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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, which is submitted pursuant to General Assembly resolution 65/193 on assistance to refugees, returnees and displaced persons in Africa, covers the period 1 January 2010 to 30 June 2011 and updates the information contained in the report of the Secretary-General submitted to the Assembly at its sixty-fifth session (A/65/324). The report has been coordinated by the Office of the United Nations High Commissioner for Refugees and includes input from the Office for the Coordination of Humanitarian Affairs, the World Health Organization, the World Food Programme and the Special Rapporteur of the Human Rights Council on the human rights of internally displaced persons. It is also based on 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, the United Nations Development Programme and the International Labour Organization.

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## I. Introduction

1. In Africa,<sup>1</sup> ongoing and new emergencies caused large-scale displacement in 2010 and 2011. In southern and central Somalia, in addition to drought and emerging famine, fighting led to mass movements within the country and across borders, straining services and facilities in already overcrowded camps in Ethiopia, Djibouti and Kenya. In Côte d'Ivoire, in December 2010, more than 150,000 refugees crossed the border into neighbouring countries, as a result of political instability.

2. The absence of a solution to the Somalia crisis and growing security concerns in the region resulted in a shrinking of asylum space for Somali refugees. In many countries, domestic pressure to reduce the presence of foreign nationals led to restricted access to asylum procedures and the forcible return of people with potential protection needs. The security of displaced persons and of humanitarian personnel was also at risk, and access to beneficiaries was impeded by violence and general lawlessness in several countries. The drawdown of peacekeeping missions in key operations raised concerns regarding the security frameworks that make the delivery of humanitarian aid possible.

3. In sub-Saharan Africa, from 2000 to 2009, the number of refugees declined but in 2010 that trend was reversed owing to new or ongoing conflicts in various parts of the continent. By the end of 2010,<sup>2</sup> there were close to 2.2 million refugees in sub-Saharan Africa, primarily from Somalia (477,100), the Democratic Republic of the Congo (441,000) and the Sudan (351,600), making the region host to one fifth of the world's refugees.

4. Owing to the escalation of violence in southern and central Somalia, as well as the effects of climate change, more than 119,000 Somalis were forced to leave their homes in 2010 and to seek refuge abroad, mainly in Ethiopia and Kenya. By the end of 2010, Kenya was the sixth largest host country for refugees in the world, with a displaced population of almost 403,000. In Chad, the refugee population increased to 348,000 by the end of 2010 as a result of an influx of refugees from the Central African Republic and the Sudan. In Ethiopia, refugee numbers have nearly doubled since 2008 owing to the arrival of tens of thousands of Eritrean and Somali refugees.

5. There are currently an estimated 11.1 million internally displaced persons (IDPs) in sub-Saharan Africa, representing 40 per cent of the world's internally displaced population. More than 40 per cent of the internally displaced population of Africa is in the Sudan, with about 5 million in various regions. The displaced population in the Sudan, the Democratic Republic of the Congo and Somalia together represented more than 70 per cent of all internally displaced persons in Africa.

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<sup>1</sup> In the present report, references to Africa refer to sub-Saharan Africa.

<sup>2</sup> Statistics on refugees, asylum-seekers and returnees usually refer to statistics compiled by the Office of the United Nations High Commissioner for Refugees (UNHCR) at the end of 2010, unless otherwise specified. Statistics on internally displaced persons are provided by the Internal Displacement Monitoring Centre, as well as estimates from the Office for the Coordination of Humanitarian Affairs. The statistics are provisional.

6. In 2010, in response to 29 inter-agency appeals, approximately \$6.9 billion was received for humanitarian needs in Africa, including activities related to the Somalia emergency; the extension of the Ifo refugee camp in Kenya; and the influx of refugees from the Democratic Republic of the Congo to the Central African Republic and the Congo.

7. The Central Emergency Response Fund was instrumental in ensuring a fast response to emergencies and underfunded programmes for refugees and internally displaced persons. Twenty-three of the 46 countries that received support from the Fund were in Africa and \$162.6 million, 51 per cent of total funding, was mainly used for food and health activities. Chad, the Democratic Republic of the Congo, Kenya and the Sudan received 59 per cent of the total funding allocated to Africa. The Fund also provided financial aid to address emerging situations in Benin and Côte d'Ivoire.

## **II. Regional overview**

### **A. East Africa and the Horn of Africa**

8. The complex humanitarian situation in Somalia continued to dominate the difficult humanitarian environment in East Africa and the Horn of Africa. In the Sudan, the Comprehensive Peace Agreement entered a crucial phase with the referendum of January 2011, resulting in a vote for the independence of Southern Sudan.<sup>3</sup>

#### **1. The Sudan**

9. The country's first national and State-level elections in 24 years were held in April 2010. The situation in the three protocol areas, Abyei, South Kordofan and Blue Nile states, remained a concern, with unresolved issues such as the Abyei referendum, border demarcation and resource-sharing agreements.

10. In 2010, massive numbers of southern Sudanese returned from the north to the south in the run-up to the referendum. However, the positive aspect of people heading home to participate in the building of a new country was accompanied by the challenges of meeting their basic humanitarian needs. By mid-June 2011, 365,000 southern Sudanese had moved back since the start of the return operation on 30 October 2010.

11. The Office of the United Nations High Commissioner for Refugees (UNHCR), alongside the United Nations Mission in the Sudan (UNMIS), the African Union High-level Implementation Panel and other partners, provided technical advice to the parties to the Comprehensive Peace Agreement on citizenship issues in order to ensure that individuals would not become stateless as a result of the potential succession.

12. UNHCR expanded its presence along the major return routes, in the three protocol areas and in Southern Sudan to increase assistance to internally displaced

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<sup>3</sup> The report covers the period ending before the declaration of independence of South Sudan, which took place on 9 July 2011. All references to the territory herein are therefore to Southern Sudan.

persons. Capacity-building was also provided to the Government of Southern Sudan to help cope with return movements.

13. Insecurity continued in the south where more than 275 incidents of tribal violence were reported in 2010, with almost 1,000 people killed and 223,000 people displaced. Localized conflicts over competition for land and natural resources, inter-ethnic conflicts and the activities of the Lord's Resistance Army also added to overall insecurity. The resurgence of hostilities between the Sudan People's Liberation Army (SPLA) and rebel militia groups aggravated the situation further; overall some 488,000 persons were displaced in Southern Sudan during the reporting period.

14. In Darfur, inter-tribal fighting and clashes between the Government of the Sudan and rebel movements caused further displacement, resulting in a total of 2.6 million internally displaced persons from Darfur by the end of June 2011. Humanitarian programmes in the region were hampered by a series of expulsions and kidnappings of aid workers.

15. In eastern Sudan, enhanced partnerships helped support local integration initiatives, especially for the Eritrean refugee population. A \$45 million multi-year, self-reliance project, presented at the Kuwait donors' conference in December 2010, focused on gaps in implementation of the East Sudan Peace Agreement on the basis of the "joint transitional solutions initiative" concluded with the Government of the Sudan.

## **2. Somalia**

16. During the reporting period, approximately almost 270,000 Somalis were forced to flee to neighbouring countries, straining capacities in already overcrowded camps in Ethiopia, Djibouti and Kenya. In June 2011 alone, 62,000 Somalis sought refuge in the region, while 65,000 fled internally to Mogadishu, bringing the total number of internally displaced persons to 1.5 million.

17. Security conditions and concerns about the diversion of aid restricted humanitarian operations in southern and central Somalia, leading the World Food Programme (WFP) to temporarily suspend operations. In 2010, after a two-year absence, UNHCR re-established its presence in Mogadishu, with one international staff, in order to continue to provide assistance and protection through its partners to some 370,000 internally displaced persons. The distribution of 29,000 non-food items benefited over 174,000 people and shelter was provided for 29,000 people. Some 13,200 internally displaced persons gained access to safer and more sustainable sources of income through protection-risk mitigation projects. Post-distribution monitoring was also put in place to deter aid diversion.

## **3. Kenya**

18. At the beginning of 2011, Kenya was host to over 400,000 refugees, the majority from Somalia. An increase in arrivals from Somalia, combined with lack of access to those settled on the outskirts of the camp, and the strain on host communities with limited resources, continued to present a challenging operational environment. The allocation of additional land by the Kenyan authorities and the subsequent extension of the Ifo camp was expected to help decongest the Dadaab camp; however, with the current rate of arrivals, capacity may soon be exceeded.

19. In March 2011, the Kenyan Department of Refugee Affairs assumed responsibility for registering asylum-seekers in Nairobi and the Dadaab and Kakuma refugee camps. Capacity-building activities to strengthen the processing capacity of the Department of Refugee Affairs were carried out to ensure a phased and orderly handover of those activities.

20. In 2010, Kenya promulgated a new constitution, which may bring about benefits for refugees and asylum-seekers, including freedom of movement, naturalization prospects for refugees married to Kenyan nationals, dual citizenship and opportunities for some form of local integration.

#### **4. Ethiopia**

21. Ethiopia continued to receive large numbers of refugees from southern and central Somalia. In June 2011 alone, 24,000 Somalis crossed into the country, straining already overcrowded camps in the Dollo Ado region. In 2011, the Ethiopian Government allocated additional land for the construction of two camps, Hilaweyn and Gode, in response to the situation.

22. In 2010, the Ethiopian Government's new policy for Eritrean refugees, which allows them to reside outside the camps, including in urban settings, if they are able to sustain themselves financially, holds the promise of facilitating integration and improving access to services.

#### **5. Uganda**

23. In July 2010, Uganda was shaken by the Al Shabaab terrorist attacks, which killed more than 70 people in Kampala. Whereas overall protection space for Somalis continued to shrink in Africa and beyond, new arrivals in Uganda continued to benefit from the positive aspects of the country's asylum policies, including access to agricultural land and residential plots for refugees.

24. More than 1.6 million internally displaced persons have returned to the northern region since the end of the civil war in 2006. By June 2011, 237 out of 251 camps for the internally displaced had been closed; 14 remained open owing to continuing inter-clan conflicts, unresolved land issues, mines or continued militarized presence in return areas, with 125,000 people remaining uprooted.

### **B. Central Africa and the Great Lakes region**

25. Security remained precarious in the subregion, especially in the Central African Republic and the Democratic Republic of the Congo, reducing repatriation possibilities. The reconfiguration of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the withdrawal of the United Nations Mission in the Central African Republic and Chad (MINURCAT) had implications for access and security.

#### **1. Chad**

26. The rapprochement between Chad and the Sudan in 2010, through the signing of a bilateral agreement and the establishment of a joint border force, had a positive impact on the security situation in eastern Chad, allowing humanitarian agencies to assist Sudanese refugees and preserve the civilian character of the camps.

27. The withdrawal of MINURCAT, at the request of the Chadian Government, and the transfer of its responsibilities to the Chadian D tachment int gr  de s curit  proceeded smoothly and without negative effects on security in and around refugee and internally displaced person camps, helping to create an environment conducive to the return of some 50,000 internally displaced persons. Nevertheless, the overall security context remained fragile owing to the volatile situation in neighbouring countries. Instability in Darfur and in the Central African Republic in particular limited possibilities for refugees from those two countries to return home.

## **2. Central African Republic**

28. At the end of 2010, the Central African Republic was hosting 22,000 refugees mainly from Chad, the Sudan and the Democratic Republic of the Congo, while 176,000 people were internally displaced as a result of clashes between Government forces and rebel movements. Assuring protection and assistance for refugees and internally displaced persons was difficult, and attacks against aid workers in early 2011 resulted in the suspension of activities and limited movement within the region.

29. The signing of a peace agreement between the Government and the Arm e populaire pour la restauration de la R publique et de la d mocratie helped stabilize the western part of the country; however, the withdrawal of MINURCAT led to a deterioration of the security situation in the east. Increased activity on the part of the Lord's Resistance Army prompted the internal displacement of some 30,000 people and the relocation of 3,250 Sudanese refugees from Sam Ouandja to Bambari in November 2010.

## **3. Democratic Republic of the Congo**

30. Ongoing fighting and insecurity in many regions continued to cause further displacement in the country. In North Kivu and Province Orientale, military operations and activities by armed groups, including the Forces d mocratiques de lib ration du Rwanda and the Lord's Resistance Army, displaced more than 180,000 people in 2010, bringing the total number of internally displaced persons in the country to 1.7 million.

31. Access to refugee and internally displaced populations was severely hampered by security conditions. The progressive drawdown of MONUSCO, coupled with the absence of effective State authority and of a well-trained army or police force, hampered access to people of concern. This undermined efforts to protect and assist Rwandan refugees in the Kivus, as well as internally displaced persons in some areas of North and South Kivu, Katanga, Equateur and Province Orientale.

32. Sexual and gender-based violence has become a widespread feature of the conflict in the country, and UNHCR worked closely during the reporting period with the Government in co-leading the prevention and protection component of the national strategy against such violent acts. An additional 32 protection staff members were deployed and a pilot firewood-collection project was implemented.

33. A series of tripartite agreements between UNHCR, the Democratic Republic of the Congo and neighbouring countries set the stage for an increase in returns to the country. More than 85,000 Congolese refugees have returned home from the United

Republic of Tanzania since 2005 and the repatriation operation in Zambia concluded with the return of 40,000 Congolese refugees.

#### **4. United Republic of Tanzania**

34. In the United Republic of Tanzania, the national strategy for community integration programme was launched in August 2010 to accompany the naturalization of some 162,000 refugees from Burundi. The Government continued to pursue the integration of the newly naturalized citizens, bringing closure to one of the most protracted refugee situations in Africa.

35. While some 500,000 Burundian refugees have returned home since 2002, another 37,000 remain in the Mtabila camp. In the hope that those refugees will return to Burundi, the Tanzanian Government is considering unilateral application of the cessation clause by the end of 2011. UNHCR is exploring options to encourage the refugees to repatriate voluntarily and to identify those who may continue to need international protection.

#### **5. Gabon**

36. In January 2010, the Government of Gabon announced its intention to declare the cessation of status, after 31 July 2011 for nearly 10,000 Congolese refugees registered in the country, most of whom fled to Gabon as a result of the 1997-2000 conflict. While invocation of the cessation clause for Congolese refugees is an appropriate exercise of national responsibility under the 1951 Convention, UNHCR has advocated the exemption from the clause for refugees still in need of international protection.

### **C. West Africa**

37. The political deadlock following the presidential elections in Côte d'Ivoire in November 2010 resulted in vast internal displacement and the movement of some 170,000 refugees into neighbouring countries, mainly Liberia, Guinea and Ghana. The United Nations response within Côte d'Ivoire was led by the Humanitarian Coordinator through the cluster approach, while UNHCR coordinated the protection and assistance response for refugees, working closely with national authorities in the countries of asylum.

38. With the end of the political crisis in April 2011, refugees and internally displaced persons began to return, although new displacement and refugee flows have continued in some areas. Cross-border movements of armed groups between Côte d'Ivoire and Liberia are of increasing concern, particularly with national elections on the horizon in both countries.

39. The overall humanitarian situation in the country remained dire at the end of the reporting period. As of June 2011, an estimated 200,000 people remained internally displaced in the west, while 177,500 Ivoirians were still registered as refugees in the region, mostly in Liberia.



## **D. Southern Africa**

40. Mixed migration is straining humanitarian resources along the southward route from East Africa, the Horn of Africa and the Great Lakes region towards South Africa. Public confusion over the difference between refugees and asylum-seekers in need of protection and others on the move for economic or other reasons is undermining support for asylum and giving rise to more restrictive protection policies.

### **1. Mozambique**

41. Arrivals of refugees by boat from Mombasa, Kenya, and in some cases directly from Somalia, facilitated by smuggling rings, accelerated during the first quarter of 2011, with more than 7,000 Ethiopians and Somalis registering in the Marratane camp. Whereas, during 2010, such individuals generally moved onwards towards South Africa within days, increased law enforcement efforts in 2011 have led to larger numbers remaining in the camp for longer periods, a situation that has placed an enormous strain on the infrastructure and services and has created tensions among the regular camp population. Somalis and Ethiopians arriving by boat are now being kept near Cabo Delgado, in the north of the country, where humanitarian support is extremely limited.

### **2. South Africa**

42. South Africa, more than 180,600 claims to asylum were made in 2010, one fifth of all applications globally, was again the world's largest recipient of individual applications, followed by the United States of America and France. Faced with the challenges posed by these huge numbers of asylum-seekers, and the perceived abuse of the system, South Africa is implementing new policies that will restrict the admission of undocumented asylum-seekers and impede access to the asylum system for applicants from non-neighbouring countries.

## **III. Humanitarian response and inter-agency cooperation**

### **A. United Nations reform**

#### **1. The cluster approach**

43. Globally, an estimated 27.5 million persons have been internally displaced by conflict-induced emergencies. In addition, hundreds of millions have been affected by emergencies caused by natural disasters. The United Nations and its partners have played a significant role in response to such emergencies, including in Africa. To ensure effective coordination in emergencies, the cluster approach, which aims to strengthen system-wide preparedness and ensure a high standard of predictability and accountability in all sectors, is continually being enhanced. During the reporting period, the approach was being applied in 26 countries, including the following 16 in Africa: Benin, Burundi, the Central African Republic, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Ethiopia, Guinea, Kenya, Liberia, Mozambique, Niger, Somalia, the Sudan, Uganda<sup>4</sup> and Zimbabwe.

<sup>4</sup> The cluster approach was discontinued in Uganda in 2010, as the situation demanded reorientation towards recovery and development.

44. As part of the humanitarian reform process, the Inter-Agency Standing Committee requested an independent evaluation of the cluster approach. The first phase, focusing on processes related to implementation, was finalized in 2007. The second phase, related to impact and operational effectiveness in supporting a coordinated country-level response, was initiated during the reporting period. The evaluation included detailed analysis of six country operations, three of which were in Africa (Chad, the Democratic Republic of the Congo and Uganda).

45. The evaluation concluded that the cluster approach was, overall, a success, as it had improved mutual accountability between humanitarian actors, enhanced collaboration regarding joint needs assessments and sector coverage and reduced duplication. However, improvements were needed with regard to the role of clusters in participatory approaches, the strengthening of accountability to beneficiaries and mutual accountability for collective results in order to reap the full benefits of the approach.

46. To further enhance operational support and accountability United Nations agencies and partners organized cluster-support missions to Côte d'Ivoire and Southern Sudan. Under the leadership of the Emergency Relief Coordinator, the principal partners of the Standing Committee have committed themselves to streamlining the cluster approach and enhancing accountability to beneficiaries as well as mutual accountability for collective results, including through a peer performance-review mechanism.

## **2. Delivering as one**

47. Three of the four “delivering as one” pilot countries in Africa host significant numbers of refugees: Mozambique, Rwanda and the United Republic of Tanzania. In the United Republic of Tanzania, the joint programme on managing transition from humanitarian assistance to sustainable development engaged development agencies in the rehabilitation of assets in former refugee camps in the north-west of the country and their conversion into facilities for the delivery of social services, including health, education and vocational training. United Nations joint programmes in Mozambique include a youth employment initiative that benefits refugees, while in Rwanda the joint programme to promote the enrolment of children, especially girls, helps to provide access to basic education for children in emergencies, including those affected by conflict.

48. Several United Nations country teams in Africa have adopted the “delivering as one” concept, while others are implementing the “one programme” approach, which provides a platform for bringing protection and solutions activities for refugees, returnees and internally displaced persons within the broader framework of national development planning.

## **3. Integrated missions**

49. While integrated missions have yielded significant benefits for many humanitarian operations, with peacekeepers mandated to ensure the protection of civilians, facilitate humanitarian access and the delivery of assistance and create security conditions conducive to the return of displaced populations, in situations of ongoing conflict or fragile peace, where peacekeepers are simultaneously involved in military operations, concerns have arisen among aid agencies that close association with the political and military components of integrated missions may

have negative repercussions on perceptions of the neutrality of humanitarian action and humanitarian space.

50. The withdrawal of international peacekeeping forces in insecure situations can also create a security vacuum, hindering protection and assistance activities and posing risks to both displaced persons and humanitarian workers. The phasing out of MINURCAT in Chad at the end of 2010, for example, required agencies to move quickly to seek continuity in the framework for operational security through the Chadian *Détachement intégré de sécurité*.

51. Defining the role of missions in protecting civilians relative to the mandated protection responsibilities of humanitarian agencies and the development of effective coordination mechanisms is essential. The United Nations system-wide strategy for the protection of civilians in the Democratic Republic of the Congo was developed collaboratively by the peacekeeping mission in the country (now MONUSCO) and the protection cluster. Based on its monitoring activities, the protection cluster informs MONUSCO of situations where an urgent or increased security presence or patrolling is required for humanitarian operations.

#### **4. United Nations peacebuilding architecture**

52. During the reporting period, the United Nations Peacebuilding Commission had the following countries on its agenda: Burundi, the Central African Republic, Guinea, Guinea-Bissau, Liberia and Sierra Leone. The Peacebuilding Fund has supported more than 100 projects in 15 countries, including those listed above. Several agencies, including WFP, were first-time recipients of support from the Fund during this time period.

53. During 2010 and 2011, the Peacebuilding Fund approved projects, including facilitating inter-community dialogue in the eastern Democratic Republic of the Congo; promoting peaceful coexistence between internally displaced persons and host communities in Somalia's Puntland region; developing peaceful coexistence and peace education programmes in the Central African Republic; empowering communities in Liberia; promoting conflict-sensitive natural resource management in Southern Kordofan in the Sudan; and providing operational support for the *Détachement intégré de sécurité* in eastern Chad.

### **B. Promotion of international protection principles**

54. Refugee protection in Africa is underpinned by broad ratification of the Convention relating to the Status of Refugees of 1951 and its 1967 Protocol (43 States in sub-Saharan Africa), as well as the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (44 States). However, many African States maintain reservations to the 1951 Convention, restricting the exercise of important rights such as freedom of movement, access to education and the right to gainful employment. In the year of the sixtieth anniversary of the 1951 Convention, it is hoped that States will lift such reservations, which hinder self-reliance, make refugee populations aid dependent and force them to languish for years in protracted situations.

55. Encampment policies in many African nations bar refugees and asylum-seekers from living in urban areas, limiting the possibilities for delivering protection

and assistance to those who inevitably gravitate from camps to towns and cities seeking education or economic opportunities. The UNHCR 2009 urban refugee policy provides a strategic and operational platform to make progress in that area.

### **1. Strengthening national refugee protection systems**

56. New or updated refugee legislation or policies are at varying stages of development in Angola, Chad, Kenya, the Sudan, Zambia and elsewhere in Africa, with UNHCR providing technical advice to Governments aimed at ensuring alignment with international standards.

57. Governments received capacity-building support in areas such as refugee status determination, including technical advice for adjudicators in making their determination of such status in order to strengthen the quality of decisions, and country of origin information. On-the-job training in registration and screening was provided in Chad, Djibouti, Ethiopia and Somalia. Collaboration with the judiciary in Kenya and the Sudan strengthened knowledge, expertise and the application of refugee law principles.

### **2. Mixed migration**

58. The mixed nature of migratory movements on the continent presented challenges for national authorities and made it difficult to identify persons with international protection needs, particularly where border and security officials lacked resources, training or screening mechanisms. The scale of mixed movements and perceptions of abuse have led some African nations to adopt increasingly restrictive asylum policies.

59. Mixed migratory movements in Africa follow three principal routes: southward from the Horn of Africa towards South Africa; from the Horn of Africa towards Yemen or Egypt and onwards to the Middle East or Europe; and from West Africa towards Europe. Refugees, asylum-seekers and migrants face serious human rights abuses, including robbery, extortion, abduction, trafficking and sexual exploitation and abuse. Hundreds of such individuals have drowned at sea trying to cross the Gulf of Aden, the Mediterranean or off the coast of Mozambique. UNHCR, the International Organization for Migration (IOM), Governments and other partners have worked together to launch a consultative process to respond to the challenges of mixed migration.

60. In September 2010, the Government of the United Republic of Tanzania, with the support of IOM and UNHCR, hosted a regional conference on refugee protection and international migration in Dar es Salaam. The conference allowed States, civil society and international organizations to devise strategies for responding to mixed migratory movements in a protection-sensitive manner.

61. In the Gulf of Aden region, the Regional Mixed Migration Secretariat was established in Nairobi in March 2011 by non-governmental organizations, together with IOM and UNHCR, in order to improve coordination, information-sharing and support for national migration task forces in the region. In West Africa, UNHCR and IOM, with the Economic Community of West African States (ECOWAS) and the United Nations Office of the High Commissioner for Human Rights (OHCHR), developed a manual on the "Protection of refugees and other people on the move in the ECOWAS space" to inform and train governmental, international and

non-governmental organization personnel involved in asylum and migration in West Africa.

### **3. Promotion of the human rights of internally displaced persons**

62. October 2010 marked the first anniversary of the adoption of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention). United Nations agencies have worked closely with the African Union Commission on the development and implementation of the Union's plan of action for the promotion and implementation of the Kampala Convention. In November 2010, UNHCR organized a conference of government experts in Addis Ababa to create momentum for ratification. The newly appointed Special Rapporteur Human Rights Council on the human rights of internally displaced persons and United Nations agencies participated in the African Union regional consultative meeting on implementation of the plan of action in Malawi in March 2011, and in a similar meeting in Kinshasa in May 2011.

63. By the end of May 2011, 31 member States of the African Union had signed the Kampala Convention and five had deposited instruments of ratification with the African Union Commission. A total of 15 ratifications are needed before the Convention can enter into force.

64. Several Governments have adopted domestic laws and policies to protect internally displaced persons, including Angola, Burundi, Liberia, Sierra Leone, the Sudan and Uganda. In Kenya, a draft policy on internal displacement was developed through a participatory process, including United Nations agencies, non-governmental organizations and representatives of the internally displaced population. The Government of Burundi approved a national policy on the socio-economic reintegration of conflict-affected people, including internally displaced persons.

65. Despite the progress in developing normative frameworks, internally displaced persons in Africa continue to face immense challenges. Lack of physical security, compounded by a lack of access for humanitarian agencies, is a major threat in conflict situations such as the current situations in the Democratic Republic of the Congo and Somalia. In some cases, Governments do not fully recognize the role of agencies in a manner consistent with the Guiding Principles on Internal Displacement. Some particular groups of the internally displaced, such as those settling in urban areas or outside of camps, have been neglected by institutional responses.

### **4. Statelessness**

66. The year 2011 marks the fiftieth anniversary of the 1961 Convention on the Reduction of Statelessness. In Africa, the two international conventions dealing specifically with statelessness, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention, have, respectively, only 11 and 7 States parties signatory to them. States are being encouraged to accede to the Conventions, demonstrating support for the principles they contain.

67. The incompatibility of domestic nationality laws with such international treaties and relevant human rights standards was raised with several Governments in the context of legal reform efforts. In Kenya, a new constitution, which is up for

adoption in August 2011, would grant women equal rights with men to confer nationality to children and would introduce other important safeguards against statelessness. The Kenyan nationality law is currently being brought in line with the constitution.

68. The anticipated independence of Southern Sudan has raised concerns relating to statelessness, with fears that persons of southern Sudanese origin might have their Sudanese nationality withdrawn and then be found ineligible for citizenship in the new Republic. Advocating that no one should lose their citizenship before acquiring the citizenship of the other State, UNHCR has been working closely with UNMIS, the African Union High-level Implementation Panel and other partners to provide technical advice to the parties on citizenship issues. These efforts have been augmented by birth registration and civil documentation projects, using mobile teams.

69. In Côte d'Ivoire, UNHCR has worked since 2007 to identify populations at risk of becoming stateless, assisting them in obtaining birth registration, identity and nationality documents, while strengthening capacity of civil registry personnel and partners dealing with complex citizenship issues. In Mozambique, a pilot project was launched in 2010 to identify stateless persons or those at risk of becoming stateless owing to a lack of civil registration. The issue of statelessness has been incorporated into the United Nations Development Assistance Framework for Mozambique for 2012-2015.

## **5. Registration and documentation**

70. Registration and the individual documentation of asylum-seekers and refugees is an important protection tool for determining an individual's access to shelter, assistance and basic services as well as the ability to exercise other basic rights. During the reporting period, Sudanese refugees in eastern Chad, with the exception of those in the Oure Cassoni camp, were registered, and those over 18 years of age received identity cards. In eastern Sudan, the verification of Eritrean refugees in urban centres, which followed a similar exercise for camp-based refugees in 2009, is a step towards finding durable solutions for this protracted refugee situation.

71. From March 2010, the Government of Kenya assumed responsibility for the registration of newly arriving asylum-seekers, with UNHCR continuing to provide technical support and training. However, a sharp increase in new arrivals has led to large registration backlogs, requiring partners to respond flexibly to the protection and assistance of the refugees during the waiting period. Efforts are being made to strengthen the Government's registration capacity to keep pace with the current influx.

72. In April 2010, new International Civil Aviation Organization (ICAO) standards for travel documents became effective, rendering invalid the traditional Convention Travel Documents booklets issued to refugees and stateless persons under the respective conventions on refugees, which were not machine-readable and did not incorporate other required security features. Although most African nations are now issuing ICAO-compliant machine readable national passports, none have started to issue Convention Travel Documents that meet the new standards, thus creating barriers for refugees and stateless persons who may need to travel abroad for urgent reasons, such as medical treatment or family reunification. African States are encouraged to produce ICAO-compliant Convention Travel Documents.

## **6. Prevention of and response to sexual and gender-based violence**

73. Sexual and gender-based violence is a critical problem that is exacerbated by situations of displacement. Prevention of and response to such violence is a key priority for the United Nations. Coordination and partnership and a multi-sectoral approach across agencies helps them to assess risks and plan interventions, including prevention activities, the provision of safety and referral systems for survivors for medical, legal and psychosocial support.

74. Inter-agency platforms to address sexual and gender-based violence among internally displaced persons involve a range of agencies in the Central African Republic, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Ethiopia, Kenya, Liberia, Somalia, the Sudan and Zimbabwe.

75. Despite such efforts, stigmatization of survivors by their communities and the persistence of impunity for perpetrators of sexual and gender-based violence contribute to underreporting and a lack of clear data. As a result, oftentimes survivors of such violence do not obtain the assistance or the justice they need and deserve. The United Nations Population Fund (UNFPA), the United Nations Children's Fund (UNICEF), UNHCR and the World Health Organization (WHO) continued to expand the use of the Gender-based Violence Information Management System to strengthen confidential data collection and analysis and to inform interventions in Africa.

76. In Southern Sudan, a comprehensive inter-agency study released in May 2011 illustrated the complexities and cultural dimensions of the phenomenon. The recommendations will serve as a basis for sexual and gender-based violence programming by United Nations agencies and partners, working closely with the authorities.

## **7. An age, gender and diversity approach to protection**

77. The gender standby capacity project of the Inter-Agency Standing Committee continued to deploy gender experts to various countries in Africa to assist in mainstreaming gender considerations into humanitarian responses. UNHCR has an age, gender and diversity policy, which emphasizes gender equality, a community-based approach and the importance of partnerships.

78. In order to better respond to the specific needs of children in humanitarian situations, child protection experts were deployed to the Congo, Ethiopia, Kenya, Liberia, Rwanda, the Sudan, Uganda and Zambia. The International Rescue Committee and UNHCR helped strengthen capacities to conduct best interests determination for unaccompanied and separated children through training, the deployment of experts in Ethiopia, Kenya, Rwanda and Zambia and the development of a best interests determination field handbook and training materials.

79. In Uganda, a comprehensive profiling of Congolese refugee women living at risk in camp and urban settings helped to identify appropriate responses to their medical, psychological, protection and security needs. Throughout Africa, resettlement is used as a protection tool for refugees whose specific protection needs, taking age, gender and diversity aspects into consideration, cannot be met in their countries of asylum.

80. A number of interventions have been mounted to assist female refugees and internally displaced persons facing particular difficulties, including women heads of households, disabled individuals and elderly refugees, to become self-reliant, helping to reduce their exposure to exploitation and abuse.

## **C. Delivery of assistance and special needs**

### **1. Food**

81. Hunger remained a critical challenge in Africa. According to the Food and Agriculture Organization of the United Nations (FAO), some 239 million people, or roughly a quarter of the continent's population, are undernourished.

82. Globally, the nutrition status of refugees and other persons of concern is fragile: approximately one third of all groups surveyed in 2010 showed global acute malnutrition levels of over 10 per cent, and in 83 per cent of those situations anaemia levels were registered for over 40 per cent of children under 5 years old. Collaborative nutrition programmes focusing on treatment and prevention of severe and moderate acute malnutrition are an integral part of refugee operations, involving agencies, non-governmental organizations specializing in health and nutrition and government partners.

83. The famine in Somalia has compounded the suffering inflicted by the ongoing conflict, forcing many refugees to flee to neighbouring countries. Levels of malnutrition among Somali refugees arriving in Ethiopia in April 2011 were higher than any reported in the countries of the East Africa region over the past two decades, with acute malnutrition levels reaching up to 45 per cent, and with almost 1 in 4 children suffering from severe acute malnutrition. United Nations agencies and partners provided food assistance, health care, water and sanitation services, while working to prevent new cases of malnutrition among children and pregnant and lactating women and ensuring essential lifesaving treatment.

### **2. Health and HIV/AIDS**

84. The health of refugees, returnees and other forcibly displaced people is a key component of protection. Among forcibly displaced populations in low income countries, the top five causes of death of children under five are: malaria; malnutrition; measles; diarrhoea; and respiratory tract infections.

85. In the past, many health strategies for refugees were designed for camp-based refugee contexts. With almost half of the world's refugees now living outside camp settings, it has become vital to ensure that they have access to affordable health services in urban areas. Operational guidance for urban public health programming has been developed with practical steps for integrating refugees into government health services, avoiding parallel programmes whenever possible.

86. Africa is more heavily affected by HIV and AIDS than any other region of the world. Comprehensive HIV and AIDS programmes for refugees have been implemented through the Joint United Nations Programme on HIV/AIDS (UNAIDS), co-sponsors, national HIV and AIDS control programmes, non-governmental organizations, regional and subregional bodies, the Global Fund to Fight AIDS, Tuberculosis and Malaria and the United States President's Emergency Plan for AIDS Relief.



87. Efforts to integrate sexual and reproductive health projects and strengthen links with HIV and AIDS programmes have led to significant improvements. Antenatal coverage is above 90 per cent in most protracted refugee-camp situations, and 77 per cent of pregnant women have access to services to prevent the transmission of HIV/AIDS from mother to child. The proportion of births attended by skilled personnel has also increased.

88. UNAIDS continued to ask that Governments include refugees and other people of concern in national HIV and AIDS plans, policies and proposals and worked with partners to strengthen health systems, in particular for safe-motherhood services, in order to reduce maternal and newborn morbidity and mortality.

89. In 2010, the United States President's Emergency Plan for AIDS Relief, which is the single largest source of HIV/AIDS funding for refugee populations, provided close to \$5 million for HIV/AIDS prevention, treatment and care programmes for refugees in Botswana, Ethiopia, Kenya, Rwanda, Uganda and Zambia.

90. In protracted refugee situations, efforts to uphold the quality of health programmes included the establishment of standardized clinical protocols, drug-management and laboratory services and improved monitoring. With the establishment of the web-based health information system by UNHCR, WebHIS, easily accessible and timely interpretation of data enabled staff to prioritize action and reporting in protracted settings.

### **3. Education**

91. Ensuring access to quality education in Africa in protective environments constitutes a major challenge, even at the primary level. Illiteracy is widespread and access to early childhood, post-primary, adult and non-formal education and vocational training is limited. The lack of quality learning opportunities results in major protection risks for out-of-school children and youth, as well as diminished prospects for durable solutions.

92. UNICEF has enhanced the education of refugee, internally displaced and host community children in several countries by providing teaching and learning materials, teacher training and classrooms. WFP has supplied nutritious school meals to refugees, internally displaced persons and host communities, thus increasing enrolment and attendance rates.

93. Three complementary education objectives, namely increased education access, improved quality and enhanced protection, appear to have contributed to a slightly upward trend in primary school enrolment rates and gender parity among refugee populations. However, enrolment rates in East Africa and the Horn of Africa are of particular concern, with only 55 per cent of girls enrolled in primary school and only 10 per cent in secondary education.

94. Initiated to enhance the education of girls, the nineMillion.org campaign extended access to education, sports and technology for more than 460,000 children and young people in 20 African countries. Through the scholarship programme run by the Albert Einstein German Academic Refugee Initiative Fund, more than 1,170 refugee students from Africa have had the opportunity to advance their university studies.

#### **4. Livelihood opportunities**

95. The livelihoods of refugees, returnees and internally displaced people in Africa are fragile and complex. Strengthening livelihoods requires a combination of short and longer-term measures aimed at building people's resilience and diversifying their economic choices to enable them to contribute positively to local development.

96. The International Labour Organization (ILO), IOM, the United Nations Development Programme (UNDP), UNHCR, WFP and the World Bank are collaborating on the introduction of livelihood-support strategies in Africa, including local market assessments and socio-economic surveys in Chad, Kenya, Sierra Leone, the Sudan and Uganda. Multi-year strategic plans in those countries are attracting development funding and harnessing a wide range of actors from the private and public sectors: banks and microfinance institutions in the Sudan and Mozambique; public and private vocational training and technical education institutions in Chad, the Democratic Republic of the Congo and Kenya; workers' cooperatives in Mauritania; and entrepreneurship training and business service providers in Cameroon and Uganda.

97. ILO and UNHCR joined forces in Chad, Ethiopia and Mauritania to provide microfinance knowledge and skills. In Ethiopia, the WFP "Managing environmental resources to enable transitions to more sustainable livelihoods" programme is reversing environmental degradation and building resilience to climate change, reaching over 1 million people and rehabilitating over 300,000 hectares of land. Multi-year collaboration between UNDP, UNHCR and the World Bank is taking form in the Sudan under the transitional solutions initiative.

#### **D. Durable solutions**

98. With unresolved conflicts and new emergencies, 2010 was a challenging year in terms of finding solutions for displaced people in Africa. The decade-long declining trend in the voluntary return of refugees continued, following the conclusion of several major voluntary repatriation operations. Some 43,000 refugees across sub-Saharan Africa were able to return home voluntarily, notably to the Democratic Republic of the Congo (16,600), Rwanda (10,900), the Sudan (7,100) and Burundi (4,800).

99. The total number of internally displaced persons in Africa fell by approximately 500,000, as a result of the facilitated return of almost one million internally displaced persons in the Central Africa and Great Lakes regions and in East Africa and the Horn of Africa. In the Sudan, between November 2010 and the end of January 2011, 200,000 southerners living in the north of Sudan moved to the south, most of them with the assistance of the authorities of Southern Sudan.

100. The receptivity of Governments to the local integration of refugees remained very much linked to progress in efforts to maximize resettlement and voluntary return opportunities, as well as to achieve a more equitable sharing of responsibilities for hosting refugees. In eastern Sudan, the joint transitional solutions initiative catalysed new partnerships and allowed agencies to secure resources to support local integration initiatives for Eritrean refugees living in one of Africa's most protracted refugee situations. The initiative reinforces collaboration

between humanitarian and development actors on programmes for vocational training, entrepreneurship and access to financial services for refugees.

101. In addition to being a vital protection tool and a durable solution, resettlement is an important means of responsibility sharing. In 2010, more than 24,000 refugees were referred for resettlement from across the region, the vast majority from East Africa and the Horn of Africa. The top population groups in terms of submissions were from Somalia, the Democratic Republic of the Congo and Eritrea, followed by the Sudan and Ethiopia.

## **E. Humanitarian response capacity and constraints**

102. Throughout the reporting period, humanitarian operations faced a number of constraints and challenges. Operating environments marked by violence and insecurity made it extremely difficult to provide humanitarian assistance and to ensure the protection of beneficiaries in a number of countries.

103. Attacks on aid personnel by both State and non-State actors remained at a high level, signalling a continued shrinking of humanitarian space, impacting beneficiaries and humanitarian workers alike. This has been particularly evident in south and central Somalia, as well as in different regions of the Sudan where humanitarian organizations have not only been denied access to affected populations but have also had staff injured or killed. A WFP staff member on mission in Southern Sudan was killed in an ambush in May 2011.

104. A heightened emphasis on inter-agency coordination and preparedness, through initiatives such as the Sub-Working Group on Preparedness and Contingency Planning of the Inter-Agency Standing Committee, has resulted in a reinforced capacity within the United Nations to respond to emergencies in a timely and effective manner. In 2010, several political processes, including the elections and referendums in Côte d'Ivoire, Somalia and the Sudan, created atmospheres of fragility and uncertainty. Inter-agency preparedness planning took place to address these concerns. The scale-up of the cluster system in Côte d'Ivoire enabled a more timely response to the post-election violence in November 2010, while the UNHCR-led inter-agency approach was critical to the success of the humanitarian response to the refugee emergencies in the Congo, Ghana and Liberia.

## **F. Partnerships with non-United Nations entities**

105. The United Nations response to the humanitarian needs of refugees, returnees and internally displaced persons is enhanced through effective partnerships, coordination and synergies with international and regional organizations and national and international non-governmental organizations. The essential role of national non-governmental organizations in bringing critical humanitarian assistance to desperate people in highly insecure situations, such as in Somalia, deserves particular mention.

106. The partnership between the United Nations and the African Union has been strengthened over the past 18 months, notably in support of the New Partnership for African Development process and within the framework of the United Nations-African Union 10-year capacity-building programme for peace and development. In

addition, United Nations agencies undertook communications and outreach activities in refugee camps across the continent in support of the African Union's Year of Peace in 2010.

#### **IV. Conclusion**

107. Providing timely and comprehensive assistance to refugees, returnees and displaced persons is central to the broader challenge of promoting peacebuilding, development and gender equality throughout the African continent. In the short-term, it is imperative to ensure that women, children and men who are forced to abandon their homes by armed conflict, human rights abuses and natural disasters are provided with the relief that they need to survive. In the medium-term, steps must be taken to ensure that such people are able to live peaceful and productive lives while they are in exile or displacement, an objective which requires the provision of health and education services, livelihood opportunities and protection from sexual and gender-based violence, forced recruitment and economic exploitation. In the long-term, humanitarian assistance, especially if it is effectively linked to early recovery and development activities, can provide exiled and displaced populations with opportunities to find a durable solution to their plight, whether that is in their own or another country.

#### **V. Recommendations**

**108. Humanitarian emergencies too often result from our collective failure to end conflicts that uproot civilians, and I call upon political leaders and the international community to redouble their commitment to resolving Africa's long-running conflicts.**

**109. Political will, commitment and imagination at the national level can also bring solutions for Africa's protracted refugee situations, and I encourage Governments to explore initiatives, including local integration, in support of this objective.**

**110. Refugee protection in Africa remains vital, and it is based upon solid foundations of law and tradition, as demonstrated when West African nations opened their borders to refugees fleeing conflict and unrest in Côte d'Ivoire. The outlook for asylum, however, is not uniformly positive, with the pressures of mixed migration leading some countries to adopt new restrictive policies that put refugees in need of protection at risk of refoulement. I urge African nations to renew their commitment to ensuring that refugees can seek and enjoy asylum.**

**111. In this anniversary year of the 1951 Convention relating to the Status of Refugees and the 1961 Convention on the Prevention and Reduction of Statelessness, I strongly encourage all States to ratify, implement and respect the obligations enshrined in those and other international and regional instruments that protect the rights of refugees, stateless persons and displaced people, including the 1954 Convention relating to the Status of Stateless Persons, the 1967 Protocol to the 1951 Convention and the 1969 African Refugee Convention adopted by the Organization of African Unity (now the**

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**African Union). The 2009 African Union Convention on the Protection and Assistance of Internally Displaced Persons in Africa deserves special mention, and I urge the member States of the African Union to bring this groundbreaking international instrument into force and make its promise a reality for displaced persons in Africa.**

**112. State and non-State actors alike must ensure respect for international refugee, humanitarian and human rights law principles by ensuring that humanitarian organizations have safe access to civilians who have been displaced and whose rights and security are at risk. It is essential to maintain and expand humanitarian space by preventing undue manipulation of such organizations or interference with the assistance programmes they implement.**

**113. While humanitarian relief is essential in the early stages of an emergency, every step should be taken to ensure that displaced people are able to re-establish peaceful and productive lives as soon as possible. States should reconsider encampment policies and lift reservations to the 1951 Convention concerning freedom of movement and access to education and gainful employment, which prevent refugees from achieving self-reliance and fulfilling their human potential, thus perpetuating their dependency on aid.**

**114. Finally, States outside Africa should support the continent's efforts to meet the immediate and longer-term needs of uprooted populations, putting into action the principles of international cooperation, solidarity and responsibility-sharing. In very practical terms, this means ensuring that relief organizations have adequate resources to meet the required needs, supporting the work of States and development actors in their efforts to promote sustainable and equitable economic growth and making places for resettlement available for refugees from Africa.**