

AFRICAN UNION

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THE EXECUTIVE COUNCIL

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Addis Ababa, ETHIOPIA

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**REPORT OF THE FIRST ORDINARY SESSION OF THE STC ON
MIGRATION, REFUGEES AND DISPLACED PERSONS,
16 – 20 NOVEMBER 2015, ADDIS ABABA, ETHIOPIA**

THEME: *Towards Humanitarian Effectiveness in Africa*

**REPORT OF THE FIRST ORDINARY SESSION OF THE STC ON
MIGRATION, REFUGEES AND DISPLACED PERSONS,
16 – 20 NOVEMBER 2015, ADDIS ABABA, ETHIOPIA**

INTRODUCTION

1. This is a report on the first session of the STC on Migration, Refugees and Internally Displaced Persons which was convened on 16 – 20 November 2015, in Addis Ababa, in accordance with General Assembly Decision, **Assembly/AU/Dec.227 (XII)**. The STC was convened under the **THEME: *Towards Humanitarian Effectiveness in Africa.***

2. The meeting considered and adopted the following:

- Rules of procedure for the STC;
- Humanitarian situation on the continent;
- Draft Common African Position on Humanitarian Effectiveness to be presented at the World Humanitarian Summit, May 2016, Istanbul, Turkey;
- African Union Humanitarian Policy Framework;
- Recommendations in addressing humanitarian action on the continent.

3. The Meeting was attended by AU Member State Ministers in-charge of Forced Displacement Matters and Humanitarian Affairs by the following countries. Present also were Representatives of Regional Economic Communities including the International Conference on the Great Lakes Region, In attendance were various Partners, including International Committee of the Red Cross (ICRC), United Nations Office for the Coordination of Humanitarian Affairs, United Nations High Commissioner for Refugees (UNHCR), International Federation of the Red Cross and Red Crescent Societies, AU Partners and other Representatives of Civil Society Organisations.

4. The session was opened by H.E Dr. Aisha Abdullahi, Commissioner for Political Affairs, African Union Commission and H. E. AMB. Lamine Baali, Ambassador of Sharawi Arab Democratic Republic. The meeting was also addressed by The Assistant Secretary-General and Deputy Emergency Relief Coordinator, H.E Kyung-wha Kang, Assistant Secretary-General and Deputy Emergency Relief Coordinator and Mr. Antoine Gerard, Head of the World Humanitarian Secretariat.

I. RULES OF PROCEDURE AND COMPOSITION OF THE SPECIALIZED TECHNICAL COMMITTEE ON MIGRATION, REFUGEES AND IDPs

5. The STC on Migration, Refugees and Internally Displaced Persons was presented by the Office of the Legal Counsel. The meeting deliberated on the draft rules of procedure and the structure of the STC, and noted the need to change its nomenclature to capture the very essence of the humanitarian nature of the work of the STC. A compromise was reached to include the word humanitarian under Article 5 (VI). It was further pointed out that as is the practice from earlier activated STCs, the

possibility of including relevant attributes of particular STCs in the body of the Rules of Procedure could be availed based on experience of other STCs like the one on Legal Matters.

6. Based on the practice by other STCs, the Bureau of the STC was constituted as follows:

- a) Democratic Arab Republic of Sahrawi-Chair of the STC (Northern Region);
- b) Republic of Mali- 1st chairperson (West African Region);
- c) Lesotho- 2nd Vice chairperson (southern Region);
- d) Democratic Republic of Congo - Rapporteur (Central Region);
- e) Republic of Uganda- 3rd vice chairperson (Eastern Region).

II. THE HUMANITARIAN SITUATION IN AFRICA

7. The commission presented a panoramic report on the humanitarian situation on the continent. In the debate that ensued, the meeting called for reinforcement of the Commission's capacity to generate reliable data to inform the STC's decision-making processes, in consultation with Member States.

8. In this regard, Member States committed to provide data in future to enable the commission produce a credible and comprehensive report. On the figures that were reflected in the report, the STC called for revision of the statistics for the countries cited. The meeting noted with great concern the numerous protracted situations of displaced populations, numbering over 30 on the continent. In addressing this issue the meeting called for renewed efforts to address the structural root causes, to ensure sustainable peace and stability, and return of such populations. To this end, the meeting called for deep analysis of peace and security as root causes, including governance deficit and development failure to facilitate effective strategies for sustainable development. It was empathized that without linking these issues, the focus of strategies would merely address the symptoms.

9. The meeting further called for integration of the Rabat and the Khartoum process as well as the outcomes of the AU-EU Valletta Summit to comprehensively address root causes of irregular migration on the continent.

10. The meeting further emphasized that the humanitarian report in future should highlight environmental related causes as causes of forced displacement and that the report should not be politicised.

11. The issue of Africa's own resources to fund its humanitarian and development agenda were underlined. The STC called for a robust strategy for resource mobilisation, but stressed that such a strategy and efforts should not undermine Africa's independence and character.

12. The STC was concerned about the growing fragility of some states across the continent as a threat to stability and development on the continent. On new emerging drivers of forced displacement on the continent, such as xenophobia, cross border

conflicts, terrorism and fundamentalism, the STC called for strategies in dealing with such new threats.

13. While laying emphasis on the need to examine the governance deficit, the STC called for bold steps to address the issue, if Africa is to achieve sustainable peace and development. The meeting also underlined the importance of disaster risk management and called for proactive strategies to evaluate levels of vulnerability in mitigating effect of climate change, particularly laying emphasis on strengthening early warning mechanisms and capabilities of states.

III. CONSIDERATION AND ADOPTION OF AFRICAN UNION HUMANITARIAN POLICY FRAMEWORK AND GUIDELINES

14. While considering the draft AU Humanitarian Policy Framework and Guidelines, the meeting commended the Commission for putting in place the first ever comprehensive humanitarian policy framework.

15. The STC particularly emphasised the primary responsibility of States in humanitarian action. To strengthen this role, the meeting endorsed the establishment of an African Humanitarian Agency. The meeting further laid emphasis on the need to build resilience of affected populations and measures to support host communities to cope with impact of large numbers of displaced populations.

16. On durable solutions, the meeting also emphasised the need for strategies for reduction of Statelessness. The STC underlined the fact that the youth constitute a dynamic force for Africa's future development. To this end, the meeting emphasised that the demographic trends that have resulted in the youth bulge, call for more investment, to gain from the youth dividend.

17. On financing, the meeting called for greater transparency and accountability, and monitoring the exploitation of Africa's strategic resources, such as energy, water and minerals.

18. In concluding on this issue, the meeting also called for investment in knowledge innovation, research for effective humanitarian response on the continent and for Africa to benefit from ICT and technological advances.

IV. CONSIDERATION AND ADOPTION OF THE DRAFT COMMON AFRICAN POSITION ON HUMANITARIAN EFFECTIVENESS

19. It will be recalled that Executive Council Decision [Ex.CL/Dec.817 \(XXV\)](#), welcomed the announcement by the UN Secretary General of the first ever [World Humanitarian Summit](#) to be held in Istanbul, Turkey in May 2016, "...called on the African Union Commission (AUC) in close collaboration with the PRC Sub-Committee on Refugees and IDPs to establish an African Common Position that will be presented at the World Humanitarian Summit...and to continuously make progress report to the Executive Council at each Ordinary Summit leading up to the World Humanitarian Summit..." Consistent with this Decision, the Commission carried out consultations in all

the five regions of the Union. The roadmap was conducted under the **THEME: *One Africa, One Voice, One Message at the World Humanitarian Summit***

20. In its deliberations, the STC commended the PRC sub-committee and the Commission for carrying out an inclusive consultative process and in reaching a collective position which calls for *Africa to speak with one voice*. The Draft CAP which is attached to this report is being submitted through the Executive Council to the 26th Ordinary Summit in January 2016, was unanimously adopted, and hailed as important step in addressing humanitarian issues on the continent.

21. The meeting noted that the CAP constituted Africa's agenda for humanitarian action and should be seen much more than Africa's expression at Istanbul event. The meeting pointed out that the CAP outlines Africa's core values and the essence of being African, and extends to the ethos of what Africa is thinking and positioning its self, for its people as well as its commitment to humanitarian effectiveness on the continent.

22. The STC while deliberating on the draft CAP, reaffirmed and recalled Ideals of Pan-Africanism and shared values, as foundations of Africa's humanitarian architecture. The meeting deplored the rapidly changing humanitarian landscape that has overstretched the global humanitarian architecture and Africa's capacity to effectively respond to humanitarian crises on the continent. Accordingly, the meeting reiterated the need for ***African solutions to African problems***.

23. On financing Africa's humanitarian action, the meeting emphasized the need for implementing AU Decisions on alternative sources of financing Africa's development agenda. The STC particularly, underlined the need for the display of political will and called for the effective utilisation of resources on the continent. To this end the meeting called for strong strategies to fight corruption and effective mechanisms for monitoring Africa's strategic resources such as energy and minerals. The meeting strongly repeated the call for international support in repatriating Africa's pillaged resources, towards Africa's development. However, while emphasising this issues the meeting underlined the need for international community to abide by its responsibilities, commitments and pledges towards humanitarian action in African.

24. On the role of the Diaspora, the STC called for a robust strategy to engage the sector, not only for the resources they can generate but in tapping into their capabilities and including skills transfer. Further while highlighting the role of the Diaspora the meeting called on the international community to support safe and legal mechanisms of remittance flows. The STC called for the easing of barriers and reducing the cost of remittances to Africa from the Diaspora.

25. The meeting, while appreciating hospitality of host countries and communities, noted the huge impact imposed on them as a result of hosting large numbers of displaced populations. The meeting called for specific measures and strategies to enable them cope with the impact of hosting large number of displaced populations.

26. The meeting stressed the issue of resilience. On this issue, the meeting called for strategies aimed at strengthening resilience of affected populations and communities.

The meeting emphasised that resilience should be understood as building coping capacities of the affected populations to withstand the impact of hazards that makes such populations vulnerable and not a durable solution or aimed at possible demographic change in host nation's population structure.

27. The meeting welcomed the proposed 10 pillars of the CAP on humanitarian effectiveness, as a way to strengthen humanitarian governance on the continent and called for a post Istanbul plan of action to translate the proposed priority areas into reality.

V. RECOMMENDATIONS ADOPTED BY STC

28. The meeting adopted 51 recommendations which are being attached as annex and called for an action plan to implement them, in line with Agenda 2063. The meeting emphasised the following areas:-First, the meeting pointed out the negative role of colonization and foreign occupation in exacerbating the challenges facing communities around the globe and the need to settle issues relating to them in a manner that ensures the respect of rights and due compensation for harm and damages; Second, the meeting called for collective efforts to eradicate all forms of racism, discrimination, defamation and intolerance; Third, on financing the meeting made strong recommendations for the setting up an AU Fund for humanitarian action. That such a fund should be reinforced with an effective accountability mechanism to ensure effective use of the resources, including in monitoring use and exploitation of Africa's strategic resources like energy and natural resources; Fourth, the STC called for fair international burden sharing and for the international community to fulfil its responsibilities, in funding humanitarian action on the continent, including its previous commitments; and in light of difficulties faced in convening the STC, the meeting particularly called for adequate funding to enable the Commission to execute its mandate, in line with previous Decisions and Declarations.

29. Finally, the STC calls upon the Executive Council to forward for adoption, to the Assembly of Heads of State and Government, the Humanitarian Policy Framework and its Guidelines, and the Common African Position to the World Humanitarian Summit to be held in Istanbul, Turkey, in May 2016.

30. The meeting was closed by H.E Dr. Aisha Abdullahi, Commissioner for Political Affairs, African Union Commission and H. E. AMB. Lamine Baali, Ambassador of Sharawi Arab Democratic Republic.

ATTACHMENTS

1. Rules of procedure for the STC;
2. Report on humanitarian situation on the continent;
3. Common African Position on Humanitarian Effectiveness to be presented at the World Humanitarian Summit, May 2016, Istanbul, Turkey;
4. African Union Humanitarian Policy Framework and Guidelines;
5. Recommendations in addressing humanitarian action on the continent.

EX.CL/936(XXVIII)
Annex 1

DRAFT
RULES OF PROCEDURE OF THE SPECIALIZED TECHNICAL
COMMITTEE ON MIGRATION, REFUGEES AND IDPs

AFRICAN UNION

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DRAFT
RULES OF PROCEDURE OF THE SPECIALIZED TECHNICAL
COMMITTEE ON MIGRATION, REFUGEES AND IDPs

GENERAL PROVISION

The Executive Council,

Having regard to the Constitutive Act of the African Union, and in particular Article 16,

HAS ADOPTED THESE RULES OF PROCEDURE:

RULE 1 **Use of terms**

In these Rules:

- (a) **“Assembly”** means the Assembly of Heads of State and Government of the African Union;
- (b) **“Chairperson”** means the Chairperson of the Specialized Technical Committee on Migration, Refugees and IDPs;
- (c) **“Commission”** means the Commission of the African Union;
- (d) **“Constitutive Act”** means the Constitutive Act of the African Union;
- (e) **“Executive Council”** means the Executive Council of Ministers of the African Union;
- (f) **“Member State”** means a Member State of the African Union;
- (g) **“STC”** means a Specialized Technical Committee of the African Union;
- (h) **“Union”** means the African Union established by the Constitutive Act;
- (i) **“Vice-Chairpersons”** unless specified otherwise, means the Vice-Chairpersons of the STC on Migration, Refugees and IDPs.

RULE 2 **Status**

The STC on Migration, Refugees and IDPs is an Organ of the Union in accordance with Article 5 (1) (g) of the Constitutive Act. It shall be responsible to the Executive Council.

RULE 3 **Composition**

1. The STC on Migration, Refugees and IDPs shall be composed of Ministers in charge of Migration, Refugees and IDPs from Member States.
2. The session of the STC on Migration, Refugees and IDPs is preceded and prepared by a meeting of Experts from Member States responsible for sectors falling within the areas of competence of the STC on Migration, Refugees and IDPs. The meeting of Experts shall be governed, *mutatis mutandis*, by relevant provisions of these Rules.

RULE 4 **Accreditation**

Delegations of Member States to sessions of the STC on Migration, Refugees and IDPs shall be duly accredited representative of Member States.

RULE 5
Powers and Functions

1. In addition to the functions provided for in Article 15 of the Constitutive Act of the Union, the STC on Migration, Refugees and IDPs shall, inter-alia:
 - i) consider of progress made on the AU Policy on Promotion of Free Movement of Persons in Africa;
 - ii) consider of progress made on the implementation of the AU Policy on Migration;
 - iii) consider of progress made on the implementation of the various decisions and declarations of the Executive Council and Assembly on issues of migration and forced displacement;
 - iv) develop recommendations on the way forward in addressing the challenges of forced displacement, migration and IDPs;
 - v) develop recommendations on the way forward in addressing intra-Continental and external migration issues in Africa;
 - vi) develop recommendations on the way forward in addressing the challenges of refugees;
 - vii) carry out any other functions assigned to it by the Executive Council or the Assembly.
2. The STC on Migration, Refugees and IDPs may set up Sub-committees and temporary working groups, as it deems necessary.
3. The functioning, mandate, composition of such Sub-committees and temporary working groups shall be determined by the STC on Migration, Refugees and IDPs.

RULE 6
Venue

1. The Ordinary Sessions of the STC on Migration, Refugees and IDPs shall be held at the Headquarters of the Union, unless a member State offers to host any such session.
2. In the event the session is held outside the Headquarters of the Union, the host Member State shall be responsible for all extra expenses incurred by the Commission as a result of holding the session outside the Headquarters.
3. In conformity with Rule 5 (3) of the Rules of Procedure of the Assembly, Member States offering to host sessions of the STC on Migration, Refugees and IDPs shall not be Member States that are under sanctions and shall be required to

meet pre-determined criteria, including adequate logistical facilities and a conducive political atmosphere.

4. Where two (2) or more Member States offer to host a session, the STC on Migration, Refugees and IDPs shall decide on the venue by simple majority.
5. Where a Member State that had offered to host a session of the STC on Migration, Refugees and IDPs is unable to do so, the session shall be held at the Headquarters of the Union, unless a new offer is received and accepted by Member States.

RULE 7

Convening of Sessions

The Commission will be responsible for convening and servicing all the meetings of the STC on Migration, Refugees and IDPs.

RULE 8

Quorum

1. The quorum for a session of the STC on Migration, Refugees and IDPs shall be two-third majority of the Member States eligible to vote.
2. The quorum for meetings of the Sub-committees or temporary working groups of the STC on Migration, Refugees and IDPs shall be a simple majority.

RULE 9

Ordinary Sessions

The STC on Migration, Refugees and IDPs shall meet once every two (2) years.

RULE 10

Agenda of Ordinary Sessions

1. The STC on Migration, Refugees and IDPs shall adopt its Agenda at the opening of each session.
2. The Provisional Agenda of an ordinary session shall be drawn up by the Commission in consultation with the Bureau of the STC on Migration, Refugees and IDPs and may include item (s) proposed by Member States. The Commission shall communicate the provisional agenda and the working documents to Member States at least thirty (30) days before the opening of the session.

RULE 11

Other Agenda Items

Any additional agenda item, which a Member State wishes to raise at a session of the STC on Migration, Refugees and IDPs, shall only be considered under the agenda item

“Any Other Business”. Such agenda items shall be for information only and not subject to debate or decision.

RULE 12

Extraordinary Sessions

1. The STC on Migration, Refugees and IDPs may meet in an extraordinary session at the request of the policy organs of the Union, the STC on Migration, Refugees and IDPs or the Commission subject to availability of funds.
2. The extraordinary sessions shall be held at the Headquarters of the Union unless a member state invites the STC on Migration, Refugees and IDPs to meet in its Country.
3. The Rule on Venue for Ordinary Session shall apply to Extraordinary Session.

RULE 13

Agenda of Extraordinary Sessions

1. The Commission shall communicate the Provisional Agenda and working documents of an extraordinary session to Member States at least fifteen (15) days before the opening of the session.
2. The Agenda of an extraordinary session shall comprise only of the item(s) requiring the urgent attention of the STC on Migration, Refugees and IDPs.

RULE 14

Open and Closed Sessions

All the sessions of the STC on Migration, Refugees and IDPs shall be closed. It may, however, decide by simple majority whether any of its sessions shall be open.

RULE 15

Working Languages

The working languages of the STC on Migration, Refugees and IDPs shall be those of the Union.

RULE 16

Bureau

1. The STC on Migration, Refugees and IDPs shall, on the basis of rotation and geographical distribution, elect, after due consultations, a Chairperson and other members of the Bureau, namely, three (3) Vice-Chairpersons as well as a Rapporteur.
2. The Members of the Bureau shall hold office for a period of two (2) years.
3. The Bureau will meet at least once every year.

RULE 17
Duties of the Chairperson

1. The Chairperson shall:
 - a) Preside over all the proceedings of the Ordinary and Extraordinary sessions;
 - b) open and close the sessions;
 - c) submit for approval the records of the sessions;
 - d) guide the proceedings;
 - e) submit to a vote matters under discussion and announce the results of the vote taken;
 - f) rule on points of order.
2. The Chairperson shall ensure order and decorum of the proceedings during the sessions.
3. In the absence of the Chairperson or in case of a vacancy, the vice-Chairpersons or the rapporteur in order of their election shall act as the Chairperson.
4. The Chairperson shall attend the sessions of the Executive Council and the annual meeting of the Bureaus of all STCs.

RULE 18
Attendance and Participation

1. In accordance with Rule 4, the Ministers in charge of Migration, Refugees and IDPs shall attend and participate in the sessions. In the event that they are not in a position to attend personally, duly accredited representatives shall represent them.
2. The Representatives of the Organs of the Union and Regional Economic Communities (RECs) shall be invited to attend the sessions of the STC on Migration, Refugees and IDPs.
3. The STC on Migration, Refugees and IDPs may invite, as Observer, any person or Institution to attend its sessions.

RULE 19
Majority required for decisions

1. The STC on Migration, Refugees and IDPs shall take all its decisions by consensus failing which, by a two-thirds majority of the Member States eligible to vote.
2. Decisions on questions of procedure shall be taken by a simple majority of Member States eligible to vote.

3. Decisions on whether or not a question is one of procedure shall also be determined by a simple majority of Member States eligible to vote.
4. Abstentions by Member States eligible to vote shall not prevent the adoption by the STC on Migration, Refugees and IDPs of decisions by consensus.

RULE 20 **Adoption of Decisions**

1. A proposed decision or an amendment (s) thereof may at any time, prior to it being submitted to a vote be withdrawn by the initiator.
2. Any other Member State may reintroduce the proposed decision or amendment that has been withdrawn.

RULE 21 **Point of Order**

1. During deliberations on any matter, a Member State may raise a point of order. The Chairperson, in accordance with these Rules, shall immediately decide on the point of order.
2. The Member State concerned may appeal against the ruling of the Chairperson. The ruling shall immediately be put to a vote and decided upon by simple majority.
3. In raising a point of order, the Member State concerned shall not speak on the substance of the issue under discussion.

RULE 22 **List of Speakers and Use of the Floor**

1. The Chairperson shall, subject to Article 23 of the Constitutive Act, during the debate, grant the use of the floor in the order in which the speakers indicate their intention.
2. A delegation or other invitee shall not have the floor without the consent of the Chairperson.
3. The Chairperson may, during the debate:
 - a) read out the list of speakers and declare the list closed;
 - b) call to order any speaker whose statement deviates from the issue under discussion;
 - c) accord the right of reply to any delegation where in his/her opinion a statement made after the list is closed justifies the right of reply; and

- d) limit the time allowed to each delegation irrespective of the issue under discussion, subject to sub Rule 4 of this Rule.
- 4. The Chairperson shall, on procedural questions, limit each intervention to a maximum of three (3) minutes.

RULE 23
Closure of Debate

When a matter has been sufficiently discussed, the Chairperson shall close the debate at his/her discretion.

RULE 24
Suspension or Adjournment of the Meeting

During the discussion of any matter, a Member State may move for the suspension or adjournment of the meeting. No discussion on such motions shall be permitted. The Chairperson shall immediately put such motion to a vote.

RULE 25
Order of Procedural Motions

Subject to Rule 21, the following motions shall have precedence in the order listed below, over all other proposals or motions before the meeting:

- a) suspend the meeting;
- b) adjourn the meeting;
- c) Adjourn the debate on the item under discussion;
- d) Close the debate on the item under discussion.

RULE 26
Voting Rights

- 1. Each eligible Member State shall have one vote.
- 2. Member States, subject to sanctions under Article 23 of the Constitutive Act, shall not have the right to a vote.

RULE 27
Vote on Decisions

After the debate has been closed, the Chairperson shall immediately put to a vote the proposal with all the amendments. The vote shall not be interrupted except on a point of order related to the manner in which the vote is being taken.

RULE 28
Vote on Amendments

1. A proposal shall be considered as an amendment to a text if it adds or removes there from.
2. The Chairperson shall put all amendments to vote when there is no consensus.

RULE 29
Methods of Voting

The Methods of Voting shall be determined by the STC on Migration, Refugees and IDPs.

RULE 30
Reports and Recommendations

The STC on Migration, Refugees and IDPs shall submit, through the Chairperson, reports and recommendations arising from its deliberations to the Executive Council for consideration.

RULE 31
Implementation

The STC on Migration, Refugees and IDPs may lay down guidelines and supplementary measures to give effect to these Rules.

RULE 32
Amendments

The STC on Migration, Refugees and IDPs may propose to the Executive Council amendments to these Rules.

RULE 33
Entry into Force

These Rules shall enter into force upon their approval by the Executive Council.

Adopted by the.....Ordinary Session of the Executive Council, held...

EX.CL/936(XXVIII)
Annex 2

**REPORT OF THE COMMISSION ON THE HUMANITARIAN
SITUATION IN AFRICA
JULY - DECEMBER 2015**



**REPORT OF THE COMMISSION ON THE HUMANITARIAN
SITUATION IN AFRICA
JULY - DECEMBER 2015**

**REPORT OF THE COMMISSION ON THE HUMANITARIAN
SITUATION IN AFRICA
JULY - DECEMBER 2015**

1. This report gives a brief humanitarian situation in Africa for the July to December 2015. It provides an analysis of the major trends and challenges resulting from multiple conflicts, population movements and different disasters occurred in the five regions of Africa. The information has been synthesised from Member States, Partners and open sources.

I. GENERAL OVERVIEW OF THE HUMANITARIAN SITUATION IN AFRICA

2. The African continent continues to suffer the consequences of continued conflicts related to governance deficits. The continuing insecurity and on-going political crisis as well as conflicts in some countries on the continent namely Burundi, Somalia, Central African Republic, Eastern DRC, Northern part of Nigeria and the Lake Chad basin, constitute the root causes of incessant population movements within and between countries, but also pushing many of them to seek refuge in Europe in search for stable conditions. These continuous movements heighten the humanitarian situation on the continent.

3. Since February 2015, El Nino-linked extreme weather events have been observed in Africa. Their direct and indirect humanitarian impacts are expected to perdure with variable intensity through early 2016. The livelihoods of more than 30 million people are threatened. The manifestations of the El Nino phenomenon are noticeable in all parts of the continent.

4. In the Sahel belt, rising temperatures will result in an expansion of the Sahara desert. Severe droughts will affect the livelihoods of farmers and nomadic herders in Niger, Chad, Cameroun, Mali, Sudan and Ethiopia. In North Africa, heavy rainfalls and floods will cause serious damage to crops and infrastructure in Egypt, Algeria and Morocco. In Eastern Africa and the Greater Horn of Africa, 22 million people face a threat of famine. The Excessive rainfalls will sweep across Tanzania, Kenya, Uganda, Burundi, Rwanda, the Democratic Republic of Congo, Ethiopia, Djibouti, South Sudan and Sudan, causing flash flooding, mudslides, lightning strikes and water-borne and animal health diseases. In Ethiopia alone, 15 million people will require food assistance by early 2016.

5. In Southern Africa, the El Nino will bring more droughts in already parched areas of Malawi, South Africa, Zimbabwe, Mozambique, Botswana, Madagascar and Lesotho. About 13.5 million people are at risk of food insecurity, especially since prolonged dry spells will cause deficits in maize harvests, accompanied by spikes in food prices. In mining zones (ex.Zimbabwe), the reduction in rains and immense drops in water levels affects hydro-power investments and impinges on productivity and jobs in the extractive industry, with ensuing household poverty.

6. In West Africa, above average rains will bring floods in the beds of the main rivers, destroying crops, washing away urban and rural settlements and leaving thousands of people homeless in Burkina Faso, Niger, Nigeria, Guinea, Sierra Leone and Mali. In many countries, meteorological forecasts allow to predict instances of cyclical impacts, where severe droughts will succeed to excessive rainfalls or vice versa. This will bear heavy strains to existing community resilience systems and coping strategies of affected populations. In other countries, the effects of El Niño –linked extreme weather events will be compounded by the conflict (ex. South Sudan, Somalia, Central African Republic, and DR Congo) or state fragility (ex. Burundi).

7. Both heavy rainfalls and droughts will spark new waves of economic migrants and affect adversely the most impoverished populations, especially the refugees and internally displaced persons in conflict zones (ex. Dadaab in Kenya, Burundi refugees in the Great lakes region, refugees and IDPs in the DR Congo and the CAR), slum dwellers and makeshift habitats in the peripheries of fast-expanding cities.

8. It is highly recommended that medium and shorter range weather forecasts be monitored for the development of conditions that may alter or strengthen the expectation of the current forecast across Africa. The African Union Commission considers El Niño as a serious humanitarian concern. It will initiate an inter-departmental task force on El Niño to work with partners and coordinate the efforts aimed at supporting countries most affected.

9. Grave concerns persist for some 20 million people in the Sahel. Recurrent conflict, erratic weather patterns, epidemics and other shocks continue to weaken the resilience of households across a region still suffering from chronic levels of food insecurity and malnutrition. An estimated 20.4 million people remained food insecure as at the start of 2015, 70 percent of who are in Niger, Nigeria, Mali and Chad. Epidemics continue to demand urgent attention in 2015. Besides cholera, meningitis, Lassa and yellow fever, more recently, Ebola from the West Africa region.

II. REGIONAL ANALYSIS

North Africa Region

10. **Libya** continues to remain a transit country for migrants trying to cross to Europe through Mediterranean Sea in which many of them end their lives before reaching their destination in Europe. The most common destination is the Italian island of Lampedusa, barely 300 kilometres away. According to the International Organisation of Migration More than 600,000 people have reached Europe's shores this year making it the continent's worst migration crisis since World War II.

11. The Government of **Mauritania** continue to keep its borders open to new influxes from Mali numbering to 50,266. In addition, efforts are in place to cater for

refugees and asylum seekers, from the Central African Republic, Côte d'Ivoire, Syria, the Democratic Republic of the Congo.

12. Egypt: Registration of Syrian refugees in Egypt by UNHCR continues. By 31 October 2015, the population of Syrian refugees in Egypt registered with UNHCR amounted to 127,681 individuals. By mid-2015, 108,312 individuals had been verified, representing 84.56% of the active registered population. During 2015, 6,264 Syrian refugees have registered with UNHCR. Only 3,082 of those registered with UNHCR in the course of 2015, represent new arrivals to Egypt, as the entry visa requirement for Syrian nationals remains¹.

13. Tunisia: Building on successful cooperation, the Government of Tunisia has requested WFP's continued involvement to provide assistance to operationalise its Sustainable School Feeding Strategy over a three year period starting in July 2015. This will consist of three components: i) strengthen regulatory frameworks and tools in the areas of governance, targeting, cost efficiency, school meals' nutritional quality and safety, monitoring and evaluation, and community participation; ii) upgrade the current decentralised school feeding model in select schools to augment the system's capacity to provide nutritious, hot meals; and iii) pilot new implementation modalities that are efficient, accountable, and support local smallholder farmers. Through its activities, WFP will seek to contribute to local development by encouraging links to local agricultural production and community based organisations².

14. Saharawi Republic : The African Union Commission Chairperson, Dr Nkosazana Dlamini Zuma, has announced a USD 200,000 donation to alleviate the plight Saharawi people affected by floods in Tindouf camps and US\$50,000, which was donated by the African Union Staff Association. Reports indicate that torrential rains and heavy flooding have destroyed several public buildings, community centres, and homes of refugees in the camps. The donation will go towards providing urgent humanitarian assistance, particularly tents, food and medicine. It should be noted that for over 40 years, the Saharawi refugees have lived in make-shift houses and tents while in exile owing to the illegal occupation of their country by Morocco. Decisions of the AU Assembly and UN have consistently called for the respect of the rights to self- determination of Saharawi people.

15. Last October 2015, heavy rain fell uninterruptedly for more than a week in the **Saharawi** Refugee Camps in the region of Tindouf, Algeria, caused severe destruction, damage and lose of household food stocks. 17821 families houses had been totally or partially destroyed and more than 80,000 refugees had been affected. The most affected are children and women who constitute 70 to 80% of total refugee population. More than 30% of schools and health centers were severely damaged. The Saharawi refugees continue to live in tents. Yet the aid only covers 45% of the

¹ UNHCR, October 2015, 3RP Egypt monthly updates

² WFP, July – September 2015, Briefing report

needed tents. Each family should receive 60 meters of canvas to make the tent every 5 years. And since the families are over 28.000 then there is a need for 5.600 tent per year. The gap remains high (13 176 tents). - 47% of the needs in the education sector is not covered by any donors (school equipment, rehabilitation and construction of schools and kindergartens, class tables and chairs...etc). There is no co-funding of hygienic materials, only UNHCR funded kits provided through TRIANGLE (THG), which doesn't have funding now and this will have serious consequences on women health. They are distributing to 38 450 women but the gap remains at 66,67%.

16. Requirements on resources for food assistance to satisfy the minimum needs of 125 000 most vulnerable persons out of 175 000 in 2015 is more than 20 million USD³.

East Africa Region

17. Countries in the region are already seeing the impact of the El Niño climatic change. Localized floods caused by rains have already been reported in parts of Somalia, Western Kenya and at the Kenyan Coast. The peak strength of this El Niño is expected between October 2015 and January 2016. In most countries in the Horn of Africa region and there is an expectation of enhanced rainfall in the south-western parts of the region affecting Kenya and Somalia. Drier than average conditions are also affecting Sudan, Eritrea and Djibouti and the east of South Sudan.

18. Sudan: The humanitarian situation in Darfur and eastern part of the Sudan continues to prevail amidst dwindling resources as these and many similar caseloads in Africa become forgotten humanitarian cases. The IDPs in Darfur continue to suffer from insecurity, inadequate food, and medical, water and shelter supplies. A search for a lasting political solution is the only durable solution to this protracted caseload.

19. Kenya: Kenya has been host to refugees from South Sudan, Ethiopia, Eritrea, DRC, Rwanda, Burundi, Uganda and Somalia. Dadaab refugee camp has hosted Somali refugees for over 2 decades. The government of Kenya however raised concern over the changing humanitarian nature of the camp and has called for voluntary repatriation of Somali refugees due to insecurity caused by terrorist group Al-Shabaab who have been using the camp for illegal activities. The government has also appealed to the international community to support the efforts of the Kenya government, the Somali government and UNHCR within the context of the tripartite agreement; and to support Somali refugees in Kenya to accelerate the voluntarily return to Somalia in safety and dignity.

20. Somalia: A pledging conferences organized by the European Union saw the international community commit resources to a plan of action designed to improve socio-economic conditions in Somalia and support Somali returnees refugees. The

³ Western Sahara Red Crescent, November 2015, Saharawi

pledges were made to provide training and job opportunities in Somalia for returnees and support their reintegration. This includes, increasing access to basic services, improving security and law enforcement, rehabilitation of infrastructure and environment, access to education, water and sanitation services, health care, shelter, agriculture and the creation of job opportunities enhancing livelihoods and reducing vulnerability in areas of return.

21. An armed conflict erupted in Gaalkacyo on November 2015, killing approximately 20 people and leaving an estimated 120 injured, according to the Health cluster. The protection cluster members reported over 90,000 people internally displaced to nearby villages and outskirts of the north and south Gaalkacyo, creating overcrowding in many settlement. Since the beginning of the rain season in October, flooding has affected 144,000 people and nearly 60,000 displaced. This comes amid an already fragile humanitarian situation with an estimated 4.9 million people in need of assistance. Over 1.1 million people remain internally displaced and 308,000 actually malnourished children under age 5⁴.

22. South Sudan: Food insecurity remains a serious concern in South Sudan. Throughout the country, reports indicate that 3.9 million people in South Sudan face severe hunger. The effect of the conflict in the country continues to be felt despite the peace agreement signed between the two parties. The conflict continues to be a driver of complex emergency as the humanitarian space has diminished. Access to people in need has continued to be constrained as humanitarian relief can not reach the affected communities and continued violence restrict access to humanitarian workers. The situation is so dire that there is the looming threat of famine. The country faces effects of war, erratic rainfall, high food prices, fuel costs, inflation, market disruption, conflict-related displacement, and loss of livestock and agricultural production in a generally degraded economic environment.

23. Ethiopia: El Nino phenomenon continues to impact on Ethiopia. Based on the multi Meher assessment results 10.2 million beneficiaries will need emergency food assessment while 400,000 children under five and 1.7 million children, pregnant and lactating women will require specialized nutritional support. Of the total case load 37 percent are in Oromia, 22 percent in Amhara, 15 percent in Somali, 12 percent in Tigray, 7 percent in Afar. A total resource requirement to address 10.2 million relief beneficiaries is estimated 1.4 billion USD of which 1.1 billion is required for emergency food assistance. While the remaining 300 million USD for non food components. As a first installation for 2016, the government of Ethiopia has committed an additional USD 97 million. The anticipated occasional falls in some areas of Amhara, Benishangul-Gumuz, Oromiya, Gambela, and SNNPR Regions would have negative impact on season's agricultural activities. Therefore, farmers are advised to take appropriate precision ahead of time in order to avoid crop yield

⁴ UNOCHA, 3 Decembre 2015, Somalia Humanitarian Snapshot

losses due to unnecessary moisture condition at harvesting and post harvesting activities⁵.

Central Africa Region

24. Burundi: The third term bid of President Pierre Nkurunziza elicited massive movement of refugees to neighbouring countries, and it is reported that a total of 211,393 Burundian refugees and asylum-seekers have arrived in the neighbouring countries of the DRC, Tanzania, Rwanda, as well as Uganda and Zambia since April 2015. 375 households are IDPs due to the heavy rain in Bujumbura Province while 1480 4 persons (2995 households) are IDPs in host families in the provinces of Kirundo and Makamba⁶. The situation in Burundi remains volatile with continued incidents of sporadic violence in the country. While certain parts of the country have been spared by the violence, grenade attacks and clashes between opposition groups and the Government continue to occur on a regular basis in the capital⁷.

25. In Central African Republic, for many years now, lawlessness persists in the central and northern regions of CAR. This is as a result of increased presence of the ex-Seleka, anti-Balaka, Révolution Justice and nomadic pastoralists. These groups are involved in violent killings, rape and burning of houses; rendering the populations in these regions highly vulnerable and living in constant fear of attacks. In Bangui, after months of relative calm, the recent renewal of violence has left people dead, and others seriously injured, resulting in at least 40,000 more IDPs, totalling to more than 399,000 IDPs in the country. Humanitarian access continues to be hindered, while attacks against aid workers are persistent, including worrying threats of kidnappings.

26. The Eastern part of DRC is a humanitarian crisis where more than 1.6 million people are displaced because of attacks and armed violence. With over 744,000 displaced people in the northern province, North Kivu remains the most affected. Over the past 18 months, the number of people who returned to their homes in the east of the country has considerably reduced, with many of them claiming fear and insecurity.

Lake Chad Basin

27. Boko Haram ("Western education is forbidden") is leading an insurgency to create an Islamic state in the predominantly Muslim regions of north-eastern Nigeria. BH's attacks have reached the whole Lake Chad region, also affecting Cameroon, Chad and Niger. The Nigerian authorities have been fighting BH since 2009. Precise numbers are not known, but BH's strength is estimated at around 15,000⁸. In March,

⁵ Early warning and response analysis, December 2015 – Government of Ethiopia

⁶ IOM report, October 2015 - Burundi

⁷ UNHCR Regional Update 17, October 2015 - Burundi

⁸ Amnesty, 13/04/2015

BH pledged allegiance to Islamic State. The group is thought to hide nowadays in the Lake Chad region and the Sambisa forest⁹.

28. Boko Haram Violence has displaced close to 2.2 million people¹⁰, restricted movement, disrupted food supply, seriously hindered access to basic services, and limited agricultural activities. In **Nigeria**, people affected by violence in Adamawa, Borno, and Yobe, and neighbouring Bauchi, Taraba, and Gombe states are in urgent need of protection, shelter, food, and access to health services and education. Some 9.7 million people, including IDPs, are staying in the 34 areas worst affected by the Boko Haram insurgency¹¹. The entire population of northeast Nigeria – 24.5 million people – is indirectly affected; 4.6 million are in need of humanitarian aid including 461,000 children under five. The continued repatriation of Nigerian refugees, in particular from Cameroon and on-going counterinsurgency operations are likely to increase the number of displaced in need of assistance by up to 100,000–250,000. The Nigerian government has announced plans to start closing IDP camps in Adamawa state at the end of the year, and in January in Borno State. There is a risk that IDPs will be forced to return. As of 1 November 2015, 12,592 Nigerians have returned, mostly from spending between eight months and three years in Chad and Cameroon.

29. The security situation in the Lac region, which includes northeast of Nigeria, west of Chad, extreme north of Cameroon and South of Niger continues to displace civilians and impair access to affected populations, especially in remote areas.

30. **Cameroon** hosts 158,316 IDPs¹². 87% have been displaced by Boko Haram-related violence, and 13% by flooding and other natural disasters. 49% of the IDPs were displaced in 2015. An estimated 84% live within host communities while 16% live in spontaneous settlements. Logone-et-Chari hosts the most IDPs (91,930), Mayo Danay 26,670, Mayo-Sava 18,094 and Mayo-Tsanaga 18,020. The main movements remain within the Far North. Some villages empty at nightfall, as residents flee to the bush in fear of BH attacks¹³. Cameroon also hosts over 314,000 refugees, mainly from Nigeria and Central African Republic. As of November 30th, 65,109 Nigerian refugees are registered in Cameroon¹⁴. In most locations, the number of refugees and third-country nationals exceed the local population. Host communities and refugees are competing over already inadequate resources and living conditions have become very difficult for all.

31. In **Chad**, Lac region has witnessed at least 52,000 people, which is estimated to have been displaced since July 21 after violence and evacuations increased. The BH conflict in Nigeria has forced around 12,000 Chadians to return since January 2015. 3,400 returnees from Nigeria are living in the Dar Al Nahim site, near Dar es

⁹ AFP, 23/10/2015

¹⁰ OM, 31/10/2015

¹¹ IOM 31/10/2015

¹² IOM, 27/11/2015

¹³ IOM, 27/11/2015

¹⁴ UNHCR, 30/11/2015

Salaam. Additionally, there are between 5,000–15,000 unregistered returnees. Assessing the affected population remains difficult. Islands to the west and north of Bagasola face major access constraints due to insecurity¹⁵. Populations from these areas face difficulties reaching Bagasola and Bol towns, where important services including hospitals are located.

32. Niger faces multiple displacement crises. BH violence has displaced at least 150,000 people in Diffa region, including over 50,000 IDPs and around 100,000 Nigerian refugees. Instability in Libya has prompted vulnerable Niger nationals to return, and migrants of other nationalities to transit through the country, some of whom become stranded in need of protection assistance in transit cities, including Agadez.

33. As of November 25th, more than 2.2 million IDPs displaced by conflicts have been, and more than 170,000 have fled abroad. The continued repatriation of Nigerian refugees, in particular from Cameroon and on-going counterinsurgency operations are likely to increase the number of displaced in need of assistance by up to 100,000–250,000¹⁶. The Nigerian government has announced plans to start closing IDP camps in Adamawa state at the end of the year, and in January in Borno State. There is a risk that IDPs will be forced to return. As of 1 November 2015, 12,592 Nigerians have returned, mostly from spending between eight months and three years in Chad and Cameroon. The security situation in the Lac Chad Region continues to impair access to affected populations, especially in remote areas.

POLITICS AND SECURITY DEVELOPMENT

34. Armed Islamist group Boko Haram's (BH) insurgency in the northeast reached its peak, in 2014, when 7,711 deaths were reported. Between January and 25 November 2015, nearly 420 BH-related incidents and 8,490 deaths have been reported in Nigeria, the vast majority in Borno, Adamawa, and Yobe states, with others in surrounding states. Nearly half the incidents – 184 – were against civilians, and resulted in 5,215 deaths.

35. Since the end of 2014, the conflict has taken on a more regional dimension, with attacks in Cameroon, Chad, and Niger, and a strengthened multinational force. Military offensives in 2015 have regained territory in Nigeria from BH, but the group continues to have strongholds in areas that are hard to access, including the Sambisa forest, the Mandera Mountains, and the Lake Chad islands. Facing offensives of Militaries Troop from Lake Chad Basin region coordinated by the MNJTF (Multinational Joint Task Force) Boko Haram has changed its tactics focusing its strategy in sporadic attacks of areas it had not previously targeted, including suicide bombings. As of 25 November 2015 more than 90 suicide attacks had been recorded in the region in 2015, compared to 38 in all 2014. In October, at least 548 people died in BH-related violence, including 235 who died in 17 incidents of violence

¹⁵ OCHA, 06/11/2015

¹⁶ OCHA, 19/11/2015

against civilians. In September, 282 people were killed in 13 BH attacks on civilians. July has been the deadliest month since March, with 980 fatalities due to violence.

36. Since the involvement of member states from the Lake Chad region and the African Union Commission in the crisis resolution with the operationalization of the Multinational Joint Task Force in June, several towns have been taken back from BH, and hostages have been rescued, though much of the northeast remains dangerous and attacks against civilians continue. These recent successes in the fight against BH are reportedly improving morale among Military's troops, which had been low. Regional Leadership, changes in command, and improvement of equipment are thought to have increased the army's capacity. But more remain to be done in terms of coordination of troops and other measures to fight terrorism in the Lac region including the improvement of the justice sector, the engagement with local communities and the fight against poverty and radicalisation in the region especially amongst youth.

West Africa Region

37. Nigeria: In addition to the mayhem caused by boko haram, Nigeria experienced heavy rains, compounded by the breakdown of dams in some states, which have caused floods in 11 states across Nigeria. According to the National Orientation Agency, a total of 100,420 have been displaced. Homes and other buildings have been swept away, and agricultural areas flooded. As reported recently by the World Bank, the effects of climate change on the Niger River basin – where many of the flooded regions lie – are expected to be wide ranging, including an increase in the high rainfall variability of the region, exacerbating both flood and drought¹⁷.

38. The volatile security situation in northern **Mali** continues to have a devastating impact on civilians, hampering the return of refugees, affecting markets and preventing the full restoration of basic services. Some 133,000 Malian refugees remain in Mauritania, Niger and Burkina Faso and more than 80,000 Malians remain internally displaced. High levels of insecurity in northern Mali also greatly impact the ability of humanitarian aid workers to access those in need.¹⁸

39. Niger: The signing of the Algiers Accord has brought significant steps towards peace in parts of Mali, but it has not stemmed the flow into Niger and this is a concern and unexpected development that is putting a strain on humanitarian operations in Niger. The numbers of new arrivals have hit a record high of 54,000 registered refugees in early November with a further 3,000 awaiting registration.

40. In **Sierra Leone**, Sustained heavy downpour of rain in September 2015 burst river banks and caused destruction in eight communities in Bo and two in one Chiefdom in Pujehun District in southern Sierra Leone. Affected communities are

¹⁷ UNOCHA, October 2015, Humanitarian Bulletin Nigeria

¹⁸ UNOCHA, October 2015, Report on Sahel Region

reported to loosing properties and being exposed to rain with no appropriate sanitation and some evacuating and taking shelter in nearby schools. The affected communities have been inaccessible and aid has not reached the vulnerable persons. The World Health Organization declared Sierra Leone free from Ebola transmissions in last November 2015.

41. Positively, the West African region has witnessed a significant decline in the incidence of the spread of the Ebola Virus Disease. In the week ending on 11 October, there were no confirmed cases in Guinea, Liberia and Sierra Leone. As of 9 October, Liberia had gone for 89 days without any cases. The last Ebola Virus Disease patients in Sierra Leone were discharged on 26 September, while Guinea last reported cases was on 27 September. The Interagency Collaboration on Ebola recognised the importance of preserving strong national and international capacities that have the capacity to respond to flare-ups across the region.

42. Benin: Through a successful school feeding programme, WFP, with its government counterparts, has been establishing school canteens in specifically targeted districts where food insecurity persists and net enrolment is particularly low. Students in the targeted schools are provided with a daily hot meal. The programme aims to increase enrolment and attendance rates, the ratio of girls to boys enrolled in the schools, and reduce dropout rates. This contributes to the achievement of universal primary education and Millennium Development Goals 1, 2 and 3. WFP promotes community ownership of the canteens.

Southern Africa Region

43. This region is typically affected by natural disasters namely drought and flooding. With the current El Nino affecting the continent, the impact on this region is already being felt especially in food production and water shortage.

44. Malawi, a typically self-sufficient maize producer, has suffered poor crop performance this year due to a late and erratic start to the rainy season, followed by damage from severe flooding in the southern half of the country, and periods of prolonged dry spells across most of the country for the latter half of the season. The prolonged dry spells and floods affected production of maize, ground nuts and rice, as well as cash crops such as cotton and tobacco; leaving 2.8 million people food insecure.

45. In **Mozambique**, in 2014, Mozambique was hit with flooding which reached historically high levels causing widespread damage to infrastructure and isolating entire communities, thereby needs assessments and distribution of relief items was only possible by air in some locations. Unfortunately, before they can recover fully, El-Niño has already hit the country.

46. In **South Africa**, a severe drought along with a scorching heat wave are hitting South Africa's agricultural sector as the region braces for more fallout from El Niño.

Weather experts describe the drought as South Africa's worst in 23 year. The government has set aside more than \$25 million to deal with the water shortages. This includes sending mobile water tankers to affected communities and drilling boreholes¹⁹.

47. Zimbabwe continues to face one of the largest national maize deficits in the region, leading to significant import requirements for the 2015-16 consumption year. So far, about 245,000 MT of grain was formally imported between April and August 2015. Informal imports of both maize grain and maize flour continue to flow in²⁰.

48. Namibia: At least 370,000 populations are at risk of food and livelihood insecurity. Impacts of hazards are characterized by reduced agricultural Labour employment Opportunities by 5% - 70% and reduced maize production by 90% in the Lowland Maize and Cattle livelihood zone covering the low land of Zambezi and Kavango East and West regions. There is a limited and late provision of subsidised ploughing services by the Ministry of Agriculture while the less resilient households is due to the cumulative impact of floods and drought over the years. As recommendations, targeted food assistance is to be considered for period up to March 2016, for households facing survival deficit and conditional assistance to be considered for households facing livelihood protection deficit. Productions of improved pearl millet seeds under irrigation by Green Schemes during offseason for the next cropping season to be implemented as approved in the interim drought program. Implementation of the medium to long term measures stipulated in the interim drought program (livestock marketing incentives, transports and lease of grazing, livestock fodder/hay and animal health package to farmers and water provision) to be continued. Regular monitoring of key vulnerability indicators (staple prices, livestock prices, grazing, water, etc).

49. Madagascar, In Androy, Atsimo Andrefana and parts of Anosy Regions, staple food production was significantly below average for the third consecutive year. The high likelihood for the on-going El Nino to continue through the end of the rainy season is likely to result in average to below-average rainfall over southern Madagascar, reducing crop production and associated agricultural labour opportunities²¹.

50. Zambia: In most parts of the country, Minimal acute food insecurity outcomes are expected to continue. However, in south-western Zambia, where households are depending on markets for staple food access longer than usual, and income from livestock sales is being limited by the ban on cattle movement to contain the foot and mouth disease, Stressed outcomes will persist up to March 2016. Relief food distributions in these areas are on-going. Maize and meal prices remain higher than the previous year and the recent five-year average, due to below-average staple food

²⁰ Famine Early Warning System Network (FEWS NET), October 2015, Zimbabwe Food Security Outlook

²¹ Famine Early Warning System Network (FEWS NET), October 2015, Madagascar Remote Monitoring Update

stocks and high regional demand for Zambian maize. In a bid to reduce maize meal prices, Government will be releasing maize from the Food Reserve Agency stocks at below market price (K1.7/Kg) to millers starting in mid-November. Although prices may stabilize, they will remain high and above the five-year average up to March. Agricultural households are advanced in land preparation activities, supported by recent widespread rainfall, with some starting to purchase government-subsidized inputs, though these inputs are not yet available in all districts. Households with livestock are selling some livestock to purchase the more expensive fertilizer from the market as subsidized fertilizer is inadequate (four bags per farmer as in previous years)²².

III. CHALLENGES:

51. Funding remains a major challenge to the humanitarian programmes in Africa considering the attention shift to other parts of the world especially with the influx of refugees from Syria, Iraq and Afghanistan.

IV. CONCLUSION:

52. While natural disasters cannot be avoided entirely, their effects can be mitigated to avoid widespread humanitarian crisis. Durable solutions to conflicts remain the only panacea to humanitarian crisis in Africa, therefore political solutions must continue to be at the centre of humanitarian dialogue. Africa should find an innovative way of funding its own humanitarian programmes and activities, as over reliance on outside aid can no longer be realistic.

²² FEWS, November 2015, Zambia Food security outlook update

EX.CL/936(XXVIII)
Annex 3

AFRICAN UNION HUMANITARIAN POLICY FRAMEWORK



AFRICAN UNION HUMANITARIAN POLICY FRAMEWORK

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**Department of Political Affairs: Humanitarian Affairs,
Refugees and Displaced Persons Division**

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ABBREVIATIONS

AU	African Union
AUC	AU Commission
ACHPR	African Commission on Human and Peoples' Rights
AEC	African Economic Community
APRM	African Peer Review Mechanism
ARI	African Rehabilitation Institution
ASI	African Solidarity Initiative
ASF	African Standby Force
CAP	Consolidated Appeals Process
CCAR	AU Coordinating Committee on Assistance and Protection to Refugees, Returnees and Internally Displaced Persons
CCHA	Coordinating Committee on Humanitarian Action
CDC	Centre for Disease Control
CENSAD	The Community of Sahel-Saharan States
CERF	Central Emergency Response Fund
CIDO	Civil Society and Diaspora Directorate
COMESA	The Common Market for Eastern and Southern Africa
DCI	Directorate of Communication and Information
DDRR	Disarmament, Demobilization, Rehabilitation and Reintegration
DRR	Disaster Risk Reduction
DPA	Department of Political Affairs
EAC	East African Community
ECOSOCC	Economic Social and Cultural Council
ECOWAS	Economic Community of West African States
FAO	Food and Agriculture Organization
HANDS	Humanitarian Assistance and Natural Disasters Support
ICGLR	International Conference for the Great Lakes Region
ICRC	International Committee of the Red Cross
IDPs	Internally Displaced Persons
IFRC	International Federation of the Red Cross and Red Crescent Societies
IGAD	Inter-Governmental Authority on Development
IHL	International Humanitarian Law
IOM	International Organization for Migration
IPU	Inter-Parliamentary Union
NEPAD	New Partnership for Africa's Development
OAU	Organization of African Unity
PAP	Pan African Parliament
PCRD	Post-Conflict Reconstruction and Development Policy
PRC	Permanent Representatives Committee
POC	Protection of Civilians



RECs	Regional Economic Communities
SADC	Southern African Development Community
SGBV	Sexual and Gender Based Violence
UMA	Arab Maghreb Union
UN	United Nations
UNDAC	United Nations Disaster Assessment and Coordination
UNECA	United Nations Economic Commission for Africa
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNOCHA	UN Office for the Coordination of Humanitarian Affairs
WFP	World Food Programme
WGDD	Women, Gender and Development Directorate

FOREWORD (TBP)

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I. INTRODUCTION

1. The Constitutive Act of the African Union takes cognizance of the fact that the scourge of conflicts in Africa constitutes a major impediment to the socio-economic development of the continent. It also recognises the need to promote peace, security and stability as prerequisites for the implementation of Africa's long-term development and integration agenda.

2. The African Union Humanitarian Policy Framework (The Framework) complements the African Peace and Security Architecture (APSA), the African Governance Architecture and various relevant international initiatives on humanitarian activities in Africa. The Framework recognizes extant international norms and standards on the various aspects and scope of humanitarian action. It further recognizes the linkages between humanitarian assistance, peace and security, natural and human-induced disasters and development issues.

3. The Framework provides an overarching framework and a broad intent of the African Union. The policy does not address process and procedural issues. Accordingly, the Framework establishes a strategic approach and guidelines in support of the core aims of humanitarian action: **to preserve, protect and save lives, alleviate suffering and enhance physical security and human dignity**. The Framework also complements and supports the policies of AU Member States, Regional Economic Communities (RECs), the international community, United Nations (UN) agencies, International Civil Defence Organisation (ICDO), the Red Cross and Red Crescent Movement, national and international NGOs and other humanitarian actors and stakeholders.

4. Africa hosts large numbers of displaced populations and other categories of affected persons as a result of conflicts, natural and man-made disasters, and displacement propelled by development projects are also evident. The AU therefore undertakes, through this framework and in accordance with relevant AU and international Instruments on protection and assistance to:

- a) *support the efforts of the Member States to protect and assist displaced populations;*
- b) *strengthen its institutional framework and capacity with respect to protection and assistance to displaced and affected populations and other categories of affected populations;*
- c) *collaborate with, and encourage Member States to collaborate with each other and with international organizations and humanitarian agencies, civil society organizations and other relevant actors in accordance with their mandates;*
- d) *support measures taken by Member States and RECs to protect and assist displaced and affected populations;*
- e) *encourage Member States and RECs to share information with the African Union and its relevant Organs on humanitarian situations in their countries especially on the situation of displaced persons in Africa;*
- f) *urge Member States to sign, ratify and enact necessary laws and policies to implement relevant AU protection instruments;*



- g) *encourage Member States to cooperate with and support the Special Rapporteur of the African Commission on Human and Peoples' Rights for Refugees, Returnees, IDPs and Asylum Seekers in addressing issues of displaced persons;*
- h) *encourage all relevant partners to honor their obligations with respect to humanitarian support to refugees, asylum seekers, returnees, stateless persons and IDPs;*
- i) *promote special measures for the protection of women, vulnerable groups especially children, youth, the elderly and people with disabilities in humanitarian situations.*

II. CONTEXT AND RATIONALE

5. Since the establishment of the Organisation of African Unity (OAU), Africa has been seized with humanitarian crises. The African Union has for many years remained committed to a progressive migration agenda recognizing the positive contribution of migrants to inclusive growth and sustainable development. In June 1969, the OAU adopted the Convention Governing the Specific Aspects of Refugee Problems, which was anchored on the African culture of hospitality and solidarity as a Pan-African solution to the humanitarian crisis of refugees. The 1979 Arusha Conference and the two international Conference on Refugees in Africa (1991 and 1994) reinforced the basic principles elaborated in the OAU Convention on Refugees. Since the Arusha conference, the OAU/AU has convened more than five high level meetings, including those in Addis Ababa in 1994, Khartoum in 1998, Banjul The Gambia and Ouagadougou in 2006 and Kampala in October 2009. These conferences, extensively deliberated and produced key position documents and declarations on humanitarian crises in Africa.

6. Since then, Africa and the world in general are facing a rapidly changing humanitarian landscape. Africa remains a region where 75% of humanitarian activity is undertaken. The region has continued to face growing humanitarian crises exacerbated by increased effects of climate change.

7. The overall humanitarian situation and response in Africa will therefore remain challenging and of major concern unless effective mechanisms are put in place. This has resulted in a large number of displacement including refugees and internally displaced persons (IDPs) caused by conflicts, development projects, natural and human-induced disasters among others.

8. Mega trends and future projections are also worrying. For example, it is projected that by 2015/25 persons affected by disasters each year will double from 250million per year to over 375million. By 2030, world's population growth will be in urban areas, of low income countries, the urban population will peak 5 billion in 2050, from 3.5 billion today 737 million in 1950, Africa with 4% urban population in 1950 will have 15% in 2030, 1.3 billion in 2050²³. These .mega trends pose serious threats to human security and will lead to humanitarian crises that could erode social economic gains the continent could have registered.

9. In spite of all these challenges and efforts, Africa still lacks a comprehensive and overarching humanitarian policy framework. The existing humanitarian and disaster management mechanisms are however, largely weak and insufficient. These mechanisms

²³ World Disaster Report, 2010



require enhancement, coordination and consolidation. This Framework, the first ever such instrument therefore, seeks to fill these gaps.

10. Humanitarian challenges in Africa are exacerbated by the erosion of respect for the core humanitarian principles, which exist in conflict situations, in implementation of development projects, in natural and human-induced disasters. This Framework therefore aims to support and reinforce respect for and compliance with humanitarian principles and the full respect of international law.

11. The support and reinforcement of humanitarian principles and the enhancement of, coordination and consolidation of these mechanisms require a multi-dimensional coordinated approach. In addition, in light of the necessary role of the military in humanitarian and disaster situations, this Framework also seeks to enhance humanitarian coordination, including civil-military humanitarian coordination.

12. In order to ensure timely and effective humanitarian action, AU activities should be complemented by an appropriate coordination mechanisms within the African Union Commission, RECs and Member States; Red Cross and Red Crescent Movement. The Framework therefore, provides the AU and other humanitarian actors and stakeholders with the strategic approach and guidelines for enhanced capacity for prevention, preparedness, response and mitigation that address humanitarian situations.

III. STRATEGIC VISION

13. The core aims of AU's humanitarian action are to: preserve, protect and save lives, alleviate suffering and enhance physical and human security and dignity of affected populations affected humanitarian crises. The thrust of this policy therefore, is to strengthen Africa's humanitarian governance by enhancing the AU's leadership role and mandate through providing strategic approaches and guidelines for African Union led efforts in conformity with African Shared Values, and norms and standards for humanitarian action on the African continent; in full respect of international law; and on the other hand in strengthening the primary responsibility of Member States by strengthening their predictive, preventive, response and adaptive capabilities.

IV. PURPOSE, SCOPE AND APPLICABILITY

14. The purpose of the Framework is to establish a strategic approach and guidelines for coordinating and supporting AU's involvement in its early warning and prevention efforts, in addressing root causes and durable solutions, ensuring adequate preparations to respond to and deal with root causes and the aftermaths of humanitarian challenges on the continent. This will be in conformity with AU's core aims of humanitarian action mentioned above.

15. With full respect of the principle of the primary responsibility of State(s) in accordance with principles of International Law, the Framework complements the humanitarian policies of AU Member States, RECs, the international community, including the UN agencies, the Red Cross and Red Crescent Movement, national and international NGOs and other humanitarian actors and stakeholders.

16. This Framework is applicable to all AU humanitarian work and interventions in Africa, involving the Diaspora, Private Sector, and African Philanthropism, in conformity with norms and standards in international law.



V. OBJECTIVES

17. The objectives of the Framework are to:

- a) protect and assist with full respect to national legislations, and support in cases of conflict, development projects and natural and human-induced disasters, persons in need of humanitarian assistance,, taking into consideration the special needs of women and vulnerable groups especially, children, youth, the elderly and people with special needs;
- b) support and promote, the prevention and alleviation of abuses and its effects, and the restoration of dignified conditions of life;
- c) support the capacity of RECs based on their respective responsibilities and mandates in accordance with international law to build resilience according to particular context of communities against conflicts in a way that does not alter the legal status of those communities, development projects, natural and human-induced disasters, especially those that undermine human security and sustainable development;
- d) promote dialogue and create enabling space for coordinated humanitarian action and exchange of good practices;
- e) enhance humanitarian coordination, where appropriate, including AU Member State civil-military humanitarian coordination and with traditional leaders, women groups, faith based organisations and host communities that will create appropriate interaction on peace, security and transition programmes to address root causes of insecurity and vulnerability;
- a. promote the protection of stateless persons or persons at risk of statelessness, and promote the resolution of statelessness and right to nationality, in accordance with 1961 International Convention on the Reduction of Statelessness; relevant AU Instruments and national laws;
- f) strengthen planning through research and reliable data; and humanitarian information management and exchange in support of Member States and RECs;
- g) promote strategies and measures to support host communities to cope with the impact of hosting displaced populations; including specific measures for protection and restoration of the environment in affected areas;
- h) enhance partnerships and resource mobilization.

VI. LEGAL AND INSTITUTIONAL BASIS

18. The interpretation of this framework, the responsibilities, obligations, privileges, authorities and mandates it entails shall be solely based on the principles of international law, including but not limited to International Refugee law, International Humanitarian Law, International Human Rights Law and International Criminal law; including the jurisdiction of States in this context, and the national legislations of Member States. In particular, this Framework takes into consideration relevant regional legal instruments and decisions of the relevant African Union Organs, including, but not limited to:



- a) *The Constitutive of the AU*²⁴
- b) *The Protocol Relating to the establishment of the AU Peace and Security Council (Article 6(b)(e)(f), Article 12(4), Article 13(f) and Article 15)*
- c) *The African Charter on Human and Peoples' Rights*²⁵ *and its Protocol on the Rights of Women*
- d) *The African Charter on the Rights and Welfare of the Child;*
- e) *The Protocol to the African Charter on the establishment of an African Court on Human and People's Rights*²⁶
- f) *The OAU Convention Governing the Specific Aspects of Refugee Problems in Africa*²⁷
- g) *The AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa*²⁸
- h) *AU Guidelines on the Protection of Civilians in Peace Support Operations*
- i) *The AU Policy on Post-Conflict Reconstruction and Development (PCRD)*
- j) *Assembly Decision, Assembly/AU/Dec.486 (XXI) On Alternative Sources of Financing the African Union*
- k) *Assembly Decision, Assembly/AU/Dec.489 (XXI) On the Establishment of an African Capacity for Immediate Response to Crisis*
- l) *Executive Council Decision, EX.CL/Dec.591 (XVII), July 2010 on Food Security*
- m) *Executive Council Decision, EX.CL/734 (XXI), July 2012 on African Risk Capacity (ARC)*
- n) *AU Strategy and Plan of Action on Disaster Risk Reduction (DRR).*

International Humanitarian Law

19. The foundation of this Policy Framework is anchored on the principles of International Humanitarian Law (IHL), and other bodies of international law. African Union Member States shall endeavour to domesticate, promote and apply IHL in situations of armed conflict

²⁴The AU Constitutive Act adopted at the 36th Ordinary Session of the Assembly of Heads of State and Government, 11 July 2000, Lome - Togo in Articles 3 (f), (g) & (h); and Art. 13.

²⁵ African Charter on Human and Peoples' Rights, (Adopted 27 June 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force 21 October 1986)

²⁶ Adopted on 10 June 1998 and entered into force on 24 January 2004 in its articles 2 and 3.

²⁷ Adopted on 10 September 1969, entered into force on 27 June 1974.

²⁸ Adopted by the Special Summit of the AU held in Kampala, Uganda, on 22 October 2009. Entered into force on 6 December 2012



VII. PRINCIPLES AND STANDARDS

20. The implementation of this Framework shall be guided by the following principles:

- a) Humanitarian Principles: humanity, impartiality, independence and neutrality;
- b) State Responsibility: the primary role and responsibility of States to protect and assist affected populations within their territory;
- c) Compliance: Commit to adhere to established international norms and standards including Guidelines and Codes of Conduct recognized by the African Union;
- d) Non-indifference: conformity with the relevant provisions contained in the Constitutive Act of the African Union;²⁹
- e) Solidarity: African customary extension of hospitality/egalitarianism and solidarity with persons in situation of need and distress is institutionalized as an integral part of humanitarian response.
- f) Accountability: Transparency and accountability must apply to all humanitarian actions;
- g) Participation and Ownership: Affected populations/communities are the cornerstone of the planning and decision-making processes in humanitarian response.
- h) Subsidiarity and Complementarity: between African Union Commission, other Organs of the African Union, Member States and RECs, the UN and other actors and stakeholders;
- i) Gender mainstreaming: All activities must take into account the gender dimensions of humanitarian action;
- j) Vulnerable Groups and People with Special Needs: All activities must take into account the dimension relevant to women and vulnerable groups especially, children, youth, the elderly and people with special needs;
- k) Non-Violability of Humanitarian workers, infrastructure and facilities: Humanitarian workers are to operate in a safe and secure environment, free of threat and/or intimidation; in accordance with national legislations, access and protection and respect for infrastructure and facilities;
- l) Support to host communities: Humanitarian interventions shall take into account the impact on host communities as a result of hosting displaced populations and take such measures to alleviate the impact;
- m) African Union Guidelines in humanitarian action.

²⁹ AU Constitutive Act, Art 4. h, i & j.



VIII. POLICY STRATEGIC FOCUS

A. COORDINATION MECHANISMS

21. Coordination of AU's humanitarian action in Africa is to be multi-dimensional and a shared responsibility and shall be vested with AU, Member States and RECs involving a variety of actors and stakeholders, tools and mechanisms.

The PRC and its Sub-Committee on Refugees, Returnees and IDPs

22. The PRC through its Sub-Committee on Refugees, Returnees and IDPs shall play its role in accordance with its mandate including its oversight role.

Division of Humanitarian Affairs, Refugees and Internally Displaced Persons

23. The Framework situates Department of Political Affairs-Division of Humanitarian Affairs, Refugees and Internally Displaced Persons (HARDP) as the primary Unit to provide policy, technical and material coordination on humanitarian issues, support to AUC, Member States and RECs including through:

- a) advocacy for appropriate training including on emergency preparedness and response at national and regional levels,
- b) capacity building at national and regional levels,
- c) use of existing mechanisms of early warning and monitoring systems; and
- d) support greater Member States legal and policy preparedness to overcome legal and/or regulatory barriers.

24. HARDP as main focal point on humanitarian activities in the AU, shall with enhanced resources provide policy guidance, coordination and other functions as necessary.

Coordinating Committee on Forced Displacement and Humanitarian Action

25. The CCoFDHA (formerly the CCAR), comprising Member States, RECs, UN entities, NGOs and other humanitarian actors and stakeholders is the main Advisory Body on humanitarian issues in the AU. The CCoFDHA shall meet biannually and when necessary, and provides technical advice to relevant AU organs. The CCoFDHA shall respect the nature of the AU as an Organisation of States and its decision-making process shall be based on these principles.

Coordination with Regional Economic Communities

26. The Framework supports efforts of RECs and provides strategic coherence and coordination for humanitarian activities in Africa and at regional level. The RECs as building blocks of the AU shall develop and maintain their operational capacity to respond to humanitarian crises, while the AU will facilitate interaction and interoperability between the RECs in humanitarian preparedness and response. The AU Liaison Offices within the RECs shall play an important role in facilitating such interaction.



Coordination with the Humanitarian Community

27. Without prejudice to UN Resolution 46/182, which established the global humanitarian system, the UN Emergency Relief Coordinator (ERC), supported by the UN Office for the Coordination of Humanitarian Affairs (OCHA), plays an important role in humanitarian action worldwide.

28. The functions of the ERC are exercised through the Inter- Agency Standing Committee (IASC) which comprises, among others, relevant operational UN agencies, the Red Cross and Red Crescent Movement, consortia of NGOs and other humanitarian actors and stakeholders as appropriately devolved in relation with the African Union Commission. This Framework provides a strategic interface between the IASC and the AU for coordinated humanitarian action at the national, regional and continental level.

29. The AU will work with, and reinforce, this overall international humanitarian system as part of its leadership role in humanitarian action. This includes ensuring regular contact between the African Union Commission Chairperson and the Emergency Relief Coordinator on humanitarian issues of common concern.

Humanitarian Civil-Military Coordination

30. Within the African humanitarian context, dialogue and interaction between civilian and military actors shall be established in order to protect and promote humanitarian principles, enable humanitarian access, encourage coordination, and when appropriate pursue common goals. Noting that as a last resort and under civilian leadership, the use of military and civil defence assets (MCDA) may be required to carry out humanitarian activities, particularly within, but not limited to, the framework of the African Standby Force (ASF) and its structures and tools such as Humanitarian Action and Natural Disaster Support (HANDS) Guidelines on the role of the ASF.

31. The AU shall ensure that any use of military and civil defence assets in humanitarian action when necessary and limited in time and scope, shall be guided by the principles of International law and together with and takes place in accordance with the Oslo guidelines, the MCDA guidelines and other relevant applicable norms, frameworks and standards.

African Union Internal Coordination

32. Internal Coordination of AU's efforts in humanitarian action shall be anchored on its Humanitarian Affairs Division, Department of Political Affairs as the hub. In the event of a humanitarian crisis, the Department of Political Affairs will coordinate and mobilize collective African Union response; including coordination with the Organs of the Union, such as the Arusha Court on Human and Peoples Rights, the Banjul Commission on Human and People's Rights and the AU Special Rapporteur on Human Rights of Refugees, Returnees and IDPs.

Operationalizing the Mechanisms

33. To operationalize these coordination mechanisms at various levels, the following shall be undertaken; **at global level**, the AU shall continue through its Missions and Member States to highlight its humanitarian concerns in international fora, in particular the UN General Assembly, Human Rights Council, ExCOM of UNHCR; **at continental level** shall be through established Organs of the Union such as regular reports to the Peace and Security Council, Special/Emergency Appeals and High level platforms by the Chairperson on specific emergency situations, joint assessments and its annual humanitarian symposium, including



Member States, RECs and RMs. **At national and regional level**, similar synergy and linkages shall be strengthened, including regular meetings between REC and Member States to enhance cooperation amongst them.

B. PHASES OF AU's HUMANITARIAN ACTION

C. EARLY WARNING

34. In the context of this framework, Early Warning includes monitoring systems in order to achieve enhanced predictability and information gathering on emerging and on-going humanitarian situations. To this end, the AU Continental Early Warning System and the RECs' mechanisms will be utilized to monitor and assist in developing early warning for disasters and humanitarian situations.

35. The Framework, therefore leverages and encourages coordination of early warning and monitoring systems in order to achieve enhanced predictability and information gathering on emerging and on-going humanitarian situations. To this end, the AU Continental Early Warning System and the RECs' mechanisms will be utilized to monitor and assist in developing specific humanitarian early warning indicators on humanitarian situations.

36. The Framework encourages the development and integration of specific humanitarian monitoring and evaluation tools covering all phases of humanitarian action into the Continental Early Warning System that incorporates humanitarian indicators, which should be appropriate to facilitate early action. These efforts shall not rely on one mechanisms. Various levels of early warning shall also be developed at different levels. These monitoring and evaluation tools will include both quantitative and qualitative data and be designed to measure the political and social impacts as well as the administrative performance and results of humanitarian action.

37. In addition, the AU shall:

- a) undertake regular joint assessments with Member States, based agreed upon criteria and to monitor humanitarian situations in Member States in order to determine the need for a continental solution as required;
- b) Support Member States and regional structures to develop their early warning capabilities, including in developing such relevant indicators shall be based on the respective mandates of RECs in accordance with their obligations under international law and driven by a process of consultation with Member States;
- c) develop national, regional and international networks amongst humanitarian actors and stakeholders for information sharing and reporting system, with full consideration of the sovereignty of Member States and international obligations;
- d) monitor and implement decisions and recommendations by AU Organs;
- e) implementation of information system for areas prone to crises;
- f) develop early warning indicators for early action as a process to be part of humanitarian action.

PREPAREDNESS AND RESPONSE

38. Contingency plans and measures will be put in place to prepare, mitigate and reduce the effects of different forms of disasters. These measures include institutional mechanisms that serve as tools to predict and where possible prevent disasters and mitigate their impact on vulnerable populations. It also includes response mechanisms and building immeasurable resilience for communities to withstand disasters to effectively cope with the consequences of disasters. This notwithstanding, resilience shall not infer resilience of communities to abuse of their human rights and shall not constitute *defacto* solution that affect the legal status of the communities or force them into one durable solution.

39. The emergency response teams shall be established and will comprise personnel drawn from established regional, sub-regional and national mechanisms and supported by tools and mechanisms such as the Centre for Disease Control, Disaster Management Guidelines, African Disaster Managers' Platform and Humanitarian Action and Natural Disaster Support, including the sub-regional early warning mechanisms. These institutional mechanisms will establish thematic Emergency Response Teams based on regional and national capabilities to predict, prevent, response and adapt; with emphasis on synergy, while drawing on capabilities of relevant UN Agencies and partners when required.

40. The Centre for Disease Control (CDC) shall be established in collaboration with WHO and other relevant UN agencies and Organisations will work with the African Union in responding to epidemics and pandemics and will serve as a platform for Member States to share knowledge, exchange lessons learned, build capacity, and provide technical assistance to each other as mitigation and preparedness measures. The Centre will be guided by the principles of leadership, credibility, ownership, assembly, transparency, accountability, and additive value. It aims to (i) establish event-based surveillance in order to detect potential disease threats from informal, non-structured sources that often circulate outside the official health sector; (ii) assist Member States to address gaps in International Health Regulation compliance, (iii) support public health emergency preparedness and response and (iv) regional and country-level hazard mapping and risk assessments for Member States.

41. The HANDS Guideline as one of the tools of the African Union Humanitarian Policy Framework provides a framework for the ASF to rapidly respond and deploy in emergencies that may arise as a result of either natural or human-induced disasters. The guideline outlines the scope on the use of assets and capabilities drawn from the ASF and provides for rapid deployment in humanitarian and natural disasters in line with the Constitutive Act of the African Union, the Protocol establishing the Peace and Security Council and the Policy Framework for the establishment of the African Standby Force.

PROTECTION AND ASSISTANCE

42. Protection, in the broadest sense, aims to ensure that authorities and other actors respect their obligations and the rights of individuals in order to preserve the lives, human security, physical and moral integrity and dignity of those affected by armed conflicts and/or other relevant situations of violence as well as natural and human-induced disasters. Protection includes efforts that strive to prevent or stop actual or potential violations of international humanitarian law and other relevant bodies of law or norms that protect human beings. Above all, protection aims to eradicate the causes of violations, or the circumstances that lead to them, by addressing the perpetrators of the violations. This Framework reaffirms the primary responsibility of States for protecting and assisting people affected by conflict, development projects, natural and human-induced disasters, taking into account the specific



needs of the most vulnerable, namely refugees, returnees, asylum seekers, Stateless Persons and IDPs.

Protection of Refugees, Asylum Seekers, Returnees, Stateless Persons and Internally Displaced Persons

43. As per the 1951 UN Convention relating to the Status of Refugees and the 1969 OAU Convention on Specific Aspects of Refugees in Africa, refugees and asylum seekers are those seeking international protection outside of their countries of origin or residence. In addition, [the 1954 UN Convention on the Reduction Of Statelessness](#) applies to certain categories of stateless persons who are not considered to be nationals of any state. The AU Convention on the Protection and Assistance of Internally Displaced Persons in Africa, defines Internally Displaced Persons as “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict and external occupation, gross violations of human rights which are considered crimes under international law or natural or human-made disasters; and who have not crossed an internationally recognized state border”³⁰.

44. All displaced people are entitled to the protection of their human rights and assistance accorded to them by relevant laws, bearing in mind the special protection and assistance needs of particular groups within displaced populations, including women and children, single heads of household, unaccompanied minors, persons living with disabilities and special needs, and the elderly persons, and youth³¹. Special protection needs of these categories of displaced persons include, but are not limited to protection against, sexual and gender-based violence especially against women and children in all forms, statelessness, slavery, recruitment of children and forced conscription in hostilities, forced labour, human trafficking and smuggling.

Assistance to Refugees, Asylum Seekers, Returnees, Stateless Persons and Internally Displaced Persons

45. Humanitarian assistance within the context of this framework refers to aid and actions designed to save lives, alleviate suffering and maintain and protect human dignity during and in the aftermath of human-induced crises, development projects and natural disasters, as well as to prevent and strengthen preparedness for the occurrence of such situations, in full respect of the sovereignty of States and international law.

46. AU’s humanitarian response mechanism puts people at the centre of humanitarian assistance. The strategic objective of assistance shall be to save lives, restore hope through effective and timely humanitarian response. Assistance may be divided into three categories - direct assistance, indirect assistance and infrastructure support – to the affected populations and host communities.

47. Humanitarian response to be effective shall be principles-based. Therefore, securing such principled action shall be the primary responsibility of Member States and all humanitarian actors involved in humanitarian action on the continent shall uphold it, in accordance with national legislation and international law.

³⁰ AU 2009 Convention for the Protection and Assistance of IDPs in Africa.

³¹ Addressing Internal Displacement: A Framework for National Responsibility, The Brookings Institution – University of Bern, Project on Internal Displacement, April 2005



48. The distinguishing character of humanitarian response from other forms of aid and assistance on the continent shall be guided by African Ideals, Shared Values and doctrine of traditional African hospitality (*Ubuntu*), outlined in paragraph 20 of this Framework above, relevant AU Instruments and the principles of international humanitarian law:

- a) humanity – saving human lives and alleviating suffering wherever it is found,
- b) impartiality – acting solely on the basis of need, without discrimination between or within affected populations,
- c) neutrality – acting without favouring any side in an armed conflict or other dispute where such action is carried out,
- d) independence – the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented.

49. Assistance in situations of armed conflict, shall be guided by IHL, which provides framework for negotiating humanitarian access with all parties to a conflict. The role of CMC and role of the ASF in supporting humanitarian action in natural and conflict situations shall be guided by HANDS Guideline.

50. Response in the event of a humanitarian crises shall be triggered and guided by the levels described in the Disaster Management Guideline and the Scenarios outlined in the ASF Protocol.

51. Hosting displaced populations may have long-term economic and social impact that, if not adequately addressed, can create potential conflict situations and insecurity. Measures shall be put in place to enable the host communities cope with such impact and to ensure co-existence between the displaced population and the host communities.

52. Therefore, assistance extended to displaced populations shall also take into account the concerns of host countries and communities, to enable them cope with the impact of hosting large numbers of displaced populations. Specific measures shall be implemented with the full participation of host communities and local government to mainstream such assistance in existing social service delivery systems and development plans. Every effort shall be made to avoid parallel structures.

53. Humanitarian assistance interventions shall from the initial stages take into account the long-term needs of displaced populations and host communities. There shall be benchmarks and minimum denominators set to achieve this goal from the early stages of humanitarian interventions and shall extend to phases straddling from relief to peace-building and post conflict reconstruction and development.

54. Beyond protection and assistance this Framework recognizes that durable solutions to displacement are an integral part of the overall protection framework to forced displacement. The Framework therefore supports the AU, Member States, RECs and other relevant stakeholders in finding and implementing appropriate durable solutions for the displaced persons.



Protection and Assistance to Women, and Vulnerable Groups in Humanitarian Situations

55. The majority of displaced populations are women and children who require special measures for protection and assistance and reintegration without affecting their future opportunities of fair, self-determination and durable solutions or reinsertion in areas of former residence in a smooth process by the host countries, and appropriate sustainable solutions. Special attention shall be paid to women and children, in particular girls, who due to particular circumstances and customs frequently face discrimination in obtaining assistance and access to basic social services, opportunities and documents and/or credentials in their own names.

56. Special measures shall also be implemented to specifically protect and assist children, especially those unaccompanied minors, who are particularly vulnerable to the consequences of displacement, including being trafficked, permanently separated from their families, abused and are vulnerable to being recruited and used in hostilities. Their vulnerability is exacerbated by the trauma of conflict and violence.

Protection and Assistance of Stateless Persons

57. Stateless Persons require protection and assistance in order to ensure their dignity and to protect them against forced displacement and trafficking, integrate them in their countries of habitual residence and guarantee their return in dignity to their places of habitual residence. [As per the 1954 Convention Related to the Status of Stateless Persons](#), persons are entitled to protection and assistance. The Framework supports Member States in finding appropriate solutions for Stateless Persons, including identification, documentation and other necessary assistance.

Protection and Assistance in Mixed-Migration

58. The AU Migration Policy Framework for Africa, adopted in June 2006³² provides a clear distinction between forced displacement and other forms of population migrations. The phenomenon of mixed-migration movements within and out of Africa poses a challenge with varying humanitarian consequences. Migrants in mixed and/or irregular migratory flows are often faced with denial of asylum, the risk of abuse and exploitation and violation of their basic human rights without access to basic services including food, medical services, and shelter, protection from abuse and exploitation as well as attack by different groups.

59. In this context, the Framework will support Member States and RECs in creating best practices in the area of treatment of asylum seekers as well as other migrants. Such best practices could include sharing of appropriate data and information related to the movement of populations across borders including pastoralists; patterns and characteristics of movements, types of groups, countries of origin, motivation for movement, modes of transport, transit routes and entry points, migrants possession of authentication credentials and access to legal procedures.

60. The African Union Commission will, in collaboration with relevant partners, provide appropriate technical assistance and expertise to Member States and coordinate technology and organisational structures in distinguishing categories of migrants, and create provision for protection and humanitarian assistance to those affected.

³² AU Migration Policy Framework for Africa, adopted in Banjul, The Gambia, 29 June 2006 (Ex.Council/276(IX)).



Protection of Civilians in Armed Conflict

61. The role of the AU Member States and the African Union in protecting civilians in armed conflict is a basic element of international humanitarian law and Constitutive Act of the AU. The specific issue of protection of civilians in armed conflict in the context of this Framework refers to “...all activities aimed at obtaining full respect for the rights of the individual recognized under regional instruments including the African Charter of Human and Peoples’ Rights, the Convention on Internally Displaced Persons, and the Convention Governing the Specific Aspects of Refugee Problems in Africa, and international law including humanitarian, human rights and refugee law based on a multi-faceted and coordinated approach with clear responsibilities for the military, police and civilian components, which recognizes the protection activities of the host State authorities, local communities, humanitarian and other actors [...]”³³

62. Protection of Civilians is an element to be streamlined across all areas of interventions by the African Union as guided by this Framework. Accordingly, the AU shall:

- a) ensure that military forces and all personnel likely to come in contact with civilians in AU mandated peace support operations are adequately trained on protection issues.

63. In addition, the AU shall remind and support Member States to:

- a) comply with all their obligations under International Humanitarian Law relating to the protection of civilians in armed conflict,
- b) ensure the maintenance of the civilian and humanitarian character of refugee and IDP settings.

64. Set other special measures with full respect to relevant existing legal and boundaries in place, including by mandating peace support operations in the area of protection of civilians in conflict zones, according to the mandate of the Constitutive Act of AU.

DISASTER MANAGEMENT

65. Disaster management of this policy covers the entire cycle from early warning, prevention, preparedness, response, and recovery. It is focused on natural, development induced, conflict and human-induced disasters without prejudice to the authority and jurisdiction of states and mandates of international organisations. It is the management of resources and responsibilities for dealing with all humanitarian aspects of emergencies, in particular preparedness, response and recovery in order to lessen the impact of disasters.

66. The Policy Framework will implement the disaster management, preparedness, and response and recovery components through the African Union Disaster Management Guideline, which is annexed to this Framework, after its adoption by Member States.

DISASTER RISK REDUCTION (DRR)

67. The Framework recognises and aims to link humanitarian action to AU’s Disaster Risk Reduction Framework, both at policy and operational level. Disasters are consequences of

³³AU Guidelines for the Protection of Civilians in AU Peace Support Operations



both natural and human induced hazards. The severity of which depends on how much impact a hazard has on society and the environment. The scale of the impact in turn depends on the preparedness level prior to disasters. The preparedness level determines the level of resilience of communities to cope and withstand.

68. Disaster risk reduction is understood as the practice of reducing disaster risks through systematic efforts to analyse and reduce the causal factors of disasters. Reducing exposure to hazards, lessening vulnerability of people and property, wise management of land and the environment, and improving preparedness and early warning for adverse events; shall constitute a key continuum of AU's humanitarian response.

INCLUSIVE PEACE PROCESSES

69. The Framework acknowledges the role of various existing conflict resolution mechanisms for peaceful settlement of disputes within and amongst Member States, including in respect of consequences of conflicts such as forced displacement. It is therefore, imperative that for an inclusive peace process that is aimed at achieving sustainable peace, affected populations and host communities be part of the process. This inclusiveness, guarantees sustainable peace and promotes the culture of peace building and mechanisms for consolidation of such peace.

70. The inclusive dialogue should promote cessation of hostilities, negotiate humanitarian access and space, create safe havens, ensure the integrity and safe delivery of humanitarian assistance, as well as engender compliance by all warring factions with their obligations both under the ingredients of the resulting peace.

POST CONFLICT RECONSTRUCTION, RECOVERY AND DEVELOPMENT

71. This policy recognises the fact that protracted and recurrent conflict situations, which lead to fragility of states are due to lack of the culture of peace and sustainable peace mechanisms. It lays emphasis on the need for redoubling efforts in the post conflict era. To achieve this in a sustainable way this Framework recognises the development, peace and security nexus and calls for deliberate measures to link humanitarian action with peace building, post conflict and development efforts. Recognising this link is particularly important to ensure sustainability of peace. Therefore, it is important to take cognizance of inclusive peace processes and good governance as key to preventing relapse into fragility of societies emerging out of conflict. This is also consistent with AU's long-term development vision encapsulated in Agenda 2063 and sustainable development goals which lay emphasis on the inextricable link between development and peace, security and stability as prerequisites for sustainable development.

72. Therefore in line with these goals and the Sendai Framework particularly Pillar [three](#) regarding building back better, efforts shall be made to strengthen national reconciliation to strengthen peace and to link humanitarian action and post conflict reconstruction, recovery and development efforts. This mandate is derived from the Protocol Relating to the Establishment of the Peace and Security Council which was created to, *inter alia*, promote and implement peace-building and post-conflict reconstruction activities and to consolidate peace and prevent the resurgence of conflict. This mandate is extended to countries affected by violent conflict to include the consolidation of peace agreements, establishing conditions of political, social and economic reconstruction of the society and government institutions, implementation of disarmament, demobilization and reintegration programmes, including those of child soldiers,



resettlement and reintegration of refugees and internally displaced persons, and assistance to vulnerable persons, including children, the elderly, women and other traumatised groups.³⁴

73. The PCRCD shall be the guiding tool for sustainable solutions for transitioning from an emergency to early recovery, stabilisation and development. The objective of the PCRCD policy is to improve timeliness, effectiveness and coordination of activities in post conflict countries and to lay the foundation for social justice and sustainable peace and development, in line with the long-term development goals of the African Union.

74. The PCRCD also highlights the imperative for comprehensive and integrated action for the recovery, reconstruction and development of countries emerging from crisis. It includes the development of operational guidelines at regional and national levels, the development of a database of African experts on PCRCD and the establishment of an AU Volunteers programme (AUV) to enhance African capacity to respond to recovery and post-conflict reconstruction needs. It further elaborates minimum standards, indicators and benchmarks that can be applied to evaluate a country/sub-region/regions' progress towards reconstruction and development, after consultations with Member States and reaching an agreement on such minimum standards, indicators and benchmarks.

D. ENHANCING CAPACITY AND FOSTERING PARTNERSHIPS

75. This policy framework emphasizes that in building humanitarian partnerships, AU shall ensure that such partnerships put the affected people at the centre of partnership efforts and shall be based on mutual trust and transparency.

76. The Framework will enhance the capacities and capabilities of the AU, Member States and the RECs according to their respective responsibilities and mandates under international law and regional instruments, and as well as the Red Cross and Red Crescent Movement in the full spectrum of humanitarian action.

77. The Framework focuses on building partnerships taking into account Assembly Decision **EX CL Dec 668-695 (XX)**, which calls for partnerships taking into account their meaningful and comparative advantage at the international and regional levels, and fosters new and innovative best practices. National, regional, International and local partnerships will be strengthened to secure rapid mobilization of resources and to provide an effective channel to extend widely the impact of AU humanitarian assistance.

78. This Framework encourages relevant local and international partners, academia and research institutions and stakeholders to support the AUC in, amongst others, strengthening the capacity of its staff and Member States in rapid response, contingency planning, simulation exercises, effective humanitarian coordination and early warning systems.

E. HUMANITARIAN FINANCING AND RESOURCE MOBILISATION

79. The Framework promotes strategies for enhancing capacities and capabilities in context of whole set of AU policies and positions for humanitarian action on the continent shall be guided by the doctrine of Africa's resources for Africa's humanitarian action. There shall be a predictable and adequate funding for emergency preparedness and humanitarian response. This is key to an efficient and timely humanitarian action and the implementation of this Framework.

³⁴ Protocol Relating to the Establishment of the PSC, article 14 (3).



80. The AU funding mechanisms such as the Special Emergency Assistance Fund, and the 4% Member States assessed contribution in accordance with Executive Council Decision EX.CL/591 (XVII), serve as the main basis of funding humanitarian activities on the continent and AU shall endeavour to strengthen them.

81. Member States are invited to allocate resources in their national budgets of 1.5% of GDP, towards humanitarian action in line with their commitments under the Sendai Framework..

82. Without prejudice to this inward-looking African strategy on resource mobilisation, this policy underline the need for the international community to abide by its responsibilities, commitments and pledges towards humanitarian action in Africa.

83. It is acknowledged that financing tools under the global humanitarian system are not designed to finance African solutions based on what Member States have defined. However, within the framework of this policy, the AU, Member States and RECs, shall where necessary exercise leadership in coordinating the effective use of resources mobilised by existing international financing mechanisms such as the REC mechanisms, the United Nations Central Emergency Response Fund, the Consolidated Appeals Process, and the country-specific Common Humanitarian Funds and Emergency Response Funds, towards humanitarian action on the continent.

84. Accordingly, the AU SHALL:

- a) use its unique convening power to secure funds and resources for the implementation of humanitarian activities for humanitarian effectiveness.

85. The policy underlines that no action shall be taken in mobilising alternative resources for humanitarian response without taking full cognizance of Africa's interest, and a thorough study of the impact of such efforts on the independence of the African Union, its character and without consideration of availability of other alternatives, and shall be with approval of Member States.

F. RESEARCH, KNOWLEDGE, COMMUNICATION AND ADVOCACY

86. Research, communication and advocacy are important in humanitarian response, in raising awareness and evidence based data to inform decision-making.

87. AU, Member States and RECs shall therefore undertake research, extensive communication and advocacy measures. In this regard, the AU shall:

- a) Invest in knowledge creation and innovation;
- b) Reinforce its role as spokesperson on African humanitarian issues;
- c) Support the production of communication and advocacy tools in support of humanitarian action;
- d) Promote visibility and awareness of the humanitarian situation and efforts of the Africa Union, Member States and RECs;
- e) Undertake research and studies to facilitate analysis and evidence based decision-making based on reliable baseline data and indicators;



- f) Share good practices and knowledge in relation to humanitarian action;
- g) Undertake humanitarian diplomacy on a regular basis to analyse humanitarian situation on the continent as necessary and conduct advocacy on humanitarian issues with Member States, RECs and the international community;
- h) Gather, collate, and verify with Member State and publish data on humanitarian issues and produce an annual humanitarian evaluation report that highlights achievements, weaknesses and recommendations;
- i) Provide a platform for debates, exchange of information and good practices and success stories of Africa's humanitarian action and partner with institutions, individuals and the private sector to drive African humanitarian agenda.

G. MONITORING, EVALUATION AND REPORTING

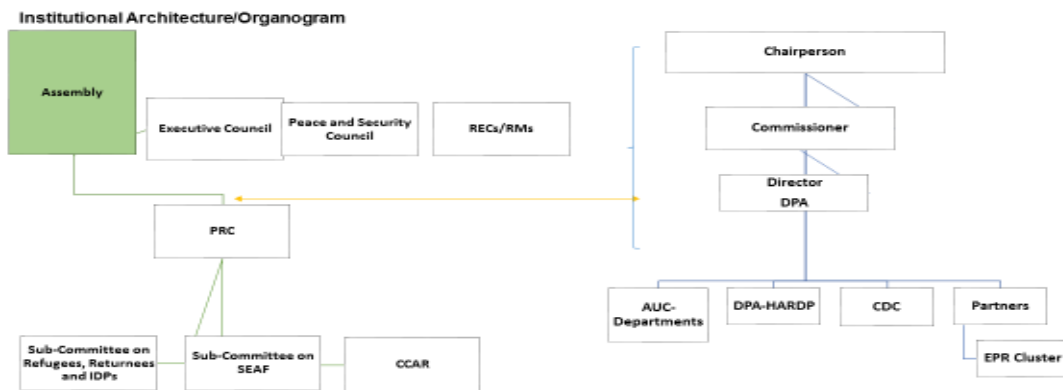
88. The AU Commission will follow-up and evaluate humanitarian efforts and submit annual report to the relevant organs of the AU on the humanitarian situation in Africa. The Framework encourages Member States and RECs to participate in joint assessments and reporting on the **HUMANITARIAN SITUATION** in respective Member States. The follow-up mechanism shall be facilitated by a coordinated system of evaluation and monitoring. The reporting shall also include report on finance on a criteria and procedures that shall be determined with participation of the AU STC on Migration, Refugees and IDPs, and Member States.

IX. IMPLEMENTATION

89. This Framework will become operational upon approval/adoption by relevant AU policy Organs. RECs and Member States shall undertake measures in the operationalization of the Framework.

ANNEXES

Annex 1: Institutional Architecture/Organogram (TBP)



Annex 2: Implementation Plan

Time Frame	Activity	Lead- Responsibility
Phase 1		
December 2016	Presentation to AU Member States Experts and Ministers in-charge of Forced Displacement Matters	AU HARDP Division
Phase 2		

KEY REFERENCES

1. The Constitutive Act of the AU(2000/2001)
2. Strategic Plan of the AU Commission 2009-2012
3. The AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)
4. The Kampala Declaration on Refugees, Returnees and Internally Displaced Persons in Africa
5. Comprehensive Recommendations on Refugees, Returnees and Internally Displaced Persons in Africa
6. AU Policy on Post-Conflict Reconstruction and Development, July 2006
7. OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969)
8. African Charter on Human and Peoples' Rights (1981/1986)
 - a) Protocol on the Rights of Women in Africa (2003/)
 - b) Protocol on the Establishment of an African Court on Human and Peoples' Rights (1998/2004)
9. African Charter on the Rights and Welfare of the Child (1990/1999)
10. 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol
11. The 1949 Geneva Conventions and the two 1977 additional protocols on the Protection of Civilians in Armed Conflicts
12. UN Guiding Principles on Internal Displacement
13. ICRC: Enhancing Protection for Civilians in armed conflict and other situations of violence
14. AU Migration Policy Framework for Africa, adopted in Banjul, The Gambia, 29 June 2006 (Ex.Council/276(IX).
15. Addressing Internal Displacement: A Framework for National Responsibility, The Brookings Institution – University of Bern, Project on Internal Displacement, April 2005
16. AU Guidelines for the Protection of Civilians in AU Peace Support Operations
17. UNHCR Framework for Durable Solutions for Refugees and Persons of Concern, Executive Committee of the High Commissioner's Programme, 2003.
18. Report of AU Consultative Meeting with the SADC Member States on the Plan of Action for the Implementation of the Outcomes of the Special Summit on Refugees, Returnees and IDPs in Africa
19. Framework Convention on Civil defence Assistance (ISDO, 22 May 200), Geneva
20. The Yaoundé Declaration on the Implementation of the Sendai Framework Africa, July 23 2015, YDE.

EX.CL/936(XXVIII)
Annex 4

**DRAFT COMMON AFRICAN POSITION ON HUMANITARIAN
EFFECTIVENESS TO BE SUBMITTED TO THE WORLD
HUMANITARIAN SUMMIT,
ISTANBUL, TURKEY MAY 23- 24 2016**



**DRAFT COMMON AFRICAN POSITION ON HUMANITARIAN
EFFECTIVENESS TO BE SUBMITTED TO THE WORLD
HUMANITARIAN SUMMIT, ISTANBUL, TURKEY MAY 23- 24
2016**

<p>THEME: <i>One Africa, One Voice, One Message at the World Humanitarian Summit</i></p>

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I. PREAMBLE

WE, the Heads of State and Government of the African Union assembled in Addis Ababa, Ethiopia, during the 26th Ordinary Session of the Union on 30 January 2016,

1. **NOTE:** The *political process* involving consultations in all the five regions of the Union was inclusive and participatory, involving Member States, Regional Economic Communities (RECs) and Regional Mechanisms (RMs); International Committee of the Red Cross (ICRC), UN Agencies, International Federation of the Red Cross and Red Crescent Societies (IFRC), various stakeholders at the national, regional and continental levels among the public and private sectors, civil society organizations, women and youth associations, academia and the Diaspora;
2. **RECOGNIZE:** Leadership of the Permanent Representatives Committee (PRC) Sub-Committee on Refugees, Returnees and Internally Displaced Persons (IDPs) and the coordinating role of the African Union Commission, particularly the Department of Political Affairs, and technical support from the High Level Advisory Group and Norwegian Refugee Council, UN Agencies as well as various Partners, in facilitating the process;
3. **REITERATE:** The principles of Pan-Africanism and Shared Values as foundations for Africa's humanitarian response and call for African Solutions to African problems;
4. **COGNISANT:** That AU is pursuing its own humanitarian agenda in line with aspirations of the 50th Anniversary Declaration and long-term vision encapsulated in Agenda 2063, in the three Domains, namely: Democratic and participatory Governance; Peace and Security, inclusive-people centred development and their consequences as drivers of humanitarian crises and durable solutions;
5. **REITERATE AND RECOGNIZE:** The inextricable link between good governance, development, peace and security and climate change, and their impact on the humanitarian system. Reiterate our collective vision in the Common African Position on Post 2015-Sustainable Development Goals (SDGs).
6. **FURTHER REITERATE:** The need to put the people at the centre of all aspects of humanitarian response. In line with this we recall Pillar III of the Common African Position on SDGs on "*people centred development*". On Pillar VII, we need to anticipate, prevent and respond to major threats to health and well-being that frequently worsen humanitarian setting- ~~such as gender based and sexual violence~~, by mainstreaming protection and prevention in all aspects of humanitarian assistance. We also need to revitalize health systems and services during crises and recovery period and in protracted crisis, to integrate reproductive health services and gender based violence prevention in humanitarian response.
7. We also stress **Pillar V Para 64 to 67**, in which **WE**, recognised the importance of peace and security in Africa and the world and the inextricable link between development and peace, security and stability; and reaffirm that "*...peace and security is essential for the achievement of the continent's development*"

aspirations particularly for countries affected by conflict and those emerging from conflict...”,

8. **COMMIT:** To address the root causes of conflict by tackling the following drivers: *“...economic and social inequalities and exclusion; strengthen good and inclusive governance; fight against all forms of discrimination; and forge unity in diversity through democratic practices and mechanisms at the local, national and continental levels...”* and to prevent the outbreak of armed conflicts, by undertaking the following measures: *“...strengthening cross border cooperation for the resolution of disputes; and promotion of cross-border security; implementing comprehensive, post-conflict reconstruction programmes, including the African Peace and Security Architecture (APSA), in countries emerging from conflict through effective partnerships at regional and continental levels; supporting domestic financing for conflict resolution and stabilization; and promoting the use of mediators for conflict resolution, including traditional conflict resolution mechanisms...”*;
9. **RESOLVE:** To work towards our vision for a peaceful and secure Africa, *“...aspire to silence the guns by 2020 and make peace a reality for all people and by ending all wars, civil conflicts, human rights violations, humanitarian disasters, gender-based violence and violent conflicts and to prevent genocide..., and pledge not to bequeath the burden of conflicts to the next generation of Africans...”*;
10. **ACKNOWLEDGE:** That the rapidly changing humanitarian landscape has outstretched the global humanitarian system established by **UN RES 46/182** and call for its reform, to make humanitarian action more relevant, timely, efficient and fit for its purpose;
11. **NOTE:** The recommendations of the World Humanitarian Summit (WHS) Global consultations in the four themes namely: humanitarian effectiveness, transformation through innovation, reducing vulnerability and managing risk and serving needs of people in conflict; and the proposed five action areas, namely: Dignity, Safety, Resilience, Partnerships and Finance, in shaping a future humanitarian architecture;
12. **EMPHASIZE:** The need to establish and/or to strengthen responsive, transparent and accountable local, national, regional and global humanitarian governance architecture, including through the full and equitable representation of African countries;
13. **ACKNOWLEDGE:** Hospitality extended to refugees and displaced populations by Member States in upholding their international obligations and the progress made in norm setting including in adoption of various normative and policy frameworks, call for the ratification, wider domestication and effective implementation of these instruments to strengthen protection and assistance of people affected by humanitarian crises;
14. **CONSCIOUS: AND RECOGNIZING:** That a number of causes exist and give rise to statelessness in Africa and concerned by the high number of stateless persons on the continent, including children;

15. **MINDFUL:** That **current** demographic trends that have resulted in ~~and~~ the youth bulge, require sound social-economic strategies and public policies, particularly in employment, education, health services and housing in order to harness the attendant demographic dividend;
16. **CONCERNED:** That the worsening situation of human displacement, mobility and migration on the continent is of unprecedented proportions, and take note of the **Accra** Pan African Forum on Migration and its Decisions including the Common African Position on Migration and outcome of the Valletta AU-EU Summit on migration;
17. **CONCERNED:** That Africa faces growing extremism, radicalisation and terrorism, and are threats to future security and stability on the continent;
18. **RECOGNISE:** Achievements registered on the continent in the area of democracy and governance, but express our concern over political violence and resultant civil strife as potential drivers of humanitarian crises on the continent;
19. **STRESS:** That **greater** cooperation between the United Nations and Continental and Regional structures, and in strengthening their complementarity role in addressing issues of forced displacement on the continent; especially through political action;
20. **EMPHASIZE:** That WHS provides a unique opportunity for Africa to reach consensus on common challenges, priorities and aspirations, and changes Africa would like to see in the way humanitarian Action is organised and delivered globally and in Africa;
21. **STRESS:** The role of colonization and foreign occupation in exacerbating the challenges facing communities around the globe and the need to settle issues relating to them in a manner that ensures the full respect of rights and due compensation for harm and damages inflicted upon them;
22. **MINDFUL:** That efforts to eradicate all forms of racism, discrimination, defamation, intolerance, and disrespect for other people remain inefficient and insufficient at the international level.

HAVE AGREED AS FOLLOWS:

TO COMMIT OURSELVES TO SPEAK WITH ONE VOICE AND TO ACT IN UNITY TO ENSURE THAT AFRICA'S VOICE IS HEARD AND IS FULLY INTEGRATED INTO THE WORLD HUMANITARIAN SUMMIT AND TO BUILD MOMENTUM FOR NATIONAL AND CONTINENTAL TRANSFORMATIVE CAPABILITIES FOR AN EFFECTIVE HUMANITARIAN SYSTEM IN AFRICA WITH AN ACTION PLAN IN THE FOLLOWING FIVE PRIORITY AREAS, NAMELY:

- a) Strengthening role of the State in humanitarian action;
- b) Reform of the humanitarian architecture;

- c) Addressing root causes and durable solutions;
- d) Moving from norm setting to implementation;
- e) Measures to link humanitarian action and sustainable development.

II. BACKGROUND

1. **RECALLING** Executive Council **DECISION EX.CL/Dec.817 (XXV)** adopted by the 25th Ordinary Session of the Union held in June 2014, in Malabo, Equatorial Guinea, which while welcoming the announcement by the United Nations Secretary General of the first ever World Humanitarian Summit to be held on 23 to 24 May 2016, in Istanbul, Turkey, mandated the AU Commission in close collaboration with the Permanent Representatives Committee (PRC) Sub-Committee on Refugees and Internally Displaced Persons (IDPs) “...to establish an African Common Position (CAP) to be presented at the World Humanitarian Summit and to continuously make progress report to the Executive Council at each Ordinary Summit leading up to the World Humanitarian Summit...”
2. The CAP is an outcome of inclusive pan-African political consultations that ensured ownership by Member States in a manner that would generate the required political will to address humanitarian crises; and respond to the mega trends that may cause humanitarian crises in future.
3. Chaired by PRC Sub-committee on Refugees, Returnees, and Internally Displaced Person, the regional consultations covered all regions of the Union. The ultimate goal of regional consultations was an outcome that duly reflects Africa’s concerns and priorities in the future humanitarian architecture. The consultations called for resolute and actionable recommendations that would take the global and African humanitarian agenda forward.
4. The CAP outlines Africa’s concerns and demands from Member States of the African Union, Regional Economic Communities, Partners, Private Sector, the Civil Society and the Diaspora, the Global System and all segments of its peoples in shaping a future humanitarian architecture,
5. It will be recalled that various Decisions of the Assembly of the Union and the Executive Council particularly Assembly Decision AU/Decl.2 (XIV) adopted in February 2010 in Addis Ababa, Ethiopia, called for modalities to establish an African humanitarian mechanism for a rapid response, in a coordinated, harmonized and efficient way, to address grave humanitarian situations in Africa and elsewhere.
6. Further the AU has undertaken commitments in various global processes including Common African Positions on Sustainable Development Goals (SDGs), Sendai Framework and **The Ezulwini Consensus** of 8 March 2005, on reform of the UN and the Security Council, among others, which have all underscored AU’s concerns and priorities.
7. The United Nations Secretary General’s initiatives including the transformative Agenda have aimed at a humanitarian system which is more efficient, inclusive, global and fit for the future.
8. Consistent with these reforms, the Secretary General’s Report on the World Humanitarian Summit and the Synthesis Report of the consultations for the World Humanitarian Summit “**Restoring Humanity: Global Voices calling for Action**”, and the outcome of the final Global Consultation, held on 13 to 16 October 2015, in Geneva, Switzerland; have proposed key reform areas.
9. We underline that for the World Humanitarian Summit outcome to be a collective, it should emphasise the primary responsibility of the State in protecting and assisting those in need of humanitarian action.

10. However, for such change to be achieved the Istanbul outcome has to be resolute and actionable, particularly in reaffirming respect for international obligations and standards enunciated in various AU Instruments and International Law.
11. Therefore we call for an inclusive and transparent inter-governmental WHS process that takes into account Africa's peculiarities and concerns.

III. CONTEXT AND JUSTIFICATION

12. The global humanitarian context is characterized by a rapidly changing landscape. The World Humanitarian Summit comes at a time when Africa and world are faced with growing humanitarian challenges. The global humanitarian system founded 20 years ago by **UN Resolution 46/182** is overstretched and needs reform to meet these challenges. More than ever before, humanitarian needs are diverse and need to be delivered in a complex environment that creates new risks for humanitarian actors and the recipients of aid. What is needed is a humanitarian system that is more reliable, accountable and transparent, and fit for its purpose.
13. Africa remains the region where 75% of humanitarian activity is undertaken. The region has continued to face growing humanitarian crises exacerbated by increased effects of climate change, conflicts and protracted dire humanitarian situations.
14. Since the establishment of the Organisation of African Unity (OAU), Africa has experienced humanitarian crises. In June 1969, the OAU adopted the Convention Governing the Specific Aspects of Refugee Problems, which was anchored on the African culture of hospitality and solidarity as a Pan-African solution to the humanitarian crisis of refugees. The 1979 Arusha Conference and the two international Conference on Refugees in Africa (1994 and 1991) reinforced the basic principles elaborated in the OAU Convention on Refugees. Since the Arusha conference, the OAU/AU has convened more than five high level meetings, including those in Addis Ababa in 1994, Khartoum in 1998, Banjul, The Gambia; Ouagadougou in 2006 and Kampala in October 2009. These conferences produced key position documents and policy declarations aimed addressing the growing humanitarian crises on the African continent. These efforts culminated in the 2009 Kampala Plan of Action on Forced Displacement in Africa..
15. Hybrid threats and urban-based warfare have added to the complexity in the delivery of an appropriate humanitarian response. Technological advances, including social media and viable infrastructural development projects and illegal exploitation of natural resources are increasingly precipitating forced displacement on the continent.
16. The African Union has also for many years been committed to a progressive migration agenda recognizing the positive contribution of migrants to inclusive growth and sustainable development. AU minimum regional integration agenda in relation to migration in Africa, includes promoting free movement and labour migration, and countering forced migration, could improve the lives of the millions of regular and irregular migrants in Africa. Since the Abuja Treaty in 1991, the AU has developed several policy frameworks on migration and forced displacement. The Rabat and Khartoum process and the November 2015 AU-EU Valletta Summit have provided a framework and benchmarks in addressing issues of migration on the and labour mobility on the continent.
17. Stateless persons face a grave humanitarian situation, since the absence of a nationality constitutes serious impediment to the exercise of the rights as enumerated in the African Charter on Human and Peoples' Rights, including their access to health, education, social protection, freedom of movement and identity

documentation. Some regions, have made remarkable progress to address statelessness, and similar efforts should be deployed in the entire continent.

18. In line with these changes, the financing of humanitarian action is also rapidly changing. The cost of humanitarian action has surged, while available resources for humanitarian aid show a downward trend. Nevertheless, African philanthropism, the informal and the private sector as well as diaspora remittances play a key role in humanitarian action. Technological advances have also made resource mobilization and financial transfers much easier and more accessible, but these need to be reviewed with emphasis on quality and cost.
19. In spite of these challenges, Africa has made remarkable efforts in humanitarian responses, such as the recent AU response to the Ebola epidemic, combating famine through early warning in drought prone areas and the use of remittances to enhance the resilience of families affected by disasters. Notwithstanding the progress made, more needs to be done.
20. Africa remains highly vulnerable to many natural and human-induced disasters, including conflicts, development projects, man-made and natural induced disasters such as drought, food and water insecurity, flooding, infrastructural failures and industrial accidents. Extreme poverty remains the principal multiplier of vulnerability by reducing the capabilities of communities and individuals to withstand adversities.
21. These growing and emerging challenges call for the transformation of the existing reactive humanitarian response into inclusive and proactive global humanitarian response architecture fit for purpose.
22. Therefore, through the CAP, Africa will seize the moment, to reaffirm its leadership role on humanitarian issues on the continent, and to unequivocally bring to the global agenda her concerns in shaping a future humanitarian architecture.
23. The CAP provides opportunity for Africa to speak with one voice in seeking change—that Africa would like to see in the manner humanitarian Action is organised and delivered globally and on the continent.

IV. ANCHORS FOR THE COMMON AFRICAN POSITION

24. The CAP draws its basis from the Constitutive Act of the African Union, which reaffirms Africa's collective resolve to play an active role in building an effective continental and global governance architecture;
25. This CAP is therefore Africa's contribution to the WHS process. *"...to promote and defend African common positions on issues of interest to the continent and its peoples..."*
26. The CAP shall be guided by ideals of **Pan-Africanism, vision of Africa's Renaissance** and **Shared Values** with emphasis on **Solidarity among Member States**. These Ideals shall provide a long-standing vision and inspiration in shaping Africa's new humanitarian architecture.
27. We reiterate our endeavour in the 50th Anniversary Declaration, Paragraph (5) in which we called for *"...Africa to take her rightful place in political, security, economic and social systems of global governance towards the realisation of its renaissance and establishing Africa as a leading continent..."*; and further reiterate to *"...advance international cooperation that promotes and protects our interests, that are mutually beneficial and aligned to Pan-African Vision..."*; *"...further emphasize that Africa*

should continue to speak with one voice and act collectively to promote our common interests and positions in international arena...”.

28. The CAP shall build on the existing AU Normative and Policy Frameworks, including the Constitutive Act of AU, Agenda 2063, the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa; the African Charter on Human and Peoples' Rights (the Banjul Charter); the Protocol to the African Charter on the establishment of an African Court on Human and People's Rights (Protocol on Arusha Court); the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention) and the African Charter on Elections, Democracy and Good Governance. The African Peace and Security Architecture (APSA); African Governance Architecture (AGA); African Union Humanitarian Policy Framework; and AU Policy on Post-Conflict Reconstruction and Development (PCRD), among others.
29. The elaboration of this CAP on humanitarian effectiveness should take us on the path of ownership and responsibility regarding effective humanitarian responses. In this regard, we shall stand together in solidarity in negotiating an outcome that will result in our collective ownership of the future humanitarian architecture.
30. We uphold humanitarian principles of humanity, impartiality, independence and neutrality; including principles of state responsibility, solidarity among Member States as customary extension of hospitality and egalitarianism and solidarity with peoples in situations of need; lay emphasis on participation and ownership by the affected populations and host communities as a cornerstone of humanitarian action.

V. STATEMENT OF OUR COMMON AFRICAN POSITION ON HUMANITARIAN EFFECTIVENESS

31. We recognize that future humanitarian crises on the continent is a serious threat to social economic emancipation of our peoples. In light of the changing humanitarian landscape and as guided by ideals of the Union and Agenda 2063, and in order to bequeath a peaceful future to coming generations, we need to collectively and actively seek to implement already existing AU instruments and UN resolutions and to find durable solutions to forced displacement and an effective and efficient humanitarian system in dealing with humanitarian crises when they occur.
32. We therefore commit ourselves to speak with one voice and to act in unity to ensure that Africa's voice is heard and is fully integrated into the future global humanitarian agenda;
33. We emphasize the primacy of political leadership and governance in building an effective and inclusive global humanitarian architecture based on the principles of subsidiarity and complementarity;;
34. We reiterate that the WHS should galvanize political will and international commitment, including resource mobilization for an effective global humanitarian agenda;
35. We call for the adoption of concrete actionable recommendations and an adequate implementation mechanism fully reflecting the CAP to ensure the full realization of timely and effective humanitarian action;
36. We call for a truly inclusive, and transformative '**global humanitarian architecture**' on the basis of a new spirit of solidarity, cooperation and mutual accountability in humanitarian action.

37. Considering Africa's peculiarities, our humanitarian priorities are grouped into the following Pillars (i) strengthening the primary responsibility of the State, (ii) addressing root causes and durable solutions, (iii) good governance and human rights, (iv) addressing the development, peace and security nexus, (v) Institutional architecture, (vi) domestication and implementation of normative and policy frameworks, (vii) protection and assistance of affected populations, (viii) knowledge, innovation, research, data, information and communication technology, (ix) [role of private sector, African civil Society, the Diaspora and youth](#), and (x) humanitarian financing and partnerships. .

5.0 PILLARS OF CAP ON HUMANITARIAN EFFECTIVENESS

5.1 Pillar One: Primary Responsibility of the State

38. We recognise that States bear the primary responsibility under international law with respect to the humanitarian needs of all segments of its population and in creating appropriate and conducive space to protect and assist, and in ensuring security of all populations, and, reiterate to commit ourselves to African solutions for African Problems.
39. We acknowledge that a capable State is the main driver for social and economic development for its peoples. States therefore, constitute the main drivers in assuring human security, which we perceive the totality of what makes its citizens secure in their surroundings. As encapsulated under Agenda 2063, this shall constitute an overriding vision in addressing forced displacement on the continent and for Africa's long-term social and economic transformation.
40. We are **CONVINCED** that an effective humanitarian system needs to be built on a capability development approach anchored on the following **four capabilities of States**:
- a. **Predictive capabilities** as the first line of defence against humanitarian crises related to early warning, which is a function of scientific and communication capacity;
 - b. **Preventive capabilities** as the second line of defence against humanitarian crises related to the proactive developmental early intervention that is the function of socio-economic capacity, pro-poor policies and governance with foresight;
 - c. **Responsive capabilities** as the third line of defence against humanitarian crises related to reactive intervention, including relief which is a function of socio-economic capacity and governance for effective delivery of basic services to the population; and
 - d. **Adaptive capabilities** as the fourth line of defence against humanitarian crises related to the abilities and coping mechanisms of societies, communities, state and non-state institutions to 'bounce back' after facing adversity, shocks and changing environments. This capability relies on socio-cultural traits, social innovative, traditional structures such as the informal economy, small scale cross border trade, cross border spontaneous mobility and migration, and natural resources sharing.

5.2 Pillar Two: Addressing Root Causes and Durable Solutions to Humanitarian Crises

- 41.** Triggers of Humanitarian Crisis include the impacts of natural and man-made disasters, conflicts, development projects, lack of consensus and political will, half solutions in residual cases and third party interest, and rapid urbanization, poorly planned and executed development projects and impacts of climate variability and climate change. Fatalities due to natural disasters have decreased over the past decade, although there has been an increase in economic and social impacts. There has also been an increase in vulnerability to disasters at the local and community levels, causing chronic food insecurity and perpetuating poverty. Conflicts of the earlier years were characterized by inter-state and liberation conflicts which affected most countries, have been replaced by more localized conflicts leading to mass internal displacements of people.
- 42.** We are cognizant that most of the humanitarian crises in the African continent are conflict induced, and we are determined to ensure humanitarian interventions do not exacerbate or reinforce the dynamics that engendered these crises, in line with aspirations of Agenda 2063.
- 43.** We further recognise that life-saving humanitarian assistance is necessary, yet unsustainable; and reaffirm the need to address the continent's deep rooted problems through holistic interventions that cut across humanitarianism, development and peace building.
- 44.** We also urge all humanitarian actors, particularly those working in conflict-induced crises, to inform their interventions by conflict analyses, assessment and actively contribute to the continent's long term peace and development endeavours.
- 45.** We commit therefore to set up and foster domestic and multi-sectoral funding pools to encourage such holistic interventions that cut across humanitarian, development and peace building sectors.
- 46.** We stress that prevention is a key factor to mitigate the impact of humanitarian crises. Prevention is more cost effective than humanitarian responses to emergencies but also underline that humanitarian action should go beyond response and recovery, to include development and the building of capabilities of the states and community resilience and adequate measures to protect rights of displaced populations. However, we emphasize that resilience should not be used for demographic change nor be considered as a durable solution, as the case may be.
- 47.** Early warning systems are an important tool for prevention and early response. Where these mechanisms exist, they should be fully exploited and implemented. Where they do not exist, we commit to take measures for their establishment. We call for monitoring mechanism to look at the implementation and the appropriate and timely use of available tools to prevent humanitarian crises. We emphasise the importance of comprehensive context analysis that includes conflict and gender analysis at all stages of their interventions.
- 48.** We recognize that largely, approaches to humanitarian interventions have been dominated by long-lasting tradition of top-down and stress the need to leverage the varying levels of capacity, indigenous knowledge and wisdom and resources embedded in communities.
- 49.** We therefore stress that humanitarian action must go beyond a response to emergencies. It must be linked to the development agenda of the concerned country,

at all levels. Prioritization of development as a solution or response to humanitarian crises can help build effective prevention to all crises in a holistic and inclusive manner; including social economic transformation.

50. We are concerned about various protracted refugee situations on the continent, and call for long-lasting elements of durable solutions as per their applicability in line with national regulations, such as voluntary repatriation to countries of origin, local integration accepted by host countries and resettlement. We are particularly concerned about Sahrawi refugees who have been in camps for over 40 years and call on the international community to address this issue, by exercising their right to self-determination in accordance with various AU and UN Resolutions.

5.3 Pillar Three: Governance and Human Rights

51. We note that good governance and respect for fundamental human rights is central to our advancement as a continent. Humanitarian crises are generally caused, among other factors, by governance deficits and gross violations of human rights, taking into account the distinction of State obligations under International Law and International Humanitarian Law
52. Humanitarian action, international humanitarian law and human rights law are highly intertwined and should constitute a firm foundation for the new humanitarian architecture. We underline therefore that humanitarian protection and aid should be a claimable right by those in need of assistance.
53. We acknowledge that humanitarian action is not a substitute for political action. Therefore, we note that preventive diplomacy is an efficient tool to prevent political crises that may transform into humanitarian crises. Addressing the governance deficit requires also sustaining the peace that prevailed and preventing it from relapse. In this regard, we emphasise that the collective role of Member States, RECs and relevant organisations are of paramount importance.
54. We particularly stress the need to speed up the bloc endorsement, ratification, domestication and effective implementation of all AU and international legal instruments, particularly the African Charter on Human and People's Rights, the African Charter on Election, Democracy and Good Governance, the African charter on Values and Principles of Public Service and Administration, and the African Charter on the Values and Principles of Decentralisation, Local Governance and Local Development; as well as the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).
55. The contribution of women to humanitarian action is of paramount importance. Women are crucial instruments in performing humanitarian activities and constitute important actors in humanitarian action who should be involved at all stages and levels. Women's active and substantive participation in humanitarian discourse is crucial in particular through, creating the necessary space for their participation in peace building and post-conflict recovery and reconstruction efforts. To strengthen this role, we call for the speedy ratification and effective implementation of the Protocol to the Africa Charter on Human and People's Rights on the Rights of Women in Africa.
56. Member States need to deepen strategies to tackle poverty, inequalities and youth unemployment that could fester into social unrest through social and economic transformation and development, to create employment opportunities, including through small scale pro-poor initiatives.

5.4 Pillar Four: The Development, Peace and Security Nexus

- 57.** We acknowledge the nexus between humanitarian action and development. Humanitarian action should not be limited to relief. Rehabilitation and recovery are integral parts of the humanitarian action and should be accorded the necessary attention and sufficient resources. Humanitarian action should go beyond emergency response and be perceived as part of a long-term development, peace and stability strategy.
- 58.** Eradication of poverty and social protection safety nets should be part of strategic and long-term missions of building an effective humanitarian architecture in Africa. We shall endeavour to establish and strengthen national mechanisms for the effective implementation of the 2015 AU Declaration and Plan of Action on Employment and Poverty Eradication and Inclusive development and take specific measures to mainstream and integrate humanitarian needs and displacement issues in national development plans and local development plans.
- 59.** Particularly, a new humanitarian architecture should place emphasis on humanitarian action that is planned within a long-term framework from the initial stages of emergencies and should be conceptualised as a multi-sectoral issue.
- 60.** There is need to focus on early warning and early response systems, preventive diplomacy, and cross-border cooperation for the resolution of disputes, as well as the promotion of integrated cross-border security governance and social-economic development.
- 61.** To ensure sustainable peace and development, emphasis should be on the peace culture in implementation of comprehensive, post-conflict reconstruction programmes, particularly in countries emerging from conflict, through effective partnership at regional and continental levels by promoting the use of mediators for conflict resolution, including traditional conflict resolution mechanisms.
- 62.** We recognise that affected populations at risk of humanitarian crises have the right to be informed about the scale of the disaster or the level of risk as well as the relevant mitigation measures.
- 63.** We take note that Illegal exploitation and competition for ownership of natural resources in mineral belts of the continent have been on the increase, contributing to increased illicit financial flows out of Africa. We call for the strengthening of mechanisms and implementation of policy frameworks to prevent arbitrary displacement and illegal exploitation of natural resources on the continent, including the enforcement of the AU Mining Vision and the Kimberly process, in line with the Kampala Convention, and African Charter on Human and Peoples Rights.
- 64.** In our quest for development, we appreciate that development projects both public and private may result in displacement. We call for measures to ensure protection against arbitrarily displacement of populations as a result of such projects. Where such displacement is anticipated, take measures in accordance with Article 10 of the Kampala Convention.
- 65.** We recognise that in this digital age, ICT will be the basis of the continent's transformation. There is need to take advantage of the huge potential new technology presents in improving humanitarian response on the continent.
- 66.** We however note that in spite of these advances, terrorism is a growing threat to global peace and security. On African continent, terrorism is increasingly becoming a

trigger for humanitarian crises, mainly causing displacement, destruction of livelihoods and as an overall obstacle to development in all affected States. We therefore call for the following:

- a. Collective strategies to address the growing threat of terrorism, radicalisation and extremism on the continent,
 - b. review counter terrorism and counter-violent extremism laws and responses which may impede humanitarian action,
 - c. conduct a study on the causes of extremism and radicalisation on the continent, under the auspices of the Algiers Centre for Studies and Research on Terrorism.
67. Migration and mixed migratory flows on the continent need particular attention in the light of recent migration crises. We emphasize that humanitarian efforts and intervention on migration issues should include the identification and treatment of the root causes of the phenomenon, and dealing with it from a developmental approach. We call for concrete measures to deal with this issue including in the finalisation of the AU Protocol on Free Movement of Persons in Africa.
68. We therefore call for the integration and mainstreaming of migration governance, including free movement of persons and labour mobility on the continent, into humanitarian action as part of durable solutions for protracted humanitarian crises, as well as addressing issues of irregular migration, human trafficking and smuggling of migrants.
69. We further call for action plans to fight against racism and xenophobia, as well as new forms of racism and all forms of intolerance and in ensuring the respect of the dignity and the protection of the rights to which migrants are entitled under the applicable AU and international instruments, stressing especially the right to equal treatment.
70. We recognise that the phenomenon of Statelessness is rampant across the continent. To address this issue, we call on the Commission to finalise the Protocol Relating to the Specific Right to Nationality and the Eradication of Statelessness in Africa

5.5 Pillar Five: Institutional Architecture

African Humanitarian Agency (AHA)

71. We recognize the imperative need for an appropriate continental architecture to effectively respond and coordinate humanitarian crises on the continent, as a basis for AU's leadership role. We particularly note that lack of such a continental humanitarian framework has hindered effective humanitarian action.
72. We also note that indeed the global and continental humanitarian systems are overstretched and require reform to enable them to be fit for the purpose.
73. We therefore endorse and commit to appropriate reforms, and to be fully engaged in the process to create effective and timely ways of humanitarian action on the continent and at the global level.
74. We are convinced that to achieve this objective Africa needs to establish its own **African Humanitarian Agency** to advance the continental agenda on humanitarian action, with due consideration of its legal, structural and financial implications.

75. The Agency shall be Africa's institutional pillar in dealing with forced displacement on the continent, giving effect the objective of the centrality of the African States in humanitarian action on the continent.
76. We acknowledge that while highlighting the primary responsibility of the State, humanitarian action shall reflect a collective responsibility extending to regional, continental and international actors. Therefore, the private sector, the diaspora, Civil Society, and the youth and all segments of African society shall be involved as partners in providing humanitarian assistance in collaboration with the Agency, without prejudice to sovereignty of States or to international law

National Level

77. We emphasize that our role as State remains overarching to the intervention by local communities, which are the first responders in providing humanitarian assistance. We commit to build appropriate capacities of local communities as well as social and traditional structures to reinforce this role.
78. We believe that humanitarian action should be anchored from early stages on appropriate inclusive strategies and plans, involving affected populations and host communities, UN Agencies and Partners, civil society and the private sector. We call for deliberate measures to strengthen this approach of inclusivity.
79. We undertake to adopt comprehensive national humanitarian policies guided by relevant international and AU normative and policy instruments through the establishment and strengthening of National frameworks for execution, implementation and coordination of humanitarian action, and to conduct inclusive awareness and engagement programs in their operationalisation. We shall therefore endeavor to integrate humanitarian dimensions in local, national and regional development plans.
80. We note that the complexity of humanitarian crises require multifaceted action; We particularly acknowledge the varying capabilities of the military and commit to establish mechanisms for the deployment of AU Member State military assets, when needed as enablers in the humanitarian system without compromising obligations under international law and humanitarian principles.
81. We recognise that The Diaspora, which is Africa's sixth constituency, needs to play an enhanced role in Africa's quest for social-economic development. Their potential is enormous and a critical resource. We shall therefore work towards the elaboration and implementation of policies that facilitate the Diaspora's appropriate participation in Africa's development.
82. We further recognize the role the private sector and the civil society play in Africa's development. We shall endeavor, to support strategies to create a conducive environment to enhance the contribution of the private sector and civil society in humanitarian action on the continent.
83. We recognize that governance of the humanitarian sector is complex. We emphasize that resources allocated towards humanitarian crises should be used effectively. We shall therefore, in line with the Paris Principles, adopt appropriate guidelines on humanitarian action and implement measures to fight corruption, enhance transparency and accountability, in delivery of humanitarian aid on the continent.
84. We shall endeavour to increase national capacity and capabilities, and domestic resource mobilization to reduce over dependency on external resources, and ensure

timely and predictable availability of resources. However, we stress on the need for the international community to meet its obligations.

Cooperation with the Global Humanitarian System

85. We reaffirm and uphold the United Nations Charter as foundation for international peace and security. Africa shall continue to play an active role in global arena on humanitarian issues. The International Community should ensure an effective and responsible global humanitarian architecture, which allows full and equitable representation of African countries and We shall endeavour to emphasise the respect for international principles and standards;
86. We note that the challenges Africa faces are partly due to the weaknesses in the global humanitarian architecture. While we recognise the central role of the global humanitarian system established under **UN Resolution 46/182**, we, at the same acknowledge that the system is overstretched, underfunded, and inadequate to meet the increasing humanitarian needs, and call for its reform to address these concerns.
- ~~87.~~ Africa seeks a global humanitarian system that is transparent, efficient and responsive. To this end, we believe in the importance of restructuring the relevant decision-making process on humanitarian issues by the UN Security Council based on the Common African Position on this issue reflected in the Ezulwini Consensus
88. We also emphasize that the future humanitarian architecture be built on a conducive global environment to ensure its effective implementation, which includes mutually beneficial partnerships to enhance ownership, coherence and appropriate alignment of international support with local, national and regional priorities.
89. To achieve this we reiterate and commit to close cooperation with the UN, National and Regional structures in line with the principle of subsidiarity and complementarity under Chapter VIII of the UN Charter, which reaffirms the basis for cooperation between the UN and regional and sub-regional organizations.
90. The effective and appropriate implementation of the principles of subsidiarity and complementarity should constitute a basis for the new humanitarian architecture. We empathise that the ultimate aims of the reformed global humanitarian architecture should be to strengthen regional, national, and local capabilities to respond better to emergencies.

Thus, the role of international humanitarian organizations as well as regional organizations remain subsidiary to the primary role of national governments and local communities, which are the first responders to humanitarian crises. This contribution needs to be recognised and supported.

91. The new global humanitarian architecture should take into account peculiarities of each nation and region, including emerging threats such as the epidemics and pandemics, cyclical drought and famine-like situations, localized violence amongst pastoralist communities and flood related disasters, and foreign occupation and terrorism.

5.6 Pillar Six: Domestication and Implementation of Normative and Policy Frameworks

92. We assert our collective political will toward implementation of various AU and International Instruments that define and codify various norms and standards underpinning humanitarian action. We call for the speedy ratification and

domestication of these Instruments to strengthen protection and assistance and adhere to the African Peer Review Mechanism as proof of our willingness to significantly subscribe to the principles of governance, especially by the active involvement of all segments of society in the management of public affairs...

93. We note that the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), is a historic achievement for the African Union, and call for its speedy ratification, domestication and implementation in addressing issues of forced displacement on the continent.
94. In view of the growing complexity of internal displacement on the continent, we call on the Commission to explore and conclude modalities for laying the Convention before the UN General Assembly to be adopted as an International Legal Instrument as Africa's contribution to global efforts to strengthen the legal regime for protection and assistance of IDPs. We further call for a full mandate of the AU Special Rapporteur on Rights of Migrants, Asylum Seekers, Refugees and IDPs, in addition to the mandate of UN Special Rapporteur on the Human Rights of IDPs.
95. We acknowledge that during humanitarian crises ensuring speedy deployment of services, assets and personnel is key to saving lives. In this regard, we recognise the important role of disaster laws and policies in facilitating humanitarian action and call for their development and implementation across the continent.
96. We also note the growing challenges of cross border disaster displacement and call for collective measures to consolidate a protection agenda at nation and sub- regional levels.
97. We affirm the importance of the protection of stateless persons on the continent. However we note that the exiting legal framework of the African Union does not make provision for the protection and assistance of such persons. We further note that the UN 1954 Convention on the Status of Stateless Persons is an instrument that regulates the protection of stateless persons, and we urge Member States who have not yet done so to accede to and domesticate the Convention.

5.7 Pillar Seven: Protection and Assistance of Affected Populations

98. The protection and assistance of vulnerable groups, specifically, women, children, the elderly and persons with disabilities in humanitarian crises situations need to be at the centre of humanitarian action. We emphasize that humanitarian assistance, shall pay particular attention to their specific needs.
99. We call for principled humanitarian action to ensure the humane, dignified, and rights based treatment of populations in need of humanitarian assistance and protection.
100. We emphasize that AU's humanitarian diplomacy and engagement on humanitarian action shall be guided by founding principles of Pan-Africanism and in protection of Africa's interests while guaranteeing the respect of fundamental human rights.
101. We call for specific measures to protect women and children caught in situations of conflict, particularly in addressing the rampant cases of sexual and gender based violence, including rape and early marriages in situations of displacement.
102. We recognise the emerging drivers of forced displacement on the continent such as terrorism, development projects and climate change across the continent. We call for comprehensive and coordinated solutions which address such emerging issues from a development perspective which requiring a multidimensional approach.

103. While we acknowledge that stateless persons face grave humanitarian situation, we also note that unresolved situation of statelessness may lead to forced displacement and insecurity. We urge Member States, with the support of the African Union, to develop measures to protect and provide durable solutions to stateless persons as well as to prevent, reduce and resolve situations of statelessness on the continent.
104. On protection of civilians in conflict situations, we acknowledge and reiterate our primary responsibility in providing protection, security and humanitarian assistance and assuring appropriate access humanitarian space, and security of humanitarian workers and infrastructure, in conformity with national legislation of each State.
105. We reiterate principled humanitarian action as foundations of humanitarian response and should underpin a future humanitarian architecture.
106. We note the proliferation of armed groups and non-state actors as a growing problem in the abuse of human rights and impeding of humanitarian access in conflict areas and commit to take specific measures to bring to account non-state actors who impede humanitarian access to civilians caught in situations of conflict and generalized violence, in full respect of international law and AU legal instruments including the Kampala Convention.
107. We further underline the need to study and regulate the growing presence and implications of Private Military and Security Companies (PMSCs), and support the on-going efforts, including by the African Group, within the UN Human Rights Council, to consider concluding a legally binding international instrument to regulate their activities, recognizing the primary responsibility of the State for providing security.

5.8 Pillar Eight: Knowledge, Innovation, Research, Data, Information and Communication Technology

108. We acknowledge that credible and reliable data plays an important role in enhancing state capabilities for prediction, prevention, response and adaptation. Therefore we call for the following:
 - a. Investment in knowledge generation, innovation and research,
 - b. enhancement national capabilities on the systematic use of existing data and the collection of new data, and the analysis and sharing of information,
 - c. Disaggregation of data by the specific needs of populations affected by humanitarian crises particularly in terms of gender and age,
 - d. Investing and strengthening national statistical capacities and geospatial information systems for the collection, analysis, production and dissemination of disaggregated data that is credible and reliable to design evidence based policies. The same data system could also be used to measure and evaluate policy effectiveness and evidence-based decision-making,
 - e. systemic technological transfer and institutionalised use of ICT, including social and mass media engagement, as tools for empowering humanitarian actors at all levels and information dissemination for proactive responsiveness in humanitarian action, needs to be elaborated at all levels of governance.

5.9 Pillar Nine: Role of Host Communities, Affected Populations, Private Sector, African Civil Society and the Diaspora and the Youth

109. We reiterate that effective and mutually reinforcing partnerships are of paramount importance in humanitarian action. We therefore call for active involvement of the host communities, affected populations, private sector, African philanthropists, African civil society and the diaspora. The concerns of host communities should be part of the assistance strategy.
110. We recognise that the Diaspora constitute one of the important resources of the Continent but remains untapped. We note that The Diaspora can play an important role not only for its financial contribution, but also in the light of its potential in mobilizing social expertise, as well as political pressure in foreign jurisdictions for humanitarian action in Africa. While acknowledging this important role of the Diaspora remittances in humanitarian action and development, we call on the international community to remove barriers and support cheaper safe and legal mechanisms of remittance flows.
111. We appreciate that the civil society is an important factor in the humanitarian field with a huge capacity for timely reaction in the field and a deep knowledge of the realities on the ground. There is need for specific measures to strengthen their complimentary role. We recognise that traditional civil society has been the basis for local resilience of African communities for centuries. With long serving expertise, civil society can play an important role as a basis for the new architecture and a trigger for reforms.
112. We recognize the need and call for an enhanced role of Faith Based Organizations in humanitarian discourse including in peace building efforts.
113. We recognize the youth constitute more than half of Africa's population and are a source of energy that can be mobilized for the continent's development and humanitarian response. We call for collective policies to invest in the youth to tap into their enormous potential.
114. We are concerned that the young people are a potential target for extremism and radicalisation, they should be mobilized to combat extremism and radicalization and serve as the bedrock for the transformation of the humanitarian architecture and Africa's renaissance. In this regard, strategies need to be developed to enhance the productive potential of the youth, including commercial agriculture and investment, to promote the use of ICT and media engagement as a tool for empowering the youth and information dissemination for proactive responsiveness in regard to humanitarian action, and promote social responsibility and enhance domestic resources mobilization supporting entrepreneurship among young Africans and to promote more civic engagement.

5.10 Pillar Ten: Humanitarian Financing and Partnerships

115. We recognise effective partnerships governed by mutual accountability are key to building proactive humanitarian architecture. But we note that Partnerships for humanitarian action should be based on respect, responsibility, transparency and mutual accountability.
116. Humanitarian actors should institute and strengthen effective monitoring and evaluation systems in humanitarian action to improve accountability and better control the allocation of resources to ensure efficiency, monitoring of the exploitation and use of Africa's strategic resources like energy and water and those from the Diaspora.

117. Humanitarian action should enjoy a level of funding predictability from the Pan-African and international communities, which allows for more efficient action and better access to relief materials. In this regard, we call for concrete measures and political will to raise resources for the implementation of the priorities identified in this CAP. There is need for comprehensive measures to address the issue of corruption to ensure resources are well utilised for an Africa's development.
118. We acknowledge that finance is key to an effective humanitarian response. The international community needs to explore ways in which global financial institutions could better serve their role in humanitarian financing in Africa.
119. There is an urgent need to reverse the devastating impacts on Africa of climate change. Climate change funding should act as a catalyst for adequate support, including by mobilizing predictable, appropriate and timely financial resources in order to enable developing countries, especially in Africa, to face climate change related humanitarian disasters. Thus, the Istanbul Summit outcome should lay emphasis on the speedy implementation of decisions on various climate change funds including the UN Green Climate Change Fund and other financial support mechanisms, including the Addis Ababa Agenda for Action on Financing for Development and commitments at CoP21-Paris Conference on Climate Change Conference.
120. We are concerned about the continent's resources that have been pillaged. We call for Istanbul outcome to focus on mechanisms for the return of resources pillaged from Africa, and for such funds to be utilized meaningfully for Africa's development and humanitarian action.
121. We also emphasise the need for a strategy and innovative ways to decrease reliance on external funding. We therefore call for a shift to internal resources mobilisation as central to an effective African humanitarian architecture. This would leverage Africa's leadership in dealing with humanitarian issues and setting Africa's own agenda including by implementing its commitments under the Sendai framework, amongst others. In this regard, Africa should explore ways of raising its own resources to fund humanitarian actions, including the support of the African Development Bank (AfDB), the private sector, African philanthropism and remittances from the diaspora, States public and semi-public institutions managing such remittances with a view of rationalization and reduction of costs, but in doing so paying attention on the impact of such an approach on the independence of the Union and its character.
122. Member States need to integrate humanitarian issues in national, regional, and continental development plans with the necessary budget allocations. In this regard, call on the AU and RECs to speed up the implementation of recommendations of the Mbeki Panel on alternative sources of financing.
123. We call for robust engagement of the private sector and the informal sector, including measures to strengthen long-term non-traditional financing mechanisms.
124. We recognize that to achieve these goals, there is need for a fair international burden sharing mechanism. This notwithstanding, Africa's future humanitarian action shall be premised on the spirit of Pan-Africanism and solidarity. The African Solidarity Initiative shall galvanize African support to Member States in difficult situations.
125. While we acknowledge the primary responsibility of Member States for the protection of populations in need of humanitarian assistance, we stress that the international community also has a key responsibility to share the burden of humanitarian aid. The international community must share the burden imposed on host countries in Africa

and ensure more fair means of burden sharing globally, particularly in supporting such affected Member States to cope with the impact of refugees and IDPs.

126. In this regard, there is need to shift focus from measures for strengthening strategies for management of IDPs and refugees, and place such emphasis and focus on finding durable and sustainable solutions. We welcome the recommendation of the Global WHS Synthesis Report on a New Deal for Refugee, calling for support to host countries to help them in mitigating the impacts of their hospitality.
127. The role of host countries and communities should be further recognized as significant contributions to humanitarian assistance and should be quantified.

VI. POST ISTANBUL AND IMPLEMENTATION MECHANISMS

128. We call for a post Istanbul Plan of Action to serve as mechanism for the implementation of outcomes of the World Summit.
129. We recognise that Africa's humanitarian agenda is on-going and will not be limited to the Istanbul event. Therefore, following the conclusion of the WHS in May 2016, a continental conference will be convened early 2017, to examine mechanisms for implementation of our commitments and Africa's Agenda on forced displacement.
130. We therefore call on the Commission to initiate the process for establishment of **African Humanitarian Agency** and operationalization of AU Humanitarian Policy Framework, supported by a 10 year Plan of Action on forced displacement issues in Africa, with due consideration to its legal, structural and financial implications.
131. Implementation of these recommendations is crucial. Therefore to cascade this process to lower levels, regional consultative platform should be established to strengthen coordination and synergy between AU, Member States and RECs, as well as with other AU Organs and Institutions for enhancing awareness and reaching all segments of African society.

CONCLUSION

WE, HEADS OF STATE OF THE AFRICAN UNION:

132. **COMMEND** the political process in the formulation of the Common African Position on humanitarian effectiveness that truly represent our aspirations; and further commend the UN Secretary General for the efforts at the reform of the global humanitarian architecture.
133. **REAFFIRM** our call for a fairer humanitarian architecture that takes cognisance of Africa's concerns but restores international principles that define our humanity.
134. **REITERATE** our resolve to address root causes of forced displacement on the continent, in order to assure generations to come, of peace, stability and prosperity.
135. **RECOMMEND** that the World Humanitarian Summit outcome should pay full attention to appropriate reforms for an inclusive and relevant humanitarian system, to assure effective protection and assistance of populations in humanitarian crises.
136. **REAFFIRM** the pan-African Ideals and African Shared values as foundations of our future endeavours in addressing humanitarian issues.

- 137. COMMIT to** our long-term vision and objectives as guided by the Constitutive Act of the Union and Agenda 2063, and call for a long-term global humanitarian Agenda for Action.

30 January 2016, Addis Ababa, Ethiopia

EX.CL/936(XXVIII)
Annex 5

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

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PA16239

**THE FIRST SESSION OF THE SPECIALISED TECHNICAL
COMMITTEE (STC) ON MIGRATION, REFUGEES AND
INTERNALLY DISPLACED PERSONS, HELD ON
16 TO 20 NOVEMBER 2015, ADDIS ABABA, ETHIOPIA**

RECOMMENDATIONS

Theme: Towards Humanitarian Effectiveness in Africa

PREAMBLE

WE Participants of the first Session of the meeting of STC on Migration, Refugees, and Internally Displaced Persons of the African Union, held on 16 to 20 November 2015, in Addis Ababa, Ethiopia,

WE RECALL the Pan-African Ideals that inspired and continue to be foundations of our common and future aspirations and destiny; as well as African Shared Values *and the African Renaissance*;

WE UNDERSCORE the Objectives and Principles of the Constitutive Act of the Africa Union and the United Nations Charter;

WE RECALL the 50th Anniversary Declaration in which our Heads of State and Government appreciated the notable contribution of the founding fathers of the OAU who fulfilled their mission in ridding the continent of colonialism, laying foundations for an integrated and prosperous Africa;

WE ACKNOWLEDGE that the task of the present generation of the Union is to build an Africa that is integrated, prosperous, people-centered and at peace with itself;

WE ARE COGNIZANCE of our long-term Vision as laid out in Agenda 2063 and commitments we have undertaken collectively in regional and international arena, including Common African Positions on Sustainable Development Goals (SDGs), Sendai Framework and on Climate Change;

WE COMMIT to deploy resources at our disposal in preventing and finding durable solutions to forced displacement on the continent and where such displacement occurs, measures to ensure effective protection and assistance of those in need of humanitarian assistance;

WE ARE CONCERNED that a number of humanitarian situations on the continent have remained protracted for many years; and call on the international community to renew efforts in resolving them, particularly the protracted Sahrawi refugee situation;

WE RECOGNIZE that the growing incidence of refugees and internally displaced persons is an outcome of underlying political, socio-economic and developmental problems as well as the influence of external factors, which cause destabilisation, and that the search for solutions to this problem requires our full attention;

WE ARE CONVINCED that durable solutions to conflicts remain the only panacea to humanitarian crisis in Africa, therefore political solutions must continue to be at the centre of humanitarian dialogue, giving pride of place to comprehensive context analysis including conflict analysis linking humanitarian action to peace building and development.

WE REITERATE our commitment to find long-lasting solutions to progressively eliminate the phenomenon of forced displacement on the continent by addressing root causes;

WE REAFFIRM our vision on forced displacement issues contained in Kampala Declaration adopted during the first ever AU Special Summit on Refugees, Returnees and Internally Displaced Persons in Africa, held on 23 October 2009 and the subsequent Plan of Action on Forced Displacement in Africa, adopted in June 2010, during the 17th Ordinary Session of the Union held in Kampala, Uganda;

WE TAKE NOTE particularly that the global humanitarian architecture in its present form is over stretched and call for its reform for a more effective and relevant one fit for purpose;

WE WELCOME the invitation by the UN Secretary General to the first ever World Humanitarian Summit (WHS), to be held on 23 -24 May in Istanbul, Turkey; and take note of the recommendations of the AU Regional Consultations that have been consolidated into Common African Position on Humanitarian Effectiveness to be presented at the World Summit and recommendations of UNOCHA-led global consultations on the same Summit;;

WE take COGNISANCE that Africa lacks an adequate humanitarian mechanism, and therefore welcome and support recommendation for the establishment of an **AFRICAN HUMANITARIAN AGENCY**, which should be founded on African Shared Values supported by Africa's own resources;

WE ACKNOWLEDGE the role of Regional Economic Communities and Regional Mechanisms, Red Cross and Red Crescent Movement, Multilateral and Bilateral Organisations, Civil Society Organizations and the Diaspora in humanitarian response on the continent, and call for a new engagement strategy to strengthen this partnership in light of growing challenges;

WE ARE MINDFUL *and having carefully examined* challenges of forced displacement on the continent and their consequences for the future of Africa and the need to adopt effective mechanisms to address them; Hereby prioritise the following Agenda on humanitarian issues in the next 10 years; and **WE Recommend as follows:**

Recommendations on a Future Global Humanitarian Agenda

1. We call on the UN Secretary General to continue with efforts of a transformative Agenda aimed at making humanitarian action to be more transparent, inclusive and fit for the future;
2. We call for a truly inclusive, responsible global transformative **humanitarian architecture** that is built on the basis of a new spirit of solidarity, cooperation, responsibility and mutual accountability for humanitarian action to be effective and relevant;
3. We in this regard, call on the Secretary General to highlight Africa's concerns contained in the Common African Position on Humanitarian Effectiveness in his Report to the World Humanitarian Summit;
4. We recognise and reaffirm our collective responsibility as Members of the UN General Assembly and call for mechanisms that facilitate principled humanitarian action, which respects the principles of international law and primary responsibility of the State.

Recommendations on Africa's Humanitarian Architecture

5. We commit to strengthen mechanisms for effective humanitarian response on the continent; through establishment of an **AFRICAN HUMANITARIAN AGENCY**, founded on capabilities of Member States and Regional Economic Communities; and emphasize that such an Agency shall be funded by our own resources supplemented by external support;
6. Welcome the Africa's first ever comprehensive **Humanitarian Policy Framework** and its constituent components namely; guidelines on disaster management and response, CDC guidelines on response to epidemics and guidelines on the role of African Standby Force in humanitarian and disaster situations, and commit to their speedy operationalization and full implementation, to streamline humanitarian response on the continent;

7. We call for collective measures to strengthen the role of our governments in humanitarian action particularly through building the **Predictive, Preventive, Responsive and Adaptive capabilities** of States.

Recommendations on Normative and Policy Frameworks

8. We reiterate the need for a reinvigorated strategy and call upon Member States who have not done so to sign and ratify AU treaties, conventions and covenants relating to human rights, refugees, the protection of civilians during armed conflict, including those on civil, political and socio-economic rights;
9. We call on our respective Member States to take appropriate national legislative measures for the domestication and implementation of these Instruments in the prevention of large scale arbitrary population displacement and in the search for durable solutions;
10. We in this regard, particularly call for the ratification and implementation of the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) and welcome the proposed establishment of its Conference of States Parties, in the furtherance of solidarity and cooperation among Member States and RECs in dealing with issues of internal displacement;
11. We take cognisance of the importance of disaster laws and policies in facilitating humanitarian action across the regions and the continent and call for their adoption and domestication in national legislations;
12. We acknowledge the growing challenges of cross border disaster displacement, and call for measures to consolidate a protection agenda at national and sub-regional levels.

Recommendations on Protection and Assistance

13. We commit to strengthen protection and assistance for populations in need of humanitarian assistance including through the following:
 - a. formulation and the implementation of AU Guidelines in humanitarian situations to complement existing international standards and norms;
 - b. Strengthen measures to popularise International Humanitarian Law (IHL) and principled humanitarian action.
14. We commit to take measures to strengthen protection and assistance of populations, particularly women, children, the elderly and people with disabilities in conflict situations and to ensure unimpeded access and security of humanitarian workers and infrastructure; in full respect of principles of international law;
15. We reiterate the need for benchmarks in providing assistance, particularly strategies that seek to promote self-reliance of refugees and displaced populations, maintaining their right to voluntary return , and support to host communities to enable them cope with the impact of hosting large numbers of displaced populations; in line with the spirit of shared values of compassion and solidarity among Member States through fair burden sharing; WE therefore call for specific measures to be implemented with the full participation of host communities and local government to mainstream such assistance

in existing social service delivery systems and development plans. Accordingly call for elimination of parallel structures.

16. We call for the establishment of Centre for Disease Control and Africa's Response Teams in line with **Decision Ext/EX.CL/Dec.1 (XVI)** adopted in June 2015, in Johannesburg, South Africa, to ensure rapid and timely response to humanitarian crises;
17. We call for collective strategies in dealing with the proliferation of armed groups and non-state actors and commit to take specific measures to bring them to account, in accordance with the provisions of International Human Rights Law, International humanitarian Law, International Criminal Law and relevant AU legal Instruments;
18. We recommend a study on the implications of the growing presence of Private Military and Security Companies, within the framework of the full respect of International Law and sovereignty of States.

Recommendations on Addressing Root Causes and Durable Solutions

19. We note that good governance and respect for fundamental human rights is central to our advancement as a continent and call for collective political action and support in addressing underlying causes of conflict and humanitarian crises on the continent;
20. We are cognizant that most of the humanitarian crises on the African continent are a result of governance deficit and are conflict induced, and we are determined to ensure humanitarian interventions do not exacerbate or reinforce the dynamics that engendered these crises, in line with the Constitutive Act and our aspirations in Agenda 2063;
21. We stress that prevention is more cost effective than humanitarian responses to emergencies and underline the need for effective disaster risk management and proactive strategies that go beyond response and recovery, to implement strategies straddling from peace building and resilience (without forcefully affecting the legal status of those populations) to specific measures for sustainable national development;
22. We further call for deep analysis of the context of protracted situations of displacement on the continent with a view to a renewed strategy to find long-lasting solutions, while laying emphasis on respect for the rights of affected people in protracted situations;
23. In this regard, we particularly, call for measures towards building immeasurable resilience for affected communities to withstand and to effectively cope with the consequences of disasters; however we stress that such measures for resilience shall not infer resilience of communities to abuse of their human rights and should not constitute **defacto** solution that affect the legal status of such affected populations or force them into one durable solution;
24. We reiterate the need for speedy ratification and domestication of the African Charter on Democracy, Elections and Governance and undertake to align our relevant national legislation and institutions charged with democratisation and electoral processes, as foundations for good governance in ensuring smooth political transitions for sustainable peace and security on the continent;
25. We reaffirm the need for durable solutions to address structural causes of forced displacement on the continent and call for analysis of peace and security, governance deficit and development failure nexus as root causes of forced displacement on the

continent. We emphasize that linking this three strand tripod is an imperative for achieving sustainable peace and development on the continent. We recognise that without creating this effective linkage, the focus of our efforts would merely be addressing the symptoms of the problem;

26. WE recognise that the phenomenon of Statelessness is rampant across the continent. To address this issue, WE call for the finalisation of the Protocol Relating to the Right to Nationality and the Eradication of Statelessness in Africa. In this regard; We recommend measures to particularly consider progress made on refugees' access to international protection and durable solutions, in accordance with the OAU 1969 Convention Governing Specific Aspects of the Refugee Problem in Africa and other relevant relating AU decisions;
27. We reaffirm the need to deepen investment and other strategies to tackle poverty, inequalities and youth unemployment to foster social and economic transformation and development in creating employment opportunities on the continent;
28. We stress the role colonization and foreign occupation played and continues to do so in exacerbating the challenges facing communities around the globe and the need to settle issues relating to them in a manner that ensures the full respect of rights and due compensation for harm and damages incurred; WE are mindful that efforts to eradicate all forms of racism, discrimination, defamation, intolerance, and disrespect for other people remain inefficient and insufficient at the international level, and call for measures to strengthen them;

Recommendations on Humanitarian, Peace and Development Nexus

29. WE acknowledge the nexus between humanitarian action and development. We stress that humanitarian action should go beyond emergency response and be perceived as part of a long-term development, peace and stability strategy, in line with Agenda 2063 and Sustainable Development Goals;
30. WE note the need for poverty eradication policies and social protection safety nets to be part of strategic and long-term missions of building an effective humanitarian architecture in Africa;
31. WE invite Member States to undertake measures that integrate humanitarian needs and displacement issues in national development plans to enable such affected populations to live a dignified and normal life; while ensuring especially in the case of the refugees, maintaining of their opportunities in a far durable solution, mainly voluntary return;
32. WE further commit to pursue sustainable peace and development, through emphasis on the implementation of comprehensive, post-conflict reconstruction programmes, particularly in countries emerging from conflict, through effective partnerships at international, regional and continental levels;
33. WE take note of the growing phenomenon of Illegal exploitation and competition for ownership of natural resources in mineral belts and resultant increased illicit financial flows out of Africa and call for the strengthening of mechanisms to monitor exploitation of Africa's strategic resources and policy frameworks to prevent arbitrary displacement and illegal exploitation of Africa's resources, including the enforcement of the AU Mining Vision and the Kimberly process, in line with the Kampala Convention and African Charter on Human and Peoples Rights;

34. WE undertake to prevent arbitrary displacement, in our quest for development and where such displacement is necessary for purposes of the public good, undertake measures to ensure fairness to the affected populations in accordance with Article 10 of the Kampala Convention;
35. WE recognise that in this digital age, ICT will be the basis of the continent's transformation. We reiterate the need for measures to take advantage of the huge potential new technology presents in improving humanitarian response;
36. WE stress the need for research and reliable data in providing analysis for informed decision-making. There should be close collaboration between AU, Member States and RECs and research institutions and academia in generating data and knowledge;
37. WE call for collective strategies to address the growing threat of terrorism, radicalisation and extremism on the continent;
38. WE recall and take note of the November 2015 AU-EU Valletta Summit on migration and emphasize the need to address the root causes; and call for enforcement of the Decisions of the Rabat and Khartoum process concerning smuggling and human trafficking. We particularly stress the need to integrate and mainstream migration governance, including free movement of persons and labour mobility, into humanitarian action as part of durable solutions for protracted humanitarian crises, as well as addressing issues of irregular migration, human trafficking and smuggling of migrants on the continent;
39. WE further call for action plans to fight against racism and xenophobia and in ensuring the respect of the dignity of persons and of religion as well as protection of the rights to which migrants are entitled under the applicable AU and international instruments, especially the right to equal treatment;

Recommendations on Financing and Partnerships

40. WE acknowledge that finance is key to effective humanitarian response, and commit in line with the recommendations of the Obasanjo Panel and various AU Decisions to explore ways of alternative sources of financing Africa's humanitarian action with own resources to reduce dependency on external funding;
41. WE are mindful of the impact of such alternative sources of funding on Africa's independence and character. WE therefore call for a study on their impact while designing a strategy to engage the Private Sector, African Philanthropism and the informal economy sector, including measures to harness and invest remittances from the Diaspora;
42. WE also call for reduction of remittance transfer costs for the Diaspora and measures to enhance the effective management of such remittances;
43. WE further call for long-term strategies to strengthen non-traditional financing mechanisms, including in harnessing the financing capability of CSOs and Faith Based Organizations to promote self-reliance;
44. WE call for the reform of the global humanitarian financial architecture to make it more flexible, timely, responsive and predictable to humanitarian situations on the continent;
45. WE take note of the commitments under the Sendai Framework of allocating 1.5% of national budgets towards Disaster Risk Reduction and call Member States to implement these commitments on individual basis;

46. WE call for immediate measures, with support of the international community for the return of resources pillaged from Africa, and for such funds to be utilized meaningfully for Africa's development and humanitarian action, in line with the recommendations of the Mbeki Panel;
47. WE recognise effective partnerships governed by mutual accountability are key to building proactive humanitarian architecture; but underline that such partnerships should be based on respect, transparency and mutual accountability;
48. WE recommend setting up of a Fund for AU humanitarian action. This should be reinforced with an effective accountability mechanism to ensure effective use of the resources;
49. WE call on the international community to fulfil its responsibilities, including its previous commitments towards Africa's development and humanitarian action, and remind of its duty to end colonization and foreign occupation to fight racism, defamation of religion, discrimination and hatred;
50. Lastly, WE call for adequate funding to enable the Commission to execute its humanitarian mandate, in line with previous Decisions and Declarations.

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