



# **CONFLICT-INDUCED MIGRATION IN SUDAN AND POST-REFERENDUM CHALLENGES**

*Munzoul Assal*

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Munzoul Assal  
Associate Professor, University of Khartoum

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European University Institute  
Badia Fiesolana  
I – 50014 San Domenico di Fiesole (FI)  
Italy

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*For more information:*

Euro-Mediterranean Consortium for Applied Research on International Migration  
Robert Schuman Centre for Advanced Studies (EUI)

Convento

Via delle Fontanelle 19

50014 San Domenico di Fiesole

Italy

Tel: +39 055 46 85 878

Fax: + 39 055 46 85 755

Email: [carim@eui.eu](mailto:carim@eui.eu)

**Robert Schuman Centre for Advanced Studies**

<http://www.eui.eu/RSCAS/>

## **Abstract**

Migration in Sudan is caused primarily by protracted conflict and includes various categories of migrants: IDPs, refugees, and to some extent economic migrants. This paper deals primarily with internally displaced persons (IDPs), particularly those from southern Sudan who live in Khartoum. In 2004, it was estimated that 17 percent of Sudan's population had been internally displaced.

Following the signing of the Comprehensive Peace Agreement (CPA) in January 2005, few IDPs returned to the south. Additionally, in January 2011, southern Sudanese citizens exercised the right of self-determination. The future of those southerners who are still in Khartoum and other parts of north Sudan is uncertain. In Khartoum, the government declared that southerners will be treated as foreign nationals after the independence of south Sudan on July 9<sup>th</sup> 2011. Therefore, the issues of conflict-induced migration will survive the peace agreement and the south gaining its independence.

This paper is based on existing data on IDPs and on the author's research on the same subject. It analyzes the causes and the consequences of the conflict, in particular forced migration. The paper empirically analyzes living conditions and coping strategies in two IDP settlements in Khartoum: Al Salam and Al Fatih.

## **Résumé**

Un très long conflit est la cause principale des migrations au Soudan qui incluent différentes catégories de migrants : déplacés internes, réfugiés, et migrants économiques dans une certaine mesure. Ce papier traite principalement des déplacés internes et notamment ceux originaires du Sud Soudan qui sont installés à Khartoum. En 2004, il a été estimé que 17 % de la population soudanaise avait été déplacée à l'intérieur du pays.

Après les Accords de paix en janvier 2005, peu de déplacés sont retournés dans le Sud et, en janvier 2011, le Sud Soudan a exercé son droit à l'autodétermination. Dans ce contexte, l'avenir des Soudanais originaires du sud qui sont encore à Khartoum et dans le nord du pays est incertain. A Khartoum, le gouvernement a déclaré qu'il considérera les Soudanais du sud comme des étrangers après l'indépendance du Sud Soudan le 9 juillet 2011. Le problème des migrations provoquées par les conflits est donc amené à perdurer malgré l'Accord de paix et l'indépendance du Sud Soudan.

Ce papier est basé sur les données disponibles sur les déplacés internes et sur les recherches menées par l'auteur sur ce sujet. Il analyse les causes et les conséquences du conflit, en particulier les migrations forcées. Il propose une analyse empirique des conditions de vie et des stratégies de survie dans deux camps de déplacés à Khartoum : Al-Salam et Al-Fatih.

## Introduction: historical background

Conflict-induced migration in Sudan is not a new phenomenon, since the late 1980s population displacement caused by famines and civil wars has been the main form of population mobility in the country. But historically the population of Sudan has been highly mobile, so much so that on average 40 percent of the total population in Sudan is believed to be on the move every year for different motives and durations (Hamid 1996: 6). Such movements have historical roots (Abu Salim 1979: 44-46). In the modern history of Sudan, the Mahadist period (1885-1898) witnessed massive population displacement due to both internal wars between different ethnic groups, and between these groups and Mahadist forces (Al-Mubarak 1995), and external wars that the Mahadi fought against Abyssinia. These wars led to population destabilization. Mahdist rule in Darfur (1883-1898) was a chaotic period that led to forced population movement. Many wars were fought between the different ethnic groups and against the Mahdist state, too. The Mahdi's Khalifa, Abdullahi al-Ta'aishi, from the Ta'aisha, an Arab ethnic group, policy of forced migration and conscription, was among the main factors that led ethnic leaders to stand against him and defy his authority. In its attempts to pacify Darfur, the Mahdist state intrigued and waged war against the Zaghawa, the Fur, the Masalit, the Rezeigat, the Habbaniya and the Meidoub; almost all the ethnic groups in the region, and forcibly conscripted members of these groups to confront the threats from Abyssinians in the east, the Anglo-Egyptian threat in the north, and the Ashraf (the Mahdi's kinsmen who refused to recognise the Khalifa's authority) in Omdurman – the national capital of the Mahdist state. The excessive force which the Khalifa used during his rule, and the policy of forced conscription, led in part to the internal strife that dominated the Mahdist period, and also to the eventual defeat of the Mahdist army and the subsequent collapse of national rule in 1898. What takes place in Darfur in the present day bears some resemblance to the chaos and overwhelming instability that prevailed during the Mahdist rule over the region.

During the Mahadist period, a major cause of forced population movement was the policy of forced military conscription. People were not only forcibly conscripted into the Mahadist army, but were also forced to migrate to Omdurman – the national capital at the time, to show their loyalty to the regime. This policy, while resisted, led to migration particularly from western Sudan, to the national capital. When Mahadist rule collapsed in 1899 with the Anglo-Egyptian invasion, some migrants returned to western Sudan, others dispersed to different parts of the country, especially the Gedarif area (Balamoon 1981), while others still remained in the capital. In fact, many old neighbourhoods in Omdurman are inhabited by the descendants of those who were forced to migrate to Omdurman during the Mahadist period.

But Mahadist rule saw more than simply conflict-induced migration. While, indeed, hundreds of thousands of people were forced to leave their original areas and settle in Omdurman or be stationed in the various army posts across the country, the process of migration led to population mixture that in a way shaped the current national scene in Sudan. The south was an exception in as much as Mahadist influence there was minimal. Yet, those who were forced to migrate from western Sudan were labelled as *gharraba* by the central Sudanese. This is a derogatory label; and along with *ganubiyen* (southerners), and *naziheen* (IDPs) they are some of the categories that have social, economic and political implications for nation building, equality and national integration. While the different types of population movements in Sudan (nomadic movements, rural-urban migration, migration of West Africans to Sudan, etc) have historical trajectories that require investigation, my focus in this paper is primarily on conflict-induced migration during the 1980s and beyond. Therefore, in dealing with causal historical connections, I will limit my analysis to the present socio-political factors and show how these factors contributed to protracted displacement.

What happened during the late 1980s and beyond was, in fact, not in essence different from what had taken place during the Mahadist period. This means that contemporary conflict-induced migration is a continuation of previous regimes of forced population movements that took place during different periods but for similar structural causes.

## Causes of conflict and the current political context

Conflict-induced migration is not an isolated phenomenon in Sudan. In fact, it is both a result and a cause of the state of crisis in the country. Sudan has the biggest number of internally displaced persons in the world. This is, indeed, an indicator of the protracted crisis and malfunctioning of state institutions in the country. Sudan has not experienced stability since it got its independence from Britain in 1956. It is characterized by so much diversity in ethnic, religious, cultural, climatic and livelihood terms that it is a microcosm of Africa. However, in political lingo and international circles, the Sudanese are classified into binary social categories on the basis of geography (North versus South), religion (Muslims versus Christians) and ethnicity (Arabs versus Africans). The emphasis on these broad dichotomies not only polarizes the entire country and deepens its problems, but also masks the diversities that exist within each of these categories.

Sudan has been politically unstable for over 60 years. Since 1956, the country has had six governments; three elected and three military regimes. The oscillation between democratic and totalitarian regimes created a sense of chronic mistrust in the country and affected the capacity of state institutions particularly in their response to crisis. Instead of having the ability to deal with conflict in a positive way or mitigate its effect, the Sudanese state shows a consistent pattern of transferring conflict to a higher threshold. In other words, the state contributes positively to the involution of conflict. Its reaction to the recent conflict in Darfur is a case in point. The continuous shaping and reshaping of administrative units (centralized systems of government, regional decentralized systems and, finally, scam federalism) resulted in serious grievances and the eruption of civil war in the south in 1983 and, more recently, the strife in Darfur, one of the most serious humanitarian crisis in the world.

The Sudanese condition is one of political decay (Harir 1994). The process of political decay in Sudan has had a drastic impact on the economy of the country. Rising rates of poverty (Ali 1994), declining GDP *per capita*, rising inflation and shrinking international assistance have been some of the characteristic features of the Sudanese economy from the 1980s to the present. It was estimated in 1994 that respectively 84 and 94 percent of the population in rural and urban areas live below the poverty line (Ali 1994). The decline of the Sudanese economy prompted people to opt for survival strategies that in many ways escalated conflict. For example, rural-urban migration in the greater Khartoum conurbation in search of security, education and job opportunities contributed to the dramatic increase in the population of the national capital and hence stressed the service sector. According to the 1993 population census, the population of Khartoum is equal to the population of the next 32 largest cities in the country. According to the same census, 25 percent of the population in the country lives in Khartoum (CBS 1993). It is worth noting that 40 percent of Khartoum's inhabitants are IDPs.

In 1999, Sudan started exporting oil. During the period 2003-2008, the Sudanese economy witnessed conspicuous growth that reached 8 percent during 2007. The economy started picking up particularly after the signing of the comprehensive peace agreement in January 2005. However, mistrust between the parties to the agreement (the National Congress Party and the Sudan Peoples' Liberation Movement) and the continuation of US economic sanctions helped halt growth. Additionally, oil dividends were not allocated equally and therefore there was no trickle-down effect, and Sudanese debt continued to increase. A major blow to economic recovery and growth was the secession of south Sudan, which means that much of the oil revenue will go to the south since most oil fields are located there.

Development policies in Sudan concentrated investment in certain areas, especially in the central parts and on modern large-scale irrigated agricultural schemes. As a result of investment in the countryside, people resorted to destructive patterns of land use and to armed conflicts over depleted resources. Therefore, causes of conflicts and underdevelopment are essentially the same. This is especially true of Darfur (Assal 2006, Black et al 2008).

Religious ideology is a key factor in the conflict in Sudan. The *ad hoc* cultural and religious policies of the governments since 1989 were the straw that broke the camel's back. The controversial

authenticity<sup>1</sup> project resulted in a heightened religious and cultural polarization, which intensified the civil war, making Sudan a pariah state, contributing to the violation of human rights and to massive population movements. The direct bearing of these policies is manifest in the separatist sentiments that led the southerners to vote for independence in January 2011. The religious policies of the government were resented by southerners who felt that their rights as non-Muslims were jeopardized in a theocratic state.

In short, political instability, economic malfunctioning, misguided development policies, religious and ethnic polarization are all factors that resulted in conflicts of a protracted nature and culminated in one of the worst humanitarian crises in the world. The second civil war (1983-2004) resulted, allegedly, in the loss of 2 million lives, disrupted production systems in the war zone (Ahmed 1992) and destroyed the physical and moral fabric of society there, particularly among the southern Sudanese. The problem of IDPs is, therefore, an offshoot of the general macro political failures that have been set out above. But there are some specific factors that directly cause displacement, as shown in the following section.

### **Direct causes of displacement and basic facts**

From being host to an influx of refugees from neighbouring countries in the 1970s and, indeed, the early 1980s, Sudan has become a generator of forced migration on an unprecedented scale. The UN defines internally displaced persons as ‘persons or groups of persons who have been forced to flee or leave their homes or places of habitual residence as a result of, or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural and human-made disasters, and who have not crossed an internationally recognized border’ (Hampton 1998: xv). This is a general definition that includes all persons who are forced to leave their original areas. However, there are many qualitative differences between those who are forced to move. For instance, some people experience impoverishment during the process of forced movement, while others do not. Similarly, some people move as a result of moving institutions. For example, universities in southern Sudan were relocated to the north due to civil war. The students and personnel of these universities, indeed, experienced some form of displacement, but not the same kind of displacement experienced by ordinary southerners who were put in IDP camps around Khartoum. Therefore, the term ‘displacement’ is analytically useful not as a label for a generalized kind of person or situation, but only as a broad legal or descriptive rubric that includes different socio-economic statuses and personal histories (Assal 2002, Malkki 1995).

One of the main challenges in dealing with displacement is the question of numbers. In 1999, the UN estimated the distribution of IDPs within government-controlled areas as follows: some 1.8 million IDPs in Khartoum State, 500,000 in the east and the transition zone, and 300,000 in the southern states. In 2006, it was estimated that there were 6 million IDPs in Sudan (Verney 2006) displaced largely by drought, desertification and famine in the north, and conflict, famine and flood-induced epidemics in the south. The 6 million figure includes IDPs in Darfur who by far outnumber IDPs from southern Sudan, but whose conditions are beyond the scope of this paper. The direct causes of displacement are drought, civil war and forced regrouping.

### **Drought**

Drought has been one of the main direct causes of displacement in Sudan, and this was especially true during the 1980s. The 1984-85 drought resulted in the disruption of traditional production systems in eastern and western Sudan and led to mass displacement from these areas, particularly from Darfur and northern Kordofan. A succession of dry years from 1978 to 1987 resulted in the resettlement of

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<sup>1</sup> Authenticity or taaseel (Arabic) is the central project of the post 1989 government. It means going back to one’s own roots, and for the incumbent government these roots are necessarily Arabic and Islamic.

close to 3 million people along the Nile Valley and in urban areas, especially Khartoum (Black et al 2008: 54). Droughts and famines forced people to move eastward and to settle on the outskirts of Omdurman. Ethnic groups from Northern Kordofan (the Kababish, Kawahla, Maganeen and Zaghawa-Kagmar) settled in the Sheikh Abu Zaid area in 1985. Some of these displaced persons voluntarily returned to their original areas in western Sudan following the recovery of drought-stricken areas in 1988 (Assal 2002). However, droughts in western Sudan recur frequently; a fact that affects the decision of those displaced when considering a return to their former places of residence. For instance, during 1990-91 there was a drought in western Sudan which resulted in yet another wave of displacement from Darfur and Kordofan. From 1990 onwards, the tendency among drought IDPs is to settle in Khartoum on a permanent or long-term basis. A process of transformation is thus underway. The disruption of traditional production systems led to small producers (pastoralists and farmers) transforming either into displaced persons or into impoverished labourers who seek wage labor in urban areas. The eruption of war in Darfur in 2003 further complicated the already beleaguered position of people in that part of the country. The overwhelming majority of these people are trapped within Darfur, and only a few of them made it to Khartoum. In March 2004, a few thousands were temporarily accommodated in Mayo camp in Khartoum.

### **Civil war**

The displaced from southern Sudan and the Nuba Mountains primarily fled their areas as a result of civil war. They constitute the majority of IDPs in Khartoum. The Dinka represents the biggest ethnic group living in the camps (especially in Jebel Awlia), followed by the Nuba and other groups from western Sudan (Darfur and northern Kordofan). It is estimated that 70 percent of IDPs have been displaced by wars in different parts of the country. The remaining 30 percent are drought displaced who are predominantly from western Sudan (El-Nagar 1996). Those displaced by war may exceed 90 percent if recent IDPs from Darfur are factored in. It took two decades of war in southern Sudan to displace 4 million people, but less than 3 years to displace 2 million in Darfur (Verney 2006). This means that civil war has differential effects as a direct cause of displacement in terms of severity, duration and geographical location.

### **Forced regrouping**

The forced regrouping of people in peace villages and camps in respectively the Nuba Mountains and Khartoum took place during the 1990s. While regrouping in peace villages and camps may allow UN agencies and international NGOs to provide assistance to IDPs, such regrouping represents displacement to the extent that people are forced to move to certain locations. Evidence from Khartoum (see below) suggests that IDPs who were forcibly moved to camps initially resisted relocation but eventually had to accept it. In 2003, some IDP camps in Khartoum underwent a process of reorganization where many IDPs were allotted residential plots.

To sum up, conflict-induced migration has been driven by insecurity resulting from civil wars, by ecological degradation and by government policies which have concentrated services in a few urban centres (notably Khartoum) and that have undermined traditional rural production. The Sudanese state has consistently favoured mechanized and irrigated farming over traditional agriculture, which has benefited those who are rich and well-connected; and who can provide capital. In particular, the growth of mechanized farming schemes since the early 1970s has denied pastoralists access to seasonal grazing and to the migration routes on which they traditionally depend; and has turned small-scale farmers off the rain-lands they once cultivated. In recent years, the state policies have particularly favoured large investors; national and foreign, through the appropriation of lands, either for oil or for other purposes. This way, state policies, old and new, directly increase incidences of forced migration; mainly from the country to the town. While the civil war in the south ended in 2005, still the south is not entirely secure and, therefore, many southern IDPs remain in areas where they used to live during the civil war. The

security conditions in the south remain to be a major factor blocking the return of IDPs to their original areas (Pantuliano et al 2007). In Darfur, the war is ongoing and IDPs continue to live in camps located in the vicinity of major towns in the region. Prospects of return for forced migrants will be dealt with later in the paper. The following section, meanwhile, outlines some aspects of displaced persons in Khartoum to give some sense of IDP conditions.

### **The situation of IDPs in Khartoum**

To start with, it is important to stress the fact that since the signing of the peace agreement in 2005, Khartoum did not witness an influx of IDPs, except for those who got back to Khartoum after initially returning to their original areas (IOM 2011). The information in this section thus refers to IDPs who were in Khartoum prior to the peace agreement. In the beginning of the 1990s, the policy of the government was to bring IDPs together in fixed locations to simplify the job of providing services for them. Hundreds of thousands of IDPs who had hitherto been living in squatter settlements and unfinished buildings and construction sites were evacuated to the four camps established by the government in 1992 (Assal 2004). The policy of evacuating IDPs and relocating them to official camps raised some concerns (cf. Africa Watch 1992, Africa Rights 1995). The concern of UN agencies and other NGOs working in the humanitarian field was that these newly-established camps lack the basic infrastructure necessary to make them habitable. The location of these camps in the outskirts of the national capital means that IDPs are cut off from the conurbation and that they are not able to engage in activities that would enable them to generate income. It also implies that the displaced will have to be provided with relief food, since these camps are far away from areas where the IDPs can seek work as wage laborers.

In effecting its policy of relocation, the government established, in 1992, four camps for IDPs in Khartoum, namely Al Salam Omdurman (Jabarona<sup>2</sup>), Al Salam Jebel Awlia, Mayo Farm, and Wad Al Bashir. In 2002, an additional area was organized, mainly to house IDPs who used to squat in some already planned areas. The new site is called Al Fatih, and is located north of Omdurman (see below). In addition to these four camps which are recognized by the government, there are many other sites where IDPs live<sup>3</sup> (see table 2). The problem of correct estimates for the number of IDPs is an issue even with official camps. Tables (1) and (2) show the different estimates. But generally, different reports show that there are between 1.8 and 2 million IDPs in Khartoum. Of these, 273,000 live in camps and the rest are scattered in squatter settlements and other residential areas in Khartoum. Based on the Humanitarian Aid Commission's (HAC) estimates for 2004, Wad Al Bashir, Al Salam Omdurman, Jebel Awlia and Mayo Farms host respectively 55,500, 117,000, 52,000 and 58,500 IDPs. Women represent one third of the Khartoum IDP population. Average household size in the camps is 6-7 people. IDPs in the camps are mainly from the western and southern regions of Sudan including Greater Kordofan, Greater Bahr Al Ghazal, Greater Darfur, Unity and Nile states (Jonglei, Blue and Upper Nile and Unity states) and from Greater Equatoria.

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<sup>2</sup> 'Jabarona' means we were forced. This is a term given to the camp by IDPs; indicating that they were literally forced to relocate to the camp

<sup>3</sup> It is government policy to recognize only those IDPs who live in the four officially designated camps. This means that IDPs who are not in these camps will not necessarily qualify for humanitarian assistance.

**Table 1. Estimated population of the four IDP camps in 2004 and services available**

Camp	Number of households	Total population	Number of primary schools	Water sources
Wad Al Bashir	7,000	45,500	4	3 containers
Al Salam	18,000	117,000	11	7 containers
Jebel Awlia	8,000	52,000	7	62 boreholes
Mayo	9,000	58,500	6	72 boreholes
Total	42,000	273,000	28	-----

Source: HAC, 2004.

The estimate of CARE and IOM (2003) of the total number of IDPs living in camps (official and non-officials) is provided in table (2) below:

**Table 2. Number of IDPs in camps around Khartoum (CARE and IOM 2003)**

Camp	Total number of households	Total population
Idd Babiker	2,571	16,712
Baraka	4,006	26,039
Salama South	2,123	13,800
Soba Aradi	3,505	22,783
Mayo Farm	5,286	34,359
Mayo Village <sup>4</sup>	5,000	32,500
Dikhenat	1,600	10,400
Jebel Awlia	7,429	48,289
Wad Al Bashir	3,286	21,359
Al Salam	14,286	92,859
Total	49,092	319,100

Source: CARE and IOM 2003, p. 28.

### **Living conditions and coping strategies: two settlements**

IDPs initially depended on relief food provided by NGOs. Relief food was distributed as far back as 1984 as a result of famine in eastern and western Sudan. But relief distribution was greatly reduced in 1998 and IDPs in Khartoum have been largely left on their own since 2002 when the crisis in Darfur began, and most NGOs directed their attention to the crisis in Darfur and to the so-called recovery and rehabilitation of the south (Assal 2008a). The cases of Al Salam IDP camp (Assal 2006, 2008) and Al Fatih provide some clues as to how migrants survive in the city.

<sup>4</sup> Mayo Farms include Mayo village and the IDP camp. The camp is, therefore, part of Mayo village.

### **Al Salam (Jabarona)**

The naming of the camp is itself revealing. While officially called Al Salam (meaning ‘peace’), the camp is widely and popularly known as Jabarona (‘we were forced’), which suggests how the relocated groups that were moved there feel about their new location. Jabarona is located on the western periphery of Omdurman; around 15 kilometres from Suq Libya. It is one of the four official IDP camps in Khartoum. It was established in February 1992 to host IDPs expelled from different parts of Khartoum. Jabarona is ethnically diverse. The Fur, the Dinka, the Nuba, the Nuer, the Shiluk, the Azande and many other groups mainly from Darfur, Kordofan and South Sudan live in the camp. By December 2005, Jabarona’s inhabitants stood at 117,000 persons.

Until 1998, there were a few men from Jabarona who worked in building and construction sites in Khartoum; women engaged in tea selling, working at homes of affluent persons, and brewing the local beer, *marissa*. But since 1998, the population of the camp have had increasingly to rely on income from wage labour and the informal economy. The young and women are responsible for putting food on the table. Young men and women go for work in the different neighbourhoods and sometimes stay for the whole week and then return at the weekend. Women commute daily between Jabarona, Suq Libya and other locations where they can get work or where they can sell tea. A few IDPs work at schools in the camp, even though the salaries are far from enough for their family needs. There is considerable dependence on women, and some families subsist on a meal a day; a meal that is brought by females in the evening, after they are done with their work (Assal 2006: 22).

Young *et al* (2005: 104-5) discussed employment opportunities and problems facing IDPs from Darfur who live in Khartoum. While many Darfurians were IDPs, they were not allowed to stay in official camps and, therefore, many stayed with relatives or dispersed within local communities. Recent IDPs from Darfur who fled to Khartoum are, at worst, not allowed to stay in official camps and, at best, completely ignored. But generally migrants, forced or otherwise, use kinship networks as entry points to the town. New migrants live with relatives or kin groups, and sometime relatives or friends from the same ethnic group or region help the migrants find work. This leads to ethnic concentration, as migrants of the same ethnic group cluster together, given the dependence on ethnic connections for access to social protection and employment.

Generally opportunities for unskilled work are meagre given the numbers of unskilled IDPs who are looking for work. Competition is fierce and wages are low. Migrants from Darfur are engaged in marginal activities like selling water, vegetables and fruits. Some young migrants join the army and police though there are no reliable statistics on this. Interestingly, Young *et al* (2005) found that women selling food and tea were able to make more money than men, though they risked harassment from male customers, as most did not have the necessary licenses from health and tax authorities. But in recent years migrant and refugee women from Ethiopia and Eritrea have competed with Sudanese women in income-earning activities such as tea and food selling and domestic work (housemaids and nannies).

In 2003 the authorities began a process of reorganizing some camps. The idea was to upgrade camps into normal neighbourhoods. Jabarona was chosen. IDPs living in Jabarona at the start of reorganization were given tags to ascertain their eligibility for residential plots. The process of reorganizing which involved large-scale demolition started in November 2003 and the camp was divided into twelve blocks; each containing 2080 plots. By the end of 2005, nine blocks were surveyed and organized. The process of reorganizing Jabarona involved bulldozing thousands of mud-brick houses. The authorities claim that reorganizing Jabarona is part of an overall plan whose aim is to provide plots for residents legally and for bringing services to them (Assal 2006: 18). Some 25,000 families applied for the new government allocated plots. From these families 11,000 could afford to pay plot fees and had the necessary documents, such as birth certificates or a medical assessment of age, and ID cards. But thousands of families were excluded on the basis of eligibility criteria. Those who were residents in the camp up to 1997 were given priority; later arrivals were said to be considered only after earlier residents had been provided for.

IDPs who live outside official camps were simply ignored and so also were those who live in unauthorized settlements and squatters who were occupying other peoples' land. During 2009, massive demolitions and relocations took place for IDPs and migrants living in unauthorized settlements in Soba Al-Aradi, Al Salama and Mayo (south of Khartoum). Some of these people were relocated further south (in so-called peace villages in Jebel Awlia) while others were relocated in the Al-Fatih area (see below). Perched on the very edge of the city, often relocated from squatter sites or IDP camps much closer to the city centre, they have lost access to the job market, opportunities offered by the city space and critically their social networks. As a result of these challenges, many of those who are relocated to distant parts of the city return to their squatter areas to access livelihood activities within their pre-existing networks. Ironically, some end up squatting in social housing newly built on the land that they previously inhabited but which they were asked or forced to leave. This way they remain exposed to the risk of further evictions, but they see this as a better choice than their relocation sites. The example of Al Fatih further illustrates how migrants cope with urban challenges in Khartoum

### **Al Fatih**

Established in 2002, Al Fatih is located 40 kilometres north of Omdurman. The population in Al Fatih is a mixture of IDPs and other segments who used to squat in different parts of Khartoum (notably Soba, Mayo and Salama- south of Khartoum). The movement to this area began in 2002 and continued up to 2010. Al Fath is different from other settlements since it was already planned by the government when people moved in. The first movement of people was recorded in 2002 when 8,000 households relocated to the area. Al Fatih expanded rapidly. In 2007, its population was estimated at 260,000 (De Geoffroy 2007: 14). In 2010, Al Fath's population was estimated to stand at more than 300,000 persons. Still, many people return to their former squatting areas. Popular committee members in Al Fatih claim that of those who were moved from Salama between 2006 and 2008, 80 percent went back but continued to rent out their houses in Al Fatih.

The plot size is 200 square metres and costs SDG 300. Residents are supposed to pay this in instalments; with 30 percent of the price as first instalment. While for middle class residents this amount is reasonable, for IDPs and others it is unaffordable. For people in Al Fatih, the standard of living decreased after movement. In their previous locations, they were nearer to basic services, health facilities, social networks and transport and job opportunities. One advantage of moving to Al Fatih, however, is that people now have their own legal plots in which they can construct permanent houses. Since people draw a lottery to get their plots, Al Fatih is indeed mixed; people come from all parts of the country. This is one aspect which people consider as positive.

Popular committees run the show, so to speak, in Al Fatih. A key responsibility of the popular committee is to issue papers for people. Such papers (especially residence certificates) are necessary to access services and to get paper work done within the bureaucracy. They charge money for this, but people complain that they do not know what this money is used for and where it goes. Significantly, for many people, it is a mystery how these committees are selected. People certainly do not deem these committees representative. Additionally, the relationship between people and the local council is one of tax collection. For people in Al Fatih, the locality is not a place where one gets assistance.

Transportation costs from Al Fatih to the city constrain residents to access areas where work opportunities are available. It is estimated that the cost of a round trip from Al Fatih to Khartoum is 20-40 percent of the daily income. The round trip from and to Al Fatih costs almost SDG 5, which is a significant amount. In former areas, the cost is around SDG 1-1.5. It is to be noted that around 95 percent of people in Al Fath commute daily for work to different areas in the capital. As at Jabarona, some people in Al Fatih spend the week days in Khartoum, Omdurman and Khartoum North and get back during the weekend. On average, a family in Al Fatih needs SDG 15-20 for daily subsistence. Families will have to pay SDG 3-10 per month for public schools even though public schooling is

theoretically free. Work opportunities are meagre. Those who work in Al Fatih basically make bricks, while women sell tea and foodstuffs.

Before ending this section of the paper, a personal note might be of interest. In the course of my research among IDPs in Khartoum, I had the opportunity to see the different challenges and opportunities which these disenfranchised people face. While southerners represent the majority of IDPs where I did research, the different camps that house IDPs represent Sudan in the sense that almost all parts of the country are to be found there including Darfur, Kordofan, the South, and central Sudan. At times my fieldwork coincided with relief distribution during the mid 1990s, where I could talk to people queuing for their food rations. My last piece of fieldwork coincided with the reorganization and demolition of one camp and the scene was totally different: from queuing for relief to queuing for legal rights. The point is that during the 1990s IDPs were trying to secure basic needs; food and shelter, while, since 2003, the poor have been claiming their rights. While this is a significant shift, it does not mean that their basic needs are now secure. Still IDPs and other categories of migrants lack a meaningful threshold of rights. More importantly, they do not seem to have become an integral part of the urban system in the national capital.

### **Future prospects of IDPs from south Sudan: some legal issues**

One of the significant questions that have been asked since the signing of the peace agreement in 2005 is: what is the future of IDPs, especially those from south Sudan? When the peace agreement was signed, there was general euphoria that peace had come, and there was the possibility that IDPs would voluntarily return to their original areas. But that euphoria was premature: not only did very few IDPs return, but some returnees fled back to Khartoum; owing to the deteriorating security conditions in their home areas. Additionally, it was when the peace agreement was signed that the crisis in Darfur peaked. In south Sudan, tribal fighting, lack of services in urban and rural areas, landmines, conflict over land, and cattle rustling impede the return of willing IDPs (Pantualiano et al 2007).

According to the IOM (2011: 33), since the introduction of the CPA, around 116,000 have been assisted with travel and integration at the point of arrival by different return programmes. However, as the majority of IDPs returned spontaneously, the national authorities and the international community were obliged to locate and provide assistance on the return routes. The IOM is still tracking spontaneous returnees. Until mid 2009, the IOM tracked around 231,000 returnees during their return and around 983,000 returnees in their villages of return. According to IOM, most returnees (75 percent) travelled by buses, while a few (15 percent) walked.

In Khartoum, the government policy to reorganize the habitat for IDPs provided some hope for the integration of IDPs in the national capital. Nonetheless, this hope faded when the interim period was coming to an end, and when it became clear that southerners would opt for an independent country. When it became evident that the south would secede, the future of IDPs – indeed, that of all southerners in north – came to the fore.

9 January 2011 southerners exercised the right of self-determination with 98 percent voting for secession. The National Congress Party (the ruling party in the north) declared that this result automatically made all southerners in north Sudan foreign nationals (Assal 2011b). The independence of south Sudan will officially be declared on 9 July 2011. The declared policy of the government in the north is that southerners in northern Sudan will be given a time limit to put their situation in order. They will either have to leave southern Sudan or apply for residence and work permits as with other foreign nationals. At the present time, there are committees from the ruling parties in the north and south to discuss and settle many issues. These post-referendum issues include oil, debt, currency, borders and citizenship. As yet, there has been no breakthrough.

It is to be noted that at the present time and following the political discourse in the north that portrays southerners as foreign nationals, no one is talking about 'IDPs'. The talk is now about

‘southerners in the north’. To safeguard the rights of southerners in the north (who are mostly IDPs), the National Congress Party and the Sudan Peoples’ Liberation Movement need to settle post-referendum issues; to avoid making southerners stateless. There are many international treaties and conventions that address the consequences of state succession, particularly in relation to citizenship. The 1961 Convention on the Reduction of Statelessness, in particular, deals with situations of state succession in articles 1, 4, and 8. Article 8 reads: ‘a contracting state shall not deprive a person of its nationality if such deprivation would render him stateless’.

Sudan is not a signatory to the 1961 convention, and as noted earlier, the NCP’s position is that this convention is not binding. Nonetheless, from the perspective of the International Law Commission (ILC), Sudan is bound to respect the convention (Reuss 2010). The 1999 ILC articles on the Nationality of Natural Persons in relation to the Succession of States stress the following guiding principles: (1) right to a nationality; (2) prevention of statelessness; (3) no discrimination, no arbitrariness; (4) primary relevance of habitual residence; (5) secondary relevance of place of birth, special legal bonds, etc.; and (6) the individual’s right to choose a nationality (but not dual nationality). Article 24 deals with the attribution of nationality of the successor state in cases of secession/separation. The article stipulates that a successor state shall, unless otherwise indicated by the exercise of a right of option, attribute its nationality to (a) persons having their habitual residence in its territory; (b) persons with an appropriate legal connection to what is now the successor state; and (c) expatriates born in or formerly residing in what is now the successor state.<sup>5</sup>

However, articles 9 and 10 give successor states the right to set conditions when granting their nationality to persons. Article 9 reads: ‘When a person concerned who is qualified to acquire the nationality of a successor State has the nationality of another State concerned, the former State may make the attribution of its nationality dependent on the renunciation by such person of the nationality of the latter State. However, such requirement shall not be applied in a manner which would result in rendering the person concerned stateless, even if only temporarily.’<sup>6</sup>

Both the NCP’s and SPLM’s positions seem to comply with the 1999 ILC articles on the Nationality of Natural Persons in relation to the Succession of States. The NCP rules out dual citizenship, but declares that it will give southerners in the north time to settle their status or organize their return (Assal 2011b). However, the NCP is silent when it comes to the fact that some southerners are married to northerners and *vice versa*. The current Nationality Act in Sudan gives both fathers and mothers the right to pass citizenship to their children, which means that children of mixed marriages should have the right to choose to either stay in the north or to move to the south. But the Nationality Act is under review and, therefore, provisions that give southerners the right to citizenship may be removed.

## Conclusions

Six years after the Comprehensive Peace Agreement was signed, conflict-induced migration is far from over. The conflict in Darfur is still raging and people continue to be displaced as a result of war. The foregoing analysis shows that factors responsible for conflict are structural and are part of lopsided development policies that favour certain areas and marginalizes others. Conflict-induced migration led to faster urbanization in Sudan, particularly in the region around the national capital. But such urbanization is ‘pathological’ in the sense that it is not followed by the social and economic integration of forced migrants. The analysis in this paper shows that after decades of living in Khartoum, internally displaced persons are still on the periphery of Khartoum’s urban system.

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<sup>5</sup> 1999 ILC Draft Articles on Nationality of Natural Persons in relation to the Succession of States, [http://untreaty.un.org/ilc/texts/instruments/english/commentaries/3\\_4\\_1999.pdf](http://untreaty.un.org/ilc/texts/instruments/english/commentaries/3_4_1999.pdf).

<sup>6</sup> Ibid.

Migration from the countryside to the city is thought to lead to the integration of different ethnic groups. This is possible through the argument that ethnic loyalties will fade away; providing an opportunity for identifications that cut across different ethnic, regional or tribal boundaries to appear. But Sudan's protracted instability and conflict has ended the melting powers of urban centres, and what we see, instead, in Khartoum is a reconstitution of primordial identities. This process is reinforced by the failure of the state to ensure that the basic needs of the poor are met. State policies of revitalizing tribes and ethnicities also contribute. Policies such as 'return to the roots', which have tried to establish forms of tribal administration among urban migrants, led to people affirming their ethnic identities in search of socio-economic security and physical safety. One outcome of this will likely be the creation of the same patterns of marginalization, frustration and militarization that we have seen on the peripheries. In other words, conflict-induced migration does not correspond to positive processes that are conducive to removing or else mitigating ethnic and other differences that are instrumental in polarizing societies.

The signing of the peace agreement and secession of southern Sudan, while enjoying international support, leaves a lot to be desired. The future of southern Sudanese in north Sudan is far from clear. One key issue that is likely to spark conflict, unless resolved before July 2011 is the question of citizenship. The referendum vote that resulted in the secession of south Sudan is disenfranchising to the southern Sudanese; to the extent that the government in the north declared that based on the results of the referendum, southerners in the north will lose their citizenship. While this is a legal and political issue, its social consequences might be very serious. Millions of 'southerners' have lived all their lives in the north and many have not even seen the south. Telling them that they are 'foreigners' is indeed problematic and may lead to violent outcomes.

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