for those in the PoCs to return to their homes (Sydney 2019). Those in the PoC feel unsafe and remain afraid to go to their homes, "if we are asked to leave the PoC, I would rather become a rebel" (Briggs and Monaghan 2017).

With regards to the dynamics around host communities and South Sudanese refugees, as above, in the past, Sudanese and later South Sudanese refugees were cordially received by the host countries in Uganda, Ethiopia, DRC, CAR, with the exception of Kenya with its weaker refugee policies that offered very little protection to refugees. The narratives from the first Sudanese civil war (1955- 1972 and 1983 – 2005) were positive and appealing to the host countries who largely viewed South Sudanese civilians as the Black Christians being persecuted by an Arab and Islamic government in Northern Sudan (LSE 2019b). There was global sympathy for South Sudanese refugees during that period, but that has changed when South Sudanese conflicts started to erupt constantly.

For all the decades before South Sudan became independent, many refugees shared positive stories about their host countries and communities' interactions and support systems. During those periods, Uganda, which remains the most receptive host to Sudanese/ South Sudanese refugees, had also experienced conflict in 1979 and fled to South(ern) Sudan. So both South Sudanese and Uganda refugees over time developed closely knit relations based on shared and lived experiences of hosting one another across the borders (LSE 2019b). Relationships arising from these movements were cordial (LSE

2019b). The host communities in the camps or in the urban areas where the South Sudanese refugees settled were good considering that the host communities tapped into economic benefits from the refugees and also benefitted from the refugee services like education, health facilities, water and sanitation, including food (BBC 2017).

However, from 2013 to date, also linked to the spike in the violence which led to increasing refugees, host countries have started questioning the South Sudan capacity to manage the state and to be able to build peace to allow its citizens to return home (Tumutegereize 2017). For example, some South Sudanese refugees live together with Congolese families who face similar challenges, as they wait for formal settlements to be established. However, when assistance is provided, it is only given to the refugees and not the host families. The allocation of land, food, medical assistance and water to refugees and not the host families and communities in the DRC, puts pressure on inter communal relations (Tumutegereize 2017). One of the Congolese community members noted that, “There has been no recognition of hosts, I called when the refugees including my family members were sick, but when they came, they only treated the refugees” (Tumutegereize 2017). The host family felt left out and this remains a recurrent feeling amongst the host communities (Tumutegereize 2017).

This predicament has spoilt relationships between South Sudanese and the host countries, including the host communities. For instance, Uganda and Sudan, which host huge number of refugees are overwhelmed by the influx of refugees into their countries. In 2016 the new influx of refugees overwhelmed the Ugandan government. The government struggled to get additional resources to provide basic services to the refugees. While the predicament meant that the refugees received less

services than they were used to, it also meant that the refugees began to encroach on resources of the host communities, like scarce water, firewood and farms (Okiror 2016). The entire region and host countries remains overwhelmed with the South Sudanese refugee influx and this situation continues to cause tensions between the refugees and the host communities (Baloch 2017).

For instance, in 2019 a fight erupted between the South Sudanese refugees and the host communities in Nyumanzi, in West Nile District. The skirmishes sounding the death of a national led to the displacement of over 680 South Sudanese refugees from their homes (Kamoga 2019). In one recent incident four died and 16 were injured in a clash between South Sudanese refugees and the host communities in Adjumani, and it had to take the intervention of security forces to quell the situation (Xinhua 2019). Similar situations were reported in the Sudan and Kenya as well. There is also an increasing number of clashes amongst the South Sudanese refugees themselves in places where they have sought refuge. The influx of South Sudanese refugees into the DRC also caused tensions amongst the locals and the host communities due to a lack of resources and assistance provided to the host communities.

Overall, the constant influx of South Sudanese refugees to neighbouring countries changed the dynamics around previous host and refugee relationships. While it remains understandable that the refugee crisis is gradually becoming one of the world’s worst crisis, it has put pressure on donors’ resources. Refugees have shared experiences on resources provided in the refugee camps in the past and now – there seems to be a huge difference. The tensions between refugees and host communities could easily be linked to the scarcity of resources (Kamoga 2019). The current refugee situation is very different from the ones in

the past. This is because in the past there were adequate resources to cater for the refugees without necessarily putting pressure on the resources of the host countries. The resource constraints have caused tensions between the host communities and the South Sudanese refugees on the one hand, and is attributed to regular clashes between the refugees themselves (UNCHR 2019d). The future of the relationships between the South Sudanese refugees and the host communities depends on two things: firstly, that South Sudan establishes a peaceful environment to trigger both organized and spontaneous returns of its own citizens to settle back home and secondly, that donors provide additional resources to cater for the ever increasing number of South Sudanese refugees to the neighbouring countries. It equally remains crucial that refugee response plans include psychosocial and mental health assistance to ease the trauma of the refugees who became embroiled in decades of conflict (Gebrekidan 2017).

5. CONCLUSIONS AND RECOMMENDATIONS

In the current state of affairs, South Sudan remains gripped by a massive humanitarian crisis. The political conflict coupled with economic woes, drought and flooding continue to cause massive displacements. Raging local level conflicts, overly scarce resources and severe food shortages account for some of the displacements being experienced. The picture remains extremely grim and it is projected that food security will deteriorate with 7.7 million people expected to face severe hunger. The ongoing conflicts and insecurity continue to expose millions to the brink of starvation (Mercy Corps 2017). The first Sudanese civil wars (1955 – 1972 and 1983 – 2005) already subjected South Sudanese to unimaginable refugee and IDP

situations in the region. Before South Sudanese could enjoy the hard-earned independence in 2011, a civil war broke out in 2013. South Sudan's refugee crisis is now one of the worst globally. While it was expected that the signing of the 2015 agreement would create a stable environment to attract returns, another conflict broke out in 2016. Therefore, we recommend:

1. The parties to the R-ARCISS implement the agreement to the letter so that the IDPs can return to their homes and refugees in all of the neighbouring countries can return home (Briggs and Monaghan 2017). A peaceful and conducive environment would entail that all the parties to the agreement respect the ceasefire arrangements and stop the recurrent conflicts in order to build confidence in both IDP populations in the PoCs and those strewn across the country, and to build confidence amongst South Sudanese refugees in the neighbouring countries (Sullivan 2019).
2. In the interim both the Ministry of Humanitarian Affairs and the RRC should ensure that humanitarian assistance to the IDPs is based on the needs of those displaced (Maxwell et al. 2015).
3. Additionally, the regional organizations, e.g. IGAD and the East African Community should put pressure on the parties to the agreement to ensure that the agreement is implemented (Norwegian Refugee Council 2019). There is a level of progress made in the implementation of the provisions on security arrangements, formation of the TGONU, the state and local level

governments – this momentum should be maintained (Campbell 2018).

4. Finally, the cycles of conflicts from 1955 – 1972 and 1983 to 2005 and now 2013 to date are already placing responsibility and demands on the host countries and the host communities. It has caused conflicts between the host communities and the refugees from 2013 to 2020 (Baloch 2017). The conflicts are

a result of the surging number of South Sudanese refugees crossing into the neighbouring countries and putting pressure on already limited resources of the host countries and communities. The most essential step is the political leadership in South Sudan to ensure that stability is achieved for refugees to return. The same situation applies to the IDP situation (Mercy Corps 2017).

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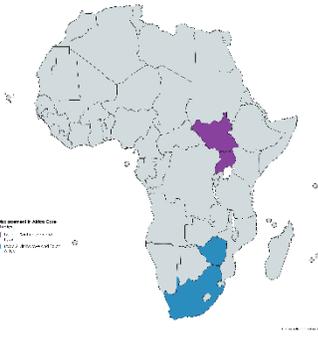
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About the project: The research project **Displacement in Africa: The Politics and Stakeholders of Migration Governance** considers the political dimension of how individual African states (and with whom) deal with migration governance in their own contexts. It considers the governance, political stakes and societal discourse of three types of policies, namely *protecting* displaced people, refugees and other migrants, *controlling* migration movements, often in relation to irregular migration and *easing* mobility and freedom of movement.



The project considers the role of different state and non-state actors as well as the regional contexts in South Africa / Zimbabwe and Uganda / South Sudan. Fieldwork was carried out in South Africa and Uganda in 2020.

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