

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Addis Ababa, Ethiopia

P. O. Box 3243

Telephone: 5517 700

Fax: 5517844

Website: www.au.int

EXECUTIVE COUNCIL

Fortieth Ordinary Session

20 January - 03 February 2022

Addis Ababa, Ethiopia

EX.CL/1314(XL)

Original : English

**REPORT OF THE COMMISSION ON THE HUMANITARIAN
SITUATION IN AFRICA**

REPORT OF THE COMMISSION ON THE HUMANITARIAN SITUATION IN AFRICA, JANUARY - DECEMBER 2021

I. INTRODUCTION

1. This report provides an overview of the humanitarian and forced displacement situation in Africa during 2021. It presents information regarding the activities carried out by the Commission during the period January-December 2021, in tackling humanitarian crises and in promoting African Union (AU) humanitarian law and policy frameworks.

2. In preparing this report, the Department of Health, Humanitarian Affairs and Social Development benefited from information gathered from Member States of the African Union, Regional Economic Communities (RECs), the United Nations system, in particular UNHCR¹, who have the global mandate on refugees and asylum regime as well as other humanitarian partners.

3. In 2021 the African Union, its Member States and partners had to continuously adapt to the unprecedented challenges posed by the COVID-19 pandemic and its many mutations such as the delta variant and the Omicron variant in their efforts to respond to the various humanitarian crises across Africa. The Department continued to adapt to the global complexities and maintained implementation of various activities, with the use of technology for meetings, and remote working. Some meetings and assessments were conducted physically when and where the situation allowed.

II. OVERVIEW OF DISPLACEMENT AND HUMANITARIAN CRISIS IN AFRICA:

4. 2021, (like 2020), was particularly challenging primarily due to the continued global disruption caused by the COVID-19 pandemic with its colossal and negative humanitarian consequences. This hampered the ability of the African Union, United Nations, and its partners to ensure protection, assistance and durable solutions to those most in need.

5. Despite the challenges of COVID-19, AU Member States continue to shoulder responsibility of hosting significant number of forcibly displaced persons. By mid-2021 the number of displaced persons in Africa reached **35.9 million**, up from 33.4 million in 2019. This includes **6.6 million refugees, 22.2 million internally displaced persons, 982,000 stateless persons and 490,000 asylum seekers**. During the period under review, member states that recognized large numbers of

¹ Except where otherwise stated the figures in this report have been extracted from the UNHCR Mid-Year Trends 2021 Report published in November 2021 and available at <file:///C:/Users/User/Desktop/RAUECA%20Work/African%20Union%20Annual%20humanitarian%20Report/2021%20Draft%20Report/UNHCR%20Mid%20Year%20trends%202021.pdf>

refugees and asylum seekers included Sudan 36,100 asylum seekers as refugees, the Democratic Republic of Congo 31,100 refugees, Uganda 26,600 refugees, Chad 25,700 refugees, and Cameroon registered 15,000 refugees.

6. In 2021, Africa witnessed new internal displacements globally as conflict and violence flared in several member states across the continent. Some 1.3 million new displacements were recorded in the Democratic Republic of the Congo. In **Ethiopia**, conflict in the Tigray region and increasing insecurity in other parts of the country triggered more than 1.2 million new displacements. New displacements occurred within the following member states in **Burkina Faso**, there were 120,000 displaced persons in the first six months of 2021, in **Central African Republic** there were 202,000 displaced persons. In the northern province of Cabo Delgado, **Mozambique** conflict continued unabated, displacing over 120,000 Internally Displaced persons and in **Nigeria** 165,000 Internally Displaced and **South Sudan** where 170,000 people were internally displaced.

7. The effect of the COVID-19 pandemic on the humanitarian situation in the continent has been huge, multifaceted, and multidimensional, affecting the socio-cultural, economic and developmental fabric of the society. Across the continent, Governments took strict public measures which affected the asylum regime including lockdowns, curfews, border closure and restriction of freedom of movement, as well as closure of businesses and schools, which threatened to derail gains made in previous years to achieve self-reliance and enhance livelihood opportunities both for displaced populations and citizens in general. Together with the economic downturn, the pandemic led to increased vulnerability to poverty, food insecurity and health problems. In addition, to major disruptions in air travel continues globally. All these factors had dire consequences for the most vulnerable members of society including the asylum and the protection of displaced persons. It is expected that an integrated and multi-dimensional approach to dealing with COVID-19 will provide the much-needed support to humanitarian responses in Africa

8. Conflict and insecurity continued to be major constraints to humanitarian access and operations, in particular the **Central African Republic**, the **Democratic Republic of the Congo**, and **South Sudan**. Insecurity caused by extremist groups who maintained strongholds in the **Burkina Faso-Mali-Niger** tri-border area also adversely affected humanitarian operations around the Sahel region. Terrorist attacks have intensified in recent months in the Sahel countries with an attempted excursion in some coastal countries, targeting the security forces and public services, has increasingly affected civilians, increased forced displacement and worsened the humanitarian situation.

9. Climate change and disasters also affected several member states. For example, some regions of **South Sudan** and **Sudan** were affected by flooding, hampering humanitarian activities, and resulting in security incidents. In May 2021, the eruption of the Mount Nyiragongo volcano in the **Democratic Republic of Congo** resulted in dangerous lava flows, tremors, and increased health risks from toxic gases. **Madagascar** continues to face a humanitarian crisis resulting from climate change and its impact on food security in the country.

10. Refugees, asylum seekers and migrants continued to undertake dangerous journeys² from sub-Saharan Africa to North Africa and Europe and from the Horn of Africa to the Middle East. In West and Central Africa, a re-emergence of the western African route was observed, using maritime channels from coastal countries towards the Canary Islands, and Spain. These routes are often controlled by human traffickers and smugglers, frequently subjecting people to human rights violations that are of serious concern.

11. Positive developments as a result of the respective peace agreements that took place between conflicting parties in **South Sudan** and **Sudan**; are providing the basis to pursue solutions to address the largest situation of forced displacement on the continent. The IGAD-led Solutions Initiative for Sudan and South Sudan has resulted in nearly 400,000 refugees and IDPs that have made the choice to return. A broad coalition of development partners are also working with governments towards creating conducive conditions for voluntary, safe, dignified, and sustainable return while simultaneously pursuing third country options where feasible.

III. REGIONAL ANALYSIS

3.1 East Africa Region:

12. The East and Horn of Africa and the Great Lakes (EHAGL) region is host to some 4.82 million refugees and asylum-seekers³, the majority from the **Democratic Republic of Congo, Somalia** and **South Sudan. Burundi, Eritrea, Ethiopia, Sudan, and Uganda** continue to host, significant numbers of refugees with the largest numbers of any member state of the Union in Uganda. The displacement figures in this region caused by both conflict and natural disasters stand at 1.4 million.

13. In **Ethiopia**, the situation remains fluid with conflict in the Tigray region and insecurity in parts of the country which have triggered more than 1.2 million new displacements. The conflict in northern **Ethiopia** has resulted in a major humanitarian crisis with thousands fleeing to seek refuge in **Sudan** as well as significant internal displacement. The humanitarian needs are expected to continue to increase if the conflict continues.

14. The Government of **Rwanda**, the African Union and UNHCR on 14 October 2021 signed the First Addendum and extension to the Memorandum of Understanding (MOU) that had been signed on 10 September 2019 between the Republic of **Rwanda**, the African Union, and the United Nations High Commissioner for Refugees, on the establishment of the Emergency Transit Mechanism (ETM) in Rwanda. This addendum ensures that the established ETM in Rwanda continues until 31 December 2023, the capacity of the ETM is to be increased from the initial 500 to 700 persons at any one time. As part of the MoU, The African Union will continue to aid with evacuations, mobilize resources, and provide strategic political

² [Africa Migration Report | African Union https://au.int > documents > africa-migration-report 15 Oct 2020](https://au.int/documents/africa-migration-report-15-Oct-2020)

³ Figures from UNHCR Regional Bureau for East and Horn of Africa and the Great Lakes (EHAGL)

support with training and coordination. UNHCR will provide protection services and necessary humanitarian assistance including food, water, accommodation, education, and healthcare. A total of 648 refugees and asylum seekers have so far arrived from **Libya** to the ETM in **Rwanda** since its establishment in September 2019. **Rwanda** continues to host 127,382 refugees from Burundi, DRC, Eritrea, Somalia, South Sudan and Sudan.

15. The crisis in **Somalia** continued to be one of the most complex and protracted on the continent and in the world owing to armed conflict and insecurity, recurrent climate shocks, political instability, and socio-economic fragility, exacerbated by COVID -19 and an upsurge in desert locusts. A total of 3 million people remain internally displaced, many of whom are living in deplorable conditions.

16. The ongoing transitional political processes in **Sudan** was disrupted by the military coup in October 2021, resulting in an unpredictable humanitarian situation. **Sudan** continues to generate and at the same time host a complex mix of populations including asylum-seekers, refugees, IDPs, and returnees. In addition, **Sudan** is a source, transit, and destination country for mixed migration movements that take place across the continent and beyond.

3.2 Central Africa Region

17. The Lake Chad Basin region⁴ is heavily affected by internal displacement, with more than 3 million individuals internally displaced. Both the Sahel and the Lake Chad Basin regions face heightened competition for diminishing land, pasture and water resources which have strained previously peaceful coexistence and led to increasing conflicts between farmers and herders. Environmental degradation and the impacts of climate change, the activities of armed or terrorist groups have reduced the agro-pastoral space, notably farmlands and trans-human corridors.

18. Since 2016, in the far North region of **Cameroon**, ongoing hostilities forcibly displaced some 322,000 individuals, of which some 123,000 have returned to their place of origin. In addition to conflict, the population in the far North is increasingly exposed to the effects of climate change, such as regular flooding, which cause displacement, the destruction of infrastructures and crops, that has aggravated the food security situation in the region. In addition to cross-border conflict, intercommunal conflict in August in the far North of Cameroon led to the displacement of thousands of people in Cameroon resulting in an outflow of 8,750 Cameroonian refugees to **Chad**, many of whom are expected to gradually return to their place of origin.

19. More than 725,000 **Central Africa Republic (CAR)** nationals were displaced around the December 2020 crisis, bringing the total number of forcibly displaced persons in **Central African Republic** to nearly 1.5 million people, which also includes more than 735,000 refugees in neighboring countries. As a result, CAR is

⁴ This region includes parts of Cameroon, the Central African Republic, Chad, Libya, the Niger and Nigeria.

one of Africa's largest displacement situations. While the number of IDPs increased steadily from November 2020 to February 2021⁵ in an environment, marked by the election and post-election crisis, the overall trend in population movements declined between March and July 2021. However, population movements are still occurring due to activities of armed elements, particularly in Ouham Pende, Nana-Gribizi, Nana-Mambere and Ouaka prefectures. Although the situation remains volatile in some parts of CAR, voluntary repatriation movements facilitated by UNHCR resumed in October 2021 from the Democratic Republic of the Congo to relatively safe areas of CAR such as Bangui and the Lobaye region in the southwest. However, the prospects for further returns of refugees as well as IDPs to all regions in CAR will be conditioned by the effective implementation of the peace process.

20. The overall security situation in **Chad** is generally calm but with some insecurity and localized conflicts, prevailing only in some provinces. The Lake province is one of those experiencing high insecurity, with incessant attacks by non-state armed groups (NSAGs) hampering population movements and humanitarian access. As of October 2021,⁵ there are around 1 million displaced people in **Chad**. This includes over 529,000 refugees and asylum seekers, coming from **Sudan** (approximately 374,000), the **Central African Republic** (approximately 121,000), **Nigeria** (approximately 19,000) and other countries in the region (approximately 11,764). In addition, there are approximately over 406,000 IDPs and some 30,000 Chadian returnees from the Lake Chad Basin.

21. The **Democratic Republic of Congo** remains one of the most complex and long-standing humanitarian crises in Africa. Ongoing conflicts in the eastern provinces and intercommunal violence across different parts of the country continues to cause forced displacement, both internally and into neighboring countries. This complex situation is further aggravated by the COVID-19 pandemic, Ebola and measles outbreaks, severe food insecurity and natural disasters. As of October 2021, nearly 962,000⁶ Congolese refugees and asylum-seekers were being hosted across the African continent, with the majority living in seven neighboring countries: **Angola, Burundi, Republic of Congo, Rwanda, Uganda, Tanzania, and Zambia**. In many host countries, refugee settlements and camps have reached or exceeded capacity, and the available basic services are stretched to their limit. Food insecurity across the region remains a growing concern for both refugees and host communities, compounded by food ration cuts because of underfunding.

3.3 North Africa Region

22. Refugees, asylum-seekers, and migrants continued to be hosted in **Libya**. The department revitalized engagements with the EU, IOM and UNHCR through the AU/EU/UN Tripartite Taskforce to address the situation of migrants and refugees in **Libya**. Internal displacement trends inside **Libya** stabilized during 2021 with the number of IDPs dropping from 278,000 to 200,000 between January and September

⁵ Figures Provided by UNHCR Regional Bureau for West and Central Africa

⁶ Figures provided by UNHCR Regional Bureau for Southern Africa

2021. As of November 2021, there were some 41,400 refugees and asylum-seekers registered with UNHCR in Libya.

23. The socio-economic situation for **Sahrawi** refugees living in the five camps near Tindouf in **Algeria** further deteriorated as a result of COVID-19. Camp-based refugees reported widespread losses of income, jobs, and shortages of cash. Humanitarian actors, UN agencies and the Algerian Government continued to provide humanitarian and protection assistance to Sahrawi refugees.

3.4 West Africa Region:

24. In **Burkina Faso**, the number of IDPs has increased from 40,000 in 2018 to 1.4 million in September 2021 due to increasing activities of non-state armed groups, coupled by environmental degradation and climate variability. The country also hosts more than 23,000 refugees and asylum-seekers, mostly from **Mali**. Close to 38,000 Burkinabè have also fled to neighboring countries (**Benin, Côte d'Ivoire, Mali and Niger**) since January 2021.

25. The number of **Cameroonian** refugees forced to flee to southern **Nigeria** stood at over 67,000 in September 2021. As the conflict in the North-West/South-West regions of **Cameroon** persists, this number continues to rise.

26. **Côte d'Ivoire** has made meaningful progress towards national reconciliation, political stability and social cohesion through the concerted efforts of the Government and other key political stakeholders, including the African Union, creating the conditions for a safe and dignified return of Ivorian refugees and asylum-seekers in the West Africa region and beyond, and paving the way for the invocation of the cessation clause scheduled by 30 June 2022 (to be checked).

27. In 2017, the UNHCR and the Government of **Niger**, established an Emergency Transit Mechanism (ETM) in Niger, which has resulted in 3,361 refugees evacuated from Libya to the ETM in Niger (similar to the ETM agreement with Rwanda)

28. The operational context in **Nigeria** continues to be dominated by the protracted humanitarian crisis caused by the combined effect of the insurgency in the north-east and the conflict between herders and farmers in the north-west. The operational environment in the north-east is particularly challenging. Despite this ongoing insecurity, spontaneous returns to **Nigeria** are expected to continue from neighboring **Cameroon** and **Niger**, where over 300,000 refugees are still living. Communal clashes and banditry in north-west **Nigeria** displaced some 400,000⁷ people across Zamfara, Sokoto and Katsina and forced an estimated 81,000 others to **Niger**. The herder-farmer conflict in the Middlebelt/Benue State displaced over 300,000 people.

⁷ Figures provided by UNHCR Regional Bureau for West and Central Africa

3.5 Southern Africa Region:

29. Adding to the complexity of humanitarian operations in Southern Africa is the ongoing risk and impact of natural disasters and climate change, which cause loss of life, destruction of property, and set back countries on the path to development. In addition, Covid-19 and its different variants led to further travel restrictions/bans, which has subsequently been lifted.

30. Since 2017, Cabo Delgado, province in Mozambique, has increasingly been targeted by violent actions of Non-State Armed Groups (NSAG), resulting in forced displacement and serious protection incidents against civilians. These violent actions continued 2021 which in turn prompted a robust military response by the Mozambican armed forces. As a result, displacement has increased with IDPs facing protection risks prior, during and after their flight. The limited and over-stretched protection services from both authorities and humanitarian partners to cater for the needs has compounded protection risks. To date, the conflict in northern Mozambique has left tens of thousands of people dead or injured, and forcibly displaced almost 800,000 people in Cabo Delgado, Nampula, Niassa, Sofala and Zambezia provinces. Voluntary repatriation has since begun in some safer areas of the region.

IV. MAJOR HUMANITARIAN ACTIVITIES PLANNED FOR 2021:

4.1 The AU Humanitarian Summit and Pledging Conference:

31. The African Union Humanitarian Summit and Pledging Conference scheduled to take place in November 2021 in Equatorial Guinea⁸ was postponed by the government of Equatorial Guinea to allow conducive environment for hosting a physical meeting in 2022. Equatorial Guinea has expressed its continued commitment to host the Humanitarian Summit and Pledging Conference in April/May 2022.

32. The Department has continued to work with different relevant departments and humanitarian partners to prepare for the organization of the Summit and Pledging conference.

33. In November 2021, the African Union and its partners, held its ninth Humanitarian Symposium as part of preparations for the 2022 Humanitarian Summit and Donner pledging conference to be held in Malabo, Equatorial Guinea. Participants included Member States, African Union Departments of the Commission, RECs, Humanitarian partners, United Nations Agencies, International Non-Governmental Agencies, Civil Society Organizations, Donors, Independent Experts, and NGOs. Specific topics covered included:

⁸ February 2021 Executive Council Decision Ex.CL/Dec.1109(XXXVIII) on the Report of the Commission on Humanitarian Situation in Africa for the period January -December 2020 - Doc.EX.CL/1255(XXXVIII)

- (a) Addressing nutrition and food security challenges in humanitarian situations.
- (b) Link between climate change, disasters and displacements in Africa.
- (c) COVID-19 and health challenges in humanitarian space in Africa.
- (d) Resource mobilization and humanitarian financing in Africa; and
- (e) Development of a Communication and Advocacy Strategy for the Humanitarian Summit and Pledging Conference.

4.2 The STC on Migration, Refugees and IDPs

34. The Virtual Specialized Technical Committee (STC) on Migration, Refugees and IDPs scheduled to take place 8-12 November 2021 did not take place as planned due to lack of quorum. This is a Commission wide experience during this period with serious consequences for documents that were supposed to be adopted by the STC. We need to find a way forward for the affected documents.

4.3 Support to the PRC Sub-Committees on Refugees, Returnees and IDPs and the PRC Sub-Committee on Special Emergency Assistance Fund (SEAF)

35. During the period under review, the HHS Department supported the PRC Sub-Committee on refugees, returnees and IDPs to undertake assessment missions to countries most affected by humanitarian challenges, namely, Angola, Burkina Faso, Central Africa Republic, Chad, Democratic Republic of Congo, Equatorial Guinea, Mozambique, Sierra Leone, Sudan and South Sudan. Solidarity Funds of USD 150,000 per country has been transferred to Burkina Faso, Central Africa Republic, Chad, Democratic Republic of Congo, Equatorial Guinea, Mozambique, and South Sudan. The HHS Department worked closely with the Sub-Committee to prepare for the Humanitarian Summit (details of these activities are provided by the Report of the PRC Sub-Committee on Refugees, Returnees and IDPs)

36. The HHS Department also supported the PRC Sub-Committee on Special Emergency Assistance Fund (SEAF FUND) to address impact of climate change on food security among displaced populations and to address disaster induced humanitarian crisis⁹. The preparations of the Pledging Conference form a major part of the activities of this Sub-Committee as it is aimed at replenishing the SEAF FUND. (details of these activities are provided by the Report of the PRC Sub-Committee on SEAF)

4.4 Ratification and implementation of Relevant Legal Frameworks:

⁹ February 2021 Executive Council Decision EX.CL/Dec.1107(XXXVIII) on the report of the Sub-Committee on Special Emergency Assistance Fund for Drought and Famine -Doc. EX.CL/1247(XXXVIII)

37. The 1969 “OAU Convention Governing the Specific Aspects of Refugee Problems in Africa”¹⁰ enjoys wide ratification with 43 signatures and 46 ratifications. Member States have continued to implement the Convention by offering unwavering hospitality to refugees’ despite of socio-economic, political, developmental and conflict/security challenges that some countries may be facing themselves.

38. Climate change continues to affect and displace many people. On 5 June, the Commission held a meeting with PRC Sub-Committee on Special Emergency Assistance Fund to brief on the effects of climate change and disasters on food security in Africa. The meeting agreed on the need for Member States to reflect on the issue of climate and environment induced displacement within the context of the Convention.

39. Africa remains the only region to conclude a binding instrument to address internal displacement. The African Union 2009 Protocol for the Protection and Assistance of Internally Displaced Persons in Africa¹¹ (the Kampala Convention) provides a solid framework for protecting internally displaced persons and seeking solutions to their plight. By 2021, thirty one of the fifty-five African Union member States had ratified the Convention and 40 had signed it. This is quite good progress but we encourage universal signatures, ratifications and domestication of the Protocol.

4.5 Commemoration of Significant Days:

40. On 20th June World Refugee Day was commemorated in Addis Ababa, Ethiopia. On this occasion, the recognition of the continued hospitality rendered by African Union Member States towards refugees, many of whom are in protracted situation was recognized. Messages of hope for refugees and advocacy for the search for durable solution to the root causes were also expressed by different participants.

41. On 10 August 2021, Africa Civil Registration and Vital Statistics (CRVS) Day was celebrated, with the aim of increasing public awareness on the importance of the timely registration of vital events, particularly births and deaths, including of refugees and displaced persons, through well-functioning civil registration and vital statistics systems. AU member states continue to advocate for effective leadership and strategies to transform and strengthen their civil registration and vital statistics systems because fully functional and complete CRVS system provides real-time data and is the reliable standard for measurement of mortality in a population which is crucial during the pandemic and in humanitarian crisis.

¹⁰ www.au.int - **Adopted by** the Assembly of Heads of State and Government at its Sixth Ordinary Session Addis Ababa, Ethiopia 10 September 1969; **Entry into Force on** 20 June 1974 In Accordance with Article XI; **Text** United Nations, Treaty Series No. 14691

¹¹ www.au.int - African Union Convention for the Protection and Assistance of Internally Displaced Persons **Adopted by** the Special Summit of the Union, Kampala, Uganda 23rd October 2009; **Entry into Force** 6th December 2012

42. On 19 August, World Humanitarian Day was commemorated. H.E Mousa Faki, Chairperson of the African Union Commission in his press statement highlighted the challenge of climate change and its impact on the humanitarian landscape amidst the pandemic grossly affecting vulnerable persons especially refugees, returnees and IDPs in Africa. He stated that no country or region is immune to climate change and no country or region can solve climate change challenges individually, requiring, joint, coordinated multifaceted and multidimensional efforts in mitigating the adverse effects of climate change, building resilience while providing humanitarian assistance to populations affected by climate related disasters.

4.6 Operationalization of the African Union Humanitarian Agency:

43. During the 1002nd meeting¹² of the Peace and Security Council (PSC) held on 8th June 2021 on “The Plight of Refugees, Internally Displaced Persons and Forced displacement in Africa”, focusing on food security amidst the COVID pandemic, the PSC called on the international community to increase support to humanitarian financing in Africa and scale up assistance in food, water and shelter among other basic humanitarian needs of refugees, returnees and IDPs¹³. It also requested the Commission to work with WFP, UNHCR, FAO and other relevant partners to ensure food security to displaced people. The PSC also called on Member States to redouble efforts in addressing the root causes of forced displacement in Africa and the implementation of sustainable solutions for durable peace and stability on the Continent. Ther PSC called on the Commission to ensure the operationalization of the African Humanitarian Agency as Africa’s mechanism to deal with displacements on the continent.

44. On 24 August 2021, the African Union Peace and Security Council (PSC) during its 1025th meeting¹⁴ expressed concern about the unprecedented levels of forced displacement in Africa, which undermined efforts to achieve the aspirations set out in Agenda 2063 and the Sustainable Development Goals. To this end, the PSC echoed the decision of the Executive Council¹⁵ and called for the speedy operationalization of the African Humanitarian Agency to empower and strengthen the predictive, preventive and response capabilities of African countries to address humanitarian crises, including forced displacement, reinforcing the international humanitarian system¹⁶

¹² <https://www.praceau.org> - 1002nd meeting of the PSC (open session) held on 8 June on the theme: “The Plight of Refugees, Internally Displaced Persons (IDPs) and Forced Displacement in Africa”

¹³ Press Statement of the Peace and Security Council 1002nd Meeting: PSC/PR/PS.1002(2021)

¹⁴ <https://www.praceau.org> - 1025 meeting of on the the African Union Peace and Security Council (PSC) on the Operationalization of the African Humanitarian Agency of the AU (AFHA)

¹⁵ February 2021 Executive Council Decision EX.CL. Dec.1109 (XXXVIII) on the Report of the Commission on Humanitarian situation in Africa-Doc.EX.CL/1255(XXXVIII)

¹⁶ Press Statement of the Peace and Security Council 1025th Meeting: PSC/PR/PS.1025(2021)

45. The meeting of the STC on Migration, Refugees and IDPs which did not take place as planned on 8-12 November 2021 to approve the relevant documents of the Humanitarian Agency has seriously been hampered the operationalization process.

V. GLOBAL DEVELOPMENTS AND THEIR IMPLICATIONS

46. The global COVID-19 pandemic has resulted in reduction to refugee resettlement to Europe and America. For example, in the first half of 2021, the number of people resettled to third countries out of Africa fell to just 16,300, compared to 17,400 and 28,700 in the same periods of 2020 and 2019 respectively. However, initiatives to foster local integration throughout Africa continued. In Chad, an “out of camp” approach was implemented, and all new refugees were integrated in host villages. The goal is to transform 30 per cent of the refugee camps into villages by 2024, pursuing a solutions-oriented approach from the outset. Other initiatives to enhance dignity and foster self-reliance were seen in many countries such as Angola, Malawi, Mozambique, Namibia, Zambia and Zimbabwe.

47. On 6th October, the HHS Department participated in the UNHCR Executive Committee Meeting (EXCOM) that usually takes place every year in Geneva and on 7th October, the Department briefed the Africa Group in Geneva. The two briefings focused on the general humanitarian challenges in Africa including concerns over dwindling humanitarian financing in Africa; (the gap in 2021 stands at 54.7%); briefing on the African Union Humanitarian Summit and Pledging Conference scheduled to take place in May 2022; and expressed concerns over new emerging trend on externalization of the asylum procedures by some European countries.

48. In August 2021, the African Union condemned Denmark’s Alien Act¹⁷ Externalizing Asylum procedures to third countries which provides for Denmark to relocate asylum seekers to countries outside the European Union while their cases are being processed. This law will require a third country to agree to host the caseload to be relocated from Denmark for processing, which will effectively externalize and exports the asylum process beyond the borders of Denmark, amounting to responsibility and burden shifting. In a statement the African Union indicated that it “views this law with the gravest of concerns and wishes to remind Denmark of its responsibility towards international protection for persons in need of that protection as provided for in the 1951 UN Convention on refugees, to which Denmark is a state party.” According to press reports other countries are also considering the externalization of the asylum process¹⁸.

VI. RECOMMENDATIONS:

49. Over the years, AU Member States have continued to show considerable support and solidarity towards refugees, asylum-seekers, and internally displaced

¹⁷ <https://ecre.org> - On 3rd June 2021, Denmark Parliament Votes Blind on Externalizing Asylum Procedures and Protection Obligations

¹⁸ <https://www.theguardian.com/uk-news/2021/mar/18/asylum-seekers-could-be-sent-abroad-by-uk-to-be-processed>

persons. To build on this support and protect the most vulnerable, the Commission thus recommends the following:

- (a) Member States and local authorities should continue to support the full participation of refugees, IDPs, representatives of host communities and other affected populations in all relevant process and decisions specifically those related to national responses related to the COVID-19 pandemic.
- (b) Considering the immense impact of climate change on conflict patterns and forced displacement and taking into account the recommendations of the Continental Consultative Meeting on the Supervision and Implementation of the 1969 OAU Refugee Convention, the Commission should work with Member States and partners to develop operational guidelines on how the convention will be implemented in the context of climate change.
- (c) Governments that have not yet signed or ratified the Kampala Convention are encouraged to do so, and those that have ratified the instrument are urged to fully incorporate it into domestic laws and policies to allow for its effective implementation at the national and local levels.
- (d) Governments that have not yet signed or ratified the 1969 OAU Convention are encouraged to sign and/or ratify and fully domesticate the Convention in their domestic laws to ensure its effective implementation.
- (e) As called for by the Executive Council and the African Union Peace and Security Council (PSC) and considering the importance and central role of the African Union Humanitarian Agency as a key pillar to strengthen the coordination of humanitarian action in the continent, there is an urgent need to adopt the draft statute, by the relevant decision-making organs of the Union to pave the way for the operationalization of the Agency.
- (f) Calls on Member States to avoid bilateral arrangements with countries Externalizing Asylum procedures to third countries, which amounts to responsibility and burden shifting. Also reminds all state parties to the 1951 UN Convention on refugees, their responsibility towards international protection for persons in need of that protection as provided for in the treaty.
- (g) While recognizing the deteriorating global economic situation resulting from the COVID-19 pandemic, urge development partners to continue to ensure adequate, flexible and predictable funding to help to address the needs of refugees, returnees and internally displaced persons in Africa and support the sharing of the burden and the responsibility as outlined in the global compact on refugees, including focusing on multi-year, flexible funding that transcends the humanitarian-development divide.
- (h) Calls on all Member States to support and attend the Humanitarian Summit and pledging Conference and to mobilize the necessary resources that the pledging conference seeks in support of humanitarian programs in Africa.

**DRAFT DECISION ON THE REPORT OF THE COMMISSION ON
HUMANITARIAN SITUATION IN AFRICA FOR
THE PERIOD JANUARY– DECEMBER 2021**

The Executive Council,

1. **RECALLS** the African Union (AU) February 2021 Executive Council Decision Ex.CL/Dec.1109(XXXVIII) of the Report of the Commission on the Humanitarian Situation in Africa for the period January - December 2020.
2. **TAKES NOTE** of the Report of the African Union Commission on the Humanitarian situation in Africa covering the period January - December 2021.
3. **COMMENDS** Member States, Africa CDC and the Commission for continued support and solidarity towards refugees, asylum-seekers, and displaced persons amidst the COVID-19 pandemic and its adverse socio-economic effects on livelihoods, especially of vulnerable populations and **CALLS** on governments to continue extending COVID-19 related measures to refugees, asylum seekers, and displaced person in accordance with its Decision EX.CL.1109(XXXVIII) adopted in February 2021.
4. **FURTHER RECALLS** the Peace and Security Council Resolution PSC/AHG/COMM.1042(2021) of its 1043rd PSC meeting held at the level of Heads of State and Government on 29 October 2021 on the theme: “Addressing Disaster Management issues in Africa: Challenges and Perspectives for Human Security” and **ENCOURAGES** Member States to reinforce their role in humanitarian action, especially in situations of disasters and climate induced displacements.
5. **EXPRESSES CONCERN** over the continued humanitarian challenges in Africa, caused by violent conflicts, terrorist attacks, political and economic crises, adverse impact of climate change and natural disasters, such as cyclones, volcanic eruptions, drought, famine, desertification, landslides, floods, animal diseases, pest infestations, epidemics and pandemics resulting in destruction of homes, livelihoods, food insecurity, and forced displacement. These displacements have continued to exist for protracted periods with lasting consequences on the affected populations.
6. **REAFFIRMS** its February 2021 decision EX.CL/Dec.1109 (XXXVIII) on the Report of the Commission on Humanitarian Situation in Africa for the period January -December 2020, requesting the Commission to expediate the operationalization of the African Humanitarian Agency. **AND FURTHER REQUEST** the Commission to work with Member States and partners such as WFP, UNHCR, FAO among others to establish modalities of addressing food security concerns among displaced populations and to develop operational guidelines on climate induced displacements within the context of the 1969 OAU Convention on Refugees adopted by Assembly of Heads of States on 10th September 1969 in Addis Ababa, Ethiopia.

7. **TAKES NOTE WITH APPRECIATION** of the efforts of the Republics of Niger and Rwanda in support of the Emergency Transit Mechanism for refugees from Libya and **ENCOURAGES** all state parties to the 1951 UN Convention on refugees, and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problem in Africa that was adopted by the Assembly of Heads of State and Government on 10th September 1969 in Addis Ababa, Ethiopia, of their responsibility towards international protection for persons in need of that protection as provided for in the two treaties.

8. **CALLS UPON** all interested stakeholders and partners to support the organization of a continental humanitarian summit and donor's/pledging conference to be hosted by the Republic of Equatorial Guinea (EX.CL/Dec.1109(XXXVIII)), **AND FURTHER REQUESTS** Member States, Development Partners and the International Community to support the mobilization resources in support of humanitarian programs in Africa.

AFRICAN UNION UNION AFRICAINE

African Union Common Repository

<http://archives.au.int>

Organs

Council of Ministers & Executive Council Collection

2022-01-20

Report of the Commission on the Humanitarian Situation in Africa

African Union

DCMP

<https://archives.au.int/handle/123456789/10398>

Downloaded from African Union Common Repository