Submission by the United Nations High Commissioner for Refugees

For the Office of the High Commissioner for Human Rights' Compilation Report

Universal Periodic Review (UPR): *Fourth Cycle, 54th Session*

SOUTH SUDAN

I. BACKGROUND INFORMATION

South Sudan is a party to the *1951 Convention relating to the Status of Refugees* and its *1967 Protocol* (jointly referred to as the *Refugee Convention*), both acceded to in 2018, as well as the *1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa*, to which it acceded in 2016. The country is also a State Party to the *African Union Convention for the Protection and Assistance of Internally Displaced Persons* (*Kampala Convention*), to which it acceded in 2019. Efforts to domesticate the *Kampala Convention* remain ongoing. In 2024, South Sudan acceded to the *1954 Convention relating to the Status of Stateless Persons* and the *1961 Convention on the Reduction of Statelessness*, fulfilling pledges made at the 2019 High-Level Segment on Statelessness and the 2023 Global Refugee Forum (GRF).

South Sudan continues to maintain an open-door policy for persons seeking asylum and generally upholds the principle of *non-refoulement*. The 2012 Refugee Act provides a progressive legal framework, including provisions for *prima facie* recognition, access to employment, freedom of movement, access to justice, and issuance of identity documentation. The Act also supports the rights and freedoms enshrined in the Bill of Rights of the Transitional Constitution of the Republic of South Sudan 2011, to refugees, thereby reinforcing their legal protection and access to fundamental rights. The Act is complemented by the Refugee Status Eligibility Regulations (2017), which set out the procedures for refugee status determination and appeals.

As of June 2026, South Sudan hosted approximately **654,037** refugees and asylum-seekers, of whom about **95%** originated from Sudan due to the ongoing conflict and are granted refugee status on a *prima facie* basis. Refugees are primarily hosted in camps and settlements, with most located in Upper Nile, Ruweng Administrative Area, and Northern Bahr el Ghazal States.

The broader protection environment remains heavily influenced by ongoing conflict dynamics, economic fragility, and climate-related shocks. Heightened insecurity, political fragmentation, and intercommunal violence particularly in Jonglei, Upper Nile, Unity, Warrap, and the Equatoria regions have exacerbated internal displacement, compounded by flooding and limited access to basic services, placing further strain on national systems and host communities.

II. ACHIEVEMENTS AND POSITIVE DEVELOPMENTS

South Sudan continues to demonstrate commitment to international protection norms by maintaining access to territory and asylum procedures, including during periods of increased arrivals. Efforts to uphold the civilian and humanitarian character of asylum have been strengthened through the implementation of standard operating procedures and capacity-building for border authorities, immigration officials, and the Commission for Refugee Affairs (CRA).

National asylum procedures remain operational, with the Refugee Eligibility Committee (REC) and Refugee Appeals Board (RAB) continuing to adjudicate asylum claims. The Government has

taken steps to enhance the protection environment, including the issuance of Ministerial Order No. 003/2025, prohibiting the harassment and arbitrary detention of asylum-seekers and refugees (by The Ministry of Interior) which reinforces the application of the Refugee Act and protects refugees and asylum-seekers from arbitrary detention and misuse of immigration provisions.

Efforts are also underway to strengthen socio-economic inclusion of refugees. The launch of the South Sudan Development Plan (2026–2036), in conjunction with the National Social Protection Policy Framework, provides a foundation for integrating refugees, IDPs, and returnees into national systems. Initiatives such as the World Bank-supported South Sudan Productive Safety Net Project (SNSOP) have contributed to expanding access to livelihoods and social protection mechanisms.

Progress has also been made toward the inclusion of refugees in national education systems through implementation of the General Education Sector Plan (2023–2027), although significant gaps persist, particularly in primary education. These efforts represent positive steps toward implementing South Sudan's Global Refugee Forum (GRF) pledges.

Notably, South Sudan's accession to the *1954* and *1961 Statelessness Convention*s in 2024 fulfilled a key GRF pledge and was complemented by the approval of the Civil Registry Rules and Procedures and the adoption of a costed plan for the Civil Registration and Vital Statistics (CRVS) system, building on the Civil Registry Act (2018).

III. KEY PROTECTION ISSUES, CHALLENGES AND RECOMMENDATIONS

Issue 1: Ensuring the Civilian and Humanitarian Character of Asylum

While South Sudan maintains an open asylum space, the civilian character of asylum remains a challenge, particularly in border areas such as Maban. The proximity to ongoing conflict in Sudan exposes refugee populations to risks associated with armed actors and insecurity, influencing pendular movements.

Recommendations:

- Continue strengthening screening mechanisms at border entry points.
- Enhance coordination between security actors and humanitarian agencies to preserve the civilian and humanitarian nature of asylum.

Issue 2: Pathways to Naturalization and Local Integration for Long-Staying Refugees

South Sudan's legal framework, notably the Refugee Act (2012), provides a strong foundation for refugee protection, including rights to work, access services, and freedom of movement. Current policy directives, including the Durable Solutions Strategy (2024) and commitments made at the Global Refugee Forum, increasingly emphasize the inclusion of refugees into national systems as part of a broader solutions approach.

While the Nationality Act (2011) provides the legal basis for acquisition of nationality, its application to refugees remains limited in practice, due to administrative, financial, and procedural barriers. Protracted displacement situations combined with reduced resettlement opportunities, reinforce the need to expand local integration options, including pathways to naturalization. South Sudan's policy shift toward greater inclusion, evidenced through national development frameworks, social

protection initiatives, and livelihoods programming, presents a significant opportunity to progressively expand local integration pathways, subject to the prevailing security, protection, and socio-economic context, as part of a comprehensive solutions approach.

Recommendations:

- Operationalize pathways for naturalization for eligible refugees, particularly those in protracted situations, adopting a solutions-oriented approach that recognizes naturalization and local integration as key pathways to self-reliance and social cohesion, including access to land, livelihoods, and public services.
- Integrate refugees into national civil registration and identification systems, as part of ongoing foundational civil documentation initiatives, to enhance access to rights and services and support eventual naturalization pathways.

Issue 3: <u>Socio-Economic Vulnerabilities and Limited Access to Services</u>

Despite legal provisions allowing refugees to work and access essential services, implementation remains uneven. Limited livelihood opportunities and reductions in humanitarian assistance have increased risks of exploitation, child labor, and early marriage. Efforts to operationalize national identification and civil registration systems, including the issuance of biometric refugee IDs and travel documents, remain constrained by financial and structural challenges. Limited interoperability between refugee registration systems and national identification systems further undermines access to legal documentation.

Recommendations:

- Expand access to livelihoods and employment opportunities for refugees, IDPs, returnees, and host communities.
- Accelerate implementation of inclusive national identification systems that incorporate refugees.
- Scale up social protection programs that include refugees and displaced populations.

Issue 4: <u>Protection Risks Linked to Insecurity and Reduced Humanitarian Access</u>

Escalating insecurity, particularly in Jonglei and Upper Nile, coupled with reduced funding, has constrained humanitarian presence and access. These dynamics have further limited access to essential services and protection interventions. The resulting displacement has heightened protection risks for internally displaced persons (IDPs), underscoring the importance of implementing the National Legislation on the Protection and Assistance to Internally Displaced Persons, which would domesticate the *Kampala Convention*.

Recommendations:

- Strengthen security in refugee-, returnee-, and IDP-hosting areas.
- Ensure humanitarian access is sustained for populations in need.
- Expedite the domestication of the *Kampala Convention* through the enactment of national legislation on the protection of and assistance to internally displaced persons.

Issue 5: <u>Prevention and Reduction of Statelessness and Access to Civil Documentation</u>

South Sudan's accession to the *1954* and *1961 Statelessness Conventions* in 2024 marked a significant milestone; however, their domestication into national law remains outstanding and gaps persist in the Nationality Act (2011) and the Nationality Regulations (2011), including limited safeguards against statelessness at birth. Much of the population lacks nationality documentation, and despite efforts, birth registration coverage remains low, and national identity cards and birth certificates are not yet systematically issued. Risks of statelessness are heightened for returnees, nomadic and cross-border communities, IDPs, and minority groups, and have been compounded by large-scale displacement from Sudan. In light of these challenges, opportunities lay in scaling up birth registration and the issuance of nationality documentation, particularly for populations at risk of statelessness, and ratifying and domesticating the *Protocol to the African Charter on Human and Peoples' Rights on the Specific Aspects of the Right to a Nationality and the Eradication of Statelessness in Africa*.

Recommendations:

- Domesticate the *1954* and *1961 Statelessness Conventions* through amendments to the Nationality Act (2011) and Nationality Regulations (2011) to strengthen safeguards against statelessness, including safeguards to grant nationality to children born on the territory who would otherwise be stateless.
- Operationalize the Civil Registry Act (2018) and scale up birth registration and the issuance of nationality documentation, prioritizing returnees, border and nomadic communities, IDPs, and other groups at risk of statelessness.
- Ratify and domesticate the *Protocol to the African Charter on Human and Peoples' Rights on the Specific Aspects of the Right to a Nationality and the Eradication of Statelessness in Africa.*

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