



**Oral Statement of Jana Mason**  
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**Regarding**

**The Humanitarian Situation in South Sudan**

**Before the**  
**Tom Lantos Human Rights Commission**  
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## Introduction

Mr. Chairman and members of the Commission, on behalf of the Office of the United Nations High Commissioner for Refugees (UNHCR) I would like to express our appreciation for the opportunity to appear before you today to address UNHCR's continuing concerns about the humanitarian situation in South Sudan. My name is Jana Mason, and I am the senior advisor for external relations and government affairs in UNHCR's regional office in Washington, D.C. Our office has enjoyed an excellent working relationship with the Commission, and we look forward to continued collaboration.

UNHCR's presence in Sudan spans more than four decades, since the late 60s. We currently have approximately 600 staff in 20 offices throughout the Republic of Sudan and the newly independent Republic of South Sudan. Throughout 2011, we have been assisting and protecting almost 2 million persons in Sudan and South Sudan. These include approximately 1.6 million internally displaced persons in Khartoum, Darfur, Abyei, Southern Kordofan, Blue Nile and the new Republic of South Sudan, along with 330 refugee returnees—primarily in South Sudan—and over 80,000 refugees from other countries, primarily from Chad, the DRC, Ethiopia, Eritrea, and Somalia.

I'd like to briefly provide some further detail on each of these populations.

- **Internally Displaced Persons in South Sudan:** There were over 300,000 new conflict-related displacements and nearly 3,100 conflict-related deaths reported in South Sudan from January to the end of August 2011. Displacement in South Sudan is due primarily to violence by or between armed forces and rebel militia groups, inter-communal conflict, activities by the Lord's Resistance Army activities, and flooding.
- **Refugees from other countries in South Sudan:** The refugee population in South Sudan of over 27,000—mainly from the DRC, Central African Republic and Ethiopia—has been augmented by recent arrivals from the Republic of Sudan. Between August and September, South Sudan experienced its first refugee influx when over 10,000 Nubans from Southern Kordofan sought refuge to escape the deteriorating security situation in that area where the Nuban population is facing attacks from the Sudanese Armed Forces (SAF). In addition, about 1,000 people fleeing the ongoing fighting between the SAF and the Sudan People's Liberation Movement-North (SPLM-N) in Blue Nile State have crossed into South Sudan. It is not expected that there will be a large influx from Blue Nile State as the majority who flee that area cross the border into Ethiopia, but the arrival of greater numbers of Nubans from Southern Kordofan is expected.

- **Returnees from the Republic of Sudan to South Sudan:** Between the end of October 2010 and the end of August 2011, more than 337,000 individuals returned to South Sudan from Sudan. They arrive in a country where decades of conflict have significantly degraded or destroyed even the most basic physical infrastructure, and where access to basic services is severely limited. The needs of a potential additional 250,000 returnees are being planned for. A further 95,000 refugees from South Sudan remain in countries of asylum in the region and may choose to return.
- **Returned South Sudanese Refugees:** The cumulative total of refugees returned to South Sudan since the signing of the CPA in 2005 is almost 332,000. However, recent returns have been limited as refugees observe the post-independence situation. Between January and August 2011, a total of 232 families returned from neighboring countries, mainly Uganda and Egypt.

### **Current Humanitarian Situation**

A number of unresolved issues related to the Comprehensive Peace Agreement have led to ongoing tension and instability. These issues include border demarcation; the status of Abyei; oil revenue; wealth and debt sharing; and nationality/citizenship policies. Displacement into South Sudan from Southern Kordofan and Blue Nile States of Sudan creates further instability and potential flash points. Individually, each of these elements could represent possible triggers for conflict or population displacement as evidenced by recent events in Abyei that resulted in the displacement of over 110,000 from Abyei into South Sudan

In addition to addressing complex internal issues, South Sudan will have to seek formal agreements with other neighboring countries and develop domestic legislation covering a wide range of issues including border management and the creation of a legal framework for citizenship, refugee reception and returns. Inter- and intra-communal violence has affected various parts of South Sudan in 2011. The operational environment in 2012 will also be marked by such violence, often related to cattle raiding and conflicts over competition for land and natural resources, but also to unaddressed communal grievances. The large-scale return of South Sudanese from Sudan and countries in the region will also continue. The activities of the Lord's Resistance Army and other rebel militia groups will also be likely to result in further displacement and high levels of localized insecurity.

### **Displacement**

Refugees, returnees, IDPs, and potentially stateless persons will continue to be the people of concern to UNHCR in South Sudan. Refugee numbers in South Sudan could further increase in the event of escalating conflict and increased insecurity in Southern Kordofan, Blue Nile, and Darfur. Although

refugee returns from neighboring countries are expected to increase, some outflows of Southern Sudanese to these countries could still occur as a result of renewed post-independence clashes.

The return of over 330,000 persons to South Sudan from Sudan in the last ten months has already created significant challenges. Border towns, in particular, are inundated with returns, and onward movement continues to be a problem for many returnees due to degraded roads and other factors.

Of further concern is the continued instability in Abyei, Blue Nile and Southern Kordofan—the so-called “Three Areas.” Earlier this month, 20,000 people were displaced from fighting between the Sudan Armed Forces (SAF) and the Sudan People’s Liberation Movement-North (SPLM-N) in Blue Nile. Aid workers have also been displaced from the fighting and food supplies are limited. In Southern Kordofan, fighting between the above mentioned two armed forces in June has displaced or affected 200,000 people. In addition, in Abyei dozens have been killed and more than 100,000 people have been displaced into South Sudan this year. Some progress is being made. The United Nations Interim Security Forces for Abyei (UNISFA), which were agreed upon in June, have started to deploy Ethiopian peacekeeping contingents in the area. On September 10, Sudan and South Sudan agreed to withdraw all forces from Abyei, a positive first step in furthering human security. However, much more progress remains to be achieved to stabilize these contested areas, and high levels of assistance will be needed in the months to come.

### **Main Protection Concerns**

The situation of refugees from other countries in South Sudan is stable, but services available in settlements need to be reinforced. Protection of refugees is observed in practice in South Sudan, but formal recognition of refugee status is hindered by the absence of legislation and a mandated government agency to oversee refugee affairs. The continued instability along the border with Sudan, in addition to outstanding CPA issues, suggests that UNHCR may have to expect increasing refugee movements and illustrates the need to accelerate the building up of a refugee protection regime in South Sudan

Rule of law institutions and legal frameworks need also to be strengthened. Depending on the outcome of negotiations between Sudan and South Sudan on citizenship requirements and other constitutional issues, there is a strong prospect of large stateless populations on either side of the border. Persons most at risk of statelessness include Sudanese in South Sudan, South Sudanese in Sudan, mixed families, and trans-border or nomadic populations.

Another major concern is sexual and gender based violence, which is widespread in South Sudan and affects IDPs, returnees, refugees and host communities alike. The most common forms of GBV are domestic violence and the risk of sexual abuse, as well as denial of access to resources and to decision-

making. Early forced marriage of girls as young as 12 years of age is also widespread. To help address these concerns, Standard Operating Procedures for the Prevention and Response of SGBV in South Sudan have been agreed upon by UN agencies, the government of South Sudan, local and international NGOs, CBOs, women's associations and local chiefs. However, systematic referral and monitoring needs to be improved, and community awareness needs to be strengthened.

As discussed earlier, displacement remains a major challenge. Population displacements that are likely to occur in 2012 call for preparedness and humanitarian response capacity to be in place throughout the year. The orderly reintegration of those returning from the North will remain critical. Shelter is one of the most pressing needs voiced by the returnees. Nearly 100% of returnees do not own property in South Sudan. Support to vulnerable families such as female-headed households is required in order to enhance community based protection capacity. Assistance for returnees and receiving communities through livelihoods support and Quick Impact projects is needed to promote peaceful co-existence between returnees and receiving communities as well as between various ethnic groups.

Attacks on aid workers also remain a serious issue. Staff members of UNHCR and other organizations have been killed and wounded by crossfire, land mines and other hazards, and aid workers are directly targeted at road blocks where vehicles have been commandeered by security forces and aid has been looted from warehouses and trucks. Armed actors are brazen in their attacks, which are a frequent occurrence despite efforts of the state to create professionalism among the armed services and to address the issue of militia groups and the disarming of civilians. Small arms are endemic throughout South Sudan, and land mines continue to be laid.

### **UNHCR Recommendations**

UNHCR has a number of recommendations for the U.S. government and the international community with regard to South Sudan. We call upon Congress to support efforts by UNHCR to advocate for the accession by South Sudan to international refugee and human rights instruments. In addition, U.S. support for democratization processes in South Sudan is critical. There is a need to assist the state with disarmament, demobilization and reintegration of combatants, both for the bulk of the soldiers of the Sudan Peoples Liberation Army (SPLA) and for militia groups. In addition, the provision of technical expertise to professionalize the armed services is fundamental to long term stability and growth. Also critical is the enhanced role of the United Nations Mission in South Sudan. The new peacekeeping mission has a much stronger mandate than its predecessor, and the role of the U.S. government has been critical in this regard. UNHCR will continue to actively cooperate with UNMISS to push the parameters of civilian protection at a time when this is most needed.

Where gaps remain these too should be highlighted and addressed, including through political dialogue at the international level. Some achievements may be accomplished through political dialogue, while others require hands-on support. Adequate funding will therefore be necessary to fill gaps and address human security issues. A relatively small infusion of assistance today to address early warning and respond to needs may well avoid significant costs at a later stage.

## **Conclusion**

While I have only briefly addressed the many protection and assistance needs of refugees and other persons of concern to UNHCR in South Sudan, we have available much more detail that I would be happy to share with you. I thank you again for the opportunity to speak at this important briefing and for your ongoing interest in the human rights and humanitarian situation in South Sudan and the region. I would be happy to answer any questions you might have.