Nonviolent Peaceforce

September / October 2023

STUCK IN TRANSIT: MALAKAL AND PALOCH

Upper Nile State, South Sudan

Executive Summary

The escalated conflict in Sudan has led to a rapid increase in the displacement of civilians into South Sudan, with a remarkable 82% choosing Upper Nile as their entry point. Upper Nile state boasts a rich tapestry of ethnic groups, however, contentious land ownership issues have escalated tensions in the region. Humanitarian agencies and government entities have primarily concentrated on aiding the onward movement of displaced individuals from border areas to their final destinations, while those stuck in transit at points like Malakal and Paloch have received less attention. Historical group dynamics, shifting allegiances, and violent conflicts necessitate open communication between communities, government authorities, and ethnic groups to prevent disputes from escalating into violence. Meanwhile, concerns over food insecurity, gangs and sanitation pose urgent challenges that require additional locations for displaced populations, targeted programming, and enhanced facilities and safety measures to mitigate related risks. This report issues three vital recommendations, calling for the integration of development and resilience-building efforts with emergency responses, balanced service distribution across communities, and fostering open communication and engagement with affected communities to address these complex humanitarian challenges effectively.
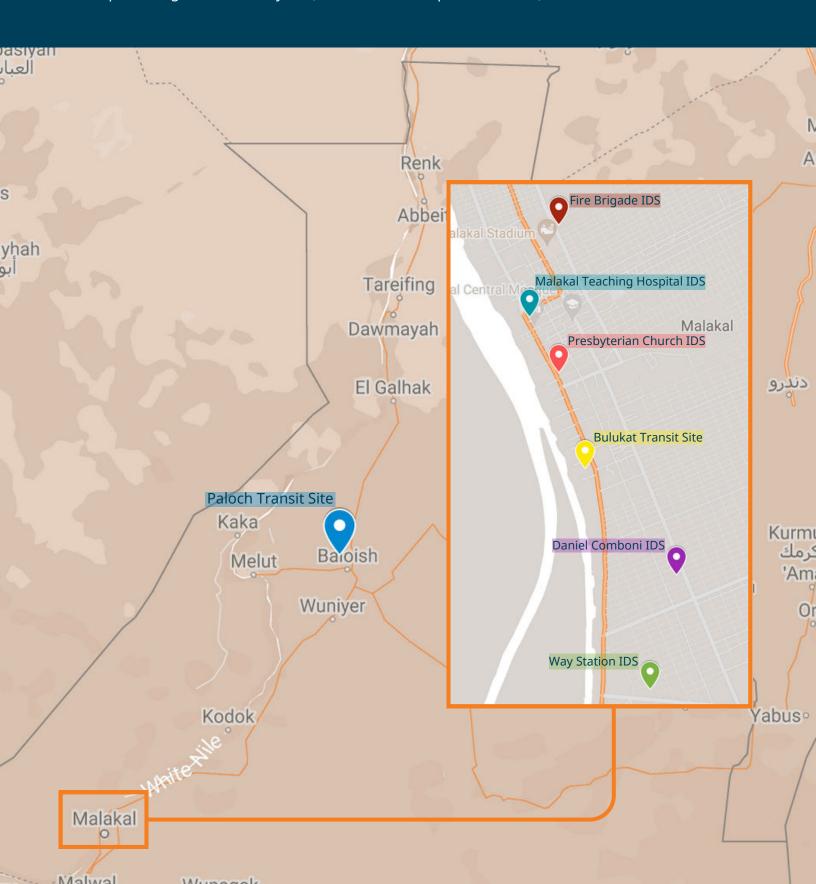
Objectives

Nonviolent Peaceforce (NP), in partnership with Solidarités International (SI), deployed a mobile emergency response team to Malakal and Paloch in Upper Nile state between 1 – 20 September to conduct an assessment focusing on conflict sensitivity and the challenges faced by communities affected by the Sudan crisis in these locations. The mission objectives entailed: understanding these contexts in the wake of the influx of the displacement from Sudan; identifying needs, risks and opportunities arising from the interaction between humanitarian interventions and the context; and identifying ways to mitigate negative and maximise positive impacts of interventions for affected populations in Upper Nile.

Methodology

Primary data draws from engagement with 95 people during seven focus group discussions with host communities and populations displaced from Sudan, along with 12 key informant interviews with community figures, humanitarians and government authorities. This is supported by direct observations and discussions with internally displaced persons (IDPs), returnees and host community during 10 patrols and one community protection meeting at informal displacement sites, transit sites and host community locations, as well as a desk-based review. No refugees were encountered during the mission.

State Gardens shelter construction, Malakal @ NP 2023

Geographic Scope

- Upper Nile State, Malakal and Paloch
- Map showing sites visited by NP (IDS = informal displacement site)

Background

The ongoing conflict in Sudan has led to 281,129 individuals crossing into South Sudan with 82% arriving in Upper Nile state as of 22 September 2023. Upper Nile state is populated by a mix of ethnic groups across its twelve counties, including Nuer, Shilluk, Dinka, and Mabanese. Humanitarian agencies and the government have responded to the displacement into South Sudan with focused efforts on supporting onward movement from border areas to their intended final destination, with less focus on supporting returnees in their intended destinations. Within Upper Nile state, Malakal and Paloch have become two significant points of transit. Yet, despite their designation, many have found themselves "stuck in transit" in these locations for weeks and for some, even months.

In Malakal, Bulukat transit site (BTS) is both the arrival point for those using onward transportation assistance (OTA) from Renk by boat and the official location for those waiting to continue their journey to their final destinations. The approximate population for BTS is 5000 individuals, all of whom are reportedly South Sudanese returnees. However, this figure fluctuates greatly – for example the headcount for BTS was 1,682 HHs or 7,979 individuals on 5 September. BTS is overcrowded and as a result, returnees in transit have spilled over to other ad hoc sites such as the schools next to BTS. The schools continue to operate though, and relationships between those displaced and the host community are amicable.

Within Malakal, one key characteristic and challenge is the complexity of the pre-existing displacement context. In 2008, Malakal had a population of 126,483 individuals but the war between 2013-2015 resulted in the entire civilian population fleeing and the establishment of a Protection of Civilians site (PoC) on the outskirts of town. Since then, Malakal town has become a place of refuge for IDPs, as successive episodes of conflict and climate-related shocks have led many to flee to Malakal and the PoC site. This has resulted in overcrowded conditions in the PoC and multiple other informal IDP sites. Currently, Malakal town has a population of approximately 60,000-80,000 individuals coupled with nearly 20,000 pre-existing IDPs, largely from Jonglei and have arrived since 2020, staying across multiple informal IDP locations in town. This excludes the approximately 40,000 residing in the PoC and those staying in transit at BTS. The outbreak of war in Sudan has compounded the complexity of the situation in Malakal as those displaced from Sudan and with relatives in the host community or in these pre-existing IDP settlements in Malakal are staying with them rather than at BTS.

Paloch is located in a strategic oil field area in Melut county. Although not officially a transit location, many South Sudanese have made their own way by vehicle from Renk to Paloch after hearing rumours through word-of-mouth that this is where they would receive immediate OTA. Approximately 5000 people remain in the informal Paloch transit site (PTS) next to the airport, the oil field and oil company premises without any known date or plan for when more OTA will be available due to a lack of funds. A check point has been set up along the Renk-Paloch road to prevent further mass movement of those displaced from Sudan to Paloch.

OTA boat en route from Renk to Malakal @ NP 2023

Final Destination Intentions

Upper Nile state is the first point of entry for most displaced from Sudan/returnees because it is widely considered the safest viable route. Nonetheless, of the 231,194 individuals who have arrived via Upper Nile state since the start of the Sudan crisis/conflict, 53% have specified Upper Nile as their intended final destination as of 22 September. This means that in addition to providing OTA, the government and humanitarian response is also faced with the immediate challenge of accommodating 121,639 individuals into Upper Nile state, and this number is only expected to increase as the conflict in Sudan continues.

This raises several challenges connected with longer-term assimilation, such as how to continue education for children who have been educated in the Arabic system, especially in a system that is already strained with resources. Another is the delicate issue of housing, land and property (HLP), which has been a deep source of contention for decades in Malakal and is the cause of a long-standing dispute between the Dinka and Shilluk in particular. Many are remaining or have remained in the Malakal PoC for years because of concern that to leave Malakal would result in the relinquishment of their land claims. Land and natural resources have been at the core of many violent conflicts across Upper Nile and this makes it very challenging to find long-term solutions for those displaced. Nonetheless, taking no action on this issue also risks allowing the tremendous influx from Sudan to congest and overwhelm the capacities of the government and humanitarian partners, which also carries potential for negative consequences. Therefore, the matter of HLP needs to be carefully approached in a transparent and inclusive way with close communication, engagement with and agreement from all stakeholders to mitigate the risks of conflict breaking out due to both action and inaction over land issues. Current HLP initiatives being undertaken by the government and humanitarian partners in Malakal are finding that when government-owned land is allocated in response to displacement and HLP issues, this is acceptable amongst a wide-range of stakeholders, even if this does not directly align with individual interests. This suggests that government-owned land is considered a neutral space from which longer-term alternatives could be explored in the future. This view needs to be monitored closely by continuing dialogue with all stakeholders to identify early and proactively respond to any developing concerns. By doing so, this should help HLP initiatives remain mitigators rather than drivers of conflict due to factors such as the quality or quantity of land or resources being distributed to various stakeholders.

Another added difficulty is that, unlike the returnee situation faced in 2011, the vast majority of South Sudanese are not returning out of choice but by force due to the untenable conditions caused by the ongoing armed conflict in Sudan. As a result, in line with previous findings, even five months into the displacement crisis, returnee intentions are not set and can change frequently, due to personal situations and service provision. These push and pull factors need to be considered, especially the pull factor of service provision, when looking at where and how to provide support as they strongly influence the fluctuating intentions of those displaced from Sudan. With Malakal being the capital of Upper Nile and the reliable airport in Paloch, many are drawn to these locations. However, providing wider ranging and higher standard services in other locations in Upper Nile such as Kodok or Melut could help attract those displaced to less congested areas and mitigate tensions if there are better alternatives to final destination intentions and continuing to be stuck in transit in Malakal and Paloch.

OTA Destinations

Those staying at Bulukat transit site:
- Warrap, Aweil, Wau, Yambio and Torit
- Juba, for which many individuals organise their own private transport to their final destinations.
- There are also those who claim to have land around Malakal but due to a lack of structures or services in these areas, they are remaining in BTS and waiting for more services to be delivered in these areas or for the dry season to move onwards.

At Paloch transit site (PTS):
- locations in Bahr el Ghazal are one of the most popular final destinations but are also the most challenging as transportation options from Paloch are limited to flights.

Group Dynamics

In both Malakal and Paloch, there are histories of violent conflict between different groups. Despite memories of peaceful coexistence prior to the civil war in 2013, Malakal has experienced multiple episodes of interethnic violence over the last decade. During the 2013-2015 armed conflict over Malakal, Dinka and Shilluk fought together against the Nuer (for the SPLM and SPLM-IO respectively), until Shilluk forces joined the Nuer by switching allegiance to SPLM-IO in 2015. However last year, Nuer and Shilluk fought fiercely against each other during two waves of conflict along the western bank of the White Nile resulting in the deaths of at least 325 civilians. Such interethnic violence has not been limited to organised military campaigns; tensions have also erupted into large-scale incidents including in February 2016, when approximately 45,000 people were displaced and the Dinka abandoned the PoC for Malakal town. Even recently in June 2023, multiple small incidents erupted into clashes between the Nuer and Shilluk in the PoC resulting in the deaths of at least 30 people and the Nuer also abandoning the PoC for Malakal town.

These events continue to shape the ways that communities relate today as the approximately 40,000 Shilluk residents remaining in the PoC have fears accessing Malakal town whilst others, Nuer and Dinka, working near to the PoC and commuting from town still travel in groups for self-protection. Despite these interethnic tensions, the demographic of high-level state government officials (Governor, Deputy and ministers) are diverse and reportedly making active efforts to respond to challenges of all ethnic groups. Encouraging open, healthy and inclusive communication and dialogue both with government authorities and between different ethnic groups through community-based leaders and networks can enable early warning and early responses to be implemented to prevent minor incidents spiralling into interethnic violence.

Beyond these divisions, intra-ethnic dynamics are also pertinent. Around Paloch there have been conflicts over land, water and pasture between Dinka sub-groups. Similar tensions now exist between the Dinka host community and those displaced at the PTS, as well as within the PTS, the majority of whom are predominantly Dinka but from various sub-groups. Violent confrontations have occurred, including one occasion when popular discontent led to protests trying to block an OTA flight from departing due to perceptions of preferential treatment towards particular sub-groups. One factor that could be contributing to these accusations is a variation in the logistical difficulties and financial costs of providing OTA to certain locations compared to others. Another factor aggravating suspicions and heightening tensions is the fact that OTA is no longer being provided by a third-party humanitarian actor due to lack of funds, but is now provided directly by the government. This leaves more opportunity for those stuck in transit to question whether there are any political motivations regarding who gets relocated. If humanitarian partners cannot restart OTA from Paloch, ways to help prevent suspicions from causing conflict is for the government to transparently consult and involve the displaced community in the OTA from planning, selection, implementation and final reflection phases. In doing so, this may help manage expectations, sensitise the population to challenges, mitigate pent-up frustrations by enabling those displaced to have a direct input into OTA plans and support timely information-sharing to prevent rumours from causing harm.

Another potential tension is perceived preferential treatment between different displaced populations. Some IDPs in Malakal have expressed their perceptions of services previously being provided to them now being delivered to those displaced from Sudan. Given the sudden and tremendous influx of displacement from Sudan, a period of prioritised emergency response to this group is understandable. However, as the situation transitions into a prolonged crisis, making efforts to ensure the delivery of support and service provision is balanced across different populations is important to prevent intergroup resentment and potential violence.

Bulukat riverside @ NP 2023

Needs & Risks Around Essential Services

One key concern with service provision to transit sites in Malakal and Paloch is the risk of attracting more people to these locations, creating more congestion and increasing the risk of tensions erupting into violent conflicts. This is also worsened by the environmental and related risks with Paloch being located by oil fields as well as land in Malakal being deeply contested. To mitigate this, proactively identifying more, suitable, alternative locations in Upper Nile where targeted service provision could be supported or established in addition could help disperse the massive influx of displacement from Sudan across Upper Nile. This could help mitigate conflicts in the short-term and in the longer-term help to accommodate those planning to remain for the foreseeable future in Upper Nile.

The projected food insecurity level for Paloch and Malakal is IPC 3 and 4, respectively meaning that everyone is facing a strain and food security is a priority for those displaced and the host community. Food insecurity is also identified by members of the displaced and host communities as driving other negative coping strategies such as burglaries, theft and attacks. For example, in Paloch, access to food distribution has caused conflict between the host and displaced communities whilst the host community complain of their homes being broken into, food supplies being stolen, and attacks against women collecting firewood and milk from their cattle, which are being attributed to those displaced. To protect against further attacks, women from the host community have stopped collecting milk from the cattle they have around the transit site and they are travelling in groups when fetching firewood as a self-protection strategy. However, these complaints risk serious escalation into communal clashes if not addressed promptly. Including shorter and longer-term support for food security and livelihoods (FSL) across all communities – host, IDP or displaced from Sudan – in Malakal and Paloch would help reduce reliance on negative coping strategies and mitigate intergroup tensions raised by the sudden displacement from Sudan.

In Malakal, FSL challenges are also negatively interacting with localised crime. Prior to the conflict in Sudan, gangs comprising largely of youth have operated in Malakal town, frequently robbing people and fighting amongst themselves. Since the displacement influx from Sudan, gang activity has allegedly increased with new people, opportunities and potential rival gangs affecting local dynamics. Within BTS, those newly arriving from the boats are often deliberately targeted at night, despite several police officers staying at BTS and doing patrols. Ration cards and money are often stolen, as well as other belongings. However, attacks, robberies and burglaries have been occurring across town including at different informal IDP sites and along the routes from the market to settlement locations. People carrying even a small amount of goods are being targeted, which is making people reluctant to pursue small income-generating enterprises or tend to their farms because of the likelihood of being attacked when travelling with, selling or storing their crops or goods at home. This criminal dynamic is exacerbating food insecurity by making livelihood activities risky to pursue. Targeted programming that engages with youth involved or at risk of becoming involved in gangs across all communities is needed in Malakal to prevent this dynamic from undermining other government and humanitarian efforts to respond to the needs of those affected by the Sudan crisis.

Daniel Comboni IDS, Abandoned Shelters due to flooding @ NP 2023

Women have reported experiences of harassment in public places including at health facilities or when fetching water by the river and cases of sexual and gender-based violence (SGBV) are reported to be occurring frequently in transit sites. Although there are some police stationed at BTS and some security at PTS, there is no perimeter fence, security guards nor lighting in and around the transit sites, including at key points such as latrines or pathways to and from entry points. This makes it difficult to monitor movement and increases the opportunities for SGBV to occur undetected. As the conflict and subsequent displacement from Sudan has no indications of stopping soon, transit sites are likely to continue to be needed even when the current transit population moves on. Therefore, semi-permanent solutions such as solar lights and trained community-based protection teams at key points are ways that could help prevent and mitigate SGBV whilst referral pathways that are updated and widely communicated would help deliver prompt investigations and support for SGBV cases.

Dedicated service responses are also needed for issues such as the trauma experienced by those who have fled from Sudan. Gender norms are also reported to be inhibiting the uptake of specialised medical services and there is a gap in mental health and psychosocial support services (MHPSS). Without this support, trauma and built-up frustrations over being stuck in transit and trauma is leading to violent outbursts, for instance amongst youths in BTS and towards humanitarian workers.

As rainy season continues, urgent WASH needs compound protection and health risks. In BTS, the ratio of people to latrines is 500:1. Whilst in PTS, there are only two functioning latrines, the rest are full and cannot be emptied as rains have made the PTS inaccessible by vehicle. People are resorting to open defecation in the forest by PTS and by the riverside in BTS, which is also where people bathe and wash their clothes. This scenario is seen across Malakal, with latrines being largely full or non-existent in many informal IDP sites like Fire Brigade, where people openly defecate in a field area, where bodies are also buried. Open defecation is associated with an increased risk of SGBV. It also increases health risks due to the risk of contamination and the spreading of water-related illnesses, which is compounded by rain-induced flooding in sites at a time when health facilities are already struggling to meet the increase in need due to the sudden population surge. Another challenge for latrine usage in BTS is that many women are reportedly using the toilets assigned for men because they are unable to read the signs on the doors, which causes tension at the site. To address these challenges, continuing to dig and maintain drainage systems is essential to mitigate health risks and more latrines need to be built and/or maintained with inclusive signage and regular emptying to keep them functional. Combining this with improved lighting would also encourage latrine usage over open defecation and minimise associated protection and health risks.

Waterpoints can facilitate positive or negative connections between groups. In Malakal, conflicts at water points were not reported as a major concern despite the large variety of groups relying on these and the intentional location of several water points at boundaries or along roads facilitating multiple groups access. Water pump committees drawn from members of the community oversee these and help prevent violence erupting at these points. However, in PTS disputes over water between the host and displaced communities occur regularly. Due to the rainy season preventing vehicle access to the PTS, water trucks are now stopping at the roadside approximately 750metres away from the transit site. This requires those displaced at PTS to navigate a narrow, raised path along a dyke to access water, which becomes extremely slippery when it rains and is a huge difficulty for those with mobility issues. Furthermore, water trucks are stopping approximately 100 metres away from the existing host community tap, which those displaced were accessing when there were no other water alternatives. This has led to physical violence between the two communities such as recently, when 14 women were injured at the water trucks, because of a disagreement amongst the communities over who has the right to access the water trucks. It is aggravated by the fact that the existing host community water tap is located on the other side of a main road and is more difficult to access than the water trucks. Consequently, there is a lot of tension, which is currently managed by the police whenever they are present at the waterpoint or according to the host community, by their leaders reminding the host community of the need to welcome those displaced as guests, though violence still erupts frequently.

To alleviate the issue in the short term, dialogues with the host and displaced communities to identify a mutual agreement on access for both the water trucks and existing water taps should be employed. From this, a joint committee drawn from both communities could act as mediators and enforcers of this mutual agreement to prevent conflicts continuing to occur at this point, similar to those being used in Malakal. In addition, such an initiative could serve as a positive connector that enables other challenges or rumours such as reported attacks on host community members by those displaced, to be addressed appropriately. A longer-term solution, recognizing the likelihood of the conflict in Sudan continuing, is to think about infrastructure which allows for regular service delivery to the transit sites.

Water Tap in Bulukat @ NP 2023

Recommendations

1	**2**	**3**
Integrate development, resilience-building and cohesion responses with the emergency response	**Balance service provision across communities and alternative locations in Upper Nile**	**Have open communication and engagement with and between affected communities**

Integrate development, resilience-building and cohesion responses with the emergency response

Recognising that Upper Nile is the final destination for a vast number of those displaced from Sudan requires integrating longer-term programming activities to increase the resilience of the state to cope with this influx. This means supporting HLP initiatives or community-based mechanisms engaging with duty bearers such as humanitarian actors and local authorities, considering longer-term needs for transit sites to ensure consistent service delivery which does not create tensions between displaced and host communities, resilience programming to address food shortages, inclusive services such as education which incorporates those coming from the Arabic education system, as well as managing conflicts around hotspot locations such as water points. It also includes programming targeted towards engaging youth from host, displaced or IDP communities, who are vulnerable to joining or are already involved in gangs that are exasperating short-term problems. Incorporating such measures will help prevent tensions escalating in the future into conflicts requiring further emergency response.

Balance service provision across communities and alternative locations in Upper Nile

As the conflict in Sudan transitions into a prolonged displacement crisis, considering the balance in support and service provision across different populations in Malakal and Paloch is important to prevent perceptions of preferential treatment causing intergroup tensions that can spark into violence. This means finding ways to officially include members from all the communities affected by the crisis in Sudan, whether they be newly displaced, pre-existing IDPs or host communities to help mitigate growing tensions and conflict between these groups. In addition, formally including all affected communities in the planning and selection process for distributions could serve as a positive connector and entry point for mutual understanding of the challenges faced by different populations. Proactively identifying alternative service provision locations for transit or longer-term settlement in Upper Nile could also help disperse the massive influx of displacement from Sudan across Upper Nile and mitigate conflicts in the short and longer-term.

Have open communication and engagement with and between affected communities

Building relationships with and between all communities affected by the displacement from Sudan through direct communication and involving them from the beginning to end of intervention initiatives can help: support timely information-sharing, sensitise challenges to populations, manage expectations, mitigate frustrations and identify novel and locally-appropriate solutions. Formally including all affected communities in the planning and selection criteria for service provision could serve in the longer term as a positive connector and an entry point for mutual understanding of the challenges facing different populations. Whether it be crime, SGBV, onward movement, housing or food insecurity, such links can mitigate rumours and tensions and encourage communities to support themselves and each other in a sensitive and sustainable way.

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Luggage at Tiir, Paloch @NP 2023