Fragmented asylum

Fault lines in regional responses to the Sudanese displacement crisis

Ottilia Anna Maunganidze and Margaret Monyani

The conflict in Sudan has triggered one of Africa's most urgent displacement crises, straining fragile asylum systems in Egypt, South Sudan and Chad. This report exposes the gaps between legal commitments and lived realities, where refugee protection is patchy and human rights remain elusive. Drawing on field interviews and policy analysis, the report offers practical recommendations to transform fragmented responses into a resilient, rights-based regional protection system.

Key findings

▶ The displacement crisis caused by the conflict in Sudan is more than a humanitarian emergency. It is a governance stress test that reveals the institutional fragility of African nations and the limits of overstretched refugee frameworks.

▶ Sudanese refugees describe a wide gap between policy and lived reality, citing the lack of documentation, education and psychosocial support, as well as fear of arrest and unclear procedures.

▶ Humanitarian actors report working in environments where governments use refugee flows for political gain, limiting space for rights-based responses.

▶ Egypt's restrictive visa policies and costs have pushed many Sudanese nationals into informal urban settlements where they are more vulnerable to exploitation.

▶ South Sudan faces a dual challenge: it is receiving refugees from Sudan while also managing the return of its own nationals, often without clear legal categories or protection mechanisms.

▶ In Chad, weak state presence in border areas has led to fractured systems where local authorities, communities and aid actors improvise protection measures and services.

▶ There is an urgent need urgent need to ground displacement governance in the rule of law by prioritising legal reform, cross-border coordination and sustainable regional cooperation.

Recommendations

Egypt:

▶ Update the national asylum and refugee laws to better align with international commitments, clarify state responsibilities and integrate refugee rights

▶ Expand documentation efforts to improve visibility and access to services for urban Sudanese refugees

▶ Establish legal aid and detention oversight through partnerships with civil society

South Sudan:

▶ Clarify the difference in legal status between returnees and asylum seekers to avoid administrative limbo and ensure equal protection

▶ Prioritise border-area planning that integrates services for both host and displaced populations to ease tensions and improve delivery

▶ Establish a national coordination platform that includes civil society, refugee-led groups and local authorities to strengthen accountability and responsiveness

Chad:

▶ Invest in local governance capacity to strengthen decentralised service delivery and legal oversight in border regions

▶ Scale up support for community-based protection models that work through local organisations and with traditional leaders and host communities

▶ Harmonise refugee registration and data systems to reduce duplication, improve planning and enhance coordination with regional partners

Intergovernmental Authority on Development (IGAD):

▶ Embed Sudanese displacement into IGAD's regional migration agenda, focusing on legal protections

▶ Establish a cross-border legal coordination taskforce to support member states in developing joint protocols on asylum access, legal identification and safe onward movement

▶ Support national legal reforms by providing technical assistance to align domestic laws with African Union and IGAD frameworks

Introduction

The armed conflict that erupted in Sudan on 15 April 2023 between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) has triggered one of the most far-reaching refugee crises in contemporary African history.[1] In the span of two years, approximately 12 million people have been uprooted from their homes.[2]

Of these individuals, just under nine million were displaced internally and about three million across bordering countries, including Egypt, South Sudan, Chad, Ethiopia, Libya, Uganda and the Central African Republic (CAR).[3] Prior to 2023, Sudan already had a large population of internally displaced persons (IDPs) due to past conflict, instability and insecurity. By the end of October 2025, some 900 000 people had returned home, although conditions remain uncertain, with some secondary internal displacement already occurring in Darfur after the RSF gained control of its capital Al Fasher on 26 October.

Sudan is the site of the world's largest internal displacement crisis and accounts for nearly 10% of the global IDP population,[4] reaching 15% at its peak.[5] The country also ranks among the fastest growing sources of refugee outflows, underscoring the scale and urgency of the unfolding humanitarian and political emergency. Neighbouring states have absorbed most of those fleeing, placing unprecedented pressure on fragile governance structures and already-overstretched migration management systems.

This report assesses the critical role that neighbouring states play not only as refugee hosts but also as gatekeepers of regional migration governance. Egypt, South Sudan and Chad have served as first responders to one of the continent's most severe crises by offering refuge and basic services. Their decisions around border access, refugee integration and service provision influence the protection environment for displaced Sudanese refugees and the broader stability of the region.

These countries carry an undue share of the burden without robust international responsibility-sharing mechanisms. Their legal choices, policy trade-offs and governance strategies will shape the trajectory of the displacement crisis for years to come. Understanding their responses is thus vital to identifying both the structural limitations of the current systems in place and the opportunities for reform that can advance rights-based, coordinated solutions across borders.

Chart 1: Number of displaced Sudanese nationals
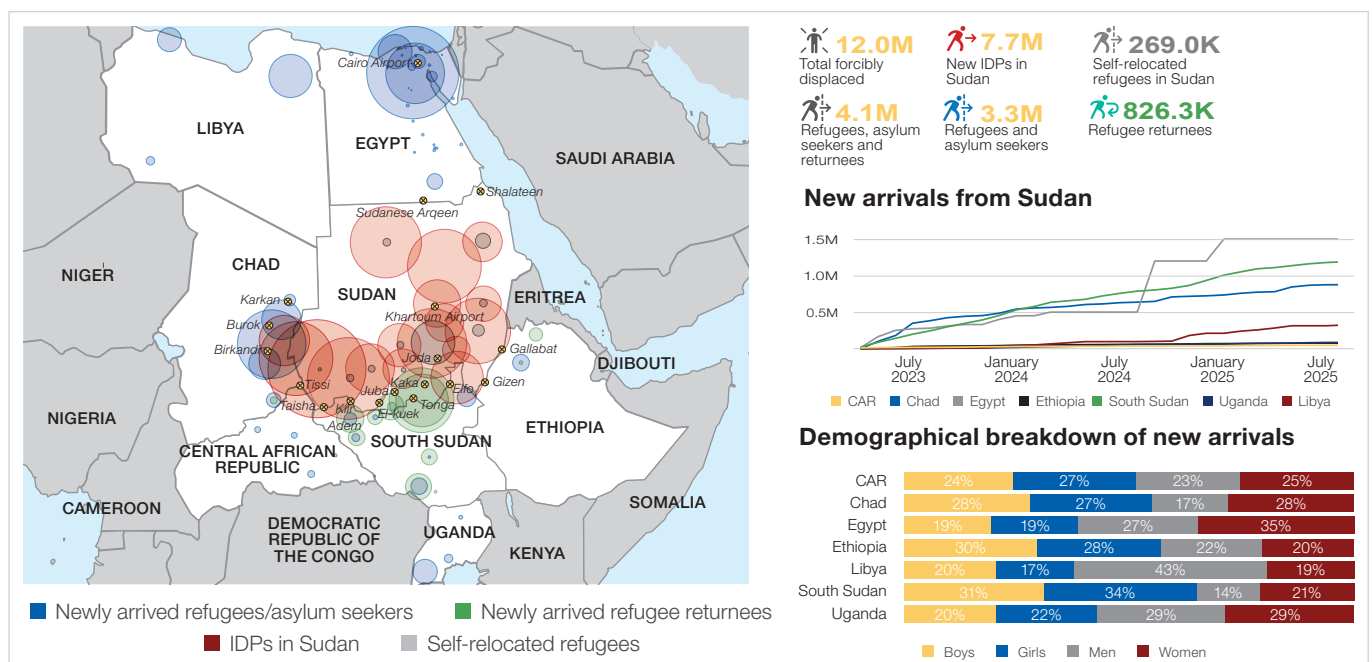
Source: United Nations Refugee Agency Operation Data Portal[6]

While the immediate response has rightly prioritised humanitarian assistance, the scale, duration and cross-border implications of this crisis highlight the restrictions of short-term relief models. This report asserts that advancing the rule of law in migration governance is central to protecting the rights and dignity of Sudanese refugees and promoting institutional resilience, social cohesion and long-term regional stability in host countries. The choices these states make legally, politically and operationally will shape the dynamics of forced migration across the region for years to come.

Assessing the responses of Egypt, South Sudan and Chad to the Sudanese refugee crisis requires more than a humanitarian lens; it demands the deliberate scrutiny of how displacement outcomes are shaped through legal, ethical and governance frameworks. All three countries are state parties to the Organisation of African Unity's (OAU) 1969 *Convention Governing the Specific Aspects of Refugee Problems in Africa* (1969 OAU Convention). However, only Egypt has ratified the United Nations' (UN) 1951 *Convention Relating to the Status of Refugees* (1951 Refugee Convention) and its 1967 amendment, the *Protocol Relating to the Status of Refugees* (1967 Protocol).

Acceptance of the conventions alone does not guarantee protection. National frameworks remain poorly aligned with international standards and implementation often suffers from vagueness, political interference or selective enforcement. Sudanese refugees face systemic obstacles in accessing asylum procedures, legal identification, healthcare, education and secure housing. This is particularly the case for those residing in informal urban settlements or near volatile border zones.[7] Policy failures are not evenly felt: women, children and persons living with disabilities bear the brunt of insecurity, legal invisibility and social exclusion.

Key terms

Migrant

'Migrant' is a broad category used to define any person who moves from one place of residence to another, either temporarily or permanently, within or across a country's borders. This includes people who move for work, education or to start a new life, and it encompasses both international and internal migration. The term includes persons who leave or flee their homes to seek safety or better prospects, those who may be in distress and those who need protection or humanitarian assistance. A migrant may be a worker, student and/or foreign national who is deemed irregular by public authorities. The specific terminology and protections associated with a migrant can depend on their legal status and the reason for their movement.

Asylum seeker

This term refers to someone who has left their country of origin and is seeking refugee status but whose claim has not yet been approved.

Refugee

A refugee is a person who has fled their country of origin due to persecution or conflict and has been granted protection in another country.

Internally displaced person (IDP)

An IDP is someone who was forced to flee their home but has not crossed an international border.

Returnee

A returnee is a person who returns to their country of origin after living abroad as an international migrant. This return can be voluntary or forced and assisted by an organisation or spontaneous.

The analysis in this report extends beyond managing the crisis to enhancing the rule of law in the countries affected by the ongoing displacement emergency in Sudan. It builds on previous studies by the Institute for Security Studies on migration governance in the Sahel region,[8] in East Africa, focusing on Ethiopia and Kenya,[9] and in North Africa, assessing Egypt, Libya and Tunisia.[10]

This report examines the legal and ethical aspects of how these countries handle migration. By doing so, it provides new insights into aligning migration policies with international legal norms and gathering direct feedback from refugees. It aims to offer practical, tailored recommendations that respond to each country's unique challenges, ensuring that migration management is both practical and humane.

The report calls for a shift from reactive crisis management to proactive, rights-based governance. It contributes to ongoing regional and continental debates on how legal frameworks, organisational arrangements and cross-border cooperation can more effectively respond to complex displacement. This kind of forced migration is set to become more frequent as conflict, climate shocks and governance failures increasingly converge across Africa. At its core, the report asserts that the rule of law must underpin migration governance if host countries are to move beyond the fragile containment of refugees and towards resilient, inclusive systems of human protection.

Situating Sudan's displacement crisis within a rule of law allows for the possibility of a more durable, rights-based framework of migration governance rather than the current reactive and piecemeal approaches that prolong the vulnerability of Sudanese refugees.

Methodology and scope

Egypt, Chad and South Sudan host approximately 67% of Sudan's externally displaced population. Each country's response reflects a distinct interplay of historical ties with Sudan, formal legal commitments, institutional capacity and domestic political dynamics. The countries' varied responses underscore how political interests, security considerations and operational constraints in each national context can alter legal obligations.

Egypt, which hosts over 1.5 million Sudanese nationals, accounting for over 36.6% of those displaced abroad, has progressively tightened its border regime since mid-2023, including suspending visa-on-arrival provisions.[11]

Chad now hosts close to 21% of Sudanese refugees and has absorbed over 875 000 new arrivals from Sudan since the conflict began. This adds to an already significant refugee population, bringing the total number of refugees in Chad to over 1.3 million.[12]

South Sudan, which has received around 9.4% of cross-border Sudanese displacement, faces the dual challenge of accommodating new asylum seekers while managing the complex reintegration of returning South Sudanese nationals.[13]

The study engages with three guiding questions:

- How do the migration policies and practices of Egypt, South Sudan and Chad affect Sudanese refugees and migrants?

- How consistent are these policies with regional and international standards that seek to protect refugees?

- What policy and governance reforms are required to enhance protection, accountability and the rule of law in response to Sudanese displacement?

This report uses a qualitative policy research methodology combining legal and organisational analysis with primary data from stakeholder interviews. Between April and June 2025, 11 semi-structured interviews were conducted remotely with key informants in Egypt, South Sudan and Chad. Respondents included Sudanese refugees and returnees, humanitarian actors from agencies such as the United Nations Development Programme (UNDP) and the International Organization for Migration (IOM), and researchers from policy institutes working on Sudan and regional displacement dynamics. These interviews offered critical insights into structural responses, policy implementation gaps and the lived experiences of IDPs.

Owing to access constraints stemming from the ongoing conflict, all interviews were conducted virtually to ensure both breadth and participant safety. Respondents were identified through purposive sampling, supplemented by snowball techniques to reach individuals with direct displacement experience. Ethical standards were

rigorously observed: informed consent was obtained, participation was voluntary and participant data was anonymised to maintain confidentiality and minimise the risk of re-traumatisation.

The scope of this report is limited to the two years following the outbreak of conflict in Sudan in April 2023, with particular focus on the migration governance responses of Egypt, South Sudan and Chad by mid-2025. These countries were selected based on the number of Sudanese refugees that they host, their divergent legal commitments and the variation in how they manage migration. While acknowledging the regional nature of the displacement, the responses of other neighbouring states that share the burden of hosting Sudanese refugees such as CAR, Ethiopia, Libya and Uganda fall outside the scope of this study and merit separate analysis.

The structure of the report reflects its analytical intent. It begins with a contextual overview of Sudan's conflict and displacement dynamics, followed by detailed country case studies assessing Egypt, South Sudan and Chad's national legal frameworks, institutional practices and refugee experiences. Then, a cross-country thematic synthesis identifies recurring governance challenges and legal inconsistencies. The report concludes with policy recommendations tailored to national and regional stakeholders, highlighting pathways for rights-based, rule of law–driven migration governance in response to Sudan's displacement crisis.

Background: Sudan's conflict and displacement crisis

The displacement crisis caused by the conflict in Sudan is characterised by prolonged structural vulnerabilities overlaid with successive waves of hostility. Since gaining its independence in 1956, the country has been plagued with cycles of authoritarianism, civil war, political exclusion and uneven development.[14]

Sudan's capital city Khartoum has historically served as the locus of power, with insurgencies in peripheral areas, including Darfur, Blue Nile and South Kordofan, being crushed by military force rather than being engaged with in political dialogue. This uneven distribution of power has resulted in community grievances that have created a legacy of animosity, marginalisation and continuous cycles of displacement.[15] It is this structural fragility,

among other factors, that triggered the outbreak of the civil war in 2023.

South Sudan's secession from Sudan in 2011 was a significant geopolitical rupture, but it did not resolve the latter's internal struggles.[16] The subsequent decline in oil revenues further debilitated the state's capacity. While the 2019 overthrow of then-president Omar Hassan al-Bashir briefly raised hopes for reform, momentum towards democracy was derailed after an October 2021 coup led by General Abdel Fattah al-Burhan of the SAF. The military takeover had overturned the power-sharing agreement that civilians and the military established in the governance transition period following the 2019 presidential ousting.[17]

On 15 April 2023, following a breakdown in relations between the SAF and the RSF, war broke out. Tensions over the RSF's integration into the national army sparked open warfare, engulfing Khartoum and several already-fragile regional states. The fighting effectively dismantled state authority, upset administrative functions and rendered governance structures non-functional in much of the country.[18]

The current wave of displacement within and out of Sudan is layered over previous cycles of conflict-driven flight

By mid-2025, Sudan had an unmanageable web of intersecting crises, comprising millions of people displaced internally and to countries nearby, all of whom needed international protection and support. Over the past two years, nationals of neighbouring countries residing in Sudan have also fled the conflict and returned to their home countries. This is the case for hundreds of thousands of Chadians who have returned home. Some 2.2 million Sudanese people have since returned to Sudan.

The current wave of displacement within and out of Sudan is layered over previous cycles of conflict-driven flight, notably in Darfur and South Kordofan, resulting in a crisis within a crisis for populations that have been repeatedly uprooted. The United Nations Refugee Agency (UNHCR) has also observed that women and children make up about 78% of the IDPs. This number adds further layers of requirements for protection against

gender-based and sexual violence and child exploitation as well as health and education to a host country's already-stretched capacity.[19]

The scale and speed of displacement have overwhelmed both Sudan's internal systems and those of its neighbours. In the first 100 days of the conflict, it was the world's fastest growing displacement crisis as border and reception capacities were overloaded. Refugee-hosting countries like Chad saw their refugee population grow by 65% within six months.[20] Many of the arrivals live in towns rather than camps, making it harder to recognise them legally and provide services, as well as affecting local housing markets.

Civilian organisations in Sudan have either collapsed or been taken over by armed groups. Courts, police stations and civil registries are non-functioning in many locations, including Khartoum and Darfur, inhibiting IDPs from obtaining documentation, seeking justice or claiming property. This structural collapse has left millions of displaced people legally invisible.[21]

Humanitarian access remains severely constrained. From April to December 2023, over 80 documented incidents including looting, roadblocks and attacks on aid workers have disrupted humanitarian relief operations.[22] This is amplified by bureaucratic obstruction, reduced funding and restricted humanitarian assistance. Most of the Sudan Regional Refugee Response Plan (SRRP) is unfunded, preventing people from accessing the legal and psychosocial support they need to survive and

forcing neighbouring governments to bear a significant share of the burden.[23]

Sudan's legislative framework on displacement is weak. The country is party to the UN's 1951 Refugee Convention and the 1969 OAU Convention and, in 2014, adopted an Asylum Act that provides legal protections for refugees. However, implementation has not been strong, with Sudanese returnees and IDPs receiving sporadic legal protections.[24] Peace agreements that used to provide a foundation for addressing displacement, such as the 2006 Darfur Peace Agreement, have largely been ineffective.

The regional implications are growing. Today, countries such as CAR, Chad, Egypt, Ethiopia, Libya, South Sudan and Uganda are home to millions of Sudanese refugees, and in many cases under insecure or resource-poor conditions. Most host countries have been forced to cobble together makeshift legal responses due to a lack of national asylum frameworks or regional mechanisms for sharing responsibility. The risk of informal status and encampment increases the longer the crisis continues, with the threat of structural exclusion becoming even more pronounced.

Without regional coordination, efforts are inconsistent and host communities are exhausted. State governments increasingly turn to improvised policies that privilege authority and containment rather than the rights of refugees, and that undermine the very norms underpinning international frameworks.

Chart 2: Funding status of the 2025 SRRP in US$

Inter-Agency Regional Refugee Response Plan	Requirements	Funding	Gap	Funded	
Sudan Regional RRP	1 805 255 236	322 977 059	1 482 278 177		18%
Central African Republic	76 436 290	7 482 788	68 953 502		10%
Chad	701 272 279	144 673 777	556 598 502		21%
Egypt	237 689 497	43 821 372	193 868 125		18%
Ethiopia	160 290 745	37 059 891	123 230 854		23%
Libya	106 632 000	25 592 489	81 039 511		24%
South Sudan	415 785 945	56 355 380	359 430 565		14%
Uganda	107 148 480	7 991 362	99 157 118		7%

Source: Refugee Funding Tracker[26]

The testimonies of Sudanese IDPs reflect the deep complexity of the crisis. One key informant interview with a person who has been repeatedly displaced reveals the desire to not be constantly uprooted and made reliant on aid to survive:

> This is the third time I have fled my home. Each time they tell us peace will come but we return to more violence. I do not want aid; I want to be seen as a person with rights – not just a number in a camp.[26]

Sudan's displacement crisis has not received consistent international attention over the years. Despite the dire situation in the country, the global response has been relatively weak, swinging between security measures and migrant containment instead of protection. As a result, Sudan's displacement crisis is not just a humanitarian emergency: it is also a failure of governance, with regional and global implications.

Humanitarian agencies have reported a surge in extortion by smugglers and border officials

In the absence of wider international support, neighbouring countries are forced to manage the political and operational challenges of hosting large refugee populations without robust infrastructure to support asylum seekers. Effective responses must go beyond providing emergency assistance to sustainable, rule of law–based frameworks that help address the structural causes of displacement and alleviate the burden of forced migration.

Egypt's role in hosting Sudanese refugees

Egypt has been a leading destination for Sudanese people escaping conflict since the war broke out in April 2023. By August 2025, over 1.5 million Sudanese refugees were in Egypt, accounting for over a third of cross-border displacement in the region and the single-largest group of Sudan's 4.1 million refugees. This community comprises individuals whose refugee status is formally registered by the UNHCR and many more who are unregistered and living in informal urban areas, mainly in the capital city Cairo and in the southern cities of Aswan and Arqeen.[27]

Egypt is host to many refugees, asylum seekers and migrants. While those from Sudan, Syria, Yemen and Libya constitute nearly 80% of this population, Sudanese refugees are the fastest growing demographic.[28] Most migrants live in urban areas in five governorates: Cairo, Giza, Alexandria, Damietta and Dakahlia. Despite fleeing conflict, many of these irregular migrants do not formally seek out international protection, resulting in refugee-like living conditions without legal clarity.

Over the years, relations between Khartoum and Cairo have helped to facilitate a mutual migration corridor. Bound by deep historical and cultural ties, the two countries entered into the *Egyptian/Sudanese Agreement on the Four Freedoms* in 2004, which allowed Sudanese nationals to freely enter, live in or work in Egypt with minimal paperwork.[29] However, the overwhelming number of migrants arriving in Egypt since 2023 has seriously strained this relationship.

National security concerns have increased, prompting the Egyptian government to impose new visa restrictions two months into the conflict. These measures include removing the visa-on-arrival arrangement for all Sudanese citizens, in addition to previously targeted restrictions on the entry of Sudanese males between the ages of 16 and 50,[30] based on the threat of armed intrusion and further pressure on national resources.[31]

The effects of these new restrictions have been evident at the border crossings of Argeen and Qustul, where thousands of displaced people, including children, have waited for days and sometimes weeks in harsh weather conditions. Humanitarian agencies have reported a surge in extortion by smugglers and border officials, as well as widespread delays in entry processes. This tightening of border controls has not stopped the immigrations but has instead forced many Sudanese refugees into irregular routes, often resulting in exploitation and abuse by smugglers. Asylum seekers and refugees tell of their harrowing journeys worsened by smugglers. One key informant interviewee who escaped the Khartoum terror describes the financial, physical and mental cost of their journey:

> We waited for four days at Qustul with no shelter. They were bouncing us around. Then one evening, a man came who said he would take us across but that

it would cost us US$300 each. We had no choice. The smugglers came and the border guards turned a blind eye. It is clear to all that they are working together. If you don't pay, you sleep on the floor until you become desperate enough to say yes.[32]

Like Sudan, Egypt is party to both the UN's 1951 Refugee Convention (with its 1967 Protocol) and the 1969 OAU Convention, but it lacks a comprehensive asylum law at the national level.[33] Egyptian law does not formally recognise refugee status beyond temporary residence and it does not provide pathways for local integration, permanent legal status or naturalisation.[34] Refugee status determination and protection are largely the responsibility of the UNHCR. This has produced a two-tiered system in which some Sudanese nationals are covered as refugees by international means and others by older bilateral entry agreements that offer them no legal certainty or status.[35]

This split legal regime produces ambiguity, limiting some Sudanese nationals' access to basic human rights and services. Compounding this legal uncertainty are Egypt's anti-trafficking and anti-smuggling laws, namely Law No. 64 of 2010[36] and Law No. 82 of 2016.[37, 38] While these frameworks were designed to combat organised crime, they have been used to justify restrictive migration policies that fuse irregular migration with trafficking, further criminalising asylum seekers in practice.

Egypt has been a member of the IOM since 1981 and collaborates with several international partners such as the International Labour Organisation (ILO) and the World Health Organization (WHO) as well as the UN's Children's Fund (UNICEF), its Office on Drugs and Crime (UNODC), and its Population Fund (UNFPA). These collaborations cover a broad range of services from supporting migrants in vulnerable situations to voluntary return programmes, to initiatives aimed at increasing legal labour migration and building national capacities to address irregular migration.

One important institutional development is the Joint Platform for Migrants and Refugees, introduced by the Egyptian government in November 2021. This process enables the government, the UN, donors and other actors to work together to enhance service provision, promote social cohesion and mobilise resources. One flagship initiative in this platform, the Joint UN Programme, was established in September 2024, focusing on access to health and other basic services for migrants, refugees and host communities.

In December 2024, Egypt passed Law No. 164,[39] its first standalone legislation on asylum since agreeing to the 1951 Refugee Convention and signing a memorandum of understanding with the UNHCR in 1954.[40] Touted by the government as a step towards aligning national asylum procedures with international standards, this law lays out new provisions on the rights and obligations of refugees and the operational role of the state. However, lawyers and rights advocates interviewed by the Refugees International organisation expressed concern that the law's vague language and broad discretionary powers may, in fact, erode protections.

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YEARS BETWEEN SIGNING
THE 1951 UN REFUGEE CONVENTION
AND PASSING EGYPT'S FIRST
NATIONAL ASYLUM LAW (2024)

Of particular concern is the establishment of the Standing Committee for Refugee Affairs, an inter-ministerial body empowered to revoke refugee status or deny asylum claims based on loosely defined notions of national security or perceived breaches of Egyptian social values.[41] These concerns have been echoed by multiple human rights organisations and seven UN Human Rights Council mandate holders, who caution that the law risks falling short of Egypt's obligations under international refugee and human rights law.

For refugees living in Egypt, access to public services remains a significant challenge. There is no directive or federal law that guarantees foreign nationals and refugees the right to education or healthcare. The UNHCR and a network of partners aim to fill this gap but the provision of services is patchy and under-resourced, especially in rural areas and provincial towns where many refugees can afford to live. Dependence on the UNHCR as the dominant actor in refugee protection has, in essence, externalised state responsibilities, leading to some experts characterising it as 'outsourced protection'.[42]

Administrative roadblocks and government delays also make access to basic services extremely difficult, creating exclusion. Two key informants whose families fled to Egypt but were unable to take with them all their necessary registration and travel documents emphasise how, without documentation, many services are denied to asylum seekers, displaced people and refugees:

> When we go to the hospital, they ask for documents we do not have [any]. Even for school, my children were turned away because we couldn't prove our residence status.[43]

> I left everything behind in Khartoum. Here, without documents, I cannot even get a job cleaning houses.[44]

Notwithstanding its obligations under international law, Egypt's refugee and migration regime is thus marked by opaque structures and patchy implementation. Asylum seekers are frequently left waiting for a long period to have their claim for refugee status determined and, in many cases, that wait is longer than 18 months. During this time, they are unable to work, rent a home or access public healthcare, keeping them highly dependent on humanitarian assistance, remittances or casual labour.

Access to relevant documents is still an obstacle. Many asylum seekers left Sudan without proper passports or civil documentation, and it is often then not possible to officially record their status either with Sudanese consulates and embassies or with the UNHCR. For undocumented youth and single women in particular, the lack of formal identification means no access to education, no ability to rent a house and no legal recourse in the case of abuse or labour disputes.

Reports of arbitrary arrest also emphasise the shortcomings in protection. Sudanese migrant detainees, including children, have been kept in arbitrary detention for prolonged periods, notably in border locations and during security sweep operations in urban areas. According to the Human Rights Watch, these detainees were refused lawyers, interpreters and other means to challenge their arrests.[45] These policies are not only in violation of Egypt's international obligations and domestic legal standards but they also have wider implications for the policing of migration.

Refugees tell of stolen wages, threats of being deported and harassment by the police

The Egyptian government's security-heavy approach to migration governance has had a direct impact on the perceptions of the public, strengthening xenophobic sentiments in the crowded cities where the scramble for scarce jobs and services is acutely felt. Most Sudanese asylum seekers and refugees, who have little access to formal employment, are pushed into the informal economy in poorly paid roles in construction, domestic work and street vending. These jobs are frequently unstable and exploitative in nature.

Refugees tell of stolen wages, threats of being deported and harassment by the police. Very few respondents have any understanding of their legal rights or how to seek redress. Fear of authorities and previous negative encounters discourage them from seeking help, especially in situations of abuse. One participant explains:

> The boss refused to pay me and said I had no right to complain. If I go to the police, they will ask for my papers as I do not have any.[46]

This exploitation is also undeniably gendered. Sudanese women are either subjected to sexual violence in refugee camps or unsafe living conditions in the informal settlements of urban areas, citing the fear of further victimisation by police as a deterrence to reporting these crimes.

These accounts underscore a profound disconnect between Egypt's international legal pledges and the reality of life for its Sudanese refugee population. Protection systems exist on paper but they are crippled by government red-tape, administrative neglect and the systemic lack of investment towards the inclusion of refugees. Legal status is out of reach for many and with few prospects for residency or integration, let alone citizenship, most refugees remain in protracted precarity.

The wider migration management regime in Egypt is still confronted with a number of structural and political obstacles. The continuing lack of a national asylum act hinders the governance of refugee rights and results in protection being dependent on bilateral powers. The government's excessive reliance on the UNHCR in refugee registration and service delivery has undermined state ownership over refugee policy. Border and visa restrictions in recent years have pushed up irregular migration and boosted smuggling networks. Framing migration through the lens of security has hardened public attitudes and closed down the space for refugee support groups.

Most importantly, the neglect of refugees in national development plans has simply contributed to their isolation. Sudanese refugees in Egypt who are not allowed to integrate into society and do not have a clear route to acquire long-term legal status are left in limbo and prone to the risks of statelessness.

Assessing South Sudan's response

The emerging migration governance of South Sudan is marked by a shift from reactive humanitarianism to a more systematic policy development, yet there is a huge gap between rhetoric and reality. The humanitarian situation has become more difficult since the conflict in Sudan started in April 2023. It has led to a new influx of displaced persons into South Sudan, where some 298 400 refugees and more than two million IDPs were already being hosted.[47]

By mid-2025, about 1.19 million people had arrived in South Sudan through over 10 main crossing points,

particularly Renk and Joda in Upper Nile State. Among this group are an estimated 385 000 Sudanese refugees and 800 000 South Sudanese returnees and third-country nationals.[48] Despite being resource-constrained and facing its own displacement challenges due to prolonged conflict, South Sudan has tried to formalise its approach to migration governance.
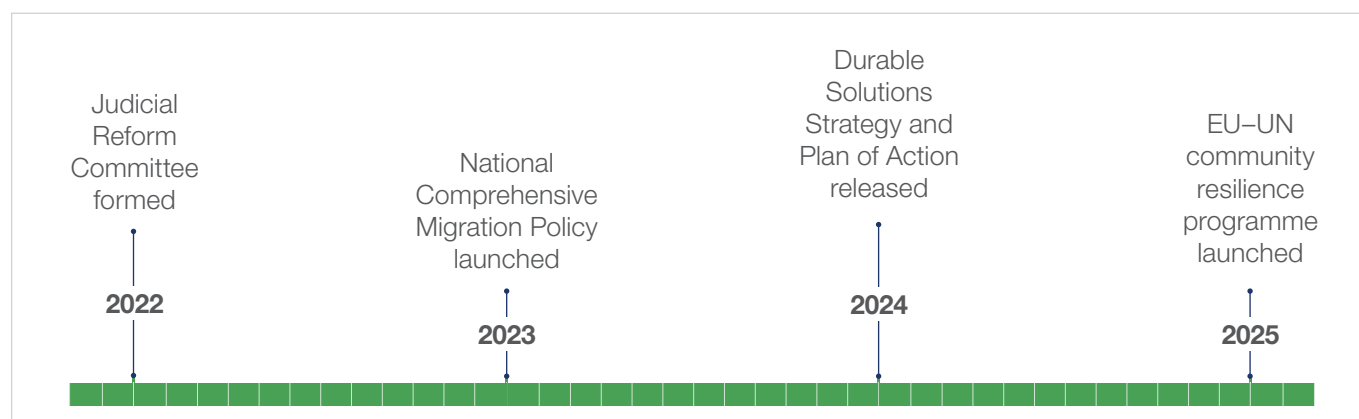
In 2019, the Ministry of Interior adopted a *National Comprehensive Migration Policy*, which encompasses policies on border management, refugee protection and the right to freedom of movement.[49] In June 2024, a Refugee Policy Review Framework led by the UNHCR identified five priority areas: the legal and regulatory framework, access to services, economic opportunities, gender inclusion and host community relations.[50] The policy is in line with international best practice but the review notes that implementation is influenced by long-term insecurity and a poorly functioning state.

South Sudan's policy progress outpaces local administrators' capacity to enforce the laws

South Sudan's 2024 *Durable Solutions Strategy and Plan of Action for Refugees, Internally Displaced Persons, Returnees and Host Communities* further embeds legal and policy reforms as pillars of reintegration and protection for displaced populations.[51] It builds on the Intergovernmental Authority on Development (IGAD) and the African Union's (AU) frameworks to promote rights-based approaches. However, in practice, decentralised enforcement mechanisms are under-developed and sub-national governance remains inconsistent. As one policy expert explained, 'The country has made progress in policy formulation, but most local administrators lack the training and resources to enforce these laws.'[52]

Meanwhile, the UNHCR's 2025 Country Refugee Response Plan outlines a funding requirement of US$468 million to assist over 500 000 refugees and asylum seekers through 48 implementing partners across protection, legal support and livelihood sectors.[53] Yet, under-funding continues to limit the plan's reach. Like in neighbouring Chad, the sustainability of these

Chart 3: Legal and policy frameworks timeline

Judicial Reform Committee formed

2022

National Comprehensive Migration Policy launched

2023

Durable Solutions Strategy and Plan of Action released

2024

EU–UN community resilience programme launched

2025

Source: Author

initiatives hinges on consistent donor financing and more substantial domestic ownership.

From a rule-of-law perspective, South Sudan's judicial infrastructure is under-developed and characterised by institutional fragility. The Judicial Reform Committee, established in 2022, aims to strengthen institutional independence and promote access to justice.[54] However, formal justice mechanisms for displaced populations remain geographically remote and culturally inaccessible. In many areas, customary systems dominate, especially on women's rights, creating a parallel legal order that is informal but often misaligned with international rights norms. One policy expert remarked, 'South Sudan's legal frameworks are becoming more sophisticated, but their application is aspirational rather than operational. Until judicial institutions are decentralised and better resourced, displaced persons will continue to fall through the cracks.'[55]

Legal assistance and rights awareness also remain limited. Although some international organisations, including the UNHCR and national partners, have initiated legal aid clinics and mobile legal support, coverage is inconsistent. By early 2025, fewer than 20% of Sudanese refugees had received civil documentation, significantly limiting their access to education, healthcare and mobility rights.[56] Sharing similar reflections to those of refugees in Egypt, some Sudanese refugees in South Sudan who were interviewed for this report highlighted the challenges of a lack of documentation:

I came back with nothing. My children have no birth certificates, and we cannot go to school or hospital without them.[57]

A respondent in Northern Bahr el Ghazal says:

I have been here for eight months and still don't have a refugee card. Without it, I cannot move freely or get help. I feel stuck in limbo.[58]

Beyond the legal architecture, the European Union (EU)–UN Strengthening Community Adaptability and Resilience for Displaced and Host Populations in South Sudan programme, launched in 2025, represents a more integrated approach. Focused on eastern and Upper Nile states, it targets protection, legal aid, livelihoods and social cohesion.[59] However, its long-term success depends on multi-stakeholder coordination and measurable investment into local governance.

Similar to Egypt, displacement governance in South Sudan is complicated by overlapping categories of returnees, IDPs and asylum seekers. Each group faces distinct legal ambiguities and inconsistent access to services. Humanitarian actors report difficulties in delivering aid equitably, given administrative gaps and a lack of standardised documentation procedures.

While South Sudan's migration and durable solutions strategies align with international norms, the operational reality is far less coherent. Administrative inaction, limited outreach and insufficient infrastructure undermine effective implementation. The UN Office for the Coordination of Humanitarian Affairs estimates that fewer than half of the displaced population can access basic water, sanitation,

hygiene and shelter services in reception areas, reflecting the disconnect between policy and lived experience.[60] Without strategic investment into local justice systems, civic education and rights-based training for state officials, the law will remain merely symbolic.

South Sudan's approach to migration governance is structurally promising but operationally fragile. The country has moved beyond pure crisis relief to embed migration management into its legal and strategic frameworks. However, given its own institutional challenges and insecurity, the kinds of system-wide enforcement, decentralised service delivery and locally grounded legal empowerment mechanisms required are an impossible ask. Matching policy priorities with investment and action continues to be a challenge.

Glimmers of hope from Chad

Chad presents a fragile yet hopeful model for refugee protection: one that maintains an open border in the face of crisis but struggles to fulfil its legal obligations because of underlying weakness. Displacement from Sudan to Chad differs from that to other neighbouring countries due to the longer history of conflict in Darfur and, more recently, ongoing insecurity in Al Fashir in North Darfur, specifically. Furthermore, the cultural, ethnic and familial ties between Western Sudan and Eastern Chad means that the border between the two countries has largely remained open.

Chart 4: Chad's migrant population

Total
1.9 million

■ Refugees 84%   ■ Asylum seekers 1%
■ IDPs 10%   ■ Stateless 5%
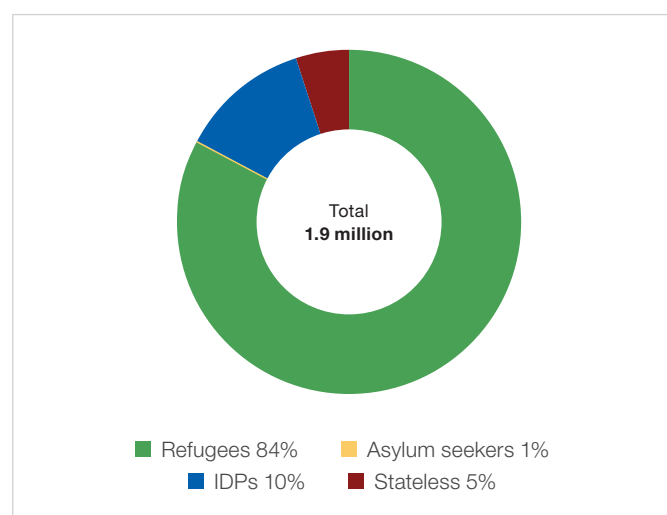
Source: UNHCR[61]

By August 2025, Chad was host to more than 875 000 new Sudanese refugees, 89% of whom are women and children.[62] Most are escaping a hazardous mix of unrest and famine in Darfur and have been primarily absorbed to the east of Chad in Ouaddaï, Sila, Wadi Fira and Ennedi Est. The country also hosts an estimated 220 000 Chadian returnees from violence in West Darfur and other areas.[63] This is in addition to the existing Sudanese refugee caseload of over 400 000 individuals who were already in Chad before April 2023, many of whom experienced protracted displacement for over a decade. Consequently, Chad is home to one of Africa's highest per capita refugee populations.
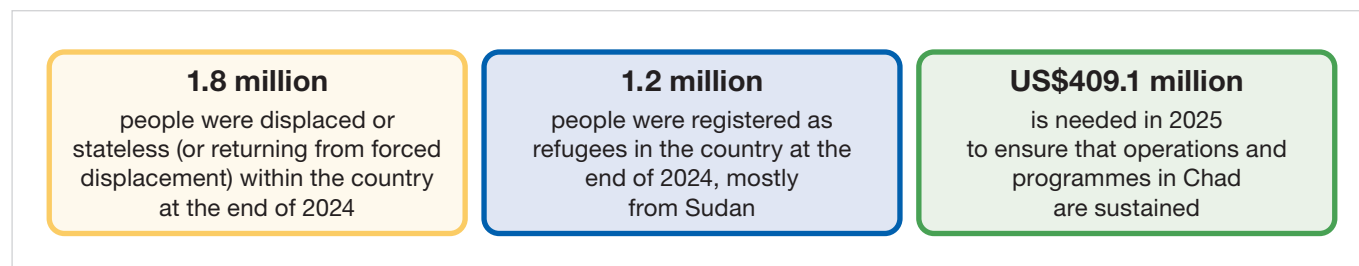
Since the beginning of the Sudanese war in April 2023, the National Commission for the Reception and Reintegration of Refugees and Returnees, the UNHCR and the IOM have noted an influx of people forced to flee. This includes Sudanese refugees and Chadian returnees who arrived spontaneously in Chad through over 32 border entry points, mainly in the provinces of Ouaddaï, Sila, Wadi Fira and Ennedi Est.[64]

From the onset, humanitarian workers have supported the Chadian government and local authorities in providing life-saving assistance and protection services in improvised sites and in the extension of old settlements as well as newly established settlements. The government and the UNHCR have collaborated to ensure that 49% of refugees have since been relocated from quickly constructed arrival sites to extended and new settlements, where refugees and host communities benefit from services delivered by humanitarian teams.[65]

Most of the new arrivals entered the country through the eastern Ouaddaï and Sila regions, with the town of Adré becoming the main entry point and a humanitarian pressure point. The influx has been so substantial that makeshift settlements have emerged in surrounding areas, with limited shelter, health facilities and/or clean water. These conditions have severely strained the capacity of both the government and humanitarian agencies, which were already operating under considerable resource constraints. By the end of 2024, close to 1.2 million forcibly displaced people had been registered.[66]

Like Egypt and South Sudan, Chad is party to the UN's 1951 Refugee Convention and the 1969 OAU Convention. It has also adopted the Law Relating to the

Chart 5: Chad displacement statistics

1.8 million	1.2 million	US$409.1 million
people were displaced or stateless (or returning from forced displacement) within the country at the end of 2024	people were registered as refugees in the country at the end of 2024, mostly from Sudan	is needed in 2025 to ensure that operations and programmes in Chad are sustained

Source: UNHCR[67]

Status of Refugees (Law No. 33/2011), implemented in 2013, which includes the right to asylum, protection from forced return, and issuance of documentation.[68] This national law also acknowledges the principle of *prima facie* refugee status for groups fleeing generalised violence, helping to ensure that Sudanese refugees receive relatively speedy recognition.

In that sense, Chad is on the more promising end of the scale for legal obligations in the region, relative to its development. The country's refugee law is one of the most progressive on paper, says a policy expert, but its implementation depends on international actors. The *Comprehensive Refugee Response Framework* (CRRF), introduced in 2018, has helped refugees integrate into national systems, with 60% of refugee children being issued birth certificates and more than 100 schools and health centres integrated.[69]

Yet, despite its progressive legal architecture, in practice, implementation is hampered by a number of structural issues. With a ranking of 190 out of 193 on the UNDP Human Development Index,[70] Chad is characterised by extreme fragility and weak public systems, especially in the peripheral areas where the majority of refugees live. Most of the country's refugee registration, assistance and management has remained with the UNHCR and other humanitarian partners. The government's capacity to help is very limited, given its inability to deliver protection or services directly, due to financial and logistical constraints.

The security context at the border has complicated the management of migration. There are credible reports of attacks from across the border, as well as military activity and trafficking networks operating in the refugee-hosting areas. In the absence of a strong border management system and the relatively low presence of national security forces, there have been fears over the risk of militarising the border.

More than most other countries, Chad has followed an open-door policy towards Sudanese refugees but the security pressures the country has faced have led to periodic demands to tighten the border, none of which has been enforced as at early 2025. This is compounded by the rising tensions between the SAF and the Chadian government based on the latter's reported support of the former's opposition, the RSF.[71]

The hosting environment in Chad consists of a combination of camp- and non-camp-based settlements. On paper, refugees in Chad have the right to freedom of movement and land. In reality, however, these rights are not uniformly applied and are highly dependent on local governments. In other regions, tensions between refugees and host communities are on the rise, due to perceived disparities in aid delivery, competition for limited resources and insecurity. Some local officials have expressed concerns about the security risks associated with the overwhelming influx of refugees, particularly in border areas that are prone to armed infiltration or the spillover of violence.

Chadian returnees have a different yet similar problem. Most were born or resided in Sudan for significant periods, have Sudanese identity papers and have no relatives in communities in Chad. As Chadian nationals, they fall outside of the orbit of international assistance mechanisms because they lack formal refugee status.[72] This has led to a situation in which returnees, particularly unaccompanied children and women-headed households, who do not fit neatly into legal or programmatic categories are denied protection and aid.

The central challenge in Chad from a rule-of-law perspective is the disjuncture between formal legal obligations and actual realities on the ground. Meanwhile, in eastern Chad, refugees typically face barriers to meaningful applications to the courts, legal documentation or protection.

Although appeals are possible under the national refugee law in the case of status denials, very few refugees are aware of this option or able to use such justice mechanisms because of issues around literacy, language and access. Legal aid programmes, including those by the Association for the Promotion of Fundamental Liberties in Chad and the UNHCR, assist refugees in need of these services.[73]

Humanitarian reports paint a picture of high insecurity and limited solutions, especially in Adré, Farchana and Goz Beïda.[74] While refugees note increased levels of safety in Chad than in Sudan, many are frustrated by extended encampment, food-related insecurity and the lack of education available for their children. In addition, young men are being harassed by local authorities when looking for work or moving between settlements and markets.

Humanitarian organisations such as the UNHCR, the UN World Food Programme and the International Committee of the Red Cross have signalled the rising gap between the scale of need and the available resources. Food rationing has been slashed due to funding shortages while health facilities are overstretched. Pressure is mounting among some international actors to adopt local integration models but in the absence of coherent, locally informed national policy planning and international investment, such models remain aspirational. The operations request was US$409 million by 2025, but by May 2025, the Chad refugee response plan had only received 20% of its funding.[75]

According to a key informant:

> Until state investment in judicial and social infrastructure is sufficient, we are addressing effects, not causes.[76]

Despite these challenges, Chad remains one of the few countries in the region to have kept its 1 403 km border open throughout the crisis. Given the long-standing ties between communities on either side of the border,

this decision reflects social and political pragmatism. However, open borders alone are not sufficient. Without stronger state institutions, legal accountability mechanisms and sustained international support, the rule of law risks becoming a symbolic rather than a substantive commitment.

Chad's migration governance in the context of Sudanese displacement reflects a legal framework that is more promising than functional. While commendable, the government's open-door policy has not been matched by corresponding investments in refugee integration, protection systems or returnee reintegration. The pressure on Chad's national systems and communities will likely deepen as the crisis threatens to continue into its third year with no foreseeable political resolution. The country thus exemplifies both the promise and peril of regional refugee protection in situations that are marked by poverty, fragility and prolonged displacement.

Charting the way forward

Even if Egypt, South Sudan and Chad have ratified key refugee and human rights instruments, their contrasting reactions to the Sudanese displacement crisis are symptoms of a broader structural deficit. The problem lies in the lack of a more coherent, enforceable and predictable regional protection framework. After decades of protracted displacement, donor fatigue and political turbulence, the necessity to reinvent migration governance as an inherently collaborative and rights-based system has never been more pressing.

This report offers a vision for how such a system can be developed, identifying regional mechanisms, policy innovations and political levers that can pave the way towards a more durable, accountable and just response to displacement.

National solutions, regional guidance

The AU has articulated forward-looking frameworks for migration management, such as the *Convention for the Protection and Assistance of Internally Displaced Persons in Africa*, also known as the Kampala Convention. For its part, IGAD, of which Sudan and South Sudan are members,[77] has a *Protocol on Free Movement of Persons in the IGAD Region* and a migration programme. Such instruments encounter great difficulty in implementation

though, especially in the case of forced migration from Sudan to Egypt, South Sudan and Chad.

Even with the political undertakings, few AU and IGAD member states have made these norms part of their national laws or reality. The regional response to the crisis in Sudan has highlighted some key challenges in coordination, legal protection and service delivery across borders. To overcome these flaws, regional systems could adopt strong accountability measures including peer review mechanisms under the AU's African Governance Architecture, scorecards to monitor country-level progress, and mutual legal assistance.

Developing regional protection compacts

The magnitude of the displacement from Sudan requires a regional response that goes beyond disjointed aid attempts. A potentially promising model is the creation of a regional protection compact that is roughly inspired by the compact approach to Chad's CRRF but tailored to the situation in Sudan and bordering countries. This compact could express common standards on refugee protection, coordinate documents across borders and offer tools to facilitate burden-sharing on hosting, funding and service delivery.

The magnitude of the displacement from Sudan requires a regional response that goes beyond disjointed aid attempts

This would permit varying obligations according to countries' capabilities. For example, Chad and South Sudan might be offered a package of specific structural support in return for embedding refugee assistance into their national systems. Egypt should be encouraged to formalise asylum systems and draw down security-based entry controls. This ensures a fairer and more practical solution.

Macro-level leverage through national system support and regional coordination

The cases outlined in this report reveal how national reforms fail because of weak systems and uncertain financing. Regional organisations and donors should act beyond mere financial support by improving national

capacity together with governments. For instance, the AU could prioritise building registration systems and local authority capacities, court and policy reform, and mutual funding mechanisms for refugee-hosting towns.

In addition, legal alignment could be strategically connected to material rewards. This could include debt-for-protection deals, trade preferences under the African Continental Free Trade Area (AfCFTA) or co-financed infrastructure that benefits refugees and host communities alike. Indeed, when migration governance is constructed as a precondition for integration, the dynamics of reform become much more pronounced.

Harnessing local governance and civil society

Migration governance is often perceived as the exclusive domain of central governments. Thus, the role of local authorities and civil society representatives is dismissed, but protection, registration and services are provided largely at the local level. Border cities lead the response to displacement despite only having limited access to sustained funding or technical assistance.

An operational regional system will, in essence, integrate sub-national actors into policy and financing mechanisms. This includes building the capacity of municipal refugee focal points, establishing city-level pooled funds for refugee integration and systematically including organisations led by refugees in national decision-making forums. As interviews with migrants and experts revealed, what works best is often what bubbles up locally, but policy responses have tended to be too focused on national capitals.

Political will and leadership

Good migration governance depends not only on the technical but also on the political element. It is shaped by decisions about who enjoys status, who is granted legal recognition and whose rights matter. In this regard, regional players must create political rewards for change. This can be accomplished by selective diplomatic acknowledgement, applying strategic pressure from one's peers and recognising national leadership that serves as a model of openness.

South Sudan and Chad have both shown strong political will in addressing the needs of the displaced, despite limited resources, and in developing progressive policy frameworks. They should be acknowledged

and supported by regional mechanisms and donor coordination. Egypt, on the other hand, should be pressed to move away from a security-first approach in its asylum system to one that is more transparent and focused on protection.

A regional protection framework that is predictable and fair will not emerge from goodwill alone. It has to be a matter of intentional policy design, innovation and enduring political effort. The displacement crisis caused by Sudan's conflict is not an exception; it is part of a wider regional trend. Here, Africa's regional bodies, national governments and civil societies should commit to replacing short-term patchwork responses with durable systems that ensure that the most marginalised individuals are prioritised and connected with, wherever they are and over the long term.

Conclusion

The experiences of Egypt, South Sudan and Chad show that differences in national approach are only part of the story – the broader structural flaws of regional migration governance are laid bare. Although these countries have agreed to principal international and regional instruments, their translation of these commitments into action is uneven, fragmented and, in many areas, falls to short-term political or security considerations.

The security-first drift in Egypt, South Sudan's ambitious but under-resourced law reform and Chad's

open-door policy under pressure highlight a worrying trend. There may be legal structures in place in theory but they lack the institutional depth and accountability mechanisms to deliver real protections for displaced people – and so refugees, ever-present in statistics, feel invisible and deprived of rights. Where integration is rhetorically embraced, it is not being truly pursued due to systemic under-investment, policy incoherence and administrative vagueness.

For host countries to find their way from fragile refugee containment to resilient inclusion, migration governance must be based on the rule of law. Rights-based responses are made up of more than legal texts: they call for enforceable protections, inclusive systems and enduring pathways to justice, recognition and opportunity. This kind of approach cannot be the sole responsibility of international players. It will take political commitment, regional solidarity and a realignment of national politics on the dignity and agency of displaced people.

With the region facing ongoing displacement triggered by conflict, climate shocks and failures of governance, a reactive stance will no longer do. The way forward is systematic protection, legal accountability that transcends borders and structures that look beyond crisis management and towards long-term resilience. Then migration governance can be wielded as an instrument of stability, justice and regional advancement.

Notes

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About the authors

Ottilia Anna Maunganidze is Head of Special Projects in the Office of the Executive Director at the Institute for Security Studies (ISS). She works on institutional strategy, human security, transnational issues, international law, policy and emerging trends.

Margaret Monyani is an independent researcher. She was a senior researcher at the ISS when the research for this report was conducted.

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