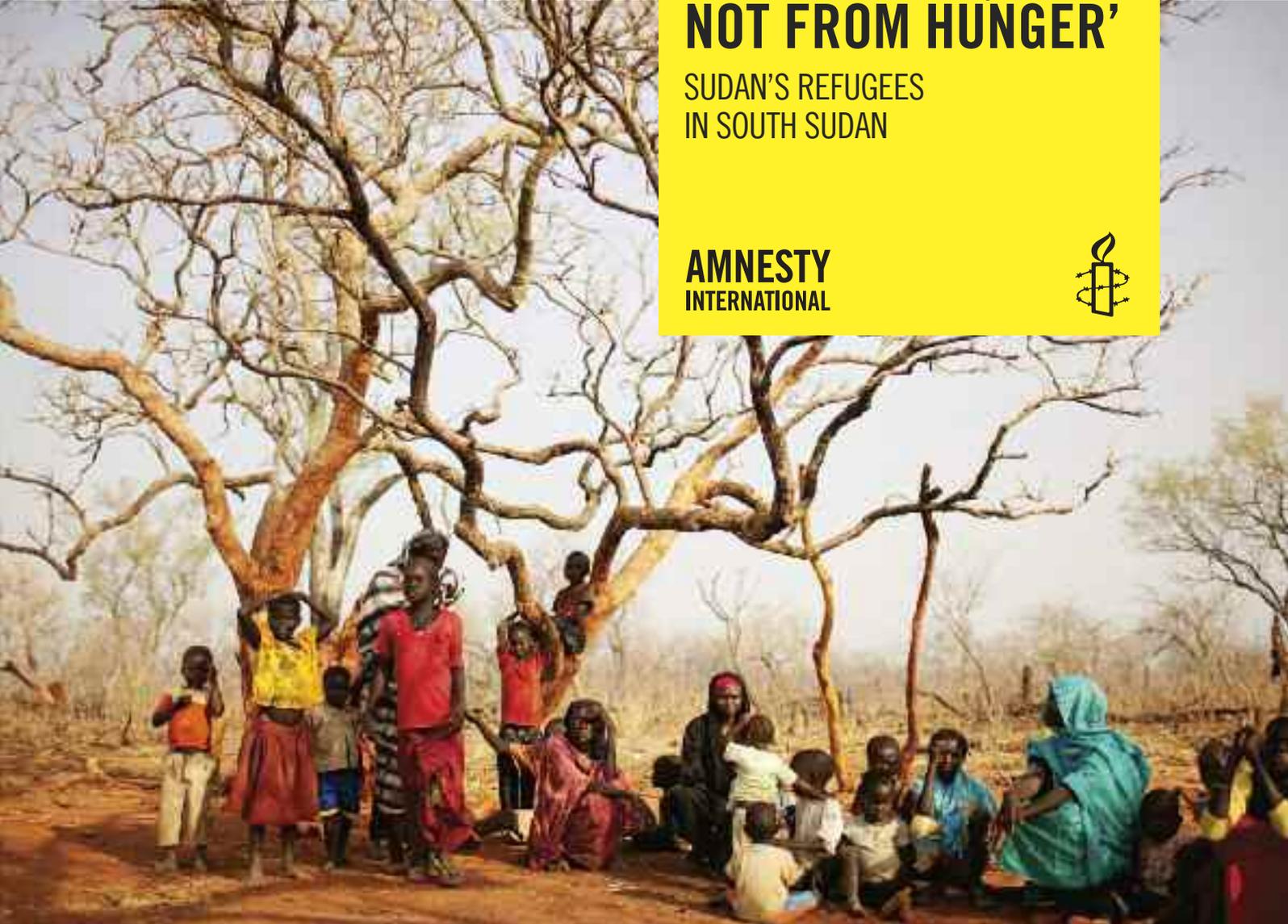


'WE CAN RUN AWAY FROM BOMBS, BUT NOT FROM HUNGER'

SUDAN'S REFUGEES
IN SOUTH SUDAN

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Front cover photo: Newly arrived refugees from the Nuba Mountains queue at a makeshift registration centre outside Yida refugee camp. South Sudan, April 2012. © Pete Muller
Back cover photo: A refugee from the Nuba Mountains wanders through Yida refugee camp at dawn. People try to accomplish tasks early in the day before the heat sets in. South Sudan, April 2012. © Pete Muller

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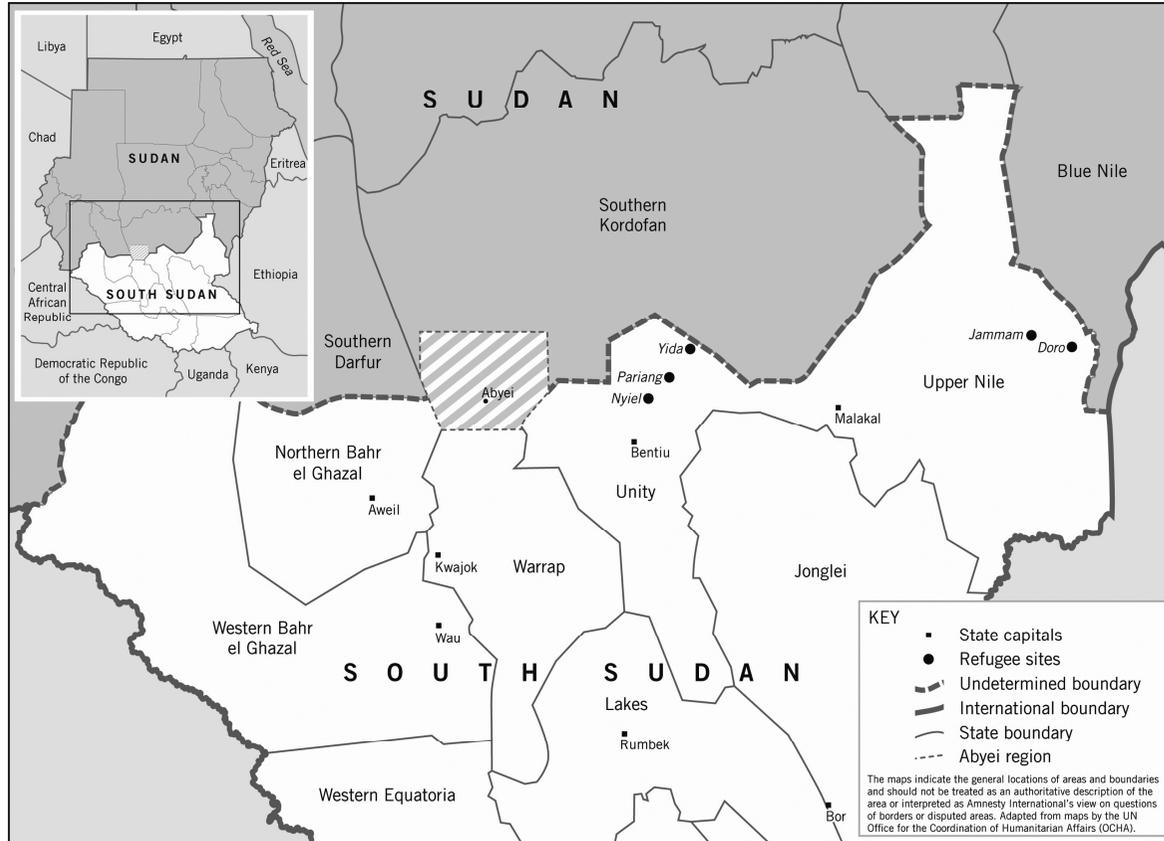
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GLOSSARY

ATT	Arms Trade Treaty
AU	African Union
AUHIP	African Union High Level Implementation Panel
CPA	Comprehensive Peace Agreement
LAS	League of Arab States
NCP	National Congress Party, the ruling party in Sudan
NSS	National Security Service
OAU	Organization of African Unity, now known as the African Union
SPLA	Sudan Peoples Liberation Army, the armed forces in South Sudan
SPLM	Sudan Peoples Liberation Movement, the ruling party in South Sudan
SPLA-N	Sudan Peoples Liberation Army-North, the armed wing of the Sudan Peoples Liberation Movement-North operating in Sudan's Southern Kordofan and Blue Nile states
SPLM-N	Sudan Peoples Liberation Movement-North, an armed opposition group operating in Sudan's Southern Kordofan and Blue Nile states
UNHCR	United Nations High Commissioner for Refugees
UNMIS	United Nations Mission in Sudan
UNMISS	United Nations Mission in South Sudan

MAP OF SUDAN AND SOUTH SUDAN



INTRODUCTION

“Their bombs have killed us and destroyed schools. There is nothing to eat. I did not want to leave. I want to be with my family. But I had no other choice. Even here things are very difficult but I have to stay here for now.”

Abil Abdalla, 15 year old refugee boy from Southern Kordofan, living in Yida refugee camp, South Sudan

Civilians in Sudan’s Southern Kordofan and Blue Nile states continue to bear the brunt of fighting between the Sudanese Armed Forces (SAF) and the Sudan People’s Liberation Army-North (SPLA-N).¹ Hundreds of thousands of people have been displaced since conflict broke out in the two states last year, both internally and as refugees into neighbouring countries. Between June 2011 and April 2012, over 114,000 Sudanese fled to South Sudan, and 30,000 fled to Ethiopia.² This is largely due to ongoing indiscriminate aerial bombardments by the SAF and severe food shortages, which have been exacerbated by the Sudanese government’s prevention of independent humanitarian assistance to Southern Kordofan and Blue Nile, in particular to areas controlled by the SPLA -N.

In 2012, the number of people fleeing from Southern Kordofan and Blue Nile has increased to an alarming rate in advance of the rainy season between May and October. Movement - both between and within the two countries - is severely crippled by the rains, as large parts of South Sudan are prone to flooding, and roads become impassable. During this period, the UN and international NGOs are faced with numerous challenges in adequately providing for the increasing numbers of refugees, compounded by the lack of basic infrastructure in the remote areas to which they flee.

This report focuses on the situation of Sudan’s refugees in South Sudan; it documents the human rights violations they have faced due to ongoing conflict in Southern Kordofan and Blue Nile, and the human rights abuses and humanitarian challenges that confront them in the refugee camps to which they are fleeing. The latter include severe water shortages and insufficient food rations, lack of access to education, inadequate protection from the risk of sexual and gender based violence, and the presence of armed elements in the camps, further compromising their relative safety.

RESEARCH METHODOLOGY

This report is based on research carried out by Amnesty International during missions to eight refugee camps and settlements in Unity and Upper Nile states in South Sudan in December 2011, and March to April 2012; and to SPLA -N controlled areas of Southern Kordofan in August 2011. Amnesty International was unable to carry out research in Blue Nile, or in

government-controlled areas of Southern Kordofan, due to the denial of access to international organizations by the government of Sudan since the conflict began. Amnesty International has been denied access to Sudan since 2006.

Amnesty International conducted interviews with scores of refugees and internally displaced people, and had meetings in South Sudan with UNHCR, international NGOs, South Sudan government officials, national human rights monitors and members of the SPLM-N.

In April 2012, Amnesty International’s research in Unity State was carried out at a time of escalating tension between Sudan and South Sudan, unprecedented since the conclusion of the 2005 Comprehensive Peace Agreement (CPA). Intense ground fighting between the SAF and South Sudan’s Sudan Peoples Liberation Army (SPLA) and their respective proxies broke out in the disputed oil-producing town of Heglig in late March and continued throughout April. This led to heightened levels of insecurity on the border between Sudan and South Sudan and the SAF responded to the ground fighting with aerial bombardments in and around Bentiu, the capital of Unity State. Increased insecurity led the UN and many international NGOs to pull out all non-essential staff from potential flashpoints in South Sudan, impacting considerably on efforts to pre-position food and other essential items for Sudan’s refugees and other vulnerable groups, such as South Sudanese nationals returning to South Sudan after years of residing in Sudan, before the rainy season.

BACKGROUND TO THE CONFLICT IN SOUTHERN KORDOFAN AND BLUE NILE

Conflict in Southern Kordofan erupted between the SAF and SPLA on 5 June 2011 in Kadugli, the state capital, and the town of Um Durein, and quickly spread to other parts of the region. On 1 September 2011, the fighting spread to Damazin, Blue Nile's state capital, and on 2 September Sudan's President Omar al-Bashir declared a state of emergency in Blue Nile. SPLM-N governor Malik Agar was dismissed and replaced by military commander General Yahia Mohamed Kheir, and the SPLM-N was subsequently banned as a political party.

On 29 April 2012, a state of emergency was declared in a number of localities in states bordering South Sudan, including seven localities in Southern Kordofan, two localities in White Nile, and two localities in Sennar. On 7 May, a further three localities in Southern Kordofan were declared under a state of emergency.³ The state of emergency provides the president with expanded powers to suspend the bill of rights, with the exception of a limited number of rights including the right to life, sanctity from torture and the right to a fair trial; dissolve or suspend any of the state organs or powers and prescribe the manner in which the affairs in the state will be managed; and take any measures which are deemed necessary, which will have the force of law.⁴

Fighting occurred in the context of growing tensions between Sudan's ruling National Congress Party (NCP) and the Sudan Peoples Liberation Movement (SPLM) over a number of unresolved issues from the 2005 Comprehensive Peace Agreement (CPA) in relation to Sudan's three transitional areas: Southern Kordofan, Blue Nile and Abyei.⁵ These included the requirement to hold popular consultations in Southern Kordofan and Blue Nile states, meant to lead to negotiations between the two states and the government of Sudan over their post-CPA status, and the status of members of the SPLA forces in Sudan.

Populations from Southern Kordofan and Blue Nile had aligned themselves with the SPLA during Sudan's internal armed conflict. In 2011, in accordance with the 2005 CPA, South Sudanese voted in a referendum to determine whether South Sudan would remain part of Sudan or become an independent state. In July 2011, following an overwhelming majority vote in favour of secession, South Sudan gained independence, with the SPLM as its ruling party.

Promised popular consultations in Southern Kordofan and Blue Nile states were repeatedly delayed; in Southern Kordofan the process was never started while in Blue Nile the process began in June 2010, but was never completed. In Southern Kordofan, the state legislative and executive elections in May 2011 - held as a precursor to the popular consultations - were rejected by the SPLM-N after NCP candidate Ahmed Mohammad Haroun won the elections for governorship. Ahmed Mohammed Haroun is the subject of an International Criminal Court

arrest warrant for twenty-two counts of war crimes and twenty counts of crimes against humanity including attacks against the civilian population, murder, persecution and rape committed in Darfur.⁶

Furthermore, the CPA failed to adequately address the future status of the SPLA’s former 9th and 10th divisions composed of troops from Southern Kordofan and Blue Nile, respectively. The CPA required these units to be demobilized or redeployed to South Sudan, however, due to the incomplete popular consultations, the SPLM-N requested that a new security arrangement be negotiated that would allow for a more gradual reintegration of the SPLA-N into the Sudanese Armed Forces (SAF).⁷

Other unresolved issues following the CPA and South Sudan’s independence in 2011 - causing tensions and conflict between Sudan and South Sudan - include disputes over the border demarcation between both states, the sharing of oil revenues and the status of Abyei.

THE SITUATION IN SOUTHERN KORDOFAN AND BLUE NILE

INDISCRIMINATE BOMBINGS

A major characteristic of the conflict in Southern Kordofan and Blue Nile has been an indiscriminate bombing campaign carried out by the SAF. This has forced hundreds of thousands of people to flee, either due to the direct impact of the bombings, or for fear of being bombed. In addition to deaths and injuries caused by indiscriminate bombings - which are prohibited under international humanitarian law - people have been unable to sufficiently plant or harvest crops, which have led to severe food shortages in both states.

Amnesty International analyzed 13 air strikes in Southern Kordofan between June and August 2011 in civilian areas, when dozens of civilians including children were killed or injured and civilian properties destroyed.⁸ Since August 2011 Amnesty International has documented aerial bombings in Southern Kordofan and their impact on civilians and from the end of April to May 2012 noted that such bombings intensified.

On 11 May 2012, national human rights monitors in Southern Kordofan reported that an Antonov aircraft bombed Kauda. Mustafa Hamdan Kunda, a 35 year old farmer was on his way back to his house at around 9:40am when a bomb "landed on his head", killing him instantly. His family reportedly collected the remains of his body from nearby tree branches, and buried his remains that same day. On 29 April, national human rights monitors reported that two bombs were dropped on the village of Kauda Foq causing destruction to a national NGO office and the house of engineer Yousif Ismail and his two cousins Ashor Ismail and Badir Eldin. Four men, including Ashor Ismail's two cousins, were injured by the bombings.

Prior to this, on 11 April monitors in Southern Kordofan reported that 10 bombs were dropped including two in Kauda Tihit, between Al Irsaliya Church and the Kauda Teachers Training Center. Shrapnel from the bombing injured Kalo Al Samani, aged 11 years, on the left side of his head removing part of his skull. He was looking after cattle beside a *wadi* (streambed) when the bombs dropped. He survived the injury, but remained in hospital and was in and out of consciousness at the time he provided his account.

Schools, health clinics and churches have also been damaged by the aerial bombings in Southern Kordofan. National human rights monitors told Amnesty International that on the evening of 1 February 2012, an Antonov aircraft flew over Heiban and dropped six bombs around the Unity Theological College. One of the bombs fell directly on a student dormitory, damaging two buildings. Shortly after the incident, on 6 February, an Antonov aircraft dropped four bombs in and beside a health clinic in Kurchi, damaging the building and destroying medical supplies. On 17 February a primary school in Um Serdiba was reportedly bombed, and while there were no students in the school at the time, the building was damaged as a result. Directing an attack against a zone established to shelter the wounded, the sick and civilians from the effects of hostilities is prohibited under international law.

INDISCRIMINATE ATTACKS: THE ARMS SUPPLY CHAIN

The irresponsible supply to and misuse of arms by the Sudanese Armed Forces in Southern Kordofan

Belarus, the People’s Republic of China, the Russian Federation and Ukraine have been the main arms suppliers to Sudan in recent years, despite the persistent violations of human rights and war crimes perpetrated by the SAF.⁹

In July 2011, Amnesty International identified a Sukhoi SU-25 fighter jet from a photograph taken during an air attack by the SAF on 14 June 2011 on the airstrip in Kauda, which is adjacent to the former United Nations Mission in Sudan (UNMIS) compound. Fragments from the site of this attack on 14 June, identified by ordnance experts for Amnesty International, resemble the warhead from a USSR 240mm HE Rocket, Aircraft launched, Model S-24.

Munitions from another attack on 25 June 2011 in Kauda have been identified from the Cyrillic markings as S-5 57mm rockets. While it is not possible to determine the provenance of these particular rockets since several countries manufacturer them, they can be fired from a UB-16-57 or UB-32A1 rocket launchers mounted to fighter jets such as the Russian-made MiG-21 or SU-25 jets or attack helicopters such as the Mi24 helicopters¹⁰ all of which are in the inventory of the Sudanese Air Force.¹¹ Amnesty International also found that S5 (57mm) and S8 air-to-ground rockets were used in SAF air strikes conducted in Southern Kordofan in July 2011.

Between 2008 and 2010, the SAF received 15 Sukhoi-25 aircrafts of Russian-origin from Belarus.¹² The SAF has also continued to receive new Mi-24 helicopter gunships in recent years: 36 were delivered by Russian between 2007 and 2009.¹³ Replacement helicopter gunship supplies from Russia appear to have continued during 2011.¹⁴

China has also been one of the main suppliers of conventional arms to the SAF.¹⁵ Amnesty International has identified the use of Chinese-manufactured 302mm Weishi multiple-launch rockets in ground bombardments in the area of Kauda in late 2011 and early 2012, which have been used indiscriminately in civilian areas.

In addition to these rockets, Amnesty International has gathered evidence of the use of Chinese manufactured weapons and ammunition including QLZ87 35mm grenade launchers and grenades, supplied to Sudan by a Chinese company under a contract dated 2008, according to packaging markings. These were captured from SAF forces by the SPLA-N in June 2011. Batches of 2010-manufactured ammunition, with Chinese manufacturing code ‘945’, have also been observed in Southern Kordofan in 2011.¹⁶

Similar patterns of aerial attacks have taken place in Blue Nile State, with equally destructive consequences to civilians. The majority of refugees interviewed from Blue Nile told Amnesty International that they had fled because of daily aerial bombings in their areas. Amnesty International interviewed civilians who fled to Doro refugee camp in South Sudan in November and December 2011, who had been injured or had family members killed during air strikes in Bellatuma village in Blue Nile on 10 November – the weekly market day when people from surrounding villages came to buy food and other supplies. According to survivors, nine civilians including five women, two men and two children were killed during the attack.

Ayub Dan, whose wife Marta, aged 27 and a mother of seven, was killed during the attack, said: *“I was in the market with my wife but was in a different part of the market when the*

market was bombed. We threw ourselves on the ground when we heard the Antonov above. It was panic. When I found my wife, she was lying on the ground face down and was dead; a large piece of shrapnel had gone through from her back to her chest. The plane dropped several bombs; I counted 12, three each time it flew over four times-back and forward twice."

Ayub Dan's two daughters, Manasia, aged six and Barshiba, aged 14 were also injured. They were at their home in the nearby town of Yabus when they heard the Antonov aircraft circling. Manasia sustained serious injuries to her left armpit and chest while Barshiba had part of her right buttock sliced off. Both required extensive medical care.

Indiscriminate aerial attacks in areas inhabited by civilians - involving unguided munitions dropped from high altitudes - make it impossible to ensure compliance with the principle of distinction between military objectives and civilian objects, as well as with the distinction between civilians and combatants. Such attacks amount to war crimes, and could amount to crimes against humanity. In the conduct of military operations, constant care must be taken by authorities to spare the civilian population, and civilian objects. All feasible precautions must be taken to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects.¹⁷

ARRESTS AND DETENTION

In addition to indiscriminate bombings, civilians who fled from Southern Kordofan and Blue Nile recounted to Amnesty International how the SAF arbitrarily arrested and unlawfully killed perceived supporters of the SPLM-N.

Ezzeldin Kaki, a 38 year old man who arrived in Yida refugee camp on 4 April 2012 fled from his village of El Mesheesha - on the outskirts of Kadugli, the capital of Southern Kordofan - on 6 June 2011 after it was attacked by SAF. He told Amnesty International:

"The soldiers attacked the place [El Mesheesha] and randomly killed SPLM-N supporters. My father Kaki Abdallah was killed. He was at home with my brother Abdallah Kaki, age 45 years and my uncle Mohamed Ali, age 70 years. They went out to see what happened and were shot. After that I ran to the mountains and hid. When the NCP soldiers left in the evening, I went back and buried the bodies and went back to the caves. I have never come back to El Mesheesha. I am just moving around."

Following this incident, Ezzeldin Kaki sheltered in a cave in the Nuba Mountains, on the outskirts of Tess, when Tess was attacked by the SAF on 20 September:

"I was on top of a hill but hiding myself in the cave. One attack [by SAF] happened on 20 September. It was a heavy attack that came from different directions. Around 400 civilians were captured and taken to Kadugli. They were put in two big trucks. They were all civilians - children, women and old men."

A.B., 18 years and H.A., 20 years, from the village of Tyagual near Kurkuru in Blue Nile State, were captured along with 10 other men and detained by SAF soldiers in November 2011.

H.A. described their capture to Amnesty International:

“We took our goats to the river to drink water and suddenly saw many soldiers surrounding us. They shot two boys, Awad Khalifa and Omar Adau [in their mid-twenties] who died. They took us with our goats by truck to Wadabok and asked us ‘are you soldiers?’ We said ‘no we are just civilians.’ They took us to a farm and told us to work as a prisoner. They beat us with a stick when we reached Wadabok. We spent three days looking for a way to escape. We escaped at around 7pm on the third night and reached Kurkuru at 10am [the following day].”

Hundreds of perceived or known SPLM-N members have also been arrested by the Sudanese authorities since June 2011, including in the capital Khartoum. Most recently, in March and April 2012, there was a wave of arrests of SPLM-N members and perceived supporters, by the Sudanese authorities. On 15 March Jalila Khamis Koko, an SPLM-N member and teacher from Southern Kordofan, was arrested from her home in Khartoum. She remains in detention without access to a lawyer and was dismissed from her teaching position, reportedly due to her absence from work. She has not been charged. On 21 April, Alawiya Osman Ismail Kubaida, the SPLM-N Secretary for Social Affairs, was arrested by plainclothes National Security Service (NSS) agents at her home in Omdurman, on the outskirts of Khartoum, the capital of Sudan. She was taken to an undisclosed location and her family were not given a reason for her arrest. While the NSS confirmed that she was held in their custody, her location remains undisclosed and she has not had access to her family or a lawyer, nor has she been charged.

On 25 June 2011 Bushra Gamar Hussein Rahma, an X-ray technician and founder of the Human Rights and Development Organization in Southern Kordofan, was arrested by the NSS from his home in Omdurman. He worked for the SPLM in 2008 but has not been an active member since. He was released on 14 July 2011, and immediately re-arrested. He is being held in Kober prison in Khartoum with no access to a lawyer or his family. Bushra Gamar Hussein Rahma is facing charges under seven articles¹⁸ in the 1991 Criminal Act, including for Article 50 “undermining the constitutional system,” which is punishable by death or life imprisonment.

On 2 September 2011 following the closure of SPLM-N offices, Sudanese security forces arrested party leaders and members of SPLM-N in Blue Nile State. Among them is Sudanese activist and poet, Abdelmoniem Rahama who was seen in the custody of the NSS in Damazin, the capital of Blue Nile State on 2 September. In 2010, Abdelmoniem Rahama was appointed as a government advisor for cultural affairs in Blue Nile. He was also the co-founder and administrative director of *Ajrass Ahurriya* (Bells of Freedom) newspaper, which was shutdown by the authorities in July 2011.

In March 2012 the Attorney General’s office announced it had completed investigations of 132 detainees, including Abdelmoniem Rahama, and accused them of crimes against the state and espionage. Further details including a full list of detainees, information on the specific charges against them or access to them have been denied to lawyers or their families. Lawyers following the arrests estimate over 200 SPLM-N members are either detained or missing.

DENIAL OF HUMANITARIAN ACCESS

Since the conflict erupted, the Sudanese authorities have denied international human rights monitors and humanitarian agencies access to Southern Kordofan and Blue Nile, and particularly the SPLM-N controlled areas within the states, preventing them from providing assistance to civilians in those areas. The use of starvation of the civilian population as a method of warfare is prohibited and humanitarian relief personnel must be respected and protected.

On 9 February 2012, the African Union (AU), League of Arab States (LAS) and the UN submitted a tripartite proposal to the Government of Sudan and SPLM-N, urging both parties to allow for unhindered and immediate humanitarian access to assist civilians in both areas. This call was reiterated by the UN Security Council on 2 May 2012.¹⁹ The SPLM-N signed the tripartite agreement; however it has not been signed by the Government of Sudan.

DISPLACEMENT CONTINUES

Since the conflict began, over 30,000 refugees from Southern Kordofan have fled to South Sudan’s Unity state and 91,400 from Blue Nile have fled to Upper Nile State,²⁰ both on the increasingly volatile border with Sudan. The majority of refugees in Unity State are in Yida, Nyiel and Pariang refugee camps, while the majority in Upper Nile State are in Doro and Jammam refugee camps, in addition to a number of transit sites and informal settlements. Additionally, hundreds of thousands of people have been internally displaced in Southern Kordofan and Blue Nile, however the precise number is unknown as the Sudanese authorities have blocked access to conflict-affected areas.²¹

Refugees fleeing the conflict continue to arrive to South Sudan at an increasing rate. The most recent influx has been from Blue Nile to Elfoj in Upper Nile State, where around 20,000 refugees amassed in mid-May and early June 2012. Many of the recently arrived refugees have been relocated to a transit site in Rum and will be moved to Yusuf Batil (Doro II), a camp undergoing preparation to accommodate the recent influx of refugees.²²

Refugees from Southern Kordofan continue to flee to Yida in Unity State where the average number of arrivals in the first half of May 2012 was 550 people per day. From mid-February 2012, the size of the camp swelled from 16,700 people to over 35,000 people by the end of May 2012.

Amnesty International interviewed new arrivals to Yida in mid-April 2012. All indicated that they had fled in part because of the ongoing and cumulative impact of aerial and ground attacks by the SAF, but that the precipitating cause was the humanitarian situation: they were concerned that if they did not move to South Sudan before the rainy season began in May, they would be without food. Most indicated that due to the aerial bombardments they were unable to plant or cultivate crops and were no longer self-sufficient with respect to food. While some refugees came directly from their homes in Southern Kordofan, others had fled their homes months prior to their arrival in Yida and had been internally displaced in a number of locations, before crossing the border into South Sudan.

Boboya Sumi, a 25 year old nurse from Tess arrived in Yida on 15 April with two other women and their six children. She told Amnesty International:

“I said I did not want to come to Yida, even when the war started, but now there’s no food. That’s why I came to Yida. When the fighting started [in Tess], I went to Tabanya. Since June [2011], I ran to Tabanya and stayed there until November. I went to Tess in November and saw the situation was OK. There were still people there but there were not many houses, just people hiding in mountains. There was very little food. I would hide in the bush and after the enemy was chased away I went back to the house to eat, but now [we were] just eating leaves of trees. My children were suffering seriously since the beginning of April.”

Bashir Tia, aged 26, from Kolulu in Southern Kordofan arrived in Yida on 15 April with his brother and their families, including five young children. He told Amnesty International:

"At first I wasn't planning to come to Yida, but shortages of water and food made us come here. In Kolulu there were bombings by Antonovs and MiGs which did not allow us to cultivate. It started since June [2011] until today. The problem with water is not the same as food. Water, we can go a very far distance to get but not the food. I travelled further south [in Southern Kordofan] to find sorghum to feed the children but it was very little."

Tahani Kuwa Zuber, aged 25, from Chat in Southern Kordofan, arrived in Yida on 14 April with her brothers' eight children. She was unable to bring her own two children, aged four and five years, because she travelled on foot and was worried they were too young to make the journey. She left them with their grandmother and hopes to return to collect them soon. Tahani Kuwa Zuber told Amnesty International:

"I came here because of hunger. In July the bombings gave us no chance to cultivate. We were eating small portions [in Chat] but not until we were satisfied. They were little rations when I left Chat and came to Yida because I heard life is better here and we will be given food."

Awad Izzadine, aged 30, arrived in Yida from Kolulu, Southern Kordofan on 15 April 2012 with his two wives and eight children, his sister and her four children, and his mother and her two children. The 14 children range in age from six months to 15 years of age. He told Amnesty International:

"They were always hungry and always listening for the Antonovs. Sometimes it seemed like my children could never stop crying."

THE STATUS OF YIDA REFUGEE CAMP

Of the several refugee camps in South Sudan, Yida is the closest to Sudan, located in Unity State, approximately 25 kilometres from the border. Refugees first began arriving in Yida on 21 July 2011, when a group of around three hundred people from Southern Kordofan crossed into South Sudan.²³

Shortly after the influx of refugees to Yida, UNHCR expressed concern about the refugees’ safety because of the camps’ close proximity to the border with Sudan, and has repeatedly urged refugees to move to locations further inside South Sudan.²⁴ Risks associated with the close proximity to the border include the possibility the camp could be used as a military base, in addition to a supply and/or transit point for armed opposition groups, which would put refugees in increased danger of being harmed or directly targeted in cross-border attacks.

For these reasons, international standards, including the 1969 OAU Convention on Refugees,²⁵ state that refugees should be located at a reasonable distance from the borders of their countries of origin, in order to ensure the civilian and humanitarian character of the refugee camps.²⁶ This is understood to be in the vicinity of 50 kilometres from the border.

The UNHCR further expressed concern that Yida is an isolated location, making it difficult to provide for the needs of refugees during the rainy season, and that an evacuation will be very difficult if security conditions deteriorate.²⁷ Yida has repeatedly been described to Amnesty International as an “island” during the rainy season, with all access roads deemed impassable and the airstrip difficult to land on.

In consultation with South Sudanese officials, Yida refugee leaders, and humanitarian organizations, in November and December 2011 the UNHCR established two sites in Unity State further away from the border, where they are urging refugees at Yida to move. Pariang refugee camp hosts around 1,900 secondary school students and it is a transit point for refugees awaiting transfer to Nyiel refugee camp, a further one hour drive from Pariang.

The UNHCR erected enough tents at the Nyiel camp to host approximately 9,000 refugees. However, when Amnesty International visited the camp on 14 April 2012, an estimated 650 refugees were living there. Despite encouraging voluntary relocation to the Nyiel camp for many months, very few refugees have moved. Amnesty International interviewed many refugees at Yida camp about their views on moving to Nyiel and all indicated that they were unwilling to move, due to what they felt was the camp’s inhospitable location. These sentiments were echoed by the head of the Yida refugee council, a leadership appointed by the SPLM-N for the refugee camp, composed of various committees including committees for health, gender, education and social welfare, among others.²⁸

Concerns expressed by the refugees included that Nyiel’s low ground and hard soil were susceptible to widespread flooding throughout the rainy season, making living conditions intolerable and increasing the likelihood of diseases such as malaria and typhoid. Nyiel was widely described as a “swamp” during the rainy season. Refugees also stated they preferred to be near the border as it made it easier to return to their homes when possible, even if only

for temporary periods, increasing the possibility of being able to plant and tend crops. However, several sources also indicated that refugees who expressed an interest in moving to Pariang or Nyiel refugee camps, faced harassment and intimidation and had in some cases been subjected to unlawful imprisonment by individuals aligned with leadership at Yida.

Amnesty International agrees with the concerns raised by the UNHCR regarding the challenges of operating in Yida, including increased insecurity due to its proximity to the border. Nonetheless, the organization is concerned that a full range of assistance and programs were not being provided in Yida, to the extent that they have been in other camps, when Amnesty International visited the camp in April 2012.

International NGOs operating in Yida expressed concern that its disputed status meant that the UNHCR had not taken on or funded camp coordination and management. As a result, they reported that crucial issues related to ensuring proper reception and integration of newly arrived refugees, overseeing the provision of water throughout the camp, and responding to the plight of unaccompanied refugee children, were dealt with on an ad hoc basis, often resulting in gaps that caused further hardship for the refugees. For example, when Amnesty International visited Yida, there had not yet been a camp-wide distribution of plastic sheeting and mosquito nets to help camp residents prepare for the rainy season. Similarly, UN agencies declined to assist refugees in Yida in developing agricultural capacity at the camp, including through the provision of seeds and tools.

Recognizing the increasing numbers of refugees arriving at Yida and their unwillingness to relocate to Nyiel, and the start of the rainy season, UNHCR indicated to Amnesty International in late April 2012 that it would increase the provision of services and programs to Yida. In May, UNHCR increased its presence and had taken responsibility for the registration of new arrivals and the distribution of non-food items to vulnerable groups. UNHCR continues to advocate for refugees to move to other settlements at a safe distance from the border.²⁹ While agreeing with UNHCR’s concerns that it would be preferable for the refugees to move to safer locations, Amnesty International calls on UNHCR to ensure that camp coordination and management is formally supported and resourced in Yida, and that refugees have access to essential services.



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Above: A child looks at burning remnants after bombs were dropped in Kauda, Southern Kordofan, Sudan, on 29 April 2012. The Sudanese Armed Forces continue to indiscriminately bomb civilian areas.

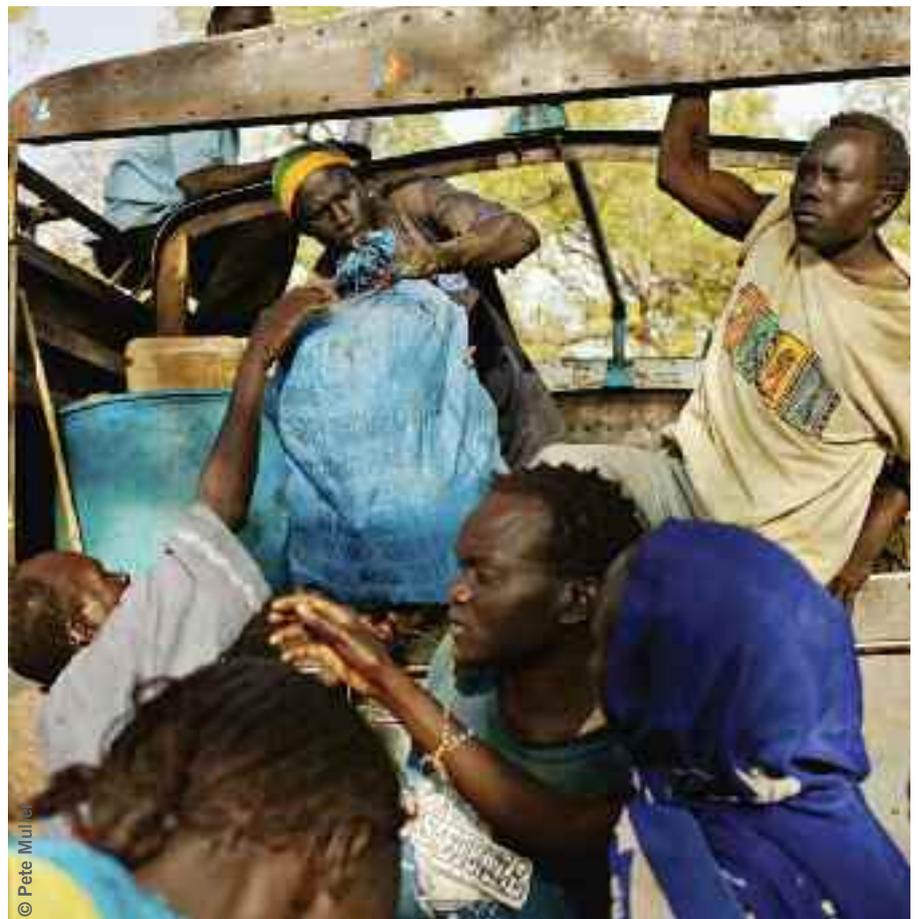
Far left: Sergiel Khoja, mother of seven and five months' pregnant, in the hospital in Malakal, South Sudan, 5 December 2011. She was injured in the bombing of the market in Bellatuma village in Blue Nile State, Sudan. Her left leg had to be amputated below the knee.

Left: Ayub Dan and his injured children, six-year-old Manasia and 14-year-old Barshiba, in Dorro refugee camp near Bunj, South Sudan, 2 December 2011. Ayub Dan's wife was killed and his two daughters were injured during the bombing of the Bellatuma market in Blue Nile State, Sudan.



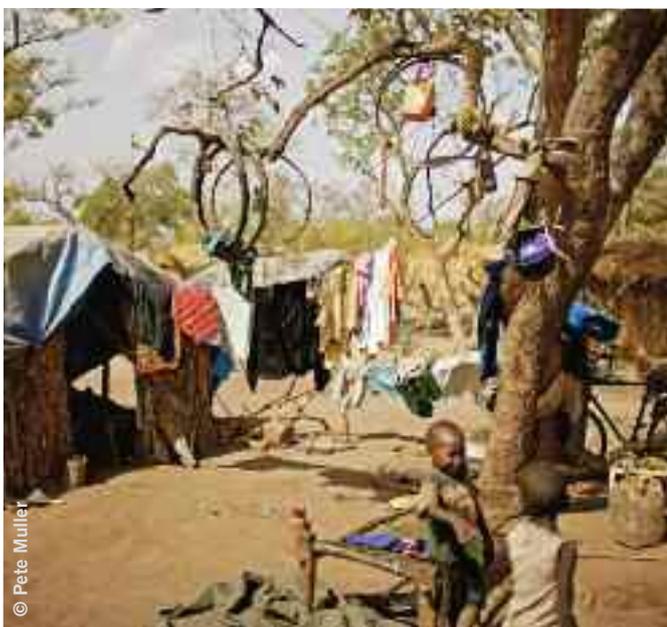
Above: Children carry their family's belongings as they go from Tess village in the Nuba Mountains, Southern Kordofan, to Yida refugee camp in South Sudan, May 2012.

Right: Refugees from the Nuba Mountains arrive by truck at Yida refugee camp, South Sudan, April 2012.





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Top: A newly arrived woman from Southern Kordofan and her family wait to be registered at a refugee registration centre outside Yida refugee camp. South Sudan, April 2012.

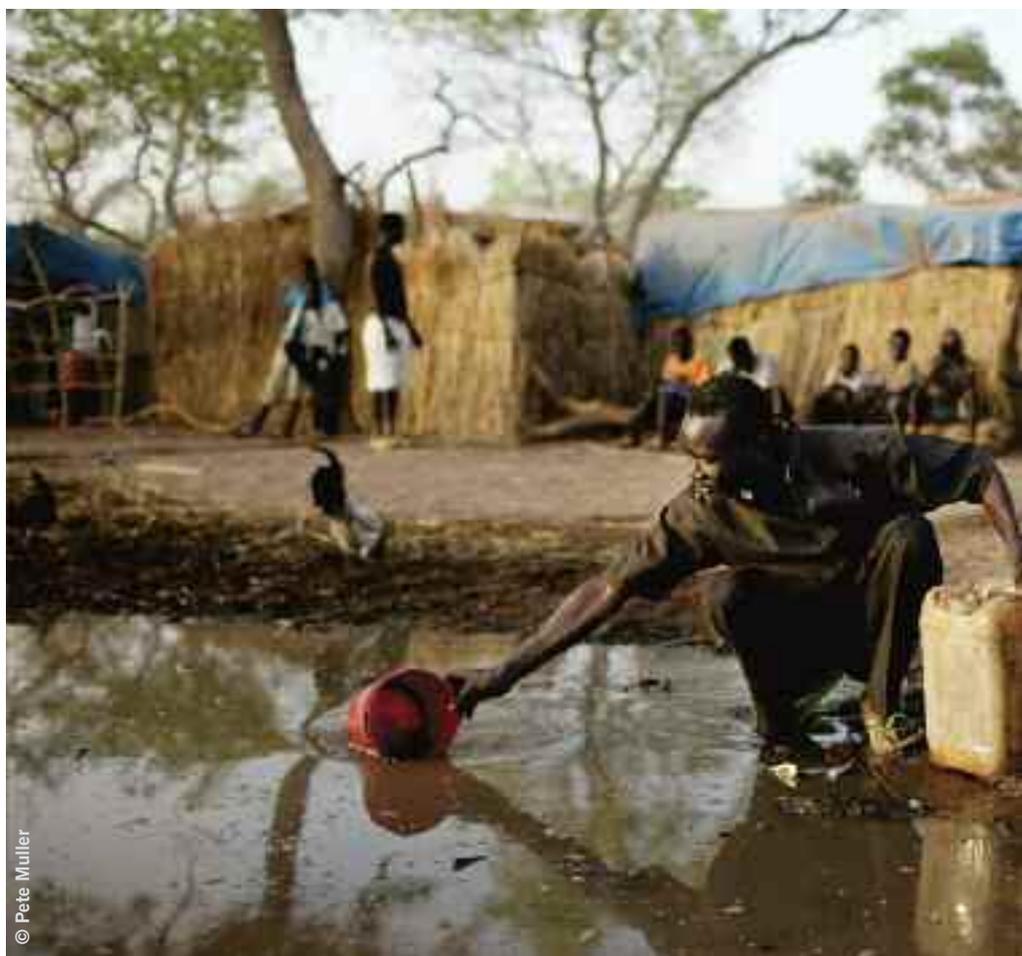
Centre left: Children play outside a makeshift hut in Yida refugee camp. South Sudan, April 2012.

Centre right: A newly arrived family set up their belongings in Yida refugee camp. South Sudan, April 2012.

Left: Refugees sleeping without shelter in Yida refugee camp. South Sudan, April 2012.

Right: A man collects water from a puddle in Yida refugee camp as clean water supplies run out. South Sudan, April 2012.

Below: Two women argue at a water point in Yida refugee camp. Water is in extremely short supply in the camp, which has daily temperatures of more than 45°C. Women and children often queue for up to 10 hours to fill one container. South Sudan, April 2012.





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Above: People queue to collect water in Jammam refugee camp, Upper Nile State, South Sudan, March 2012.

Left: Lack of water is a major concern for refugees in Jammam refugee camp. South Sudan, March 2012.



Above: A young boy assists a blind refugee through the main market of the Yida refugee camp. South Sudan, April 2012.
Right: Soldiers of the Sudan People's Liberation Army–North (SPLA-N) seen in Yida refugee camp compromise the civilian character of the camp. South Sudan, April 2012.





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Top left: (left to right) Arafa Jazar, 15, Seham Taur, 13, Samah Juma, 17, Marha Zabid, 17, Bushar Adam, 15 and Amani Zaki, 18, are girls who left their families in Southern Kordofan to seek education in Yida refugee camp. South Sudan, April 2012.

Top right: Unaccompanied girls lack basic amenities such as shower facilities. Girls told Amnesty International that they showered in pairs at night, to avoid being seen. "We are scared that drunk people will do something bad like beat, rape or quarrel. Drunk people enter the compound at night until we shout."

Above: Halima Ahmed, 18, from Frandala in Southern Kordofan came to Yida refugee camp in August 2011 to continue her primary school education. When she returned to Southern Kordofan in March 2012 to visit her family, her three-year-old sister, Numi, was killed by a bomb fragment. "One minute we were running for safety and then suddenly she was dead." South Sudan, April 2012.



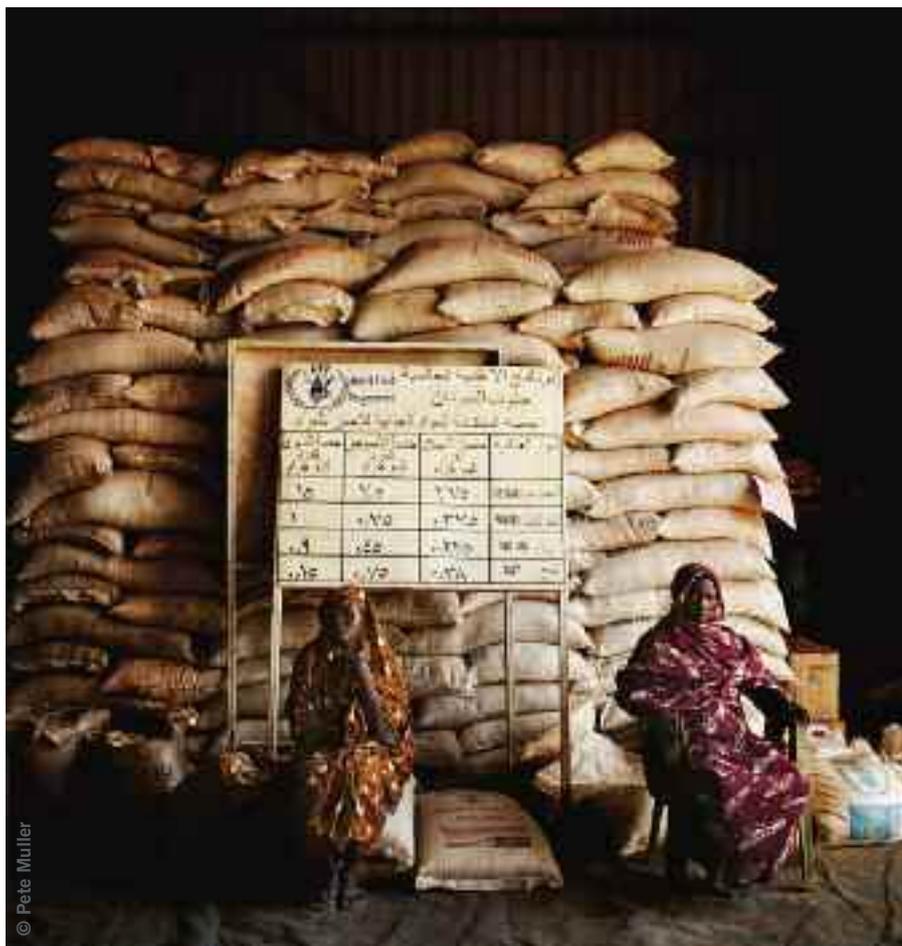
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Centre: Boys wait to receive mosquito nets provided by a humanitarian organization in Yida refugee camp. South Sudan, April 2012.

Left: Boys take refuge from the sun in Pariang refugee camp. South Sudan, April 2012.



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Above: Empty tents at Nyiel refugee camp, set up by UNHCR, the UN refugee agency. They can accommodate over 9,000 people, but only around 660 refugees live at the site. South Sudan, April 2012.

Left: Women sit inside a food storage warehouse in Yida refugee camp, South Sudan, April 2012. Refugees arriving in the camps after fleeing armed conflict in Sudan's Southern Kordofan and Blue Nile states continue to experience shortages of food.

REFUGEES AT RISK: FAILURE TO SAFEGUARD THE RIGHTS OF SUDANESE REFUGEES IN SOUTH SUDAN

As stated in the Convention and Protocol Relating to the Status of Refugees (1951, 1967), refugees have a number of rights afforded to them, including the right not to be discriminated against or penalized because of their status as a refugee, as well as the right to education and employment.³⁰ Refugee children enjoy the right to education and UNHCR has called upon States to ensure ‘that all refugee children benefit from primary education of a satisfactory quality.’³¹

The UNHCR emphasizes that refugee protection is ‘primarily the responsibility of States and that it is best achieved through effective cooperation between States and the UNHCR, as well as other international organisations and pertinent actors’.³² Furthermore, the UNHCR reiterates ‘the importance of timely and adequate assistance and protection for refugees; that assistance and protection are mutually reinforcing and that inadequate material assistance and food shortages undermine protection.’³³

It is the responsibility of the State to ensure that refugees are accorded their fundamental human rights to life, liberty and security of person with dignity and respect and that States who receive refugees and asylum seekers make adequate provision for their reception and subsequent welfare by ensuring they ‘receive all necessary assistance and be provided with the basic necessities of life including food, shelter and basic sanitary and health facilities.’³⁴

FOOD AND WATER SHORTAGES

In Doro and Jammam refugee camps, humanitarian organizations, UN agencies and refugees stated that water shortages were one of the main problems. The minimum standards for water supply, for survival, in an emergency situation are that between 7.5 and 15 litres are provided per day for each person. This water should be palatable and of sufficient quality for drinking and use in cooking, as well as for personal and domestic hygiene, without causing health risks.³⁵

International NGOs operating in Doro and Jammam reported that refugees were receiving between five and seven litres of water a day, though some believed it was less. Health organizations reported that due to an insufficient supply of water and associated poor hygiene and sanitation, there were high rates of diarrhoea in the camps.

In Jammam, multiple attempts to drill for water were deemed futile due to insufficient ground reservoirs.³⁶ International NGOs assisting with the provision of clean water and sanitation had to truck large amounts of water to the area. As a result, in the week of 7 May

2012, the UNHCR began relocating 15,000 of an estimated 38,000 refugees to Doro refugee camp.³⁷ However, water shortages in Doro were also reported by the refugees there and by those interviewed in Khortumbak, an informal settlement which hosts around 2,000 refugees and is one hour's drive from the camp. Individuals at Khortumbak stated that lack of water was one of the main reasons they did not want to move to the refugee camp.

Silka Chunahada, aged 28, from Baambai in Blue Nile State arrived in Khortumbak in October 2011. He said:

"I am not registered with UNHCR because I like the area and want to stay. I get messages that there is no food or water in Doro and there are problems with the local community there. There are no problems with the local community here."

In June 2012, the UNHCR stated that refugees in Doro were receiving on average 18 litres of water per person, per day, and there were no longer queues at the water points. However other international NGOs have expressed concern that Doro refugee camp has reached full capacity and that Yusuf Batil camp (Doro II) only provides enough water for between three and four thousand refugees.³⁸

During the rainy season, transporting equipment in order to drill more boreholes will become increasingly challenging as the roads become impassable. At the time of Amnesty International's visit in March 2012, international organizations had been waiting for over one month for a larger drilling rig in Doro in order to drill more boreholes. The equipment had been slow to arrive due to the major logistical challenges associated with transporting heavy-duty equipment to remote parts of South Sudan.

In Yida, severe water shortages were also evident. During Amnesty International's visit to the area in April 2012, three of the five boreholes had broken down and women were queuing for water sometimes for over 10 hours. As a result, some people were collecting water from stagnant pools of water. These lengthy queues often caused tension and conflict among refugees.

Tia Tutu, aged 31 from Chat in Southern Kordofan arrived in Yida on 2 April. He told Amnesty International:

"The most difficult situation we are facing is getting water. There are lots of people and it takes a long time. My wife went at 00:30am and came back at 10:00am and with only one jerry can. She left two jerry cans behind."

Amnesty International has received reports that since its visit in April 2012, hand pumps in Yida have been replaced with submersible pumps to increase yield and that the UNHCR is in the process of digging six further boreholes to cope with the increasing number of refugees.

A lack of access to food, particularly amongst recently arrived refugees, was also reported in Doro and Yida. The right to humanitarian food assistance entails that people be provided with enough food to ensure their survival and dignity are upheld, and as far as possible prevents the erosion of their assets and builds resilience. It is recommended that each person receive 2,100 kcals per day.³⁹

In Doro, Sheik Ali Shattah, a community leader for refugees from Mayek, told Amnesty International on 24 March that a group of refugees that had arrived 14 days before had not yet been registered by the UNHCR and had therefore not received food rations. He said:

"In a few days a [food] distribution is going to take place, but I don't know what their situation will be. I am now giving them food with my own ration, to feed the children. It's not good for me to eat when they can't."

In Yida, refugees who had arrived three weeks prior to Amnesty International's visit continued to await their food rations. They had been provided with high energy biscuits upon arrival to last three weeks, and many were sharing rations with other refugees. Ezzeldin Keki told Amnesty International:

"I arrived [on 4 April] and went to register. Up to now I have not received anything. Some people came before me and didn't receive anything from 8 March to end March. I was told to go and wait and an organization will bring things to you, but I am still waiting. I am sharing food with relatives and neighbours and staying in their houses. I managed to get some plastic sheeting to sleep on and was given three packets of biscuits for each person."

With the growing number of refugees in the camp and the logistical challenges faced due to the rainy season, there is a risk that water sources will continue to be strained and food supplies slow to be provided, if goods are not sufficiently pre-positioned in time.

LACK OF ACCESS TO EDUCATION

"For us, learning is so important. It was the most important thing in my life. That is why when the fighting started in the Nuba Mountains, for so many people the first thing they did was make sure there was somewhere they could send their children to continue going to school", Isaac Malak from Kauda, Southern Kordofan interviewed at Yida refugee camp.

Education is highly valued among the refugee population in South Sudan and particularly amongst those from Southern Kordofan. When fighting began in Southern Kordofan, school life was severely disrupted. Some schools were hit by aerial bombs or were close to areas where bombs fell. One 15-year-old boy, now living in Yida camp without his family, recounted to Amnesty International the attack on his school, Gigeba School in Saraf Al Jamous, in June 2011. He said that there had been many bombing raids by Antonov and MiG aircraft in the days before the attack. He told Amnesty International that many students and teachers were killed and that he fled immediately after, not knowing where any other members of his family were at the time.

Schools have been further impacted by the fact that students and teachers, along with the general civilian population in Southern Kordofan, have been frequently forced into hiding in mountain caves and in forests, due to the fear of an attack. Students and teachers have also suffered from the mounting food shortages that have affected people throughout Southern Kordofan. As a result, large numbers of students have fled to South Sudan, often on their own, or in advance of other members of their families. However, it has proven difficult for students to continue with their education once they have reached the relative safety of the refugee camps.

When Amnesty International visited Yida in April 2012, the student population consisted of 6,822 children (4,312 boys and 2,510 girls), or around one-third of the camp's population, who were pursuing primary school education. Among those students, 2,293 were unaccompanied and living in Yida without family support.⁴⁰ The number of students continues to rise substantially due to the high number of children among the new arrivals.

Despite the large number of primary school students in Yida, few resources have been provided to support the three schools in the camp. At the time of Amnesty International's visit, there were 136 teachers, drawn from the refugee population in Yida, providing tuition as unpaid volunteers. School materials such as exercise books and blackboards were also in limited supply, and the teachers share one textbook among them. Classrooms were dramatically overcrowded, with some classes having as many as 120 students, in temporary structures which will need to be significantly reinforced to withstand the rainy season.⁴¹ Contributing to the inadequacy of education facilities in Yida, is the fact that UN agencies have not provided full support to Yida camp as they have been encouraging refugees to move to Pariang and Nyiel camps instead.

UNACCOMPANIED CHILDREN

The strong drive among the refugee population from Southern Kordofan to persevere with education in spite of challenges faced by the ongoing conflict has resulted in a high number of unaccompanied refugee children in Yida. Amnesty International was told by the refugee council that in mid-April 2012 there were 2,293 students in the camp, including 1,474 boys, 508 girls, and 311 children, of which the breakdown of boys and girls wasn't provided, among the newly-arrived refugees. The youngest unaccompanied child was eight years old and the oldest youths were 22 years of age. While the over-18 year olds are not considered minors, they fled Southern Kordofan to pursue primary school education, and came without their families. They have therefore been accommodated in the same group as the children.⁴²

Unaccompanied children and young persons in Yida camp live in compounds designated by the refugee council. Officials from the refugee council and staff from international NGOs and UN agencies in Yida all expressed concern regarding the conditions in which this group of people are living, especially unaccompanied girls.

Amnesty International visited one girls' compound and one boys' compound and spoke to a number of students about the challenges they face. Both boys and girls face overcrowded living conditions. When Amnesty International visited the girls' compound in the centre of the Yida camp delegates were told that there were 140 girls who live together and share sleeping space in 12 small rooms.

Halima Ahmed, aged 18 from Frandala in Southern Kordofan, described the sleeping conditions in the girl's compound to Amnesty International:

"There have been nights when there have been as many as 20 of us who have to sleep together in our room. Some of the girls have been very young, 13 or 14 years of age. It has been impossible for all of us to sleep at the same time, so we take turns of some girls lying down to sleep while others sit or stand for a while."

Students in both compounds also told Amnesty International that they receive inadequate food distributions,

and their ration cards were held by the head teachers. Students stated that they often ate only one meal a day. Abil Abdallah, a 15 year old boy from Sarifiya in Southern Kordofan said:

“We have to prepare our own food. Often it is only enough for one meal, which we prepare at breakfast time. It is a combination of sorghum and lentils, which we cook in oil. Sometimes we also have some sorghum tea. I have had many problems with my stomach and two times I have had to go to the health clinic because I was having very painful diarrhoea.”

Students wanting to pursue secondary education are required to move to Pariang, where the majority of the population are secondary school students.⁴³ While greater levels of support from international NGOs and UN agencies are provided in Pariang, the living conditions are difficult for the students. Pariang is an area with hard packed soil, and with little vegetation and natural shade. It will be susceptible to considerable flooding during the rainy season. Efforts by international NGOs to reduce the impact of flooding were incomplete at the time of Amnesty International’s visit to the camp in mid-April 2012.

Louza Omar, aged 18, from Kauda in Southern Kordofan left her family behind in order to continue her secondary school education. She arrived in Pariang on 29 February 2012. She told Amnesty International that some of the challenges she faces living in Pariang include:

“Heat in the tents and shortages of water... We have to queue from 4am to 7am and then wait to shower before going to school. There are three showers and three toilets for girls... if we want to collect firewood we go on weekends from 4am to 9am. We go with the boys and it is very far. In the wet season we will really be suffering. We need help with charcoal... We were given soap only once in March.”

Despite the large number of secondary students in Pariang, when Amnesty International visited the area on 17 April, school facilities were virtually nonexistent. A three month agreement made by international NGOs with the host community to use the existing school for refugee students, expired on 15 April 2012. Amnesty International was informed by international NGOs operating in the area that there were plans in place to build classrooms within the camp, but they remained incomplete. Construction had been significantly delayed for various reasons, including the fact that security concerns associated with indiscriminate aerial bombings by the SAF near the town of Bentiu, a two hour drive from Pariang, had led to all non-essential staff including construction workers, withdrawing from the area. With no other facilities available, classes for the refugee students at Pariang were suspended.

Students were uncertain about whether to remain in Pariang while school was closed. Louza Omar told Amnesty International:

“The only reason I am here is for education. That is why I came back to Pariang today [from a visit to Yida]. I wanted to go back to my classes. There is nothing to do here; I don’t know what to do. I may go back to Yida or to Nuba [Southern Kordofan]. I am very worried about my parents, and scared they will be bombed by Antonovs.”

In early June 2012, the UNHCR informed Amnesty International that classes in Pariang had resumed and construction was once again underway.

In Doro and Jammam refugee camps in Upper Nile State, international NGOs stated that 65 percent of the refugees from Blue Nile are children. Child-friendly spaces have been set-up by international NGOs in both camps, where children can play. They noted that fewer girls came to play in the evenings however, as they were helping their mothers collect water. Schools were also being set-up in the camps, however international NGOs stated that they had to lower the standards of the education provided due to the challenges teachers faced in switching from teaching in English instead of Arabic, in accordance to the South Sudanese curriculum.

MILITARY PRESENCE AND BORDER TENSIONS

Amnesty International observed a number of armed individuals in Yida refugee camp in Unity State, as well as in Khortumbak, an informal settlement in Upper Nile State. In Yida, Amnesty International was told by international NGOs that the presence of armed individuals in the camp was a frequent but fluctuating occurrence. Uniformed, but seemingly unarmed soldiers were also observed in Doro and Jammam refugee camps in Upper Nile State, where Amnesty International delegates were told they were visiting their families.

Some of the soldiers observed by Amnesty International were SPLA, however based solely on their uniforms it was difficult to ascertain whether they were members of the SPLA or the SPLA-N. The distinction between the SPLA and the SPLA-N has remained unclear since South Sudan's independence; the SPLA-N continue to wear SPLA uniforms bearing the flag of South Sudan, and similar vehicles are used by both forces. Furthermore, forces from both the SPLA and SPLA-N have been operational along the disputed border regions, which the SAF have frequently attacked through aerial bombardments since conflict erupted in Southern Kordofan and Blue Nile, and South Sudan seceded in 2011.

In April 2012, due to the heightened tensions between Sudan and South Sudan, which included indiscriminate aerial bombardments - prohibited in both international and non-international armed conflicts --by the SAF in Unity State, there was concern by the UN and international NGOs about the impact of the fighting on Pariang and Nyiel camps. Both refugee camps are a closer distance to Bentiu, the capital of Unity State, which was repeatedly bombed by Sudanese Antonov and MiG fighter jets in mid-April. Amnesty International delegates observed and heard Antonov and MiG aircraft flying over Nyiel camp on 14 April 2012, on their way to bomb targets in and around Bentiu. Following the bombings, South Sudanese officials temporarily closed the road leading north from Bentiu to Nyiel and Pariang, making it impossible for the UN or international NGOs to travel there.

Prior to this, on 10 November 2011, aerial bombardments by the SAF were carried out in Unity State and five bombs hit Yida area. Two shells directly fell in the refugee camp, including one shell that fell close to a school.⁴⁴ In addition to the direct bombings at the camp, the impact of intense fighting between the SAF, SPLA and SPLA-N in various incidents in the border village of Jaw in December 2011 and February 2012 was felt by the refugees and international NGOs in Yida, due to its close proximity to Jaw. On 9 and 12 February, Jaw was bombed by SAF Antonov and Sukhoi SU-25 aircrafts, and intense fighting on 26 February was reported in the Jaw area.⁴⁵ As a result of the close proximity of the fighting to Yida and fear of possible attacks in the area, international NGOs temporarily relocated their staff from the area.⁴⁶

Elfoj, a transit site in Upper Nile State for refugees from Blue Nile, was bombed on 23 January 2012 - allegedly by the SAF - injuring one boy and causing refugees and organizations assisting them to scatter.⁴⁷ In December 2011, New Guffa and the nearby hamlet of Yafta in Upper Nile State, where SPLA soldiers and their families lived, were bombed in October and November 2011. The area was also used as a transit for refugees including individuals of the SPLA-N from Blue Nile State. The village was seemingly deserted by its residents following the bombings. Elia Omar, a father of four and resident of New Guffa village told Amnesty International that he and his family would run and hide in the bush whenever they heard the noise of an Antonov aircraft, which he said was a regular occurrence.

Amnesty International identified three locations of air strikes around New Guffa, including pieces of shrapnel and holes in the ground that appeared to have been caused by bombs, in addition to graves of victims of the strikes. These reportedly include a man and woman and their child from Kurmuk, in Blue Nile State and three SPLA-N soldiers who were reportedly killed in an air strike on the morning of 9 November 2011.

The volatility of the border region and presence of armed groups in the refugee camps or their vicinity frequently puts refugees, international NGO and UN staff, and other civilians living in those areas of South Sudan at risk of attacks by the SAF and its proxy forces.

UNLAWFUL IMPRISONMENT

As noted above, there has been considerable controversy about the status of Yida refugee camp and the UN position that refugees should move to Nyiel. Amnesty International documented a number of cases of individuals who experienced human rights abuses because they were perceived to not fully support the Yida refugee leadership’s position that all refugees remain at Yida.

I.T. was imprisoned for 44 days from 25 January 2012 in various locations in Yida refugee camp and in Southern Kordofan. He was never given any reason for his detention. He believes it was because some members of his family had moved from Yida to Pariang refugee camp, contrary to the position of the refugee council in Yida. He arrived at Yida camp with his first wife and their children in August 2011 and in November returned to Southern Kordofan to bring his second wife and their children to South Sudan. Upon his return to Yida on 3 January 2012, he learned that his first wife and children had moved to the Pariang refugee camp, due to intense fighting in Jaw, a disputed area close to Yida.

I.T. had returned to South Sudan with a truck, which the UNHCR paid him to use to help transfer some students between Yida and Pariang. While he was preparing to load the truck for a second trip to Pariang, a group of individuals entered the truck, stating that they wanted to go to Pariang. The driver of I.T.’s truck asked police to help. A plain clothed individual arrived and told the driver to leave and took I.T. to what he described as a “Nuba” military intelligence post. He was asked a number of questions about this family’s move to Pariang and why he had not moved as well. He was also asked about his professional background and whether he spoke English. He was asked why he was working with “white people” and was told that he looked like a “political man”. As the questioning became more intense he was threatened that if he raised his voice he would be beaten.

An armed soldier then took I.T. to what he described as an outdoor prison, surrounded by a fence and armed guards, some distance outside the Yida camp. He said that 25 soldiers and two other civilians were being held there. He was held in that location for three days. At one point, their captors heard that representatives of an international NGO were approaching the prison. I.T. and three other prisoners who were in chains were quickly put inside a *tukul* (a thatched hut)⁴⁸ and warned to be quiet. I.T. could hear the international NGO representatives asking for him, but the guards denied his presence.

That night at 11 pm the chains were removed from I.T. but his hands were tied behind his back. He was then transported in a vehicle to Tabanya, near Jaw in Southern Kordofan and locked up in a small container where he was held for 24 days. He was never questioned during that time. One of I.T.'s relatives, who is a member of the SPLA-N, found out where he was being held. He raised I.T.'s case with a local commander, after which he was moved to the local administration office in Tabanya, where he was imprisoned for a further 17 days. Throughout this time local officials repeatedly told I.T. they had no idea why he was being held. He told Amnesty International:

"They [the local administration office] had no idea why I was being kept in prison. They said I had just been dropped off by soldiers who then left immediately, with no explanation. Even once I was released, no one could give me any reasons."

Following his release, I.T. returned to Yida and asked the head of the refugee council at Yida for the reason behind his arrest, and was told it was a mistake. One week later, I.T. and his family moved to Nyiel.

In mid-January 2012, Alfred Ali, a refugee from Southern Kordofan, was abducted from Pariang refugee camp. An eye-witness told Amnesty International that a group of seven armed SPLA-N soldiers, three in uniforms and four in plain clothes, came into the camp, and forced Alfred Ali into a pickup truck which drove north, in the direction of Yida. Shortly prior to his abduction, Alfred Ali was assisting a group of new arrivals to the camp. As he returned to his tent, he was accosted by the soldiers. Alfred Ali was heard crying out "please help me." The eyewitness ran towards Alfred Ali but the SPLA-N soldiers pointed their guns directly at him to keep him away.

Alfred Ali, approximately 40 years of age, lived in Paraing camp and worked as a translator for international NGOs. During the internal armed conflict in Sudan he had been an SPLA soldier, however he left the army to pursue his education in Kenya. Before fleeing to South Sudan in June 2011, he had been working with a humanitarian organization in Kadugli, Southern Kordofan. Alfred Ali's abduction was reported to the UN and the South Sudanese authorities, both of whom reportedly made attempts to find Alfred Ali. His whereabouts remain unknown.

M.T. told Amnesty International that he and two other refugees in Yida were summoned to the local police post in the camp by a "soldier" on 16 December 2011. He indicated that the summons came from the "community police" comprised of individuals living within the camp. When they arrived they were told that they were going to be detained. They were held in a building in the camp, watched by armed guards. Their family members were allowed to bring food to them. M.T. was regularly questioned by a soldier who asked whether he had

been saying that people should not go to Yida. He said that he had not. He was held for two and a half days. The other two men were reportedly held for seven and ten days. Since his release M.T. has moved to Nyiel with his family.

Amnesty International frequently heard about unofficial “community police” operating in Yida refugee camp, who are alleged to be working with other security forces, including the SPLA-N, the SPLA and the South Sudan Police. The leader of the refugee council, Hussein Angolbola, told Amnesty International that the refugee council at Yida maintains a network of approximately 60 “protection volunteers” who assist in upholding law and order in the camp. He said that the volunteers cooperate with South Sudanese Police and received training from an international NGO.⁴⁹ He stated that when a member of the refugee community committed a crime, they were handed over to the leader of their *boma* (or community) in the camp.

Amnesty International received further reports of unofficial or secret places of detention, such as those described by I.T. and M.T., however was not able to visit those unofficial places of detention in Yida.

FORCED RECRUITMENT

Amnesty International received reports of the forced recruitment of refugees by the SPLA-N in refugee camps in Upper Nile State. Amnesty International was not able to confirm the systematic practice of forced recruitment of refugees from camps in Upper Nile State, however incidents of recruitment were relayed to Amnesty International by individuals who had either been recruited or had family members who were recruited. Amnesty International recalls that conscripting or enlisting children under the age of eighteen years into the national armed forces or using them to participate actively in hostilities is a war crime.

O.K.A., a 24 year old refugee and community volunteer from Blue Nile in Jammam refugee camp, told Amnesty International:

“I was coming from the market to the village and was stopped by a group of six soldiers. They called me and said ‘let’s go.’ I went with them because I didn’t know why they were calling me. I went back to the market place with the soldiers and they took me to the junction going to Elfoj. I know the people in charge and tried to communicate to them that I need to be in the community to help them. I was sent back by one person who knows me. Last week [week of 19 March 2012], I was called by soldiers again.”

O.K.A. was able to convince the SPLA-N not to take him with them, in light of his role in assisting the refugee community.

A.M., a 26 year old refugee in Jammam refugee camp, told Amnesty International that his brother was taken from the camp by the SPLA-N:

“My brother was taken to Elfoj to go to the frontline. He spent 10 days training and escaped. They took him in late January or early February at 7am when he was asleep. They opened the door and took him. He [my brother] hasn’t been back, but he doesn’t feel free. He goes away early in the morning and comes back at night because he is afraid”.

Amnesty International received reports that the practice of forcible recruitment was acknowledged by community leaders in Jammam in February and that UNHCR was asked to assist in preventing the activity. However, shortly after this was acknowledged, community leaders were reportedly summoned to a meeting with the SPLA-N in Elfoj, after which they dismissed the alleged practice as a rumour.

CONCERNS FOR GIRLS AND YOUNG WOMEN

Girls and young women in the unaccompanied compounds face the greatest levels of insecurity in Yida refugee camp. All of the girls and young women interviewed by Amnesty International described harassment they have experienced and indicated that night-time in particular was a time of considerable fear for them. The insecurity faced by girls is aggravated by the fact that they do not have sufficiently safe and private personal hygiene facilities. There are no latrines or shower facilities dedicated to the girls at the compound in the centre of Yida; they shower at night in pairs and seek permission from their neighbours to use their latrine, of which they are sometimes denied access.

Samah Juma, aged 17 years, from Kurungu told Amnesty International:

"In Yida we are missing latrines, bathing rooms, jerry cans for fetching water, there are no washing basins, school materials or school uniforms. We have to use one of the other latrines and take a shower at night in pairs near our room. There are drunk people and we are scared they will do something bad like beat, rape and quarrel [with us]. Drunk people even enter the compound at night until we shout. Once, a drunk man entered our room with a knife and small gun. We left him inside the room and came out shouting."

Halima Ahmed told Amnesty International:

"At night we are always afraid. Men and boys often come around and harass us. Sometimes the police chase them away. One time, in the middle of the night, a man made it into our room. He grabbed me. I shouted out and some police did come running. The man ran away. The police do not guard our compound and they do not come around and patrol. But if we scream they usually do come quite quickly."

The numerous protection concerns posed by the unaccompanied girls' compounds are largely due to the lack of technical guidance or best practice usually provided by the UNHCR or a partner NGO, with respect to appropriate and safe living spaces for vulnerable populations.⁵⁰ These shortcomings have been recognized and plans have been developed by international NGOs operating in Yida to alleviate the insecurity and difficult living conditions faced by unaccompanied girls. Plans include the possibility of grouping older girls together to live on their own, and arranging for younger girls to live with foster families in the camp. However, until they are implemented, the girls are forced to deal with this insecurity on their own.

In Doro refugee camp, international NGOs were seriously concerned about reported incidents of rape and sexual harassment of women and girls that occurred at night around the water-points. Measures to mitigate these risks, such as a monitoring program, a health clinic and improved lighting, were being developed but had not been carried out at the time of Amnesty International's visit to the area.

CONCLUSION AND RECOMMENDATIONS

The conflict between the government of Sudan and the SPLA-N in Southern Kordofan and Blue Nile states continues to impact on the lives of hundreds of thousands of civilians in Sudan. As a direct result of the fighting and subsequent food shortages, well over 100,000 refugees have now fled to Unity and Upper Nile states in neighbouring South Sudan. Due to the volatile nature of the border between the two countries, and lack of basic infrastructure in and around the refugee camps in South Sudan, refugees continue to face humanitarian challenges and remain at risk of human rights abuses.

Since June 2011, humanitarian organizations have been denied unimpeded access to conflict-affected areas in Southern Kordofan and Blue Nile, severely hindering efforts to provide assistance to civilians. Efforts by the international community, including the UN Security Council and the African Union Peace and Security Council, to convince the Government of Sudan to allow for humanitarian access have been sorely inadequate. The UN Security Council was slow to take up this pressing concern, first issuing a call for unhindered humanitarian access on 16 February 2012,⁵¹ eight months after access had been blocked from Southern Kordofan. Since the end of the UNMIS’ mandate on 9 July 2011, human rights monitors have been unable to freely access the conflict-affected areas, therefore the full extent and impact of the lack of humanitarian assistance and human rights abuses and violations carried out by all parties to the conflict remains unknown.⁵²

In light of the findings outlined in this report, Amnesty International makes the following recommendations:

To the Government of Sudan:

- Immediately cease all violations of international humanitarian and human rights law in Southern Kordofan and Blue Nile states, including indiscriminate aerial bombardments in civilian areas in both states and in South Sudan;
- Take all feasible precautions in an attack in order to protect civilians, including by warning civilians of impending military attacks;
- Initiate prompt, effective and impartial investigations into all violations of international human rights and humanitarian law and bring those suspected of criminal responsibility to ordinary civilian courts in fair trials without application of the death penalty;
- Grant immediate and unhindered access to all areas of Southern Kordofan and Blue Nile to UN agencies and international humanitarian organizations for the purposes of providing assistance to civilians affected by the conflict including food, health services and other emergency assistance;
- Allow immediate access to international human rights monitors, including UN monitors, to all areas of Southern Kordofan and Blue Nile;

- Promptly accede to the Rome Statute of the International Criminal Court, the International Convention for the Protection of All Persons from Enforced Disappearance and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

To the Sudan Peoples Liberation Army-North:

- Take concrete steps to ensure fighters respect international humanitarian law and in particular refrain to the maximum extent feasible from placing the location of military bases and other military objectives within or near densely populated civilian areas, including refugee sites and settlements;
- Suspend from their forces any member suspected of having committed violations of international humanitarian law. In addition, they should be brought before civilian courts offering the essential guarantees of independence and impartiality and ensuring respect for fair trial standards without application of the death penalty;
- Free all persons held arbitrarily or on account of the peaceful exercise of their human rights, including those opposing recruitment to the SPLA-N;
- Respect the freedom of movement of all refugees, including those wishing to relocate to refugee sites further away from the border area with Sudan.

To the Government of South Sudan:

- Ensure that the civilian and humanitarian character of the refugee camps is maintained, including through efforts to locate refugee camps and settlements in safe and humane locations at a reasonable distance from the border, managing law and order, preventing the use of arms in refugee camps, and through the disarmament of armed elements and the identification, separation and internment of fighters;
- Collaborate with the UNMISS and UNHCR to ensure that all policing and security activities in Yida and other refugee camps and settlements in South Sudan are conducted by bodies which have transparent and accountable powers, established in law, and that they operate in full accordance with international human rights standards;
- Ensure that military bases and other military objectives, including military training posts, are not placed within or near densely populated civilian areas, including refugee camps and settlements;
- Ensure minimum essential levels of water, sanitation, health, food and education for all and seek international cooperation and assistance, if necessary to do so. In all efforts and while allocating resources, give due priority to the most disadvantaged groups including the refugee population in South Sudan.

To the UNHCR, UNMISS, UN agencies and international NGOs:

- UNHCR and other UN agencies and international NGOs should accelerate efforts to prepare all refugee camps in South Sudan for the rainy season, including by pre-positioning sufficient amounts of food, ensuring adequate supplies of water, and ensuring measures are in place for the protection of vulnerable groups including women and girls;

- UNHCR, working with UNICEF and international humanitarian organizations, should urgently strengthen the educational programming provided in both Yida and Pariang camps, including by providing sufficient funding for school buildings, teachers, textbooks and school materials;
- UNHCR should immediately undertake or provide for a clear camp management and coordination structure at Yida refugee camp while continuing to encourage refugees to relocate to suitable sites at a more reasonable distance from the border with Sudan;
- UNMISS and UNHCR should work with the South Sudanese government to ensure that all policing and security activities in Yida and other refugee sites in South Sudan are conducted by bodies which have transparent and accountable powers, established in law; and that they operate in full accordance with international human rights standards.

To the UN Security Council, UN General Assembly and AU Peace and Security Council:

- Demand an immediate end to indiscriminate aerial bombings and other violations of international human rights and humanitarian law by the Government of Sudan in Southern Kordofan and Blue Nile;
- Demand that the Government of Sudan allows humanitarian organizations and independent human rights monitors immediate and unhindered access to both states;
- Establish an independent inquiry into the alleged violations and abuses of international human rights and humanitarian law by all parties to the conflict in Southern Kordofan and Blue Nile since June 2011;
- Suspend all international arms transfers to the government of Sudan to prevent further violations of international humanitarian and human rights law in Southern Kordofan and elsewhere in Sudan including Darfur, and acquisition by other parties to the conflicts in the country;
- Expand immediately the current UN arms embargo on Darfur to cover the whole of Sudan, in order to stop military and related supplies reaching all parties to the conflict in Darfur, as well as to prevent the deployment and use of conventional arms in Southern Kordofan and Blue Nile, used to commit violations of international humanitarian and human rights law;
- Support the negotiation of an effective Arms Trade Treaty (ATT) which includes:
 - strong human rights criteria requiring governments to prevent the transfer of conventional arms if there is a substantial risk that those arms are likely to be used to commit or facilitate serious violations of international humanitarian and human rights law;
 - a comprehensive scope that encompasses all types of trade and international transfers of weapons, munitions, armaments and other equipment, parts and technologies, used for military and law enforcement operations; as well as brokering, transport and financial services for such transfers;

- robust mechanisms for the implementation and enforcement of the treaty, including national authorization and licensing systems and post delivery verification mechanisms and transparent annual reporting by states on arms transfers under their jurisdiction.

ENDNOTES

¹ The SPLA-N is the armed wing of the Sudan People’s Liberation Movement-North (SPLM-N), an armed opposition group in Southern Kordofan and Blue Nile states, which were aligned with South Sudan’s ruling Sudan Peoples Liberation Movement (SPLM) and Sudan Peoples Liberation Army (SPLA), prior to South Sudan’s independence on 9 July 2011.

² OCHA *Sudan Weekly Humanitarian Bulletin*, 23-29 April 2012, available at: <http://reliefweb.int/sites/reliefweb.int/files/resources/OCHA%20Sudan%20Weekly%20Humanitarian%20Bulletin%2016%20-%2022%20April%202012.pdf>

³ Localities declared under a state of emergency in Southern Kordofan include Talodi, Abu Jubaiha, Keilak, El Buram, El Tadamon, El Leri, Meiram, Al Salam, Al Dibab and Heiban; Al Jabalain and Al Salam in White Nile state; and Al Dali and Mazmoum in Sennar state.

⁴ The Interim National Constitution of the Republic of Sudan, 2005, Part 14, available at: <http://www.pclrs.org/downloads/bills/Constitutional%20Law/Sudan%20National%20Constitution%202005.pdf>

⁵ For more information on the conflict in Abyei see Amnesty International’s report *Sudan-South Sudan: Destruction and Desolation in Abyei (AFR 54/041/2011)*, December 2011, available at: <http://www.amnesty.org/en/library/info/AFR54/041/2011/en>

⁶ For further information, see the International Criminal Court *Warrant of Arrest for Ahmad Harun*, 27 April 2007, available at: <http://www.icc-cpi.int/iccdocs/doc/doc279813.PDF>

⁷ International Crisis Group, *Conflict Risk Alert: Stopping the Spread of Sudan’s New Civil War*, 26 September 2011, available at: <http://www.crisisgroup.org/en/publication-type/alerts/2011/sudan-26sept11.aspx>

⁸ Sudan: Southern Kordofan Civilians Tell of Air Strike Horror (AFR 54/028/2011), available at: <https://www.amnesty.org/en/library/info/AFR54/028/2011/en>

⁹ See for example, <http://www.amnesty.org/en/library/asset/ACT30/011/2008/en/19ea0e74-8329-11dd-8e5e-43ea85d15a69/act300112008en.pdf>

¹⁰ Jane’s, *Air Launched Weapons*, Issue 54-2009.

¹¹ See 2010 Military Balance, IISS which lists the following: fighter ground attack aircraft: 10 Su-25 Frogfoot combat aircraft (Russian-made); 6 Shenyang J-6 (Chinese-made); 15 A-5 Fantan; 21 MiG-29SE; 2 MiG-29UB Fulcrum; 3 MiG-23BN; 10 F-7 (MiG-21). & transport aircraft: 1 An-26 Curl (modified for bombing); 4 C-130H Hercules; 3 DHC-5D Buffalo; 2 Y-8; 1 An-30 Clank; 1 An-74TK-200/300; 1 Falcon 20 (VIP); 1 Falcon 50 (VIP); 1 Fokker 27

(VIP).

¹² See paragraphs 81 to 83 of the UN Panel of Experts’ report S/2011/111; and http://unhq-appspub-01.un.org/UNODA/UN_REGISTER.nsf for the relevant years.

¹³ Information about the delivery of these combat helicopters was submitted by the Russian Federation to the United Nations Register on Conventional arms. See http://unhq-appspub-01.un.org/UNODA/UN_REGISTER.nsf for further reference. Paragraphs 85 to 88 of the UN Panel of Experts report S/2011/111 also provide some details on the export of these helicopters.

¹⁴ A photograph taken at St Petersburg airport in the Russian Federation in May 2011 shows a new Mi-24 helicopter gunship painted in SAF markings (number ‘949’, the next consecutive number in the sequence of SAF helicopter numbers seen in Sudan), apparently awaiting export. The UN Panel of Experts investigating the arms embargo on Darfur previously reported that a Russian company provides maintenance for a fleet of Mi-17 and Mi-24 attack helicopters, and that Sudanese military personnel have been trained at the Combat and Conversion Training centre of the Air Force at Torzhok in Russia as pilots for the i-24s.

¹⁵ In 2009 and 2008, China supplied Sudan \$23,773,782 worth of large calibre guns, howitzers and mortars (self propelled and not self-propelled)¹⁵ as well \$10,967,538 worth of tanks and other armoured fighting vehicles¹³ and \$1,824,186 worth of military firearms including machineguns, assault rifles and combat shotguns, according to UN Comtrade data submitted by Sudan on its arms imports, Based on the Harmonised System code 930190.

¹⁶ “Sudan: No End To Violence In Darfur: Arms Supplies Continue Despite Ongoing Human Rights Violations”, Amnesty International, February 2012, AFR 54/007/2012

¹⁷ International Committee of the Red Cross, Customary International Humanitarian Law, Rule 15. Precautions in Attack, available at: http://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule15

¹⁸ A criminal case was opened against Bushra Gamar Hussein Rahma, under Articles 50, 51, 53, 63, 64, 65 and 66 of Sudan’s 1991 Criminal Act.

¹⁹ UN Security Council, *UN Security Council calls for immediate halt to fighting between Sudan, South Sudan, resumption of negotiations, unanimously adopting resolution 2046 (2012)*, 2 May 2012, available at: <https://www.un.org/News/Press/docs/2012/sc10632.doc.htm>

²⁰ OCHA, *Weekly Humanitarian Bulletin Sudan*, 30 April-6 May, available at: http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_3948.pdf

²¹ The Government of Sudan’s Humanitarian Aid Commission (HAC) reported that since June 2011, over 146,000 people have been displaced in Southern Kordofan’s government-held

areas. Local authorities from Sudan People’s Liberation Movement-North (SPLM-N) controlled areas of Southern Kordofan estimated that in January 2012 there were 420,000 internally displaced people. There are an estimated 100,000 internally displaced people in Blue Nile state.

²² UNHCR, Pressure on land, water as more refugees enter South Sudan, 1 June 2012, available at: <http://www.unhcr.org/4fc8b5409.html>

²³ Interview with Hussein Angolbola, head of the Yida refugee council, 13 April 2012.

²⁴ UNHCR, *Running on empty, Sudanese refugees urged to leave unsafe border site*, 30 December, 2011, available at: <http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=4efdaa946&query=yida> ; *Border insecurity increasing concerns for refugees’ safety in Yida, South Sudan*, 27 March 2012, available at <http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=4f719a059&query=yida>

²⁵ 1969 OAU Convention on Refugees, Article 2, available at: [http://www.africa-union.org/Official_documents/Treaties %20Conventions %20Protocols/Refugee Convention.pdf](http://www.africa-union.org/Official_documents/Treaties%20Conventions%20Protocols/Refugee_Convention.pdf)

²⁶ UNHCR, A Thematic Compilation of Executive Committee Conclusions, No. 82 (XL VIII), 1997-Conclusion on Safeguarding Asylum, pg. 26/7, available at: <http://www.unhcr.org/3d4ab3ff2.html>

²⁷ Interview with UNHCR officials based in Pariang camp, at Yida Camp, 16 April 2012.

²⁸ Interview with Hussein Algonbola, head of the refugee council in Yida, 13 April 2012

²⁹ UNHCR, Sudanese refugees face rising challenges as outflow grows, Briefing Notes, 11 May 2012, available at: <http://www.unhcr.org/4facf5899.html>

³⁰ UNHCR Convention and Protocol Relating to the Status of Refugees, 1951, 1967 available at <http://www.unhcr.org/3b66c2aa10.html>

³¹ UNHCR *A Thematic Compilation of Executive Committee Conclusions*, 2011, p199 available at <http://www.unhcr.org/3d4ab3ff2.html>

³² UNHCR *A Thematic Compilation of Executive Committee Conclusions*, 2011, p290 available at <http://www.unhcr.org/3d4ab3ff2.html>

³³ UNHCR *A Thematic Compilation of Executive Committee Conclusions*, 2011, p292 available at <http://www.unhcr.org/3d4ab3ff2.html>

³⁴ UNHCR *A Thematic Compilation of Executive Committee Conclusions*, 2011, p42 available at <http://www.unhcr.org/3d4ab3ff2.html>

³⁵ The usual standard amount of water per person, per day is 20 litres. For more information,

see *The SPHERE handbook (2011): Humanitarian Charter and Minimum Standards in Humanitarian Response*, pp 98, available online at <http://www.sphereproject.org/handbook/>

³⁶ Oxfam, Options running out for 37,000 refugees in South Sudan's Jamam camp, 26th Apr 2012, available at: <http://www.oxfam.org.uk/media-centre/press-releases/2012/04/options-running-out-for-37000-refugees>

³⁷ UNHCR, *Sudanese refugees face rising challenges as outflow grows*, Briefing Notes, 11 May 2012, available at: <http://www.unhcr.org/4facf5899.html>

³⁸ Médecins Sans Frontières, *South Sudan: Nowhere to settle for 30,000 new refugees*, 4 June 2012, available at: <http://www.msf.org/msf/articles/2012/06/south-sudan-nowhere-to-settle-for-30000-new-refugees.cfm>

³⁹ The SPHERE handbook (2011): *Humanitarian Charter and Minimum Standards in Humanitarian Response*, pp 181 available online at <http://www.sphereproject.org/handbook/>

⁴⁰ Figures provided in meeting with head of Yida refugee council's education committee and primary school supervisor, 18 April 2012.

⁴¹ In June 2012, UNHCR informed Amnesty International that since the organizations' visit in April 2012, UNHCR has provided 100 plastic sheets and 800 poles for temporary learning spaces and that UNICEF has supplied recreational kits and school supplies for emergency education.

⁴² Figures provided in meeting with head of Yida refugee council's education committee, 15 April 2012.

⁴³ When Amnesty International visited Pariang on 17 April 2012 camp officials told delegates that 1,973 people were residing there, 1,888 of whom were students. The remaining 85 camp residents were "in transit" to the Nyiel camp.

⁴⁴ *UNHCR condemns attack on refugee camp in South Sudan*, 11 November, 2011, available at <http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=4ebd2f5d6&query=yida>

⁴⁵ http://reliefweb.int/sites/reliefweb.int/files/resources/Full%20Report_630.pdf

⁴⁶ Staff from Samaritan's Purse were evacuated on 4 December 2011 due to fighting in Jaw. The organization returned on 6 December, however other NGOs evacuated their staff for longer periods due to security concerns in the area. Samaritan's Purse statement on 4 December, available at: <http://www.samaritans-purse.org.uk/article/1325/fighting-near-yida>

⁴⁷ OCHA, Sudan: Weekly Humanitarian Bulletin, 23-29 January 2012, available at: http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_3445.pdf

⁴⁹ In June 2012, UNHCR stated to Amnesty International that it had embarked on a training programme with community police in Yida to ensure human rights are respected, and that members of the South

Sudan Police Service in Yida will also receive human rights training.

⁵⁰ International Rescue Committee, *The Condition of Women and Girls in Yida Refugee Camp, South Sudan: A Reproductive Health and Gender-Based Violence Rapid Assessment, Yida Refugee Camp, Unity State, South Sudan February 2012*, available at: http://southsudanprotectioncluster.org/wp-content/uploads/2012/03/IRC_RHGBV_Assessment_SouthSudan.pdf

⁵¹ UN, *Security Council Press Statement on Sudan’s Southern Kordofan, Blue Nile States*, 14 February 2012, available at: <http://www.un.org/News/Press/docs/2012/sc10543.doc.htm>

⁵² *Thirteenth periodic report of the UN High Commissioner for Human Rights on the situation of human rights in Sudan: Preliminary report on violations of international human rights and humanitarian law in Southern Kordofan from 5 to 30 June 2011*, issued in August 2011. The report documented accounts of unlawful killings, mass destruction and looting of civilian property, as well as other incidents which could amount to war crimes and crimes against humanity.



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'WE CAN RUN AWAY FROM BOMBS, BUT NOT FROM HUNGER'

SUDAN'S REFUGEES IN SOUTH SUDAN

Tens of thousands of refugees, who have fled from hunger, human rights violations and the fear of indiscriminate aerial bombardments in Sudan's conflict-affected areas of Southern Kordofan and Blue Nile, continue to face hardship and human rights abuses in refugee camps in South Sudan. The situation continues to deteriorate and the numbers arriving in the camps are increasing as the rainy season approaches and roads become impassable.

Fighting since June 2011 between the Sudanese Armed Forces (SAF) and the armed opposition group, the Sudan People's Liberation Army-North (SPLA-N), has forced over 30,000 people from Southern Kordofan to seek refuge in Yida, Nyiel and Pariang refugee camps in Unity State, while over 90,000 people from Blue Nile are in Doro and Jammam refugee camps in Upper Nile State. The Sudanese government has blocked humanitarian assistance to the SPLA-N controlled areas, depriving the population from receiving aid.

This report focuses on the human rights and humanitarian situation faced by the refugees, including concerns around protection from sexual violence and other human rights abuses, food and water shortages, access to education, the presence of armed elements in the camps and unlawful arrest and imprisonment of refugees. The situation is complicated by the unresolved status of Yida refugee camp, which has not formally been recognized by UNHCR, the UN refugee agency, because of concerns that it is too close to the volatile border between Sudan and South Sudan. As tensions between Sudan and South Sudan heighten, it is essential that the needs of the refugees are met as an urgent priority.

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