

**ANNUAL CONSULTATIONS WITH NGOs
28 – 30 JUNE 2011, International Conference Center Geneva**

**Background Paper
Africa Regional Session**

Wednesday 29 June 2011, 14:00 - 15:45, Room 2

Moderator:

Mr. Misikir Tilahun, Africa Humanitarian Action, Ethiopia

Speakers:

Ms. Liz Ahua, Deputy Director, West Africa and Great Lakes

Mr. Raouf Mazouzi, Deputy Director, East and Horn of Africa

Mr. Steven Corliss, Deputy Director, Southern Africa, Policy & External Relations

Rapporteur:

Ms. Kundai R.S. Makurira, Christian Care, Zimbabwe

Discussion topics:

The Africa Regional Session will be an open dialogue and exchange of information and views between the NGO participants and the senior management team of UNHCR's Regional Bureau for Africa. The Bureau proposes that the debate be structured around the following four subjects:

- Overview of the Bureau's 2012 Plan
- Pursuit of comprehensive strategies for refugees from Angola, Burundi, Liberia and Rwanda;
- Progress in resolving statelessness issues in Africa;
- Update on the ratification and implementation of the African Union Kampala Convention on the Protection and Assistance of Internally Displaced Persons in Africa.

Overview of Bureau's 2012 Planning

As of 1 January 2011, there were approximately 10 million persons of concern to UNHCR in sub-Saharan Africa, including 2.2 million refugees (or persons in refugee-like situations), 6.2 million IDPs, nearly one million returnee IDPs, some 311,200 refugees, 42,000 returnee refugees and 21,000 stateless persons. Already in 2011, the region has seen significant new displacement, with some 15,000 refugees entering Kenya and Ethiopia from Somalia every month and over half a million Ivorians fleeing the conflict in Côte d'Ivoire, either into neighboring countries or other regions within Côte d'Ivoire. Conflicts in the Abyei region of the Sudan and elsewhere are expected to drive displacement figures even higher over the remainder of the year. Looking beyond 2011, the Africa Bureau has just completed its 2012 Annual

Programme Review, which involves a review and assessment of country operations plans for the coming year. The Bureau estimates its needs in the region to be approximately \$1.69 billion. With its Operating Level for 2012 provisionally set at only \$612 million, a significant gap remains between needs and available resources. Certain protection priorities will feature prominently in country operations, such as refugee protection and mixed migration, addressing statelessness, ensuring refugee protection in urban areas, preventing and responding to SGBV, and facilitating durable solutions. UNHCR's largest operations in the region will continue to be Chad, Sudan/South Sudan, DRC, and Kenya, which are expected to claim some 36% of the Bureau's Operating Level at the beginning of the year.

The Bureau looks forward to providing more details on its 2012 plans during the Africa regional session, as well as discussing those issues which NGO partners believe should be prioritized.

Comprehensive strategies: Angola, Burundi, Liberia and Rwanda

UNHCR is pursuing comprehensive strategies aimed at bringing closure to certain long-standing refugee situations in Africa, with a particular focus on Angolan, Burundian, Liberian and Rwandan refugees. In each of these situations, the reasons for flight occurred many years ago and under conditions very different from those prevailing in the respective countries of origin today. Moreover, many of those who fled have now resided in countries of asylum for more than a decade or even a generation. The comprehensive strategies for closing these refugee chapters entail exhausting all remaining possibilities to promote voluntary repatriation; opening up new opportunities for local integration or alternative status in countries of asylum and limited resettlement; ensuring continuity of status for refugees who continue to need international protection and an eventual invocation of cessation of refugee status for those who do not.

The Angolan, Burundian, Liberian and Rwandan refugee situations have different historical origins and contemporary dynamics. Each must be approached in a differentiated manner that responds to the specific challenges and opportunities in the countries of asylum and countries of origin. UNHCR has aligned the proposed critical date for invocation of cessation in these four refugee situations to 31 December 2011 and is now reviewing and taking forward the steps required to ensure implementation of each dimension of the comprehensive strategies.

The NGO consultations provide a forum for UNHCR to explain its current planning more fully and to engage in a dialogue with NGOs on factors to be considered in this process.

Addressing statelessness in Africa

In many respects, the issue of statelessness continues to fight for attention in Africa, with many governments not considering it a matter of significant concern. This perception is perhaps best evidenced by the relatively low number of accessions in sub-Saharan Africa to the main statelessness conventions, i.e., seven State Parties to both the 1954 Convention on the Status of Stateless Persons and the 1961 Convention on the Prevention and Reduction of Statelessness, six State Parties to the 1954

Convention alone, and one State Party to the 1961 Convention alone.

Despite this relative lack of attention, the problems and concerns surrounding statelessness remain quite real. States continue to have laws that discriminate between men and women in the transmission of citizenship to children. Administrative requirements in some States to obtain or prove citizenship are overly-burdensome, placing certain populations at risk of statelessness and perpetuating situations of systemic marginalization. A number of States remain unwilling or unable to actively pursue the registration of all persons born in their territories, be they nationals or foreigners, including refugees.

Despite these challenges, progress has been made over recent years in raising awareness of issues related to statelessness and devising advocacy, legal and operational responses to address them. At the regional level, for example, the AU has been actively engaged on the issue of birth registration, with Ministerial conferences and expert meetings having taken place. The African Commission on Human Rights has been discussing the possible drafting of an Optional Protocol on the Right to a Nationality to the African Charter on Human and Peoples Rights, an instrument which could help address many of the problems that currently exist. At the national level, nationality legislation is being closely examined, mapping exercises are being undertaken, and advocacy campaigns are being launched.

For the Africa Bureau, key achievements over the past year have included an operational expansion of statelessness activities into more countries; concrete achievements in addressing statelessness in Cote d'Ivoire (before the recent political crisis unfolded); increased registration of undocumented Mozambicans abroad; improved analysis and data in countries such as Kenya, Sudan and Zimbabwe; and extensive policy advocacy, technical advice and capacity-building in countries such as the Sudan.

Much more, however, remains to be done. On the occasion of the 50th anniversary of the 1961 Statelessness Convention, the Bureau looks forward to discussing with NGO partners how to raise awareness of this important issue in Africa and to devise responses that meet the needs that exist.

Update on the African Union Kampala Convention on the Protection and Assistance of Internally Displaced Persons in Africa

The African Union (AU) adopted the Kampala Convention for the Protection and Assistance of Internally Displaced Persons in Africa, the first international treaty with continental scope addressing the plight of internally displaced persons, in October 2009. The Kampala Convention establishes a comprehensive legal framework for preventing and responding to internal displacement as a result of conflict, natural disasters and large-scale public projects, and codifies the rights and standards that should be applied to those affected. The Convention affirms the primary responsibility of States to respect, protect and fulfill the rights of internally displaced citizens and to find solutions for them, while also calling on States, international organizations and civil society to work together to ensure that these needs are met.

Bringing the Kampala Convention into force, and implementing it at the national level, has been a priority activity for the Africa Bureau over the past year and will remain so in 2011-2012. The Convention will enter into force once ratified by 15 AU Member States. To date, 31 Member States have signed the Convention and 10 Member States have ratified it (although not all having deposited their instruments of ratification). Ratifying countries include Central African Republic, Chad, Djibouti, Gabon, Gambia, Guinea-Bissau, Sierra Leone, Somalia, Uganda, and Zambia.

UNHCR is undertaking numerous activities in 2011 and 2012 to promote the Kampala Convention, working with partners at the international, regional and national levels. These activities include:

- Supporting initiatives included in the African Union's Plan of Action for the implementation of the Kampala Convention;
- Facilitating planning and coordination of advocacy efforts between UN agencies and NGO partners in Geneva through the group, "Friends of the Kampala Convention";
- Organizing and supporting national and regional consultative meetings and conferences, including the First Ministerial Conference on Humanitarian Assistance and Internal Displacement in West Africa, scheduled for 5-7 July 2011 under the auspices of ECOWAS;
- Advocating with government counterparts at the national level to sign, ratify and implement the Convention as quickly as possible.

The Africa Bureau looks forward to discussing with its NGO partners how we can further work together to make the promises of the Kampala Convention a reality in Africa.