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**REPORT OF THE SUB-COMMITTEE ON REFUGEES,
RETURNEES, AND INTERNALLY DISPLACED
PERSONS IN AFRICA**

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I. INTRODUCTION

1. The PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons together with the Commission of the African Union and in collaboration with the AU Partners successfully implemented its 2011 Programme of Activities and also carried out other emergency situations.

II. ACTIVITIES

Missions of the PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons

2. The PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons visited Ethiopia, Cote d'Ivoire and Tunisia between August and November 2011. They assessed the humanitarian situation of forced displacement. Extensive discussions were held with Government officials, AU Representatives, humanitarian organizations operating on ground as well as refugees, returnees and internally displaced persons.

3. On 14 August, 2011, the delegation consisting of the PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons, the Commission, the Canadian Ambassador who was the Chairperson of the AU Partners Group, United States Ambassador to AU, the Government officials of Ethiopia, UNHCR and WFP visited Dolo-Ado refugee camp in South-eastern Ethiopia which had a Somali refugee population of over 130,000. The purpose of the mission was to assess the humanitarian situation on the ground as part of the AU's effort to assist the victims of the drought and famine in the Horn of Africa. The delegation witnessed the poor conditions in which the new refugee arrivals, especially the children arrived in and the efforts being made by the Government and the humanitarian organizations to cope with such a situation. It was observed that the situation was dire as thousands of refugees were cramped in overcrowded camps with bare necessities. The delegation witnessed several malnourished children who ran the risk of poor brain growth.

Mission to Cote d'Ivoire

4. The PRC Sub Committee on Refugees, Returnees and IDPs undertook a field assessment mission to Cote d'Ivoire from 31 October to 6 November 2011. The last humanitarian mission in Cote d'Ivoire was in December 2009, during which some progress had been reported and thousands of internally displaced persons (IDPs) and Ivorian refugees had started to return home.

However, the post-electoral crisis following the second turn of presidential elections in December 2010 until the inauguration of the new government in April 2011 caused new displacements of populations.

5. With the relative normalcy currently subsisting, the Government authorities have signed tripartite agreements with Liberia, Ghana and UNHCR in order to facilitate the voluntary repatriation of Ivorian refugees from these neighboring countries.

6. Furthermore, in a joint coordination effort, humanitarian actors in Cote d'Ivoire have launched a consolidated appeal based on multi-sectoral needs assessments and priorities of the affected populations. The following objectives have been defined in order to address the humanitarian situation - to improve the conditions of life and protection of the most affected populations, including IDPs, host communities, and other vulnerable groups while assuring access to basic services; to facilitate the voluntary returns in secured zones while searching for durable solutions; to reduce the risk and mitigate the effects of possible new crises through reconciliation programmes.

7. During this visit, the PRC Sub Committee on Refugees handed over financial contribution to Cote d'Ivoire amounting to US\$ 100,000 (one hundred thousand American dollars) in support of the reintegration of returnees; in addition to a previous contribution of US\$ 125,000 to Ivorian refugees living in Liberia and Sierra Leone.

Mission to Tunisia

8. The PRC Sub – Committee on Refugees, Returnees and Internally Displaced Persons undertook an assessment mission to Tunisia, from the 16 – 21 November 2011. The delegation met with national officials as well as various partners that are involved in dealing with the refugee situation in the country.

9. Specifically, the delegation met first with the Deputy Minister of Foreign Affairs, H.E. Mr. Radhouane Nouicer, the Directors-General for International Cooperation and Tunisians Abroad in the Ministry of Social Development and the Ministry of Defence officials. The national officials all gave useful insights into the situation in the country with regard to the refugee situation which the country was experiencing for the first time in its national life.

10. The delegation also met with the UN Resident Coordinator, Representatives from the Humanitarian Support Group and subsequently, attempted to pay a visit to the only camp remaining, the Shousha Camp, in the Southern part of the country. The delegation left Tunis for Zarsis, about 700 Kms away from Tunis, but could not visit the Shousha Camp, which is 7 Kms from the Libyan border due to adverse security report. In the place of a camp visit, the delegation visited a Libyan urban refugee family of six, who were staying within the town of Zarsis. However, the delegation handed over the US\$ 100,000.00 cheque meant to support UNHCR operations to the Head of Sub-Office of the UNHCR in Zarsis, Mr Narsir Fernandes. The delegation was also briefed by the Inter-Agency group in Zarsis, which comprised of the IOM, WFP, UNICEF, DRC and

Islamic Relief Organization. Finally, the delegation met with Dr Nabil Ferjani, Governor, Medenine Governate.

11. Refugee situation in Tunisia was almost non-existence, with just about 100 refugee cases in the country. Therefore, the phenomenon of refugee situation was of no real concern to national authorities. It has no legal framework for asylum nor has it any means of implementing an asylum mechanism. The implication of this is that, with a massive influx of persons that is currently experienced, the UNHCR, have had to handle all refugee status determination cases, which is normally an exercise in the remit of national authorities.

12. The Shousha camp is the only remaining one in the country with about 3600 dwellers at the moment. Most of them are awaiting resettlement to other countries, mainly to USA, Norway, Finland, Ireland, Netherlands, Denmark and Sweden. The first part of this process is that of Refugee Status Determination. Of the number in Shousha Camp, more than two thirds have been recognized as refugees. There are those who have had their asylum claim rejected and are currently being counselled, including advice on options of a return to their countries of origin.

13. About 120 unaccompanied and separated minors are in the Shousha camp along with other vulnerable individuals such as women-at – risk, elderly and a few disabled individuals. UN agencies are facilitating adapted assistance and activities for the group, including best interest determination for the children.

14. The government and people of Tunisia should be commended for their act of generosity and the hospitality shown to the people of Libya during the crisis. The people welcomed Libyan nationals from across the border and offered them accommodation, thereby reducing their being camped. This show of hospitality was also facilitated due to cultural affinity and filial relationship that existed between the two communities prior to the crisis.

15. Owing to the state of affairs that obtained in the country in the area of refugee protection and asylum prior to crisis that led to the sudden influx of refugees and other persons of concern into Tunisia, it was observed that there was an absence of appropriate asylum legal framework that could be used to address the situation that emerged from the crisis. Furthermore, the country was not prepared to receive the number of refugees and therefore, was unable to effectively process them by way of profiling and status determination.

16. It was also noted that the camps that existed were all located very close to the border with Libya. That situation was linked to the fact that initial response to the influx that took place was under the direct control of the military, which by the way offered appropriate succour to the refugees to the best of its capability.

17. Tunisian authorities are to be encouraged to put in place comprehensive legal framework and effective refugee determination process in the area of protection and in particular, asylum.

Meetings

18. As one of the members of the Steering Committee on the African Union First Pledging Conference on Drought and Famine in the Horn of Africa held in Addis Ababa, Ethiopia on 25 August 2011, the Bureau of the PRC Sub-Committee on Refugees participated in several preparatory meetings of the Committee.

19. The Sub-Committee also participated fully in the meeting which mobilized and sensitized the African people on the plight of drought and famine affected population in the Horn of Africa under the theme, "One Africa-One Voice Against Hunger". It was held in Addis Ababa, Ethiopia on 25 August 2011.

20. The Chairperson of the PRC Sub-Committee on Refugees together with the African Union Commission attended the 62nd Session of the Executive Committee of the High Commissioner's Programme (EX-COM) from 3 to 8 October 2011.

21. The meeting stressed the importance of the collective commitment to the notion of protection and emphasized the value of solidarity, cooperation and burden sharing. This emphasis was made because of the event in cote d'Ivoire, Libya and Somalia. Member States praised the generosity and solidarity as shown by neighboring countries in hosting refugees who find themselves faced with complex emergencies. Furthermore, African Member States in particular recognized the increasingly complex environment in which the UNHCR carries out its functions and stressed that there was need for UNHCR to coordinate with other agencies, in particular OCHA.

22. The delegation also met the African Ambassadors Group and several AU partners and held extensive discussions on how to improve the protection and assistance of victims of forced displacement on the Continent.

23. Some Ambassadors representing the five regions who are also members of the PRC Sub-Committee on Refugees held a Caucus Group informal meeting with the ICRC on 25 October 2011 in preparation for the bi-annual AU/ICRC Joint Seminar held on 14 November 2011.

24. The Sub-Committee participated in the Joint AU/ICRC Seminar held in Addis Ababa, Ethiopia in November 2011 under the theme, "Protection of Civilians in Armed Conflicts and Other Situations of Violence in Africa". The Sub-Committee will follow up on the recommendations for implementation.

25. The Sub-Committee participated in regional consultative meetings on the implementation of the Plan of Action on the Special Summit on Refugees Returnees, and Internally Displaced Persons including the promotion of the AU IDP Convention.

26. The PRC Sub-Committee also participated in the Commemoration of 60th Anniversary of the Convention relating to the Status of Refugees and the 50th

Anniversary of the Convention on the reduction of Statelessness which were commemorated in Geneva from 7th – 8th December 2011.

Promotion of signature, Ratification and Domestication on AU Convention for the Protection and Assistance to Internally Displaced Persons

27. The Sub-Committee advocated and encouraged Member States during its missions and in various meetings, conferences and fora to sign, ratify and domesticate the IDP Convention. At the time of reporting, thirty two Member States have signed the Convention; seven have ratified while seven have deposited the instrument with the Commission. The Sub-Committee will continue during the year its advocacy role so that the Convention come into force by 2012.

III. CONCLUSION

28. In various missions, meetings, conferences and seminars, the PRC Sub-Committee on Refugees emphasized the importance of all Member States to implement the Plan of Action that emanated from the outcomes of the 2009 Special Summit of African Union Heads of State and Government on Refugees, Returnees and Internally Displaced Persons in Africa as it has all the elements of addressing the root causes and the challenges of forced displacement in the search for lasting solutions to the problem of forced displacement.

29. The PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons together with the Commission of the African Union and in collaboration with the AU Partners will therefore, continue to pursue the implementation of the Plan of Action as mandated by the African Union Heads of State and Government.

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