

SUDAN

REFUGEES IN THEIR OWN COUNTRY

The Forced Relocation of Squatters and Displaced People from Khartoum

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Introduction and Summary

The military government of Sudan has in recent months bulldozed and burned the homes of about 500,000 of its poorest citizens in a forcible and often violent program of expulsions from Khartoum to new camps located outside the city. The relocations are a flagrant violation of the rights of the displaced and squatter communities to live where they choose. The government's rationale is that the large displaced and squatter populations, numbering over one million, present a threat to environmental health. This may be the case, but repeated studies have concluded that this problem should be solved by improvements to existing settlements, rather than by forcible relocation. Fear of and hostility to the migrants, most of whom originate from southern Sudan, is an important factor in the expulsions.

The government has taken on sweeping arbitrary powers in order to enforce the expulsion program, violating fundamental legal principles, such as barring legal actions on behalf of the squatters, and also abrogating established Sudanese land tenure practices. The legislation on which the relocations is based is so contrary to all legal principles that Africa Watch considers it illegal; consequently the relocations themselves are illegal.

In the relocation program, houses of the displaced and squatters are demolished without compensation, and the destruction is often accompanied by looting. Schools and clinics are also destroyed. The relocations are often violent; in the worst incident, at least 21 people were killed in a clash between squatters resisting relocation and the army. People are transferred to new sites up to 25 miles from the city. Conditions in the new sites are poor, without employment opportunities, and with few services. Deaths from exposure have been reported. Humanitarian agencies are given limited access.

While many western countries, and the World Bank, have opposed the expulsions, the United Nations has failed to condemn the program, electing instead to work alongside the government. The UN has ignored the advice of its own experts, who have proposed making aid programs to the displaced conditional on a halt to forced relocations, and is proposing instead to support the ongoing program with a package worth \$11.5 million.

Africa Watch calls upon the government to cease all the relocations immediately and unconditionally, to allow those relocated to return to their former homes if they wish, to provide compensation to those whose homes and properties have been destroyed or stolen, and instead to follow a plan of urban renewal based on people's right to live where they choose. The UN and Sudan's other donors should insist on these principles being met before they are prepared to assist any government schemes for the displaced.

Squatters and the Displaced during the 1980s

Migration to the "Three Towns" of Khartoum, Omdurman and Khartoum North has presented problems to the authorities for more than a decade. The concentration of services and economic opportunities in the capital, and the neglect and impoverishment of the countryside, was attracting tens of thousands of people each year in the late 1970s. From the early 1980s, repeated drought in western Sudan and, above all, the savage war in the south, have caused hundreds of thousands of destitute people to come to the capital.¹ The city, built for a far smaller population, has been unable to cope. Government and long-term residents have blamed increasing crime and other problems on the new arrivals; in the case of southerners, there has also been a tinge of racial hostility and fear that the Sudanese Arab identity of the city was endangered. The response has often been harsh. In 1979, 1981 and 1982, there were mass expulsions (known as *kasha*) of migrants from the capital, affecting mainly Eritrean refugees and southerners. In 1984, thousands of drought-affected people from Kordofan region encamped on the outskirts of Omdurman were trucked back to their destitute villages. In October 1985, the government called for the immediate demolition of 20 squatter settlements, though no expulsions were actually carried out -- in part because there was nowhere to move people to.

These measures could not stop the influx. Particularly after the escalation of the war from 1986 onwards, Khartoum grew at an ever-increasing rate. At the same time, the shrinking value of public sector salaries forced many long-term residents out of private-sector accommodation in the city center, to live in the unplanned squatter settlements growing up in the interstices of the city, and outside its perimeter.

Most of the current migrant population originates from southern Sudan, where civil war between the government and the Sudan People's Liberation Army (SPLA) has been raging for nine years. These migrants, mostly Dinka and Nuer and with a preponderance of women and children, have fled atrocities committed by the Sudanese army, associated militias and the SPLA, and the resulting famine. The commanders of Sudanese army have regarded the migrants with suspicion, as a potential "fifth column" for the SPLA, and have repeatedly pressed for their removal from the environs of the city, particularly at times of SPLA military successes or rumors of planned coups from the southern contingents of the army. In April 1987, following pressure from military intelligence, there was an attempt to remove displaced southerners from Khartoum.

In October 1987, the Council of Ministers set up a Squatter Settlement Committee that began the most comprehensive evaluation of the issue of the displaced to date. The committee introduced the distinction between "squatters" and "displaced." "Squatters"

¹ For a detailed account of the history of the displaced, see, U.S. Committee for Refugees, "Khartoum's Displaced Persons: A Decade of Despair," Washington D.C., 1990.

were defined as those who arrived in the city before 1984, and "displaced" as those who arrived afterwards. It would be equally accurate to describe "squatters" as those who live in semi-planned areas, provided with some services and recognized by local authorities. Many squatters have built mud-brick houses, and standards are often relatively decent. The "displaced" are those living in unplanned areas with no official recognition of rights of residence at all, who have built temporary shelters from sticks, canvas and other flimsy materials. Often these people live in appalling conditions, for instance on rubbish dumps.

The squatter-displaced distinction also roughly divides migrants from western Sudan from those from southern Sudan. This is crucial because the committee envisaged relocating the squatters in new sites in the vicinity of Khartoum, while the displaced would be removed from the region altogether, either to "productive areas" (meaning mechanized farming regions in eastern Sudan) or to "paired settlements" (meaning camps close to established villages in western Sudan) -- in both cases the displaced would then provide a cheap agricultural labor force. Though ostensibly based on neutral criteria, this and other approaches to the displaced problem are founded on ethnic discrimination.

The Squatter Settlement Committee was assigned a contingent of military police and six trucks to carry out the relocations, and set up patrols around the perimeter of the city to try to prevent new settlement. However, before it had time to implement its program, Khartoum was struck by the worst flooding in 40 years, in August 1988. Many mud-built houses were destroyed in the torrential rain, and it was feared that epidemic disease would sweep through the overcrowded and unhygienic shanty towns. This lent an added urgency to government plans for urban renewal, and brought international attention to the plight of the Khartoum poor. The municipal authorities were overwhelmed and unable to carry on the relocations program. Meanwhile, a series of missions from international aid agencies promised large-scale assistance in urban renewal. In anticipation of this aid -- very little of which actually materialized -- plans for relocation were suspended.

Operation Lifeline Sudan, launched in April 1989 to provide humanitarian relief to the south, included no provision for the displaced around Khartoum, despite the fact that most of them were southerners who had fled the war zones.

After seizing power in June 1989, the present government of the Revolutionary Command Council (RCC) immediately floated proposals for removing the displaced. The RCC's Transitional National Program, Article E.2, referred to the need to "Resettle the displaced in accordance with prepared programs that will ensure their participation in enhancing production and development." In August and September 1989, plans were announced for the immediate removal of displaced people to "productive areas" in the central and eastern regions. In November, it transpired that relocations had already started; by February 1990, it was estimated that about 50,000 people had been relocated.

The total number of squatters and displaced is not known accurately. In the last two years, estimates have ranged between 700,000 and two million, in a number of sites ranging between 60 and 120. Possibly the most reliable estimate was compiled from several sources, including Khartoum State government, the Commission for the Displaced and voluntary agencies in 1992, which came up with a figure of 520,000 displaced and 873,000 squatters in and around the Three Towns.

Current Government Policy

In February 1990, while negotiations were continuing with the international community for the renewal of Operation Lifeline, the Sudan government held a conference on the problem of the displaced. At a Conference Steering Committee meeting in November 1989, to set the agenda for the Conference, the then-head of the Political Committee, Brig. Osman Ahmed Hassan, said: "Displacees are and will be treated as full citizens who enjoy the right to services wherever they may settle." However, this statement was made for media consumption. The recommendations of the conference laid out a wide range of desirable goals, again emphasizing that the rights of the displaced and squatters would be respected. One goal was "returning land to its rightful owners," referring to residents who had purchased plots for development which had later been occupied by squatters. These recommendations were not binding on the government; as in other conferences held in Sudan under the RCC, the aim of the conference was to solicit views and to test public opinion.

Following the conference, there has been a succession of investigations and reports produced by the government, the World Bank, and the specialized agencies of the United Nations. These reports have recommended various forms of urban renewal, including the regularization of the status of unplanned areas, while upgrading services to them and assisting the residents in the improvement of the housing stock. A UN report of June 1990 stressed that all relocation should be on a strictly voluntary basis. A World Bank consultant's report of June 1991, which made proposals along these lines, and again insisted on voluntary relocation only, was later cited by the government as the basis for its policy. At least four UN missions have undertaken research so far this year, and the government has received their recommendations politely.

Actual government policy appears to have been to use these reports as a smokescreen, to give the impression to the international community that it was being consulted and involved, while a resolute and uncompromising policy of massive forcible relocation took place. Very few, if any, of the recommendations of the international consultants have been followed; more often, the government has done precisely the reverse.

Several arms of government are involved in the relocation, including the Commission of the Displaced, the Relief and Rehabilitation Commission, the National

Capital Commission, Khartoum State government, and the Ministry of Housing, Construction and Public Utilities, in addition to the Popular Committees, police force and army. This multiplication of concerned government institutions has obscured the real locus of command over the policy.

This gulf between a facade of cooperation and pleasantries and a reality of arbitrary demolition and removal is well illustrated by Decree 941 of May 20, 1990, passed by the RCC and Council of Ministers, entitled "Approval of Some Procedures to Contain Squatter Settlement." Articles (a) to (c) express laudable principles of conducting socio-economic studies to determine the needs of the squatters, surveying land, and allowing the squatters sufficient time to relocate. Article (d) makes all these niceties completely redundant, stating that the relevant authorities are "to *immediately* demolish squatter settlements on planned residential and agricultural land and are to *immediately* give the land to its rightful owners" (emphasis added). As almost all the land on which people are squatting is either designated as residential or agricultural (see below), this article overrides all the others. It is on the basis of this Decree that the current relocation program is going ahead.

The Legality of the Relocations

The government has consistently referred to the squatters and the displaced as "illegally" residing on land belonging to others or designated for other purposes. This is highly misleading. The settlement is unauthorized, but that does not deprive the settlers of all rights. According to long-established Sudanese land tenure practice, the squatters have significant rights to a just legal settlement of their claims. The government's abrogation of these rights displays a contempt for legality and an adherence to arbitrary measures.

Sudanese urban planning distinguishes four classes of residential area. Planned neighborhoods are designated class one, two or three, according to the standard of housing and services. All land in these areas is registered with the Registrar of Lands. In addition, the law tolerates building on other land. A *de facto* fourth class of residential area has been created over the last two decades as demand for low-income housing has outstripped the supply in class three residential areas. This consists of areas where the municipal authorities have made arrangements with committees elected by the residents, to provide basic amenities and to include the residents on the ration lists, in return for the payment of certain fees. In recent years, new residents of these areas have commonly paid a fee of 30-40 Sudanese pounds for a plot of 20 meters by 20 meters, on which they are allowed to build with mud-bricks.

These areas are semi-planned, in that the council and the committees lay out a street plan and designate certain areas for markets, shops, mosques, etc. At a later date, these areas can be upgraded to third class areas, by providing a higher degree of services

and re-planning parts of the neighborhood if necessary. The plots can then be registered with the Registrar of Lands, with compensation provided to any residents who have their houses demolished in the replanning. While the procedures for this upgrading have never been laid down in statute, they have become well-established and were used, for instance, to upgrade the semi-planned neighborhoods of Kalakla and parts of Umbadda. In some well-established unplanned settlements, such as al Mayo and Kurmuta (southern Khartoum), residents had a reasonable expectation that their rights would be recognized by the Registrar of Lands. This expectation was strengthened after 1988, when the government agreed to a UNICEF program of installing 500 water pumps, costing US\$ 1 million. Similarly, in Karton Kassala (Khartoum North), the construction of a mosque, school and water supply by a Kuwaiti aid program encouraged residents to believe that their status would be regularized.

The poorest fourth class areas (sometimes referred to as fifth class) are settlements for the displaced where no services are provided, and no building in semi-permanent materials is permitted.

During the colonial period, all the land in and around Khartoum was designated as residential, industrial, agricultural, etc. Not all the land designated as residential has been developed, though individuals may own the plots. Some squatter and displaced settlements have grown up on this land. In these cases, a just settlement between the registered (absentee) owner and the residents, many of whom have obtained a degree of recognition from the council, is clearly necessary.

Agricultural land was designated as such during a time when Khartoum received enough rainfall to make cultivation possible. In the last three decades, the climate has changed so that only irrigated farming, chiefly along the banks of the Nile itself, is possible; rainfed cultivation has entirely ceased -- but the land designation has not changed. Thus, there is no case for returning this land to its "rightful use." In past years, other "agricultural" lands that were built on, such as in parts of Shajara, Soba, Gerief, adjacent areas along the Blue Nile, and al Menshiriya, have subsequently been changed to registered residential areas. Again, a just settlement is clearly warranted.

The compulsory relocation of the squatter and displaced communities therefore poses considerable legal difficulties to the government. In 1981, the Khartoum Bar Association mounted a legal challenge to the expulsions then underway, claiming that the Sudanese constitution guaranteed freedom of movement and residence for all citizens. The government responded that there was a caveat, "except for reasons of security and public health," both of which it argued were applicable in this case, as "the resultant decrease in urban crime, lessening of the pressure on urban food supplies, and reduction of the danger of urban unrest justified the measures taken."²

² Quoted in U.S. Committee for Refugees, 1990, p. 3.

None of the expulsions of 1979-84 involved Sudanese citizens who had lived in the Three Towns for more than a year or so, or who had built semi-permanent houses. The relocation of squatters who had been resident for longer promised far more formidable legal obstacles. In addition, the government's 1981 defense of its expulsions made further actions dependent on programs to improve sanitation and security -- subsequent relocation programs have had precisely the reverse effect (see below).

In response to these problems, the RCC decreed an amendment to the Civil Transactions Act on October 10, 1990. This cut through the Gordian Knot of potential land disputes, giving absolute and arbitrary power to the government to deal with the squatters and displaced. The fact that the government needed to assume such extreme powers indicates that, under all previous land law in Sudan, its current actions would be illegal.

The first provision of the 1990 Act decrees that all non-registered land should be considered as if registered in the name of the state. This automatically negates any rights under customary law that squatters may have obtained by having occupied a certain piece of unregistered land, unchallenged, for a certain length of time.

The second provision is the key to the government's intentions. It decrees that no judicial recourse is possible for those subjected to expulsion:

No court of law, or any other authority, is concerned with considering any plea or petition or procedures regarding and subject relating to the ownership of State-owned land in accordance with this Act.

The government, however, found it necessary to go still further to create the required legal framework, making the decree retroactive:

Any [legal] procedures underway before the date of effectivity of this law are considered invalidated as of the date of signature of this law . . .

This extraordinary piece of legislation demonstrates a total contempt for legality. It is in blatant violation of the most basic legal principles. Africa Watch therefore considers it illegal, and therefore considers that the current program of expulsions is also illegal.

Action against unregistered building is selective. In 1988, a leading figure in the National Islamic Front, Dr Ali el-Haj, who is prominent in the present government, was revealed in a Sudanese newspaper as having built a large house, without the requisite legal permission, in al-Gereif. The house became known as al Kusr Ashwai, "the Squatter's Palace." This building still stands.

The Current Campaign

The current campaign of expulsions and relocations started immediately after the government adopted the draconian legal powers contained in the 1990 Amendment to the Civil Transactions Act. Within weeks, forcible relocations were under way, in a campaign that continued fitfully for one year, before increasing in scale and regularity in the final months of 1991.

Transit camps and "Peace Cities"

The government has established two kinds of relocation sites -- transit camps for the displaced and resettlement sites for squatters. This is based upon the plans drawn up in 1987. One transit camp is near Jebel Aulia, a small garrison town 43 kilometers south of Khartoum; the other is on the arid plain west of Omdurman at Al-Salaam. The population of displaced at these camps is now approaching 100,000. The populations of these transit camps are expected to be relocated to "production areas" in rural Sudan, or "repatriated" to southern Sudan. The displaced (mainly southerners) are subjected to harsher treatment than the squatters (a very mixed population).

The three sites designated for permanent resettlement are known by the generic term Dar-es-Salaam, a phrase that is officially translated as "Peace City". One of the sites is close to the transit camp at Jebel Aulia; one is west of Omdurman, near Al-Salaam; the third is near the former unplanned settlement Karton Kassala in Haj Yusuf (Khartoum North). These resettlement sites are referred to in this report respectively as Dar-es-Salaam (Jebel Aulia), Dar-es-Salaam (Omdurman) and Dar-es-Salaam (Khartoum North).

Dar-es-Salaam is also the name of one of the longest-established semi-planned settlements near the railway to the south of Khartoum, much of which -- the section called Kurmuta -- was demolished in December last year. This settlement is referred to here as Dar-es-Salaam (al Mayo-Kurmuta).

Chronology of Abuses

The chronology of demolitions and relocations in the Three Towns since the Amendment to the Civil Transaction Act was passed in October 1990 reveals a pattern of unrelenting abuse of human rights.

October 24-26, 1990

Water supplies were cut off at Hillat Shok (southern Khartoum), a large shantytown occupied mostly by Nuer and Dinka displaced people. A week later police

and security forces moved in, and houses were bulldozed and burned. At least three people were killed. Several smaller settlements were also demolished. Somewhere between 10,000 and 30,000 people were forcibly removed to Jebel Aulia.

A Nuer youth has described the demolition of Hillat Shok to a western journalist in these words:

That day we were attacked while we were praying in church. Soldiers came, surrounded and cordoned off the church. No people from outside were allowed to enter the camp, nor were people inside allowed to leave. We were at once moved quickly by lorries. When we wanted to pack our things we were not allowed to do so. Then all our properties were burned.

The site at Jebel Aulia had not been prepared for settlement. By June 1991, less than 2,000 people remained there. The rest of the inhabitants had dispersed, probably back to Khartoum.

March 1991

Large-scale demolitions were carried out in Omdurman -- El Khudeir, Gamayer and Khor Omer -- and the first relocations were made to Al-Salaam transit camp.

April

The Council of Ministers adopted a decision to relocate 800,000 displaced to "agricultural production sites or areas of origin".

June

Suq el Markazi settlement was demolished. For the first time, international observers were present. The displaced were taken to Jebel Aulia.

October

Around this time, a decision was taken to accelerate the relocations campaign. An established procedure became evident. This was described by the Sharaf el Din Bannaga, Minister of Housing for Khartoum State:

Demolition is done under the supervision of the Ministry surveyors, guarded by a police force to keep law and order and witnessed by the assigned judge or a representative of the Attorney General. The demolition process continues until all squatters designated for relocation are moved. However, the judge is the only person authorised to stop demolition or

delay it. He decides when the police should use force.³

No mention is made of giving the residents any forewarning or notice. Squatters with semi-permanent houses usually discover that they are due for relocation when police squads arrive and mark the houses for demolition; the owners then wait -- sometimes for a month or more -- fearing that the demolition teams may arrive any day. Displaced people may find their areas bulldozed with no warning at all.

Demolitions were carried out at Shigla and Takamul (Khartoum North). Eight people were injured.

December 22

Serious clashes occurred at Kurmuta, a section of Dar-es-Salaam (al Mayo-Kurmuta), a long-established squatter settlement with many substantial mud-brick houses. Many of the residents of Kurmuta were Moslem western Sudanese, who were more prepared to assert their rights in the face of government abuses than were their neighbors from the south.

Army and police contingents arrived at dawn with bulldozers and armored cars. Residents of Kurmuta, forewarned, mobilized to resist the army. Among those resisting were some policemen who lived in the settlement; some of these had firearms. The crowd built barricades and stoned the soldiers. The magistrate accompanying the soldiers, injured by a stone, ordered soldiers to shoot into the crowd. Fighting spread to the neighboring areas of Kalakla and Wad Amara, some of whose inhabitants were suspected by the the residents of Kurmuta of assisting the army and police. At least 21 people were killed.⁴ They included the following:

Adam Ali
El Sadiq
Eissa John
Ismail Abaker
Yagoub Hamad
Yassin Hamdan Shata
Mohamed Musa
Yahya Faris
Mohamed Adam
Mohamed Ishag
Idris Mohamed

Adam Kayar
Ali Ahmed
Mohamed Abaker
Zamzam el Sheikh
Ismail Haroun
Mekki Dharrar
Peter Gane
Sakina Ali Julo
Samnar Reig
Abdalla el Tahir

³ Paper given at a seminar, "Unauthorized and Squatter Settlements in Khartoum," Khartoum, May 20, 1992, p. 24.

⁴ The official figure, quoted in *New Horizon* on December 25, was 13 dead and 80 wounded, but a memorandum prepared by the Popular Committee of Dar-es-Salaam for the Khartoum Commissioner's Office put the number of dead at 21. Other estimates ran as high as 40 killed.

Most of those named are Moslem westerners, including ethnic Nuba, Fur and Zaghawa. They include women and children. Several soldiers in the demolition squad were also killed.

December 23

A meeting between the Provincial Commissioner of Khartoum and the Dar-es-Salaam Settlement Committee agreed that the demolitions should cease, except in the case of unoccupied houses.

December 24

The police and army returned to Kurmuta in combat gear. Demolitions of occupied and unoccupied houses resumed. Trucks came to take people to Dar-es-Salaam (Jebel Aulia), though many of the former inhabitants of Kurmuta had dispersed. About 12,000 families (72,000 people) were moved from Kurmuta and el Mayo to Jebel Aulia over the following months. Today, according to a visitor to Khartoum, Kurmuta resembles a "moonscape", with only the UNICEF water pumps sticking up among the remnants of mud walls.

January 1992

10,000 families (60,000 people) were removed from Zagalona I, a shantytown in Omdurman, to Al-Salaam on January 15. Also on January 15, three people were reported killed during demolitions at Hillat Kusha (Khartoum North); police and army units surrounded the area at 3 a.m. and people forced from their beds, on to trucks.

February

Following the outcry over the killings at Kurmuta, the government slowed down the relocations from the middle of this month.

March

During Ramadan, the relocations continued at a slow pace. In Kosti, the expulsion of 70,000 people started (see below), while many areas of Khartoum were marked for demolition.

Four people were killed during the demolition of a settlement at Soba. According to reports, two children were buried alive in their hut by a bulldozer at Kalakla Zingat; their pregnant mother died two days later.

April/May

Demolitions and relocations resumed at full speed in Hesba and Haj Yusuf (Khartoum North) and Umbadda and Gelea (Omdurman). From Umbadda alone, an estimated 50,000 people were relocated to Dar-es-Salaam (Omdurman). As in other relocations, force was used, with a heavy police and military presence.

June

At Hiya Abbassia, a section of the old town of Jebel Aulia where squatters had lived for a decade or more, built semi-permanent houses, been provided with services, and formed a popular committee, demolition squads began marking houses. The population is due to be relocated to the adjacent site of Dar-es-Salaam (Jebel Aulia).

Relocations continue at the time of writing. Current estimates indicate that perhaps 450,000-500,000 people have so far been expelled from the Three Towns. The government's first target of removing 500,000 by June has probably been met. However, expulsions will undoubtedly continue, as about half of those relocated have dispersed back into Khartoum, and up to 800,000 squatters and displaced remain unaffected by the program so far.

Destruction of Schools

In the old settlements, squatters had been provided with schools built by churches and voluntary organizations. The government has taken various actions against them. The Roman Catholic church was formerly responsible for running 66 schools in the squatter settlements. Many have been destroyed, and the church has had great difficulty in obtaining permission to reopen the schools in the new sites. According to reliable reports, on March 16, children attending class in a church in Dar-es-Salaam (Omdurman) were tear-gassed by the army. Formerly, the Catholic church used to provide a free meal to all schoolchildren. The government has now prevented the church from distributing food, thus making the schools much less attractive to the population. It is also making Arabic the compulsory medium of instruction starting next year, a move that is unpopular among the southern Christians.

In contrast, Islamic agencies have had no difficulty in obtaining permission to start schools, and are establishing a near-monopoly over education in the new camps. The agency Dawa Islamiya has opened six schools in Dar-es-Salaam (Jebel Aulia), where free meals are provided for pupils. Arabic is the medium of instruction and adherence to the

Islamic faith is often a precondition for entrance or graduation.

Relocations from other Towns

Squatters and displaced people have been moved from towns other than Khartoum. In mid-1990, 23,000 people were forcibly relocated from Damazin (Blue Nile region) and a similar number from Gedaref (eastern Sudan). In late 1991, many squatters in Port Sudan were moved to a new site ten miles from the town. In March-April 1992, an estimated 70,000 people were expelled from the Combo and Leya camps at Kosti (White Nile region) and an unknown number have been removed from en Nahud (Kordofan). Forcible relocations from other towns such as Wad Medani, Atbara and el Obeid can be expected. Relocations have also occurred in the south, where 6,500 were expelled from the center of Wau town.

Manipulation of Ethnic and Racial Differences

One of the more insidious aspects of the relocation program is the way in which the government has played upon existing prejudices against the squatters and the displaced by long-term residents of Khartoum. The migrants to the city have long been blamed for many urban problems, and are not popular -- despite the fact that they provide cheap labor and are willing to do many menial tasks that the residents find necessary. Migrants who originate from the south are also disliked because of the racial differences between them and the almost exclusively Moslem Arab resident population. The government has deliberately played upon this latent hostility. In December 1991, as the relocation program accelerated, the media reported a prominent government magistrate as saying: "Perhaps all the wrongdoings in the society come from the slums: wine-making, prostitution, handling of stolen properties."⁵

The government and army have often depicted the southern displaced as a "fifth column" for the rebel SPLA, and a security threat to the northern residents, although, remarkably, there have been no "race riots" of any description in Khartoum since 1965. Actions against the displaced have often occurred at times of heightened tension in the war. This was true during the parliamentary period, in April and October 1987, and the first forcible relocations under the RCC began just days after the SPLA captured the northern town of Kurmuk in October 1989, an event that led to an unprecedented outpouring of hostility towards southerners in the official media.

The most concrete way in which the government has tried to obtain popular support for its policies is by promising the land occupied by the squatters to Khartoum residents. Thus, much of the area of Dar-es-Salaam (al Mayo-Kurmuta) that has been demolished has been promised to residents of nearby Kalakla -- contributing to the

⁵ *Al Inqaz al Watani*, December 10, 1991.

violent conflict between the two communities in December 1991. In other squatter settlements in designated residential areas, such as Umbadda, FitiHab and Haj Yusuf, there are reports that plots and sometimes houses that are already standing, have been promised to civil servants, military and police officers, or members of the recently-formed Popular Defense Forces.

Life in the New Camps

Life in the old squatter settlements varied; the best were close to third class residential areas in their standard of living, the worst lacking in basic services. Displaced settlements were worse, with many of them undoubtedly unfit for human habitation. However, conditions in the new sites are seldom better.

Transit Camps

Jebel Aulia is a garrison town approximately 25 miles south of Khartoum. The transit camp is six miles east of the town. It was opened in September 1990, and is now home to about 20,000 people. A visitor to the Jebel Aulia camp in early February described the conditions he saw there:

We saw lorries arriving at the camp, and we passed more on the road when we were driving back to Omdurman. I watched one of the lorries unloading. The area was completely virgin sand, like an empty parking lot of dirty sand, an open expanse. The only things there were marks in the ground made with sticks, marking the plots, like football pitches marked out. The lorry turned up and tipped its load onto a plot. Pots, pans, sticks, wood from the family's previous home, bits of sacking; all this jumble was tipped out. There were two adults -- I presume the parents -- an old woman, and some children.

It was late afternoon and it was beginning to get cold. The family had absolutely nothing. I asked what they were going to do; they said all they could do was to start to dig holes in the ground to put the children in to protect them a little from the cold.

Conditions among people who had been in the camp a little longer were also so dire that many of them said "We would rather go back home to the war than stay here."

Seven people are believed to have died of cold in February and early March at Jebel Aulia. Water supplies to the camp are barely adequate, consisting of two boreholes

and 30 handpumps; this is particularly important because of the high daytime temperatures in the summer months. Sanitation is also a major problem, with no latrines provided. According to a survey done in September 1991, the rate of child malnutrition in the camp was 20.5%, far higher than normal. The camp is guarded by members of the Popular Defense Forces, who will allow individuals but not whole families to leave to go to work in Khartoum. Transport to Khartoum from the transit camp is very difficult, involving an hour's walk to the Khartoum-Kosti road, then a long bus journey.

Al-Salaam transit camp, west of Omdurman, is equally bad. It was set up in January 1992, and its current population is in excess of 60,000 people. The area is surrounded by sand dunes, which are in danger of encroaching on part of the camp. The nearest employment opportunities are at Suq Libya five miles to the east. Some residents are reported to rise at 3 a.m. to walk to Omdurman in order to carry on working in their former jobs.⁶ Water is a major problem, the principal supplies for the camp being provided by six water tankers. The camp is guarded by members of the Popular Defense Forces, armed with whips and electric cattle prods.

New "Peace Cities"

In the new Dar-es-Salaam squatter relocation sites, former squatters are given registered plots of ten by 20 meters. The site of Dar-es-Salaam (Jebel Aulia) contains more than 60,000 people. Its water supplies are grossly inadequate, especially when compared with the ample provision of water in the Dar-es-Salaam (al Mayo-Kurmuta) area from which most people originated. Only two clinics are in operation.

A 54-year-old widow from Juba with twelve children, a former member of the Southern Regional Assembly, reduced to unemployment in Khartoum and unable to afford the rapidly increasing rent on her house in Kalakla, purchased land in Dar-es-Salaam (al Mayo-Kurmuta) in 1989, and over six months built a house financed by the proceeds of a tea shop. She was forcibly relocated to Dar-es-Salaam (Jebel Aulia) in January 1990, from where she wrote:

The force used to move the people to the new areas was by withdrawing our food ration cards and stopping any issue of food items in Dar-es-Salaam. In Jebel Aulia, however, there was no issue of food items as the new cards have not been distributed yet. In addition there are no government services of any kind in the new areas apart from two water tanks. Otherwise, people have been allotted 200 square meter plots of land per family . . . and they are expected to start building their own shelters . . . Most people are still in the open, unsheltered, unclothed, hungry and without money.

⁶ Andrew Cohen, "Cattle Prods for Sudan's Refugees in 'Model' Camp," *The Guardian*, (London), May 1, 1992.

Dar-es-Salaam (Omdurman) also contains in excess of 60,000 people. This is a better-established site, having originally been created in 1987. However, it is acutely short of water, and only two clinics are currently in operation.

Dar-es-Salaam (Khartoum North) is the most convenient of all the relocations sites, being adjacent to the Takamul shanty town and close to sources of employment in the industrial areas of Khartoum North. While water supply is not a problem, there is reported to be no provision of either health or sanitation services. About 12,000 people are currently in this site.

Dispersals back into the Three Towns

Many of those whose houses were destroyed in the relocations have abandoned their new "homes" in the camps and instead returned to Khartoum, to stay with friends and relatives in areas not affected by the demolitions. Given that about 450,000 people have had their homes destroyed, but only about half of that number are known to be in the five new sites, it follows that the remainder have either left the environs of the city altogether or, more probably, gone to other parts of Khartoum. Some of the poorer residential neighborhoods of the Three Towns have experienced a two or threefold rise in population since the acceleration of the relocations in late 1991. The squatter settlement at Gelea, in Omdurman, contains people whose houses were destroyed in the relocations, but who were given permission to live temporarily in these areas because of a shortage of space in the three Dar-es-Salaams. There are instances of three, four or even five families sharing a single two-room house. These areas are now seriously overcrowded, with increased strain on the local services.

The poor conditions of hygiene in the new sites, and the increased overcrowding in other parts of Khartoum, gives the lie to any rationale for the relocations based upon environmental health. In September and October 1991, child malnutrition rates in the old settlements varied between 7.2% (al Mayo) and 27.2% (Zagalona I); it is very unlikely that these rates will have been improved by the relocations.

Humanitarian Access

One of the issues that has caused most controversy in the relocation program is the question of access to the new sites by humanitarian agencies. International agencies, such as Oxfam, Medecins Sans Frontieres, and Concern (Ireland) have been given extremely limited access to both the old settlements and the new camps. Indigenous voluntary agencies have fallen into two categories. Those associated with the churches, such as SudanAid (Roman Catholic) and the Sudan Council of Churches (Anglican) have been allowed only limited access, while Islamic agencies, such as the Dawa Islamiya (Islamic Call), Islamic African Relief Agency (IARA), the Sudanese Red Crescent and the African

Moslem Agency have been given virtually unlimited access, together with government encouragement for their activities. This is widely interpreted as an attempt to promote adoption of the Islamic faith among the displaced. Most of the southern displaced are either Christians or followers of traditional religions, who are accustomed to receiving services from secular or Christian organizations.

Western humanitarian organizations are subjected to numerous bureaucratic obstacles in their attempts to work with squatters and displaced, and are also the victims of harassment by the security services. A security pass is needed for a western aid worker to visit one of the new camps; these are often very difficult to obtain. The limitations on their access have contributed to the lack of services and food distributions in the camps. It has also meant that few surveys have been undertaken of conditions there. The near total absence of nutritional information since October 1991 is due largely to restrictions on these agencies' activities.

Onward Movement

While there has been little systematic attempt to begin the second relocation of the transit camp populations of Jebel Aulia and Al-Salaam onward to "production areas" and the south, this is undoubtedly part of the government's plan. Government plans for the Khartoum displaced are part of a larger program for controlling migration throughout the country, and confining Sudanese from the west and south to areas close to where they originate from. This has several aims, including creating a captive labor force in "production areas", having a closely-controlled population in the north-south transition zone as a counter-insurgency measure against the SPLA, and keeping the northern cities as "Arab" as possible.

To date, the most ambitious plans for the onward movement of the displaced has involved resettlement in parts of northern Upper Nile state, close to Renk, and in southern Kordofan and southern Darfur. For the most part, these are not the exact areas of origin of the displaced, but instead the nearest places under secure government control.

The International Role

Western governments and international organizations have a mixed record over the relocations. In general, there has been a persistent unwillingness to take action to try to halt the relocations. In part this is due to the western donors' shameful neglect of the humanitarian needs of the Khartoum poor in previous years, a neglect that contributed to the government's determination to proceed with its own plan. In part it is due to a successful strategy by the Sudan government to obtain their acquiescence.

The government's strategy has been to appear concerned and conciliatory, making small concessions on matters of little importance, while single-mindedly pressing ahead

with its plans regardless. This has proven effective in dividing the international community, especially in obtaining acceptance from the United Nations for the relocations.

Condemnation from Washington

Western governments have opposed the relocations, and on occasions publicly censured the Sudan government.

The United States' Ambassador, James Cheek, has publicly criticized the relocations on several occasions. He has been supported by the State Department. Speaking at a news conference on February 21, 1992, USAID Assistant Administrator, Andrew Natsios, described the relocations as a "death sentence" for the displaced, and urged the Sudan government to allow free access to the new sites for humanitarian agencies. The European Community nations have also objected, making a demarche to the Sudan government on the relocations in January 1992, and in April the European Parliament called on the European Community and all member states to call for a halt to the relocations.

The World Bank has been involved in the issue of the displaced since shortly after the floods of 1988. A US\$ 300 million package of emergency assistance was quickly pledged by the Bank, but the release of the funds was repeatedly delayed because of disputes over economic policy between the Sudan government and the International Monetary Fund. US\$ 75 million was approved in May 1989, but less than \$5 million had been disbursed by October -- 14 months after the emergency began.⁷

In June 1991, World Bank consultants completed an urban planning study for the Sudan government. This study made a number of recommendations for improving services to poor and unplanned areas of the Three Towns, and proposed the establishment of pilot settlements located near existing squatter camps, where services would be provided, and to which squatters could move if they wished. This report remains confidential. However, in January 1992, the Khartoum State Minister for Housing, Sharaf el Din Bannaga, publicly cited the World Bank study in defense of the demolitions plan. This claim was especially striking as it was made to western diplomats during a tour of the demolished site of Kurmuta, where 21 people had been killed three weeks earlier. Shortly afterwards, the World Bank publicly dissociated itself from the demolitions. The Khartoum representative summarized the conclusions of the report and stated:

The alternative policy of massive relocation is prohibitive because of the immense social and economic costs involved. . . . In no way does the study

⁷ *Africa Economic Digest*, November 6, 1989.

advocate the Government policy of the "Dar El Salaam" villages . . . Nor does it recommend relocating squatters in unserviced areas lacking employment opportunities. . . . The Bank fully agrees with the study in this respect.⁸

Since then, senior World Bank officials have repeated their concerns to the Sudan government, in both Khartoum and Washington D.C.

Western pressure succeeded in ensuring that the Al-Salaam camp was relocated five miles closer to Omdurman, in slowing the relocations during February 1992, and in ensuring a certain degree of access for western humanitarian organizations. However, it has so far failed to halt the relocations. The Sudan government has an adversarial relationship with the west, and it is widely recognized that far more effective pressure can be mounted by the United Nations.

The U.N.: Consulting while Khartoum Burns

Since 1988, a succession of UN missions has visited Sudan with a view to finding solutions to the problem of the displaced. While providing remunerative employment for UN consultants, these missions have so far done little or nothing for the displaced themselves. A mission in September 1988 produced a lengthy report that recommended the establishment of "paired settlements" for the displaced in western Sudan. The 174-page document⁹ made no mention of the causes of the displacement -- the war and associated human rights abuses -- and failed to recommend sending relief to areas controlled by the SPLA. This illustrates a consistent theme in UN approaches to the crisis in Sudan, which is to see the problems as technical and logistical, wholly ignoring political dimensions.

In June 1990, a UN Development Program (UNDP) consultant's report recommended that a comprehensive socio-economic survey of the displaced settlements was needed before a policy could be formulated, and recommended that the migrants should be integrated into urban planning, and all relocation be done on a strictly voluntary basis.¹⁰

Despite this recommendation, and evidence that only a minority of the displaced were ready to leave the Three Towns, the UN has continued to toy with plans for large-

⁸ Annex to letter from World Bank Resident Representative, Sudan, to senior diplomats and UN representatives, Sudan, January 26, 1992.

⁹ United Nations, "The Emergency Situation in Sudan, Urgent Humanitarian Requirements," October 1988.

¹⁰ UNDP, "Relocation and Repatriation of Displaced Persons in Sudan," Report to Minister of Relief and Displaced Persons, June 1990.

scale relocation. Internal UN documents from November 1991 indicate continuing support for relocation to "zones of peace" in and adjacent to the south, and a new plan for moving the displaced into refugee camps recently vacated by Ethiopian and Eritrean refugees who had returned home.

The UN has not followed the lead of the United States and European Community in publicly opposing the relocations. While the World Bank and western governments all condemned the demolitions during January and February, UN Under Secretary General James Jonah merely wrote to the Sudan government on January 23, proposing that a UN special envoy make a visit. Under Secretary General for Humanitarian Affairs, Jan Eliasson, met with the President of Sudan, Gen. Omer al Bashir, in Addis Ababa in April, and discussed the relocations, but failed to issue any public statement.

The UN's most public action occurred on January 20, when, amidst much ceremony and attention from the official Sudanese media, UNICEF and the Sudan government signed an agreement to launch the Sudan National Plan of Action for the Child.

Instead of taking a public stand, the UN elected to work with the Sudan government, accepting its policy priorities, to try to improve the program. This involved sending a series of consultants to Khartoum over the following months.

A "fact-finding" mission from Habitat, the UN housing agency, in March met with government and UN representatives and concluded that "with proper planning and professional guidance, the extensive economic costs of this program could be significantly reduced."¹¹ The UN special emergency coordinator in Sudan also made an assessment. Neither assessment involved consulting the squatters or displaced themselves, nor indigenous or international humanitarian agencies. The detailed findings of these missions remain confidential, as does the content of all the UN's negotiations with the government.

The most comprehensive UN investigation was carried out in April 1992. While not questioning the need for an ambitious and rigorous urban plan for Khartoum, the consultant recommended that the present relocation program be stopped. In his draft report, he stated that further UN assistance to the Sudan government "should be conditional on the GOS [Government of Sudan]:

- * accepting the right of Sudanese citizens to live in the location of their choice, without discrimination on the basis of religion, race, colour, tribe or ethnic origin

¹¹ UN, "Short and Medium Term Needs Assessment of the Displaced, Squatter and Urban Poor in Sudan," Report of the UNHCS (Habitat) Fact Finding Mission, 20-27 March 1992, p. 7.

- * accepting the realities of migration that not all those who have come to urban areas are likely to return either to their earlier locations or to their rural occupations
- * accepting to halt all further action relating to relocations, whether of squatters or displaced persons pending the proposals developed under this assistance. It being understood that such proposals will be developed with all due regard to the government's objectives and time-table
- * accepting the principles of evolution and choice in designing future action."¹²

The official version, dated May 9, is significantly different. It contains the same four principles, although the reference to "without discrimination on the basis of religion, race, colour, tribe or ethnic origin" has been removed, and the principle of halting further relocations was moved down from point three to point four -- soon it was to disappear altogether. Most importantly, the conditionality has been removed, and the report states that the government of Sudan "has reiterated its commitment and acceptance of" the four points. Apparently, the government had told the UN that the relocation program was now complete, so the demolitions would cease.

The government, however, displayed no noticeable willingness to stop the relocations, which continued unchecked. The Khartoum State Minister of Housing, speaking at a government seminar on unauthorized settlement on May 20, angrily rejected any suggestion that voluntary relocation was a possibility:

The squatters of Khartoum . . . are in most cases land speculators rather than people in need of shelter. Apart from government employees, the majority of the squatters are unemployed. . . Ideally the movement should be voluntary but this is not practical. Because, some occupy very expensive plots which they want to sell and not live in. The attitude of most squatters is to grab government land and when compensated he sells it and looks for another squatter site.¹³

Government maps of Khartoum circulated at the seminar clearly show large areas of each of the Three Towns designated for demolition, and other areas marked "pending."

The Minister also attacked western humanitarian organizations for "becoming very

¹² UN, "Needs Assessment of the Displaced and Squatters in Sudan, Technical Report," Draft, April 1992. (Not made public.)

¹³ Sharaf el Din Bannaga, "Unauthorized and Squatter Settlements in Khartoum," May 20, 1992, pp. 27-8. Referring to the "unemployed", the Minister chose to ignore the fact that 65% of the Khartoum workforce is employed in the informal sector, and that the city's middle classes rely on the cheap labor provided by the "unemployed" squatters in their houses, offices and markets.

aggressive for no reason" and spreading "unfounded allegations" in the western media.

Speaking at the same seminar, Per Janvid, the UN Special Coordinator, mentioned only that the government had accepted *three* principles -- halting the relocations was notable for its absence.¹⁴ However, the UN's commitment to working with the government was unaffected. Mr Janvid said: "The UN has embarked upon a process together with the Ministry of Housing to re-examine the problems and propose solutions which fall within the parameters of government policy and which will be addressed through a project proposal we are developing."

The UN project proposal calls for international assistance to 14 sites in and around Khartoum, including the two transit camps, the three Dar-es-Salaam sites, three small new housing projects, three squatter settlements designated for replanning, and three sites designated for demolition. The whole package was costed at US\$ 11.5 million.¹⁵ The concessions that the UN had wrung out of the government were (1) that there would be no more relocations to unprepared sites and (2) that the affected communities would "participate" in the relocations -- in all other respects, the government's "action plan" was to go ahead. As before, the UN declined to invite voluntary humanitarian agencies to participate, and remained secretive in all its dealings with the Sudan government.

The government has therefore succeeded in coopting the UN. For several months, the UN consulted and negotiated, while the government went ahead regardless. By the time the UN had come close to adopting a position, the government presented the relocations as a *fait accompli*. Perhaps believing that there were no more relocations remaining to be done, the UN then pretended that the government had agreed to halt the demolitions. When this was proven false, the UN instead agreed to cooperate with the ongoing program.

Conclusions and Recommendations

There have been earlier attempts to clear unplanned settlements in Khartoum, but no previous government has pursued a relocation policy on such a large scale or with such ruthlessness. Nearly half of the Three Towns' hundred-odd unplanned settlements have now been cleared. The involuntary relocation program is itself a clear infringement of the right of Sudanese citizens to freedom of movement and residence, but it has also been accompanied by worse abuses: destruction and theft of property and loss of life.

In order to implement the relocations, the government has assumed sweeping arbitrary powers and denied squatters and the displaced access to the courts. Despite the

¹⁴ Speech to the Ministry of Housing Seminar, May 20, 1992, p. 2.

¹⁵ UN Project Proposal for the Urban Poor in Khartoum, May 20, 1992.

government's characterization of the displaced as "illegal" residents, it is in fact the government's own actions that are of very questionable legality.

The relocation programme has done nothing to solve the social emergency in Sudan. On the contrary, it has exacerbated it. Hunger, disease and lack of shelter are worse problems than before, as is the risk of crime and unrest. It has thrown an additional burden on indigenous and foreign voluntary agencies attempting to bring assistance to the displaced population. Over two years the government has systematically ignored reasoned criticism of its policy from numerous quarters, and pressed on regardless.

Africa Watch urges the Sudan government to:

- * suspend all the relocations immediately and unconditionally;
- * allow freedom of movement and residence, so that displaced people and squatters can return to their former homes if they wish;
- * compensate those who have lost homes and possessions in the relocations;
- * repeal the 1990 Amendment to the Civil Transactions Act, and allow all land disputes in and around Khartoum to be subject to judicial supervision;
- * allow unlimited access to all settlements and camps for humanitarian agencies wishing to provide essential services to the squatters and displaced;
- * ensure that any future programs of urban renewal and population relocation are based upon principles of voluntary movement, are undertaken in conjunction with planned assistance programs, and that all confiscation of land or property is subject to judicial supervision.

Africa Watch urges the UN to condemn, immediately and unequivocally, the program of forced relocations. The UN and all agencies involved with assistance to displaced populations in Sudan should suspend cooperation with the government until the relocations are halted. Provision of assistance to any future programs for the displaced should be conditional on the government complying fully with the conditions laid out above.

In addition, Africa Watch urges the UN and the Government of Sudan lift the veil of secrecy, and publish any information they have concerning proposed future programs involving the displaced, so that such programs can be subjected to proper assessment by the affected population, the general public, and the donors.

Africa Watch is a non-governmental organization created in May 1988 to monitor human rights practices in Africa and to promote respect for internationally recognized standards. Its Chairman is William Carmichael and the Vice-Chair is Alice Brown. Its Executive Director is Rakiya Omaar; its Associate Director is Alex de Waal; Janet Fleischman and Karen Sorensen are Research Associates; Barbara Baker, Ben Penglase and Urmi Shah are Associates.

Africa Watch is part of Human Rights Watch, an organization that also encompasses Americas Watch, Asia Watch, Helsinki Watch and Middle East Watch. The Chairman of Human Rights Watch is Robert L. Bernstein. Aryeh Neier is Executive Director of Human Rights Watch, the Deputy Director is Kenneth Roth; Holly Burkhalter is Washington Director and Susan Osnos is Press Director.