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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Assistance to refugees, returnees and displaced persons in Africa

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 64/129 on assistance to refugees, returnees and displaced persons in Africa. It covers the period 1 January 2009 to 1 June 2010 and updates the information contained in the report of the Secretary-General submitted to the sixty-fourth session of the Assembly (A/64/330). The report has been coordinated by the Office of the United Nations High Commissioner for Refugees and draws on information received from the Office for the Coordination of Humanitarian Affairs, the International Labour Organization, the World Health Organization, the World Food Programme and the Representative of the Secretary-General on the human rights of internally displaced persons. It is also based on publicly available reports from the Food and Agriculture Organization of the United Nations, the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and the United Nations Development Programme.

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I. Introduction

1. Africa¹ is home to some of the world's most intractable and complex conflicts, which have caused the displacement of millions of people, often for protracted periods. At the same time, innovative approaches to deal with the multifaceted issues related to the protection and assistance of displaced populations are being explored and groundbreaking legal frameworks are being established, such as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa.

2. At the time of writing the present report, sub-Saharan Africa hosted around one fifth of the world's refugees, some 2.1 million people, compared with more than 3.4 million in 2000. The refugee population decreased by 1.5 per cent in 2009 compared with 2008, mainly owing to the naturalization of refugees from Burundi in the United Republic of Tanzania and successful voluntary repatriation operations to Angola, Burundi, the Democratic Republic of the Congo, Rwanda and Southern Sudan. Nonetheless, renewed armed conflict, and human rights violations in the Democratic Republic of the Congo and Somalia, led to new refugee outflows of some 277,000 people, as well as to more internal displacement.

3. At the end of 2009,² an estimated 11.6 million people were internally displaced by conflict in 21 countries in sub-Saharan Africa, representing more than 40 per cent of the world's internally displaced persons. This figure includes more than 2.1 million newly displaced people, with a similar number returning home during 2009.

4. In October 2009, Heads of State and Government adopted the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention), which will enter into force once it has been ratified by 15 member States. By mid-June 2010, the Convention had been signed by half (27) of the African Union members and ratified by one (Uganda). While the scope of its application pertains to African Union member States, its importance as a standard and a model extends well beyond Africa.

5. Fighting and insecurity restricted humanitarian access in many parts of Africa, hindering the delivery of protection and assistance. Despite mitigation measures, including the deployment of peacekeeping forces, the security of beneficiaries and humanitarian personnel was frequently at risk. Reductions in the military components of the United Nations Organization Mission in the Democratic Republic of the Congo and the United Nations Mission in the Central African Republic and Chad have raised concerns regarding the security frameworks that make the delivery of humanitarian aid possible.

6. Between January 2009 and the end of May 2010, some \$6.9 billion was received for humanitarian activities in Africa, including through 23 inter-agency

¹ In the present report, Africa refers to sub-Saharan Africa.

² Statistics on refugees, asylum-seekers and returnees in the present report usually refer to numbers compiled by the Office of the United Nations High Commissioner for Refugees as at 1 January 2010, unless otherwise specified. Statistics on internally displaced people are estimates provided by the Internal Displacement Monitoring Centre's *Internal Displacement, Global Overview of Trends and Developments in 2009*, as well as estimates collated by the Office for the Coordination of Humanitarian Affairs. Statistics are provisional and are subject to change.

appeals by the United Nations and its non-governmental organization (NGO) partners. Donors continued to pool humanitarian resources for the Central African Republic, the Democratic Republic of the Congo and the Sudan, giving the Humanitarian Coordinators in those countries a strategic funding mechanism aimed at ensuring predictable and early support for critical activities. United Nations entities and NGOs also received significant emergency-response funding in the Democratic Republic of the Congo, Kenya, Somalia, the Sudan, Uganda and Zimbabwe.

7. During the same period, the Central Emergency Response Fund contributed to a timely and predictable response to emergencies by providing more than \$356 million to organizations in 31 African countries (58 per cent of all disbursements from the Fund). The main recipients were humanitarian operations in Somalia (17 per cent), the Democratic Republic of the Congo (13 per cent), Zimbabwe (10 per cent) and Kenya (10 per cent). Rapid response grants in Africa accounted for \$203 million (57 per cent of the total amount available). Fifteen African countries were selected for under-funded allocations, totalling more than \$152 million.

II. Regional overviews

A. East Africa and the Horn of Africa

8. Insecurity and the political situation in Somalia and the Sudan dominated humanitarian work in the region. The spike in violence in southern and central Somalia and the suspension of food aid in certain parts of the country have prompted the Office of the United Nations High Commissioner for Refugees (UNHCR) and the World Food Programme (WFP) to revise their contingency plans for the region. Both organizations have aligned their planning figures and scenarios in order to respond adequately to increasing population displacement.

1. Sudan

9. The Sudan is at the centre of the largest humanitarian operation in Africa, with hundreds of thousands of refugees and asylum-seekers from Eritrea, Ethiopia and Somalia in the east of the country and in Khartoum, and with returning internally displaced persons and refugees, as well as newly displaced people and refugees from the Democratic Republic of the Congo, in the south. There are nearly 2.7 million internally displaced persons, and refugees from Chad and the Central African Republic, in the Darfur region. With some 368,200 nationals living as refugees or asylum-seekers elsewhere, the Sudan is also the third largest refugee-producing country of the continent, after Somalia and the Democratic Republic of the Congo. Overall, an estimated 4.9 million Sudanese people are internally displaced.

10. In Darfur, insecurity remained a constant concern throughout 2009. The expulsion or de-registration of a number of NGOs had a negative impact on the implementation capacity of United Nations organizations. According to World Health Organization (WHO) estimates, services in 44 health facilities were interrupted as a consequence, reducing the delivery of health services to internally displaced persons and other vulnerable groups in Darfur by one third. In April, the

humanitarian country team agreed to roll out the cluster approach in Darfur to ensure that coordination mechanisms were up to the challenge of addressing the humanitarian needs of people on a more predictable and accountable basis.

11. Since 2005, some 330,000 Southern Sudanese refugees have returned to their areas of origin, including some 32,000 in 2009. The pace of returns has slowed down, partially because of insecurity, but also because some of the remaining refugees are reluctant to return. Violence between ethnic groups and attacks by the Ugandan Lord's Resistance Army (LRA) in the northern part of the Democratic Republic of the Congo, and along the borders with Southern Sudan, displaced some 400,000 people. Addressing the lack of security, establishing the rule of law and local governance and facilitating reconciliation and local integration remain essential for creating a supportive environment for returnees and residents alike.

12. The protracted refugee situation in eastern Sudan began some 40 years ago, making it the oldest in Africa. UNHCR has increased self-reliance activities in the east, including access to land for refugees, in an effort to bring closure to this protracted refugee situation. The United Nations Development Programme (UNDP) and other United Nations organizations are developing programmes to extend activities to the refugee camps. However, continuous new arrivals pose a challenge, with nearly 24,000 refugees and asylum-seekers from Eritrea, Ethiopia and Somalia registered in 2009.

2. Somalia

13. Security and humanitarian conditions in southern and central Somalia have steadily deteriorated in 2009 and the first half of 2010. Somalia is the largest refugee-producing country in Africa. Of some 678,000 refugees and asylum-seekers who have fled abroad, 132,000 left in 2009, mainly to Kenya (72,500), Yemen (32,000), Ethiopia (23,600) and Djibouti (3,700). There are some 1.4 million internally displaced persons, including an estimated 200,000 people newly displaced during the first five months of 2010. In northern Somalia, internally displaced persons continue to face protection risks, including forced return to southern and central Somalia, abduction and the dangers inherent in onward migration movements. The political and humanitarian crisis is aggravated by severe drought, poverty, food insecurity and periodic heavy flooding in the Horn of Africa.

14. Humanitarian space continued to shrink in 2009 as a result of increasing violence and insecurity. In early 2010, threats to staff, unacceptable conditions and demands from armed groups forced WFP to suspend its aid programme in the south of Somalia, leaving an estimated 625,000 people without food support.

15. Humanitarian agencies operate in central Somalia but under very difficult conditions, seeking to take advantage of any window of opportunity to reach the displaced population. In addition to the complex operational environment, assistance to internally displaced persons in Somalia has also been hampered by limited humanitarian funding.

3. Djibouti

16. Djibouti is at a crossroads of irregular movements of people, including refugees from East Africa and the Horn of Africa moving to the Arabian Peninsula. The number of asylum-seekers rose by 30 per cent in 2009, to some 13,000 people.

Most refugees and asylum-seekers are hosted in the overcrowded Ali Addeh camp, many living on less than 7 litres of water a day. In the first half of 2010, the authorities agreed to set up a new camp to alleviate the pressure on services. Resettlement was resumed in 2009 for people at risk in Djibouti, preserving protection space with this concrete demonstration of responsibility-sharing.

4. Ethiopia

17. Ethiopia has hosted thousands of refugees from the region for decades. By 1 January 2010, more than 124,000 refugees and asylum-seekers, including nearly 43,000 new arrivals, mostly from Somalia and Eritrea, were living in the country. The increasing number of arrivals required the opening of new camps in the north and south-east of the country. Given the proximity of Ethiopia's Dollo Ado region to the conflict zones in Somalia, the suspension of food aid and the effects of endemic drought, more Somalis are likely to seek asylum in Ethiopia.

5. Kenya

18. While the political climate in Kenya has remained stable, the country is still recovering from the December 2007 post-election violence that displaced some 600,000 people. The Government has helped many families to return, but an unspecified number of people remain in transit camps or with host families, awaiting a lasting solution and support to rebuild their lives.

19. At the beginning of 2010, Kenya was providing asylum to nearly 359,000 refugees. Most are living in the overcrowded camps in Dadaab in eastern Kenya. The camps were originally established for 90,000 refugees, but now accommodate more than three times that number. The local authorities have agreed to allocate additional land to extend one of the camps (Ifo), and in 2009 some 12,900 refugees were relocated to Kakuma camp in north-western Kenya. While these measures have helped to alleviate the pressure on facilities and services in the Dadaab camps, the ongoing influx continues to pose a challenge to meeting internationally accepted protection and assistance standards. Efforts are being made to resettle some of the most vulnerable Somali refugees who have been living in the camps for almost 20 years. However, the response by resettlement countries has thus far not matched the needs.

20. During the first half of 2010, over 25,000 Somalis arrived in Kenya. More and more Somalis are lodging an asylum claim in Nairobi, straining protection and assistance capacity in the Kenyan capital.

6. Uganda

21. While no LRA attacks took place in northern Uganda during the reporting period, the group has been wreaking havoc in Southern Sudan, the Democratic Republic of the Congo and the Central African Republic. Fighting between the armed forces of the Democratic Republic of the Congo and LRA has forced some 16,500 Congolese into northern Uganda, bringing the total number of Congolese refugees in the country to more than 73,000.

22. Confidence in the sustainability of the current peace in northern Uganda has resulted in significant return movements by internally displaced persons and the closure of three quarters of the camps. The lack of basic social services, however,

continues to hamper efforts to end this displacement situation. Authorities in northern Uganda have agreed that some of the camps should be converted into viable communities. Nevertheless, without significant improvement in access to essential services such as safe drinking water, sanitation, health care and protection, the 1.4 million internally displaced persons who have returned to their villages of origin, and the estimated 500,000 still living in transit centres, will face significant challenges. Without investment in basic services, an effective transition from conflict to recovery and development will not succeed.

B. Central Africa and the Great Lakes region

23. The vast Central Africa and Great Lakes region has suffered economic hardship and conflict, creating new displacement within countries and across borders. In 2009, some 125,000 refugees from Equateur Province of the Democratic Republic of the Congo crossed into the Congo and the Central African Republic. While UNHCR and other United Nations organizations responded rapidly to the humanitarian and protection needs of the refugees, the generosity of the host communities on the other side of the Oubangui River was essential. In Burundi, the construction of “peace villages” integrating internally displaced persons, landless returnees and vulnerable people with different ethnic backgrounds was an innovative contribution to efforts to close the chapter of displacement in that country.

1. Chad

24. The beginning of 2009 was marked by political tension, with incursions by armed opposition groups into eastern Chad. The United Nations and other international organizations had to relocate or withdraw from the east on several occasions. Some 340,000 refugees, mainly from the Sudan and the Central African Republic, as well as some 170,000 internally displaced persons, depend on humanitarian assistance in the country. Widespread drought-induced hunger in the country, in particular in the Sahel belt, has meant that host communities also rely on humanitarian assistance.

25. The Security Council authorized the deployment of MINURCAT, which started to take over from the European-led military force in March 2009. Even though never fully deployed, the MINURCAT military force and the United Nations-trained Chadian police have provided protection for humanitarian convoys, refugees and internally displaced persons, as well as for aid workers. Direct negotiations between Chad and the Sudan started in October 2009, culminating in the signing of an agreement in January 2010 to normalize bilateral relations. At the request of the Government of Chad, the Council decided to reduce the military component of MINURCAT to its initial authorization levels and to complete the withdrawal of all uniformed and civilian components of MINURCAT by the end of December 2010. The Government of Chad will assume responsibility for the protection of civilians and relief workers.

26. During the reporting period, nearly 21,000 internally displaced persons have returned to their places of origin in Chad, despite the precarious security situation and lack of basic services. It is crucial to strengthen early-recovery efforts,

including access to justice, economic recovery and basic social services, as well as to increase the presence of State authority to make these returns sustainable.

2. Central African Republic

27. Violent clashes between Government and rebel forces continued in spite of the peace agreement the Government of the Central African Republic had signed with several rebel groups operating in the northern part of the country and an inclusive political dialogue, which started in December 2008. Members of the Ugandan LRA crossed into south-eastern Central African Republic as they were being pursued by Government forces from the Democratic Republic of the Congo. Both situations caused internal displacement, an influx of Central African refugees into Cameroon and Chad, as well as the arrival of refugees from the Democratic Republic of the Congo in the Central African Republic. Furthermore, some 15,500 refugees fled from Equateur Province of the Democratic Republic of the Congo to the south-western part of the Central African Republic. In total, the Central African Republic currently has some 197,000 internally displaced persons and hosts nearly 30,000 refugees, mostly living in impoverished areas. Areas of conflict were often inaccessible, hampering the delivery of humanitarian aid where it was most needed.

3. Democratic Republic of the Congo

28. Even though more than 1 million returns of internally displaced persons were registered in North and South Kivu in 2009, insecurity prevails in many parts. Military operations and human rights violations by armed groups have also displaced more than 1 million people since the beginning of 2009. As at June 2010, the total number of internally displaced persons was estimated at 1.8 million people. The high level of internal displacement has created massive humanitarian needs, particularly in the Kivus and in Orientale Province. In 2009, more than 15,000 cases of sexual and gender-based violence were registered. Access to displaced populations remained extremely challenging because of insecurity, the remoteness of many areas and high transportation costs.

29. In Orientale Province, LRA has intensified attacks on civilians, spreading the humanitarian crisis along the borders of neighbouring countries. Between December 2009 and February 2010, more than 350 civilians were reportedly killed by LRA and dozens of others, including children, were kidnapped. The number of internally displaced persons in Haut and Bas Uélé Districts was estimated at 300,000 in June 2010. The presence of LRA rebels in these two districts also hampers the return of displaced people and is likely to continue to cause displacement. The volatile security situation makes it difficult for people to reach basic facilities and for humanitarian agencies to access affected populations. Delivery of humanitarian assistance in these Districts largely depended on the provision of MONUC security escorts.

30. The outbreak of violence in the north-western Equateur Province in November 2009 caused the internal displacement of 60,000 people. Some 125,000 refugees from the Democratic Republic of the Congo crossed the border into the Congo and the Central African Republic. Although some internally displaced persons returned to their villages, most people have refrained from going back because of security concerns, persisting communal tensions and lack of functioning infrastructure and services in the areas of return.

31. The expulsion of nationals of the Democratic Republic of the Congo from Angola continued, reportedly amounting to more than 10,000, since the beginning of 2010. The Office for the Coordination of Humanitarian Affairs estimates that the total number of nationals of the Democratic Republic of the Congo expelled from Angola since the beginning of 2009 stands at 160,000. During October and November 2009, some 54,000 Angolan nationals, including a significant number of refugees, were expelled from the Democratic Republic of the Congo.

4. United Republic of Tanzania

32. By June 2010, the Government of the United Republic of Tanzania had naturalized some 162,300 of the refugees who had arrived from Burundi in 1972 and were living in the so-called “old settlements”, while some 22,300 were awaiting a decision on their application. Notwithstanding some efforts and investments made through the United Nations country team, the local integration of these newly naturalized Tanzanians remains incomplete. Some 32,000 refugees repatriated to Burundi in 2009, but another 35,000 remain in the Mtabilla camp. The Tanzanian authorities officially closed the camp in June 2009, although essential services are still being provided. While all formal education has been halted, UNHCR and the United Nations Children’s Fund have started informal education activities in the camp.

C. Southern Africa

33. Nearly 54,000 nationals of Angola, many of whom had refugee status, were forced to leave or have decided to return from the Democratic Republic of the Congo. Their sudden arrival in northern Angola created a humanitarian emergency, as many had no time to collect family members, possessions or documentation. The Government of Angola provided assistance with support from United Nations organizations and NGOs. Most of the returnees were quickly relocated or placed in transit centres.

34. South Africa remained the main destination for asylum-seekers worldwide, receiving 222,000 asylum claims in 2009. In comparison, the United States of America was the second most popular destination, with 45,600 claims. The majority of asylum-seekers in South Africa came from Zimbabwe. South Africa has protection-oriented refugee legislation, granting refugees and asylum-seekers the right to live where they wish and move around freely, as well as access to the job market and to social services. With a national unemployment rate of more than 24 per cent, income disparities, rapid urbanization and lack of basic services, sporadic xenophobic violence has continued to occur in the country. The Government, United Nations organizations, NGOs and civil society have been working together to prevent intolerance of foreigners, including through awareness-raising, involving community organizations and increased police vigilance.

35. In Zimbabwe, lack of access to basic services such as clean water and sanitation, health, education and shelter remains a major problem for millions of Zimbabweans, including an unknown number of internally displaced persons. Following the formation of an inclusive Government in February 2009, an enhanced engagement between the humanitarian community and the Government has strengthened efforts to address internal displacement and protection issues. A joint

assessment by the United Nations and the Government, initiated in August 2009, has helped to gauge the needs of communities of internally displaced persons. Initial indications are that some of these communities still need humanitarian assistance, while others require help with recovery and local integration.

D. West Africa

36. Although peace prevailed in most of West Africa, the political and security situation remained fragile in several countries. Events in Côte d'Ivoire, Ghana, Guinea, Guinea-Bissau, Niger and the Casamance region in Senegal showed that crises can still erupt suddenly. While hundreds of thousands of refugees and internally displaced persons have returned to their places of origin in previous years, the remaining refugees have been in exile for a protracted period, with a majority living in urban areas.

37. Following the invocation of the "ceased circumstances" clause for Sierra Leonean refugees at the end of 2008, the search for durable solutions for more than 19,000 former refugees in the region was intensified. The Economic Community of West African States (ECOWAS) Protocols on Free Movement of Persons and the Right of Residence and Establishment provided a framework, which helped in finding a durable solution for refugees. More than 5,000 refugees received a Sierra Leonean passport. While the passports served as a residency permit in Côte d'Ivoire and Mali, in the other countries the former refugees needed to obtain separate residency permits. Efforts are under way to review the situation of Liberian refugees, with a view to bringing closure to this refugee chapter by the end of 2011.

38. Some 12,000 Mauritanian refugees repatriated from Senegal. There are still more than 500,000 internally displaced persons in Côte d'Ivoire, living in very difficult circumstances, often in areas where access by humanitarian organizations was hindered by lack of security.

III. Humanitarian response and inter-agency cooperation

A. United Nations reform

1. The cluster approach

39. The United Nations and its humanitarian partners continued efforts to ensure a coordinated and predictable humanitarian-response capacity in Africa through the cluster approach. The cluster system or similar coordination mechanisms are now being implemented in 14 countries in Africa (Burundi, the Central African Republic, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Ethiopia, Guinea, Kenya, Liberia, the Niger, Somalia, the Sudan, Uganda and Zimbabwe). Following the introduction of clusters in the Sudan, an inter-cluster support mission was organized in June 2009, with the aim of strengthening the humanitarian response, supporting the implementation of clusters and identifying gaps and challenges in operations. In Uganda, the emphasis is firmly on transition, with a continuing shift from humanitarian assistance to recovery and development.

40. An independent evaluation to assess the operational effectiveness and main outcomes of the cluster approach concluded that it had been a worthwhile

investment. The evaluation, which included country-specific studies in the Democratic Republic of the Congo and Uganda, found that cluster coordination mechanisms have contributed to a better identification of gaps in humanitarian response and to addressing needs more effectively. The cluster approach also led to more predictable leadership and a more inclusive and stronger partnership between United Nations and non-United Nations actors. Certain areas still require further support to ensure that coordination capacity at the field level is maximized.

2. “Delivering as one”

41. In Africa, the “Delivering as one” initiative has been tested in four countries: Cape Verde, Mozambique, Rwanda and the United Republic of Tanzania. In June 2010, the Chair at the United Nations Development Group concluded that the commitment of national Governments to the “Delivering as one” process had been critical to the successes in the pilot countries. The reform of the United Nations development system has increased national ownership and leadership in national development. In the United Republic of Tanzania, newly naturalized citizens (former Burundian refugees) and host communities are expected to benefit from the development activities foreseen under the pilot United Nations development assistance plan for the period 2011 to 2015.

42. In Rwanda, the “Delivering as one” programme for the period 2008 to 2012 includes a project to provide effective protection for the most vulnerable populations, including some 56,000 refugees from the Democratic Republic of the Congo and 22,000 returnees. This is part of the larger support provided by the United Nations system for a national social assistance fund to support the most vulnerable households and to respond to recurring emergencies by the International Labour Organization (ILO), UNDP, the United Nations Human Settlements Programme, UNHCR and WFP, in cooperation with the Government, national institutions and NGOs.

43. Even though Liberia is not a “Delivering as one” pilot country, the United Nations team is working to meet the needs of both returnee and local populations there.

3. United Nations peacebuilding architecture

44. The Peacebuilding Commission, created in 2005, has gained considerable experience through the promotion of an inclusive and integrated approach to peacebuilding in the immediate aftermath of conflict in Burundi, the Central African Republic, Guinea-Bissau and Sierra Leone (see A/63/881-S/2009/304).

45. In addition to the four countries mentioned above, the Peacebuilding Fund has been supporting projects in Côte d’Ivoire, the Comoros, the Democratic Republic of the Congo, Guinea, Kenya, Liberia, Somalia and the Sudan. In 2009, more than 53 per cent of the financial resources from the Peacebuilding Fund were allocated to projects managed by UNDP, while the rest went to projects of other United Nations organizations.

B. Promotion of international protection principles

46. International protection encompasses a wide range of very specific activities, including policy, legislative and technical support to States, protection services, capacity-building and, in particular in many parts of Africa, support for basic life-saving services to displaced people.

47. For many decades, Africa has been a staunch supporter of the international protection of refugees; 43 African States are party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. The majority is also party to the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa. Nevertheless, several States have made reservations to the 1951 Convention, in particular to provisions related to freedom of movement and access to education and work. Enforced encampment policies in many countries have resulted in refugees being fully dependent on assistance. The forced return of refugees and asylum-seekers by several countries gave reason for concern during the reporting period.

1. Strengthening national refugee protection

48. The principle of non-refoulement (i.e. not returning refugees and asylum-seekers to a country where their life or liberty would be at risk) remains the cornerstone of international refugee protection. It is crucial that States continue to respect this principle and enshrine it in national refugee law and practice. UNHCR continued to assist States to meet their international obligations to protect refugees, in particular by improving and developing the national legal frameworks and increasing the capacity of Governments to determine refugee status and to register refugees, with the aim of improving the quality, integrity, fairness and efficiency of the determination processes. The increase in asylum applications in Kenya and South Africa, for example, has caused serious backlogs and delays in the process. Improved registration methods, training and additional staff have helped to improve access to the asylum systems, but timely processing remains a challenge in both countries, mainly because of the high number of new asylum claims.

2. Registration and documentation

49. Registering and documenting displaced people is a key initial step towards restoring their dignity and ability to exercise basic rights. Efforts have been made to ensure that refugees and asylum-seekers receive individual documentation. Based on figures for 2009, in Senegal 62 per cent of refugees possessed identification cards, and in Côte d'Ivoire some 9,300 refugees received identity cards. In Chad, the start of the verification process in the camps in the east of the country to establish precise numbers and issue identity cards has been a major development. In Rwanda, all refugees are expected to have received an identity card by the end of 2010.

3. Mixed migration

50. While the dramatic journeys of people from Africa across the Mediterranean and the Gulf of Aden continue to grab media headlines, migration movements across the continent are increasing significantly.

51. Countries such as Angola and South Africa are becoming a magnet for people seeking economic opportunities or protection, or both. Growing numbers of people

travelled the complex 4,000 km route from Somalia to South Africa. The main countries of origin were Burundi, Ethiopia, the Democratic Republic of the Congo and Somalia. While not all people in these mixed migratory movements have a valid claim to refugee status, they are vulnerable to exploitation and abuse and may have urgent protection needs. While the growing movement of people towards South Africa had a significant impact on that country's asylum system, it also had implications on the asylum systems of the countries along the route. In Malawi and Mozambique for example, asylum-seekers lodge a claim to remain in the country for a period of time, using refugee camps to recover from their perilous journey and then move on. This discourages Governments from investing and making the necessary improvements in the national asylum processes and facilities.

4. Promotion of the human rights of internally displaced persons and operational responses

52. The Representative of the Secretary-General on the human rights of internally displaced persons qualified the adoption of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) as a beacon of hope for the more than 11 million people in Africa internally displaced by conflict, as well as for those who are internally displaced by natural disasters or other causes. The Convention contains a comprehensive legal framework covering various causes of displacement, including conflict, natural disasters and public projects. It establishes a comprehensive set of rights and standards for the protection and assistance of internally displaced persons. While affirming the primary responsibility of States to respect, protect and fulfil the right of their internally displaced citizens, it also establishes that armed groups, among other obligations, have a responsibility to ensure unhindered access of humanitarian aid to civilian populations.

53. The United Nations, through the Office for the Coordination of Humanitarian Affairs, UNHCR and the Representative of the Secretary-General on the human rights of internally displaced persons, has supported the African Union in the process of developing and adopting the Kampala Convention.

54. Instances of enactment of national law and policymaking on internal displacement are on the rise in Africa. The Protocol on the Protection and Assistance to Internally Displaced Persons adopted by the International Conference on the Great Lakes Region requires that the Guiding Principles on Internal Displacement are incorporated into national legislation. This trend should be reinforced once the Kampala Convention enters into force. The Representative of the Secretary-General has supported development of national laws and policies on internal displacement in a variety of countries by providing technical expertise, most notably in Kenya and the Central African Republic.

55. During the reporting period, the inter-agency protection standby capacity project hosted by the Office for the Coordination of Humanitarian Affairs, deployed nine Senior Protection Officers in Africa to various United Nations organizations working in situations assisting internally displaced persons. In 2009, they provided expertise in the planning, coordination and implementation of the protection response in Burundi, the Central African Republic, the Democratic Republic of the Congo, Kenya, Madagascar, South Africa and Zimbabwe, and in the first five months of 2010 in Guinea and Uganda.

5. Statelessness

56. Just 11 States in Africa are party to the 1954 Convention relating to the Status of Stateless Persons, and 7 are parties to the 1961 Convention on the Reduction of Statelessness. The African Charter on the Rights and Welfare of the Child, which has been ratified by a majority of countries, contains safeguards to prevent statelessness at birth. Nonetheless, a number of States have yet to take steps to bring their legislation into line with these treaties. Zimbabwe took an important step by reforming its legislation in 2009 so that women have the right to confer nationality on their children, thereby eliminating a cause of statelessness among children.

57. Pursuant to its mandate to prevent and reduce statelessness and to protect stateless people, UNHCR continued to identify non-refugee stateless populations and populations at risk of becoming stateless in Africa. Together with national partners, it has mapped risks and challenges related to statesmen and has begun to raise awareness in States such as Djibouti, Ethiopia, Kenya and South Africa with a view to developing specific activities to mitigate the risks and find solutions. In Côte d'Ivoire, vital identity documents are being provided to stateless people and those at risk of becoming stateless. In the Sudan, UNHCR has started activities to prevent statelessness as a possible result of the referendum on the independence of Southern Sudan in early 2011, including a review of the legal framework, promoting accession to the conventions related to statelessness, training for Government officials and ensuring provision of documentation for affected populations (mostly southern Sudanese internally displaced persons in north Sudan and northern Sudanese in Southern Sudan).

6. Security of people of concern and staff safety

58. The physical safety of displaced people, who often live in a highly insecure environment, was often at risk during the reporting period. Humanitarian access was limited and the delivery of protection and assistance was restricted by dangerous conditions. In some operations, the support of peacekeeping forces was critical to protecting displaced people and to providing a framework for security that allowed humanitarian actors to do their work. The presence of United Nations forces in eastern Chad helped to dissuade attacks on refugee camps, reduced forced recruitment from the camps, especially of children, and contributed to the reduction of banditry and sexual violence. The drawdown of the peacekeeping mission will require enhanced Government efforts to avoid a security vacuum in eastern Chad.

59. Humanitarian operations in Chad, the Democratic Republic of the Congo, Somalia and the Sudan face extremely difficult environments, where it remains a challenge to reconcile the imperatives of continuing humanitarian programmes with ensuring staff safety. Threats and unacceptable demands on its staff has forced WFP to suspend operations in central south Somalia.

7. Prevention of and response to sexual and gender-based violence

60. In Security Council resolutions 1820 (2008) and 1888 (2009), sexual violence in conflict is defined as a global security concern. United Nations organizations and their partners have come a long way towards developing policies and processes to counter the use of rape as a weapon of war. Most humanitarian assistance programmes in Africa include a focus on preventing and responding to sexual violence. Weak legal frameworks and justice and law enforcement institutions have

resulted in chronic impunity for perpetrators in many conflict zones. Much more remains to be done.

61. In the Democratic Republic of the Congo, where according to the Office for the Coordination of Humanitarian Affairs more than 15,000 cases of sexual and gender-based violence have been reported, United Nations organizations have prepared a comprehensive strategy on combating sexual violence covering a range of very specific actions. For example, to stem the culture of impunity, UNHCR arranged for the temporary deployment of judges from the High Court to the southern province of Katanga to rule on cases of sexual violence involving girls aged 6 to 15 years. In Southern Sudan, an inter-agency study on sexual and gender-based violence was carried out, looking at the root causes and other contributing factors to the high prevalence of such violence. The outcome will serve as an important basis for legislative reform, programme design for prevention and response interventions and better inter-agency coordination of activities.

62. As many of the reported sexual assaults occur outside the internally displaced person or refugee sites when women and girls are fetching firewood, an inter-agency task force created to discuss safe access to alternative fuel and safe firewood devised practical tools aimed at reducing the exposure of women and girls, with follow-up workshops organized in Kenya and Uganda. Furthermore, the provision of fuel efficient stoves and fuel and the construction of well-lit water points and latrines close to camps and dwellings are expected to contribute to the reduction and prevention of incidents of sexual violence.

8. Protection of people with special needs, including women, children, the elderly and disabled people

63. In its resolution 64/129, the General Assembly acknowledged the important contribution of the age, gender and diversity mainstreaming strategy in identifying, through a participatory approach, the protection risks faced by the different members of the refugee community, in particular the non-discriminatory treatment and protection of refugee women and refugee children and minority groups of refugees. Nevertheless, the systematic integration of these cross-cutting issues into all sectors of the assistance and protection response and the promotion of multisectoral responses and inter-sector coordination efforts have been a continuous challenge for the humanitarian community involved in assisting refugees, returnees and internally displaced persons in Africa.

64. To help address this challenge, the Office for the Coordination of Humanitarian Affairs, with the assistance of the inter-agency gender standby capacity project and the Inter-Agency Standing Committee Sub-Working Group on Gender and Humanitarian Action, is strengthening its role to provide coordination among clusters. Furthermore, through the project nine Gender Advisers were deployed to various United Nations organizations working in conflict-related situations in Africa, who provided expertise in humanitarian response operations in Chad, the Democratic Republic of the Congo, Guinea, Ethiopia, Kenya, Namibia, Somalia, Southern Sudan and Zimbabwe.

C. Delivery of assistance and special needs

1. Food

65. According to the Food and Agricultural Organization of the United Nations, in 2009 there were 265 million undernourished people in Africa, compared with some 169 million in the early 1990s. Prices of staple food spiked in 2007 and 2008, sparking riots in many parts of Africa. While global prices have stabilized since then, the prices of rice, wheat and maize on markets in Africa have not gone down significantly, affecting the urban poor and displaced people the most.

66. School feeding programmes help to ensure that children receive at least one nutritious meal a day, and this encourages parents to enrol their children, in particular girls, in primary education. School meals can also help to mitigate tensions between host communities and internally displaced persons and refugees, because the programme includes all school-going children.

67. WFP provided school meals to more than 1 million children in refugee, internally displaced person and host communities in different parts of sub-Saharan Africa. In Chad, some 88,000 vulnerable refugee and internally displaced children received school meals under an emergency school feeding programme in 2009. In the Congo, some 400,000 internally displaced and returnee schoolchildren received school meals, while in Somalia an estimated 90,000 war-affected children benefited from emergency school feeding. In the Sudan, WFP feeding in schools supports the peacebuilding and reintegration process in parts of the country affected by conflict.

68. Despite these efforts, displaced populations are among those most at risk of acute malnutrition. WFP reported that in Somalia critical levels of malnutrition remain: 16 per cent of the displaced population suffers from global acute malnutrition and 4.2 per cent from severe acute malnutrition; 1 in 6 children remains acutely malnourished and 1 in 22 is severely malnourished. Approximately 240,000 children under 5 years of age in Somalia are acutely malnourished, 63,000 severely. Surveys carried out in the refugee camps in Dadaab, with mostly Somali refugees, show global acute malnutrition rates of approximately 12 per cent in 2009. The level of anaemia of children in the camps is unacceptably high, hovering between 70 and 80 per cent, notably among new arrivals.

2. Health and HIV/AIDS

69. Many countries in Africa are facing challenges in achieving the Millennium Development Goals. In Somalia and Southern Sudan, maternal and child mortality and morbidity rates are among the highest in the world, even in relatively secure areas, owing to weak systems and limited capacity. Maternal mortality rates in Chad, the Central African Republic, Somalia and the Democratic Republic of the Congo remain unacceptably high. In Chad, the Democratic Republic of the Congo, Ethiopia and Somalia, one child out of every five dies before his or her fifth birthday. Health and human security are further diminished by repeated outbreaks of communicable diseases, most commonly cholera and meningitis.

70. According to the Joint United Nations Programme on HIV/AIDS (UNAIDS), some 22.4 million people in sub-Saharan Africa were living with HIV at the beginning of 2009, an estimated adult prevalence rate of 5.2 per cent. This includes an estimated 1.9 million new infections. Including displaced people in national HIV

and AIDS programmes is essential, yet, in 2009, fewer countries were including these populations in their updated or new HIV strategic plans.

71. Nonetheless, progress has been made in improving access to antiretroviral therapy. At the end of 2009, 87 per cent of refugees had access to the therapy when it was available to the surrounding populations. Access to prevention of mother-to-child transmission programmes increased from 56 per cent in 2008 to 75 per cent at the end of 2009, although coverage varies in different countries.

72. Malaria is one of the main causes of illness and death among displaced people in Africa, in particular among children. The United Nations Foundation's campaign to raise funds for long-lasting insecticide-treated bednets has already covered the most urgent needs in camps in Kenya, the Sudan, Uganda and the United Republic of Tanzania.

3. Education

73. Primary education is still not widely available to all displaced children, while secondary education is just a distant dream. Yet keeping children in a safe schooling environment is an important protection tool that contributes to the reduction of forced recruitment by armed groups, exploitation and abuse, as well as of forced marriage of girls.

74. In eastern Chad, the overall enrolment rate of refugee children in primary education stood at less than 70 per cent, with a significantly lower percentage of girls. Poor learning conditions, including a lack of qualified teachers, classrooms and equipment are to blame. Several camps reported dropout rates of up to 40 per cent. In Cameroon, support in the form of building classrooms and provision of school benches and other material to local primary schools contributed to an increase in the enrolment of refugee children.

75. More secondary education opportunities are badly needed. The lack of quality secondary education in eastern Chad (only 370 students of some 16,200 have access to secondary education) has prompted young refugees to take incredible protection risks in order to sit exams in the Sudan.

76. The Albert Einstein German Academic Refugee Initiative Fund offers scholarships to refugees to study at university in their host countries. In 2009, some 1,770 students, mostly from Africa, benefited from scholarships from the Fund. Additional efforts are required to increase the number of girls taking part in this programme.

4. Livelihood opportunities

77. Encouraging self-reliance and creating livelihood opportunities are crucial to reduce dependency on humanitarian aid by displaced people and to maintain their sense of purpose. In many situations, such programmes can facilitate local integration of displaced people who have become self-reliant. Activities aimed at creating livelihood opportunities in Africa include facilitating access to saving and loan mechanisms to kick start investment; training, including vocational training and technical education; assistance with small-scale agriculture projects; and cash grants. In West Africa, ILO and UNHCR are working together on a local integration and livelihood strategy, aimed at facilitating the local integration of former refugees in 14 countries in the region.

D. Ending forced displacement

78. Ending forced displacement in a sustainable manner is essential to building and sustaining peace in any post-conflict situation. Durable solutions can best be achieved if issues of forced displacement are addressed in peace processes and agreements. Yet internally displaced persons and refugees and their concerns are often excluded from negotiations. The Representative of the Secretary-General on the human rights of internally displaced persons, in close cooperation with the Mediation Support Unit of the Department of Political Affairs and the Brookings-Bern Project on Internal Displacement, developed guidance for mediators on how to integrate internal displacement issues into peace negotiations and on how to engage internally displaced persons in peace processes.³

79. Although voluntary repatriation has been the most typical durable solution for millions of displaced people in Africa, the pace of returns has slowed significantly. In 2009, some 137,000 refugees returned voluntarily to their places of origin, the lowest number in a decade. Many more internally displaced persons returned home, with nearly 1 million returning in the Democratic Republic of the Congo, 400,000 in Uganda and 280,000 in the Sudan.

80. Local integration has become a viable option for refugees in some parts of Africa, notably in West Africa under the ECOWAS Protocols on Free Movement of Persons and the Right of Residence and Establishment. Prior to the naturalization of the refugees from Burundi, the Government of the United Republic of Tanzania had started the local integration process of some 3,000 Somali Bantu refugees by moving them to the Chogo settlement. Since 2005, they have been self-sufficient and the local authorities have taken over the responsibility of providing basic services.

81. Resettlement programmes have expanded over the past two years, in particular from East Africa and the Horn of Africa. In 2009, more than 28,000 refugees, mostly of Democratic Republic of the Congo, Ethiopian and Somalian origin, were submitted for resettlement to 14 different countries. The number of departures however, was barely 12,500 people, partially because of lengthy procedures. In addition to the immediate protection benefit, the strategic use of resettlement is expected to be conducive to creating local integration opportunities.

82. The Representative of the Secretary-General led the process to revise the 2007 framework for durable solutions,⁴ in cooperation with the Inter-Agency Standing Committee Protection Cluster Working Group and Cluster Working Group on Early Recovery. The framework focuses primarily on helping international and non-governmental organizations to provide better assistance to Governments when dealing with humanitarian and development challenges resulting from internal displacement. The framework is also expected to be helpful for Governments of countries affected by internal displacement, as they have the primary responsibility to provide protection and assistance to internally displaced persons.

³ Gerard McHugh, lead author, *Integrating Internal Displacement in Peace Processes and Agreements: A Peacemaker's Toolkit* (Washington, D.C., United States Institute of Peace, Brookings-Bern Project on Internal Displacement, 2010), available from www.brookings.edu.

⁴ The Brookings Institution-University of Bern Project on Internal Displacement, *When Displacement Ends: A Framework for Durable Solutions* (June 2007).

E. Partnerships with non-United Nations entities

83. Partnerships with regional organizations and national and international NGOs have been crucial for responding coherently and effectively to the many challenges of the past 18 months, including new displacement, narrowing access to beneficiaries in many parts of Africa and early or post-conflict recovery.

84. In Africa, partnerships between United Nations entities and the African Union, including its New Partnership for Africa's Development, and the regional economic communities and subregional organizations, such as ECOWAS, have brought practical results for displaced people, as described above. The local integration programmes in West Africa and the ECOWAS Protocols provide the framework for former refugees to attain the stability they need to become self-reliant citizens of the country they live in.

85. During the reporting period, the African Union has strengthened its activities relating to the implementation of the African Union policy on post-conflict reconstruction and development adopted in 2006. Recently, the African Union Commission has reinitiated field missions to countries emerging from conflict to assess the status of post-conflict reconstruction and peacebuilding.

IV. Conclusion

86. Humanitarian assistance is an important building block for recovery and transition across the continent. By preserving lives, helping to reduce underlying risk factors, building resilience and providing a basis for national social protection, it represents a crucial investment in future development. A lack of investment in early recovery, when humanitarian assistance is being phased out, puts at risk the sustainability of durable solutions; therefore the organizations concerned must synchronize their activities to avoid a transition gap.

87. Experience has shown that it is vital to achieve tangible results for the population in the aftermath of a conflict. When expectations for improved well-being and livelihood opportunities remain unfulfilled, conflict may reignite, violence and lawlessness may spread and people may lose the will to participate in building lasting peace. Investing in basic services, in particular health and education, will greatly facilitate the return and reintegration of displaced people in Africa, while also benefiting the local communities.

V. Recommendations

88. **The authorities and national and international humanitarian and development organizations concerned must work even harder to create an environment that can sustain return or local integration through access, without discrimination, to basic public services, to legal and personal documentation, and to livelihood or income-generating opportunities. Mechanisms to deal with land and property restitution should also be put in place for returnees, and the needs of former host populations must be taken into account when devising a return programme. I urge the international**

community to support African States in these efforts, both in developing returnee areas and rehabilitating former hosting areas.

89. The adoption in 2009 of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa has rightfully been hailed as a landmark achievement, with the potential to change the lives of millions of internally displaced persons for the better. I call upon all African Union member States to sign and ratify the Convention and to start enacting national legislation in accordance with its stipulations. I also call upon the international community and the United Nations system to support the African Union and its member States in these endeavours.

90. Given that two out of three refugees depend on international aid, African host countries are encouraged to create an environment that enables refugees to become self-reliant. This entails removing restrictions, starting with reservations to some of the key provisions of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, including those related to freedom of movement, work and education rights.

91. States that have not yet done so are encouraged to consider accession to the Convention relating to the Status of Stateless Persons and to the Convention on the Reduction of Statelessness. States are also encouraged to work with the relevant United Nations organizations to identify stateless populations on their territory and to review their legislation, with a view to eliminating gaps that can cause or perpetuate statelessness.

92. State and non-State parties to conflict should facilitate access by humanitarian organizations to affected civilian populations and ensure the security of humanitarian workers, so that impartial aid can be delivered safely even during ongoing hostilities.

93. All African States are encouraged to ratify and enforce the Convention on the Safety of United Nations and Associated Personnel.
