

AFRICAN UNION
الاتحاد الأفريقي



UNION AFRICAINE
UNIÃO AFRICANA

Addis Ababa, ETHIOPIA P. O. Box 3243 Telephone 002511-115 517 700 Cables: OAU, Addis Ababa
website : www.africa-union.org

PERMANENT REPRESENTATIVES' COMMITTEE
Thirteenth Ordinary Session
22 – 23 January 2007
Addis Ababa, ETHIOPIA

EX.CL/299 (X)

**REPORT ON THE SITUATION OF REFUGEES, RETURNEES
AND INTERNALLY DISPLACED PERSONS IN AFRICA**

REPORT ON THE SITUATION OF REFUGEES, RETURNEES AND INTERNALLY DISPLACED PERSONS IN AFRICA

I. INTRODUCTION

1. Since the Executive Council met at its 9th Ordinary Session in Banjul, The Gambia in June 2006, the situation of refugees, returnees and displaced persons in Africa remains precarious. The report therefore highlights the developments on the situation of victims of forced displacement on a regional basis and the activities carried out as requested by Council in Decision, EX/CL Dec. 284 (IX) adopted in Banjul, The Gambia in June 2006 and also in Decision EX/CL Dec. 289 (IX) on the Ministerial Conference on Refugees, Returnees, and Displaced Persons in Africa that was adopted in Ouagadougou, Burkina Faso in early June 2006. The report further gives an account of the major challenges in the area of forced displacement and other humanitarian crises, including recommendations on how to forge ahead in overcoming them. The Commission carried out its activities together with the Permanent Representative Committee's Sub-Committee on Refugees, Returnees and Internally Displaced Persons and the African Union Partners as well as other relevant organizations.

II. REVIEW OF THE GENERAL SITUATION OF REFUGEES, RETURNEES AND INTERNALLY DISPLACED PERSONS IN AFRICA

2. The situation of refugees, returnees and displaced persons in Africa portrays a Continent that continues to grapple with a serious problem of forced displacement. While some countries are emerging from conflict and anticipating the return of their people; others are in the throes of violence, causing the flight of thousands of their populations; and at the same time thousands of people are facing harsh weather conditions, thus forcing them to leave their homes in search of shelter.

3. Member States remain concerned about the victims of forced displacement on the Continent, in particular the increasing numbers of internally displaced persons (IDPs) despite the consistent repatriation of thousands of them in the past three years. The refugee population in Africa stands at about 5 million, while the internally displaced persons account for over 15 million. This number represents 51 percent of the world's IDP population in Africa. Gratitude goes to the countries of asylum that continue to commit themselves to welcome the refugees and accommodate them, despite their meager resources which are now further aggravated due to "donor fatigue".

4. The scenario of refugees and displaced persons has been further complicated by mass movements of people because of natural and man-made disasters that have dramatically increased over the last decade, as well as the problem of food insecurity. In 2006 UN agencies estimated that more than 25 million people were affected by disasters in Africa.

5. In addition to the problem of forced displacement, in recent years, the Continent is experiencing migratory movements on a scale of more than 50 million Africans, out of

an estimated global figure of 150 million. The recent Joint Africa-European Union Ministerial Conference on Migration and Development, which was held in Tripoli, Libya in November 2006, discussed at length how to address the problem in search for lasting solutions. However, it should be noted that in the context of migration and development, the movement of refugees is a special case as refugees enjoy a special legal status in accordance with international law but protection of refugees in mixed flows should form an integral part of migration policy in order to be sensitive to the protection needs of other people on the move which is a big challenge.

6. While searching for durable solutions, in particular, in terms of voluntary repatriation and reintegration as well as in terms of local integration, to the problem of forced displacement, and to some extent prevention and response to disasters in Africa, it is of utmost urgency that the international community, in the spirit of international solidarity and burden sharing continue to provide financial and material assistance, bearing in mind the urgent needs of asylum countries and areas of return in order to cater for the refugees, returnees and internally displaced persons.

III. REGIONAL ANALYSIS

A. NORTHERN REGION

7. The majority of refugees in the Northern Region are Sahrawi refugees living in Algeria. Other small numbers of refugees are living in Egypt and Tunisia.

8. In Algeria, the PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons visited the country and went to Tindouf refugee camps in early November 2006. The Government of Algeria informed the mission that for over three decades, the country has been hosting Sahrawi refugees since the conflict over Western Sahara started in 1975, and together with the international community has been assisting the 165,000 Sahrawi refugees. They live in five Tindouf refugee camps, southwest of Algeria, namely, Smara, Layoune, Asousserd, Dakhla and February 27.

9. During the mission, the Government officials of Algeria and Sahrawi Arab Democratic Republic talked about the deteriorating humanitarian situation and drew attention to a Report of the High Commissioner for Human Rights on the gross violations of human rights of the Sahrawi people in the territory of Western Sahara, especially during the past two years. They added that the situation has been further aggravated by the February 2006 floods and the decrease of food assistance from the United Nations High Commissioner for Refugees (UNHCR) and World Food Programme (WFP). The authorities stated that the agencies cut down the number of beneficiaries from 165,000 to 90,000 and then increased it to 125,000 after the 2006 February floods. This decrease has affected the refugees tremendously and they have even had to fall on their reserve food stocks, which are almost depleted. As the allocation of food assistance from the WFP ends in December 2006, the authorities expressed concern over the refugees' welfare and appealed to the African Union to continue showing solidarity with the Sahrawi people.

10. While the refugees were waiting to return to Western Sahara, in 2004, the UNHCR introduced confidence measures for the refugees, which among others, include family visits between Sahrawi refugees in Tindouf camps and their relatives living in Western Sahara Territory and is popular on both sides.

11. In light of the deteriorating humanitarian situation occasioned by the reduction in food supply by the WFP, the mission proposed that the African Union increase its earlier contribution from US\$ 200,000 to US\$ 300,000, made payable to the Sahrawi Red Crescent to meet the urgent needs of refugees in critical areas.

B. WESTERN REGION

12. With the number of conflicts that plagued the Economic Community of West African States (ECOWAS) region for the most part of the 20th century, the region experienced mass movements of people, more than a million. On the other hand, for the past four years some repatriation exercises took place, which started with Sierra Leone and more recently followed by Liberia. The situation of IDPs and returnees is more precarious as many have returned to their homes in often discouraging conditions, rife with abuse and violence.

13. In **Liberia**, there was ongoing repatriation of refugees from neighboring countries. In early September 2006, a first group of Liberian refugees returned home from the northern part of Cote d'Ivoire.

However, UNHCR reported that there still remain some 142,000 refugees from Liberia, around the ECOWAS sub-region.

14. In **Côte d'Ivoire**, the failure to reach a sustainable peace agreement and implement a process of disarmament between the Government and the *New Forces rebel group* has kept the country in a fragile and volatile state, preventing the repatriation of refugees and IDPs. The number of IDPs in the country is about 800,000 according to the International Organization for Migration (IOM).

15. While **Sierra Leone** is enjoying stability, and preparing for its second elections since the end of the 10-year civil war, the uncertainty of its neighbors in Guinea and Côte d'Ivoire, constitute plausible threats to a sustainable peace in the country and sub-region.

16. In the case of **Guinea**, which has served as a host to tens of thousands of refugees from Côte d'Ivoire, Liberia and Sierra Leone for over a decade, it is currently engaged in the repatriation of many of these refugees, with the assistance of UNHCR. There are currently about 39,000 refugees, from its neighboring countries, most of them Liberians, still remaining in the country. Guinea is also estimated by IOM to have an IDP population of 82,000.

17. **Ghana**, like its other neighbors is host to 54,000 refugees from the sub-region, mainly from Togo and Liberia. With the help of UNHCR, about 3,800 Liberians have

voluntarily repatriated from Ghana, since the repatriation process began in October 2004. Some Togolese who fled Togo in 2005 are also spontaneously returning home.

18. **Senegal** continues to host over 22,000 Mauritanian refugees and asylum seekers, according to UNHCR sources. They have no citizenship status and as a result, are experiencing difficulties in returning to Mauritania in safety and dignity.

C. CENTRAL REGION

19. The security situation in the Central region has continued to deteriorate, especially along the Chad/Sudan border areas. Additionally, the region is hosting thousands of refugees mainly from within the region. On the other hand, repatriation and return movements are taking place in some safe areas of the various countries.

20. The conflict in Darfur has spilled over to neighboring **Chad**, which is hosting Sudanese refugees from Darfur that have settled mostly along the border areas.

During the mission of the PRC Sub-Committee on Refugees, Returnees, and Internally Displaced Persons to Chad in October 2006, the eastern part of the country was reportedly in a fragile state. The security situation is therefore rapidly worsening in Chad. The mission was informed that over 90,000 people are displaced in eastern Chad, including 15,000 along the Chad/Darfur border since the beginning of November 2006. According to Chadian authorities, the country is currently hosting about 235,000 Sudanese refugees from Darfur in 12 camps. Officials pointed out that the security situation of the refugees within these camps is very unstable. In this respect, the international community is reflecting on ways to establish appropriate measures in order to support the Government of Chad in its effort to reinforce the security in the refugee camps.

21. In the south of Chad, the mission reported that around 46,000 refugees from the northern part of the Central African Republic are being hosted in 3 refugee camps, with the assistance of the UNHCR and some of their partners. Additionally, there are some 5,000 urban refugees from various neighboring countries (Burundi, Democratic Republic of Congo, Republic of Congo, and The Sudan). In a show of solidarity with the Government of Chad, the African Union handed over to UNHCR a check for US\$250,000.00 as a contribution towards alleviating the plight of refugees in the country.

22. Concerning the **Central African Republic (CAR)** continued fighting in the north of the country has produced over 150,000 IDPs, as well as the tens of thousands who have fled to neighboring countries. The country is also host to some 15,000 refugees from different countries, a majority of them from the Democratic Republic of Congo.

23. At the time of reporting, **Cameroon** was hosting about 50,000 refugees, mainly from CAR, and others from Central and West Africa. The majority of the refugees are scattered in the villages where they are integrated with the local population.

24. **Burundi** continues to receive thousands of its nationals from neighboring Tanzania, Rwanda, and the Democratic Republic of Congo, following the successful elections in 2005 and the signing of a peace agreement with the last rebel group, the *Forces Nationales de Libération* (FNL) on 7 September 2006. Since UNHCR began assisting their return in 2002, over 319,000 Burundians have been successfully repatriated home. While receiving her nationals back, Burundi also hosts a refugee population of 50,000, mainly from the DRC. At the same time, the country has an IDP population of about 117,000, according to IOM figures of June 2006.

25. In the **Democratic Republic of Congo (DRC)**, refugees have been returning back home to safe areas, especially after the 2006 November elections and due to the presence of the UN Mission (MONUC) in the country. At the beginning of 2006, UN estimated that 84,000 Congolese fled their homes each month. There are still about 420,000 Congolese refugees, in particular in the neighboring countries. Due to some relative stability in the country, the number of internally displaced persons dropped sharply from almost 2 million at its peak in 2003 to 1.48 million in August 2006. As the situation continues to improve, the refugees would opt to come back from outside and the IDPs would go back to their villages and reintegrate into society. The country is also looking after some 240,000 refugees from Angola, Burundi, Rwanda, The Sudan and Uganda.

26. The **Republic of Congo** has remained generally stable despite some security incidents in the region. The country is still looking after its displaced population who are numbering between 100,000 to 147,000 according to IOM figures. The majority of refugees, which are close of 50,000 are in the process of being repatriated back to their countries of origin namely, Angola, DRC and Rwanda.

D. EASTERN REGION

27. Some countries in the Eastern Region continued to respect the Peace Agreements that were signed in the past years and this has contributed to the progress in the promotion and implementation of durable solutions in the region. However, at the same time, the overall security situation remained of concern to the African Union. This is in addition to the heavy rainfalls and the waves of floods that hit the region between August and November 2006, in particular Kenya, Ethiopia, Somalia and Uganda. This caused destruction of homes, infrastructure, and food insecurity, as a result, led to an increased number of thousands of internally displaced persons including refugees within the sub-region. According to the UN, the floods were the worst the region had seen in 50 years.

28. **Ethiopia**, which was a country of asylum to over 600,000 refugees in the early 1990's is today hosting up to 99,630 refugees, from The Sudan (70,445), Somalia (16,387), Eritrea (12,130) as well as 668 from various other countries. The number of refugees decreased considerably mainly due to the voluntary repatriation of Somalis to Somaliland (North-west of Somalia) which was completed in 2005. A small number of Sudanese continue to go back to Southern Sudan. While looking after the refugees, the country also experienced torrential rains and floods. Eight out of the eleven regions and

some parts of Addis Ababa, the Capital were affected. This resulted in the displacement of thousands of people. In August 2006, the African Union Commission made a donation of US\$ 100,000 to assist the victims of floods in Ethiopia.

29. **Kenya**, a country of asylum to over 230,000 refugees experienced an additional influx of Somali refugees during the reporting period. UNHCR reported that since the beginning of 2006, about 32,000 Somali refugees fled to Kenya due to insecurity in the south and Central parts of Somalia, thus making the three Daadab camps to have about 160,000 refugees, well beyond the recommended standard of 20,000 refugees in each camp. The large number of refugees is a threat to the environment as they cut down trees for firewood as is already evidenced in the Garissa and southern districts that border Daadab.

30. Furthermore, during the reporting period, in the north and northeastern parts of the country, drought, heavy rains and flash floods have affected about 300,000 people including more than 100,000 Somali refugees in the three Daadab camps who were displaced. UNHCR relocated several refugees. The victims were in need of shelter, health services, sanitation, food and water. Floodwaters washed away bridges and roads and destroyed many buildings, thus hampering aid efforts. In response to the UN's appeal to deal with the situation, the African Union Commission donated US\$ 100,000 to Kenya Red Cross Society.

31. At the time of reporting, **Rwanda** hosted more than 40,000 refugees mainly from the Democratic Republic of Congo followed by Burundi, and other small numbers from various countries. On the other hand, Rwandan refugees continue to come back home from neighboring countries and the country is ready to receive and reintegrate them into their communities with the assistance of UN agencies and the World Bank. Rwanda's northern province was also affected by the heavy rains and floods that have been experienced in the sub-region.

32. Following the relocation of the Transitional Federal Government of **Somalia** in June 2005 from Nairobi, Kenya to Somalia, there was hope that over 350,000 Somali refugees in Djibouti, Ethiopia, Kenya, Uganda and as far as Yemen would voluntarily be repatriated to the south of the country. However, their hopes have been dashed as the situation poses great security, health and environmental challenges not only to the country but also to the whole of the East African region. The new refugee arrivals in Kenya stated that they left because of rising tensions between armed groups including the rivalry between the Transitional Federal Government and the Islamic Courts Union (ICU), which was advancing to expand its control. In July and August 2006, the Islamists took over large areas of land in the regions of Central Somalia. The situation has further displaced thousands of people as the number is estimated to be over 400,000. There is therefore an obligation by the African Union in cooperation with the rest of the international community to intervene and prevent the unfolding events in Somalia.

33. During the reporting period, the situation in the **The Sudan** continued to be of great concern not only to the African Union but also to the international community as a

whole in spite of the various agreements reached during the recent years. The number of internally displaced persons is almost 6 million.

34. In the north, since the signing of the Darfur Peace Agreement (DPA) in May 2006, reports from the AU Humanitarian Officers in The Sudan stated that there have been increased attacks against AMIS forces, civilians as well as international aid workers. There have also been restrictions of humanitarian access and fighting among armed rebels, militia and bandits. In all this the women and children suffer the most. Since May 2006, there has been ongoing forced displacement of over 100,000 and many of them for the second or third time, and death of many innocent civilians, especially in areas that became inaccessible to humanitarian agencies. There was food crisis, lack of water, and medical services because aid workers were finding it difficult to reach the needy population. Additionally, the food crisis was caused due to the fact that farmers could not farm because of insecurity in their villages. Up to date, 2.5 million people have been affected by the conflict and out of this number, more than 1.8 million are displaced while more than 200,000 fled to Chad. In the meantime, while the international community engages in talks with the Sudanese government to increase the AU Peacekeeping Mission and integrate the UN forces into it, Darfur still remains a major cause for concern.

35. In South Sudan, the situation remained relatively stable. Some refugees returned with the help of organized repatriation by the UNHCR, or returned spontaneously mainly from the Democratic Republic of Congo, Central African Republic, Kenya and Uganda. Some displaced persons also went back to their villages. As refugees and IDPs return to their communities, the situation is critical in terms of reintegration and sustainability of the returnees. It is therefore important that the donors honor their pledges to ensure their sustainability so that they do not once again become victims of displacement. Close to 500,000 from this region are still refugees while the internally displaced persons account for over 3 million.

36. In the East, positive developments are taking place. In October 2006, the Government of The Sudan signed a peace deal with the rebels from the Eastern Front, which is aimed at ending the 12 year armed conflict.

37. In the case of **Tanzania**, the number of refugees continued to decline as thousands of Burundian refugees continued to return home since 2005. Several refugees were returning under the UNHCR voluntary repatriation program while others were going back spontaneously. Furthermore, after the signing of the Tripartite Agreement between Tanzania, DRC and the UNHCR, in late January 2005, more than 20,000 refugees have returned home to the DRC. In fact some of the refugee camps with less than 10,000 refugees have been closed and the refugees were transferred to camps with more than 10,000 refugees. However, the country is still providing asylum for about 300,000 refugees, the majority from the Great Lakes Region. This is in addition to the thousands of longstanding refugees.

38. **Uganda** is home to about 240,000 refugees and the majority of them are from The Sudan. In addition to catering for the refugees, the country has almost 1.8 million

internally displaced persons who have been living in more than 200 camps in the north of the country. Under the terms of truce which took effect in August 2006, the Lord's Resistance Army (LRA), a rebel group and the Government of Uganda agreed to a cessation of hostilities as negotiations continue on a full fledged ceasefire that will include demobilization, disarmament and reintegration of troops. In November 2006, the United Nations Under Secretary General for Humanitarian Affairs met the leader of LRA and strongly told him the importance of humanitarian issues including ongoing respect for the cessation of hostilities and the transfer of individuals among the LRA, including women, children and the wounded. It was the first time to impress upon the LRA. The peace efforts will contribute to the return of IDPs and peace will be guaranteed not only in northern Uganda but also in southern Sudan, the Democratic Republic of Congo, and the Central African Republic as well as in the region as a whole.

39. It should be recalled that during the 20 year conflict, the LRA carried out many atrocities such as abduction of children and using them as soldiers or porters, raping young girls and women, looting, torture and maiming people of different ages. IOM reported that 75 percent of the IDP women were victims of torture, abduction, rape, hard labor, unwanted pregnancies, as well as victims of HIV/AIDS.

40. The UN has begun to provide humanitarian assistance to the affected areas, and Caritas is engaged in providing basic services. The UN will further provide logistical support to the peace process through its UN Mission in Sudan (UNMIS) and will also be part of an Observer Team on the Cessation of Hostilities Monitoring.

E. SOUTHERN REGION

41. The Southern region continues its repatriation of refugees, most of who are from neighboring countries and the Central Africa region. While the region itself no longer struggles with any major conflicts, it remains home to an estimated 2.9 million internally displaced persons, the majority being from Angola, according to the report from the Regional Seminar on Internal Displacement in the Southern African Development Community of 20 February 2006. In addition to the IDPs, the region also continues to host thousands of refugees from the Democratic Republic of Congo, Somalia, Rwanda and Burundi, and at the same time struggling with its problems of food insecurity. Additionally, some 8,000 Malawians were left homeless after the heavy rains in November 2006, when the River Shire burst its banks.

42. In the case of **Angola**, in December 2006, UNHCR will mark the end of a four-year repatriation program for Angolan refugees from Botswana, DRC, Namibia and Zambia. So far about 550,000 have returned home since 2003.

43. **Zambia's** refugee population decreased due to the repatriation of mainly Angolans. Furthermore, close to 60,000 refugees from the DRC will opt to go back home after a tripartite agreement signed in November 2006, between Zambia, the Democratic Republic of Congo, and UNHCR. This will be in addition to the 80,000 who returned home in 2005.

F. IMPLEMENTATION

44. The Commission of African Union, the PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons, in close cooperation and collaboration with AU Partners, in particular the UN High Commissioner for Refugees (UNHCR), World Food Program (WFP), International Organization for Migration (IOM), International Committee of the Red Cross (ICRC) and Africa Humanitarian Action (AHA) as well as other relevant humanitarian agencies implemented the Decision adopted in Banjul, The Gambia in June 2006, EX/CL/Dec. 284 (IX); and Decision EX/CL/Dec. 289 (IX) on the Ministerial Conference on Refugees, Returnees and Displaced Persons in Africa that was convened in Ouagadougou, Burkina Faso in early June 2006 as follows:

45. The PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons undertook field assessment missions to Algeria and Chad between October and November 2006. The objectives of the missions were to assess the worsening humanitarian situation in the two countries. They held consultations with the Governments of Algeria, Chad, the Sahrawi Arab Democratic Republic (SADR), and some humanitarian agencies, on the humanitarian situations prevailing in the two countries.

46. In Chad, the mission concentrated on the security problems in the country, which as a result has affected the security of the refugee camps. In solidarity with the Government, the African Union granted a financial contribution of US\$250,000 to care for the over 250,000 refugees from Central African Republic and Darfur, The Sudan.

47. In the case of Algeria, the authorities highlighted the deteriorating humanitarian situation and drew the attention to a Report of the High Commissioner for Human Rights on the gross violations of human rights of the Sahrawi people in the territory of Western Sahara, especially during the last two years. They added that the situation had been further aggravated by the 2006 February floods and the decrease of food assistance from the UNHCR and WFP as the number of beneficiaries were reduced from 125,000 to 90,000 even though it was increased after the floods to 125,000. It should be noted that the allocation of food assistance from the WFP was to end in December 2006 and there was concern about the refugees' welfare. Due to the grave situation, at the time of reporting, the Commission was considering a financial contribution to alleviate the suffering of the refugees, especially women and children in the Tindouf camps.

48. In order to expedite the efforts of developing a legal framework for the internally displaced persons, the Commission engaged a consultant who drafted a legal instrument for the protection and assistance of internally displaced persons in Africa. The instrument is ready for review by Government Legal Experts in 2007.

49. A meeting of Free Movement Framework was held in December 2006 at the AU Headquarters and its aim was for the facilitation of free movement in Africa and issuance of an African Diplomatic Passport as soon as possible.

50. The AU Coordinating Committee on Assistance and Protection to Refugees, Returnees and Internally Displaced Persons in Africa (CCAR) held its 29th Ordinary Session at the AU Headquarters in Addis Ababa, in October 2006. During the session, the Coordinating Committee revised its Rules of Procedure of the revitalized CCAR and Terms of Reference of its Working Group. The revised Rules of Procedure will meet the challenges of addressing the problems of forced displacement on the Continent. The documents are appended to this report for endorsement.

51. The PRC Sub-Committee on Refugees held its 2nd Ordinary Session in December 2006 and its Bureau met several times before the convening of various meetings, which were of concern to the PRC Sub-Committee on Refugees. During the Session, they examined the progress report on the situation of refugees, returnees and displaced persons, considered the mission reports to Algeria and Chad, and adopted the Rules of Procedure of the Coordinating Committee on Assistance to Refugees, Returnees and Internally Displaced Persons, and the Terms of Reference of its Working Group.

52. The Commission continued to strengthen its cooperation with relevant partners especially the UNHCR, WFP, ICRC, IOM and AHA through joint programmes including meetings and seminars, which included the following:

53. 57th Session of the Executive Committee of the High Commissioner's Programme (EX-COM), which was held in early October 2006.

54. The Launching of the ICRC Study on Customary International Humanitarian Law (IHL) in Africa that took place at the AU Headquarters at the end of October 2006. Eminent personalities participated at the event. The study will enhance the effectiveness of existing rules and practices of IHL.

55. The 9th AU-ICRC Brainstorming Day was held on 1st November 2006. The Brainstorming takes place every two years for the African Ambassadors accredited to the AU and Ethiopia. It is a continuation of the promotion of IHL.

56. The Joint Africa-European Union Ministerial Conference on Migration and Development that was held in Tripoli, Libya in November 2006 identified nine joint principles for cooperation that included protection of refugees. At the end of the Conference a Joint Declaration on Migration and Development was adopted recommending to this Executive Council meeting the Draft AU-EU Action Plan to Combat Trafficking in Human Beings, especially Women and Children.

57. On the Outcome of the Ouagadougou Ministerial Conference on Refugees, Returnees and Internally Displaced Persons of June 2006, which requested the PRC Sub-Committee on Refugees, AU Partners, Civil Societies and NGOs to remain engaged in monitoring its implementation the following were carried out:

- the Commission reviewed the Draft Policy on Access to Post-Primary Education for Victims of forced Displacement in Africa for its adoption to

this Executive Council Session. It is therefore appended to this report for adoption.

- in addition to assistance extended to Chad in favour of refugees from Central African Republic, The Sudan (Darfur), and the Sahrawi refugees in Tindouf refugee camps, the Commission made donations of US\$100,000 each to victims of floods in Ethiopia and Kenya.

V. CHALLENGES AND THE WAY FORWARD

58. The Commission has been reporting the positive developments in addressing forced displacement for the past consecutive years because of the return of thousands of refugees and internally displaced persons on the Continent. However, due to the numerous challenges that Member States have to face, the African Union Commission together with the PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons and in close cooperation with the AU partners has to forge ahead to meet these challenges as was evidenced during the June 2006 Ministerial Conference on Refugee, Returnees and Internally Displaced Persons in Ouagadougou, Burkina Faso and also during the missions of the PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons.

Challenges

59. The challenges to address, just to mention a few are:

- Protection for victims of forced displacement through implementation of relevant international legal instruments relating to the status of refugees and resettlement opportunities.
- Creating conducive conditions for the return of refugees and internally displaced persons in safety and dignity and lack of the international community to honour their pledges towards the post-conflict reconstruction programmes and activities.
- The forgotten protracted refugee cases, in particular the Sahrawi refugees in Tindouf refugee camps in Algeria.
- The presence of combatants in camps or refugee related areas often threatens the fundamental principle of the civilian and humanitarian character of asylum and cause serious security concerns for refugees, host countries and humanitarian aid workers and also violations of human rights.
- The gaps in the assistance to victims of forced displacement in Africa due to persistent “donor fatigue” continue to affect the programmes of forced displacement at all levels.
- The lack of access to post-primary education for victims of forced displacement in Africa.
- The magnitude of illegal and irregular migration that have impacted on Africa’s development.

The Way forward

60. The way forward for the African Union includes the following:

- The African Union needs to engage all relevant parties concerned to address and eliminate the problem of forced displacement on our Continent. Therefore, these are some of the elements for thought:
- Pursue the reaffirmation of Member States with regards to the international legal instruments for the protection of victims of forced displacement and respect for the principle of non-refoulement.
- Sensitization of Member States, donors and international public opinion in support of victims of forced displacement.
- Adoption and implementation of important instruments in favour of refugees, returnees and internally displaced persons.
- Engage in resource mobilization strategies with AU partners to carry out programmes and activities for victims of forced displacement including to some extent prevention and response to disasters in Africa.
- Continue to engage the international community on the need to provide assistance for the protracted refugee cases in line with burden sharing.
- Implementation in the area of protection of refugees and concern for human rights and the well-being of the individual as adopted at the Joint Africa-EU Declaration on migration and Development in November 2006 in Tripoli, Libya.

61. In conclusion, the Commission of the African Union together with the PRC Sub-Committee on Refugees and in close cooperation and collaboration with AU Partners and other relevant organizations including all the members of the AU Coordinating Committee on Assistance and Protection to Refugees, Returnees and Internally Displaced Persons will continue to pursue its work programme in favour of victims of forced displacement in accordance with the various Decisions, Recommendations and Resolutions that were adopted in different meetings, conferences and seminars, in particular at the AU Executive Council meetings and Assembly of Heads of State.

AFRICAN UNION UNION AFRICAINE

African Union Common Repository

<http://archives.au.int>

Organs

Council of Ministers & Executive Council Collection

2007

Report on the situation of refugees, returnees and internally displaced persons in Africa

African Union

African Union

<http://archives.au.int/handle/123456789/4434>

Downloaded from African Union Common Repository