



**REPORT OF THE MINISTERIAL CONFERENCE ON  
REFUGEES, RETURNEES  
AND INTERNALLY DISPLACED PERSONS (IDPs)  
IN THE IGAD REGION**

**20-21 FEBRUARY 2006**

**NAIROBI, KENYA**

# **REPORT OF THE MINISTERIAL CONFERENCE ON REFUGEES, RETURNEES AND INTERNALLY DISPLACED PERSONS (IDPs) IN THE IGAD REGION, 20 – 21 FEBRUARY 2006, NAIROBI, KENYA**

## **Introduction**

1. The IGAD Ministerial Conference on Refugees, Returnees and Internally Displaced Persons (IDPs) was held between 20 and 21 February 2006 at Norfolk Hotel in Nairobi, Kenya. The Conference was conducted as a follow up to the decision of the IGAD Council of Ministers in October 2003 in Kampala, Uganda. IGAD and UNHCR Regional Liaison Office for Africa in Addis Ababa, Ethiopia organized it. The overall objective of the Conference is to deliberate on the current situation of refugees, returnees and IDPs in the region and agree on the need to develop national and regional policy/strategy to respond to challenges in protecting and assisting persons affected by displacement.
2. The Conference was attended by H. E. Askalu Menkerios, Minister of Labor and Human Welfare, State of Eritrea; Hon. Gideon Konchellah, Minister of Immigration and Registration of Persons, Republic of Kenya; H. E. Brigadier Aleu Ayieny Aleu, State Minister of Interior of the Republic of Sudan, ; H. E. Ibrahim Sh. Ali, State Minister for Foreign Affairs of the Transitional Federal Government of the Republic of Somalia Mr. Mr. Carlos Twesigmwe, the Commissioner for Disaster Management, Republic of Uganda; Mr. Ajeve Ligaba, Charge d'Affairs, Ethiopia Embassy in Nairobi; Mr. Dini Mohamed Bourhan, Counsellor of the Minister of Interior, Republic de Djibouti; Mr. Oluseyi Bajulaiye, Deputy Director, Africa Bureau, UNHCR Geneva; UNHCR Regional Liaison Officer for Africa in Addis Ababa, UNCHR Country Representatives from all IGAD member states, Africa Union, and IGAD Secretariat, (see list of Participants in Annex IV).

## **Opening Session**

3. Mr. Daniel Yifru, Director of Peace and Security of IGAD Secretariat welcomed the Ministers and invited Guests to the Ministerial Conference. He then called upon Mr. Oluseyi Bajulaiye, Deputy Director, Africa Bureau, UNHCR Geneva and Dr. Attalla H. Bashir, Executive Secretary of IGAD to address the Conference respectively and finally Mr. Daniel called Hon. Raphael Tuju, Egh, MP. Ministers of Foreign Affairs of the Republic of Kenya to officially open the Conference.
4. Mr. Oluseyi Bajulaiye, Deputy Director, Africa Bureau, UNHCR Geneva, on behalf of the High Commissioner of UNHCR thanked the Government of Kenya for hosting the Conference and IGAD for convening the first ever meeting on forced displacement in general in the IGAD region. He underlined that despite the difficulties in the region, IGAD has shown leadership in making humanitarian issues a full chapter under the

IGAD Disaster Risk Management Programme (DRMP) in recognition of the magnitude of the problem, and he supported the need to establish a unit within the Secretariat.

5. Mr. Oluseyi expressed UNHCR's happiness to co-sponsor the Conference, which provides a unique opportunity for the region to exchange experiences and chart the way forward in addressing issues of refugees, returnees and IDPs. He further expressed UNHCR's happiness to see IGAD follow the steps of other regions in Africa, where for instance the SADC Refugee Commissioners Forum, or the ECOWAS workshop on durable solutions, allowed countries to consider displacement as a regional issue and discuss prospects for durable solutions to displacement. The regional approach to displacement fits within UNHCR broader strategy to address displacement problems in Africa as transcending borders.
6. Mr. Oluseyi informed the Conference that UNHCR has been given additional responsibility in the sectors of protection, emergency and camp management with regard to IDPs. He further informed the Conference that this new arrangement is an important step to enhance the predictability and efficiency of international assistance in addressing the problems of IDPs. He highlighted the positive peace prospects in the region, which have created favourable conditions for displaced persons to return home and rebuild their devastated communities.
7. Mr. Oluseyi noted that the Committee of Experts deliberated for the last three days on the challenges of displacement and has come up with comprehensive set of recommendations for consideration. He expressed his confidence that the Ministerial Conference will make pragmatic and achievable decisions from these recommendations. He stressed that it is our common responsibility to make sure that the recommendations and your decisions do not become another set of reference document on our shelves. He challenged the Conference participants to draw lessons from the discussions and return to their capitals with more flexible thinking and a firm commitment to resolve long-standing displacement crises and find an acceptable future for the millions displaced.
8. H. E. Dr. Attalla H. Bashir, Executive Secretary of IGAD welcomed the Ministers, Commissioners, Heads of Delegates and representatives of regional and international organizations to the Ministerial Conference on Forced Population Displacement in the IGAD Region. He expressed his thanks and appreciation to the Government of the Republic Kenya for hosting the Conference. He stated that forced population displacement is one of the chronic problems that affect millions of peoples in the region. In this regard, he expressed his conviction that this Conference will set the tone for a regional approach on how to tackle the multiple problems associated with displaced populations individually and collectively.
9. Dr. Attalla H. Bashir informed the Conference that the humanitarian crises in the IGAD region have been characterized by conflicts and natural hazards, which have national,

regional and international dimensions. Addressing the root causes of these problems on sustainable basis is therefore a matter of highest priority, which requires concerted efforts at national, regional and international level. To this effect, he underscored the need for an effective and workable regional policy and strategy in order to enable the member states and the regional organization to address the causes of humanitarian crises at all levels.

10. The Executive Secretary reminded the Ministers on the recommendation of the IGAD Khartoum Ministerial Conference on IDPs and the decision of the IGAD Council of Ministers to organise a regional Conference on refugees. This he said demonstrates the political commitment of IGAD member states to address the problems of displacement. He intimated that this Conference presents a unique opportunity for all actors, in particular IGAD and UNHCR to engage with each other and update themselves with the current status of forced population displacement in the IGAD region. In this regard, he stressed the need to strengthen the capacity of IGAD Secretariat and its member states in order to discharge their responsibilities effectively.
11. Dr. Attalla informed the Conference that IGAD is faced with financial constraints in its effort to implement the recommendations of the Khartoum Ministerial Conference on IDPs. He expressed his fear that IGAD would be confronted with similar problems in implementing the recommendations that will emanate from this Conference. He, therefore, underlined the need for an effective resources mobilisation strategy for IGAD to engage donors at the highest level.
12. Dr. Attalla stressed the need for IGAD to conceptualise a regional strategy and vision on refugees, returnees and IDPs. He informed the Conference that IGAD will draw a Plan of Action to implement the decisions and recommendations of this Conference at the possible shortest time. Finally, Dr. Attalla thanked UNHCR Regional Liaison Office in Addis Ababa, Ethiopia for their technical and financial support and the Government and people of the Republic of Kenya for hosting the Conference.
13. Hon. Raphael Tuju, Egh, MP, Ministers of Foreign Affairs of the Republic of Kenya welcomed all delegates and invited guests to the Conference and wished them a pleasant stay in Nairobi. The Minister stated that the IGAD region is faced by enormous humanitarian challenges caused by natural and human made hazards, which have inflicted heavy economic and social losses. He further stated that the importance of this Conference cannot be overemphasized at a time when millions of peoples in our region are experiencing the effects of forced population displacement as a result of various causes such as recurrent conflicts and natural hazards.
14. The Hon. Minister shared his personal experiences in visiting refugees' camps and settlements in member states and elsewhere in Africa where he was able to witness the situations of forced displaced persons and the agony that these people encounter daily. He challenged the Conference whether the IGAD member states have the courage to address the root causes of displacement which are mostly caused by tribal and ethnic

differences as well as other ideologies. He asserted that so far, IGAD member states do not have the courage to address the root causes at national and regional levels. The Minister indicated that this Conference would have achieved a lot if it could enhance the courage of member states to identify some of the factors contributing to displacement.

15. The Hon. Minister intimated that forced population displacement affects the entire social fabric causing severe impediment to sustainable economic development and peace and security in our region. He further intimated that it is imperative for IGAD and the region to crystallize a regional vision and policy towards refugees, returnee and IDPs to address the issues of forced population displacement. The Hon. Ministers pointed out that this Conference should not be a one-time activity and stressed the need for more action oriented forums, which should provide IGAD, its member states and other actors in the region an opportunity for a sustainable dialogue on issues of refugees, returnees and IDPs in the region.

16. Hon. Tuju thanked UNHCR Regional Liaison Office and the IGAD Secretariat for their valuable partnership in facilitating and co-sponsoring and for choosing Kenya to host this Conference. He expressed his confidence that this preliminary collaborative engagement with IGAD will lead to further cooperation and collaboration in addressing problems of forced population displacement and that would as well contribute to economic development and peace and security in the IGAD region. Finally, the Minister declared the Ministerial Conference open.

### **Election of the Bureau**

17. The Conference elected Kenya as Chair, Sudan as Co-Chair, and Uganda as Rapporteur.

### **Adoption of Agenda and Work Programme**

18. The agenda and work programme was adopted without any amendments (Annex I)

### **Consideration of the Report of the Committee of Experts**

19. Mr. David Apollo Kazungu, Chairperson of the Committee of Experts presented the report of the Experts for consideration by the Ministers. Mr. David briefed the Ministers on the main points that the experts have dealt with in the last 3 days. He further briefed the Ministers on the recommendations and the draft Declaration that have emanated from the deliberations of the Experts meeting, which were tabled to the Ministers for their consideration.

## **Discussion**

20. On the issue of lack of precise data on refugees, returnees and IDPs, the Conference learnt that there is lack of comprehensive and precise data on refugees, returnees and IDPs in the region. However, it was further learnt that Eritrea has a comprehensive data on refugees, returnees and IDPs, which need to be reflected in the report of the Committee of Experts. The participants noted the need for IGAD member states to take the lead in addressing the issues of displacement. It was noted that IGAD Secretariat and UNHCR should complement the efforts of member states. It was learnt that the recommendations of the Committee of Experts are at national, regional and international levels, where the role of UNHCR is not very well defined. The participants expressed their concern on the agendas of UNHCR and OCHA who are competing for resources which need to be synchronized. In this regard, the Conference noted that the role of UNHCR is always defined in the Tripartite Agreements and that UNHCR is ready to work very closely with IGAD countries to clearly define its role, if need be.

## **Country Statements**

21. After the presentation of the experts report, member states gave their country statements on refugees, returnees and IDPs as follows:

### **Djibouti**

22. The representative of the Republic of Djibouti stated that his government lauds this joint initiative by the UNHCR and IGAD aimed at discussing the thorny issue that affects the sub-region which hosts the largest number of displaced persons. Despite its modest resources, the country has always applied a generous hospitality, currently hosting some 5,000 refugees, with their welfare managed by the National Office for Assistance to Refugees and Disaster Victims (ONARS). He added that his country favours the voluntary repatriation of refugees to their countries of origin, and cooperates with UNHCR to assist in the repatriation exercise. Internally Displaced Persons in Djibouti mainly comprise of nomadic peoples who are victims of persistent cyclic drought that occurred in the region during recent years.

23. The representative shared his government's concern in regards to the education of refugee children, and requested the assistance of UNHCR and the international community to assist in the matter. On its part, the Republic of Djibouti undertakes to fully implement the decisions and recommendations of this meeting, noting that it had already subscribed to related conventions, and with a view to durably resolve the issue of returnees and internally displaced persons that constitutes a serious impediment to the socio-economic development of member states of the sub-regional organisation.

## **Eritrea**

24. H.E. Askalu Menkerios, Minister of Labor and Human Welfare of the Government of Eritrea, thanked the Government of Kenya for hosting the Conference and for the hospitality accorded to delegations. The Minister commended IGAD Secretariat for bringing the issue of forced population displacement to a higher priority on the regional agenda and UNHCR for sponsoring the Conference.
25. The Minister highlighted that most prominent factors creating refugees, internal displacement and other forms of forced population movements continue to be inter and intra-state armed conflicts. The Minister further highlighted the issues of protection, assistance and durable solutions addressing displacement of population in the IGAD region, cannot be dissociated from our development goals and strategies. The Minister noted that harmonisation of approaches and policies and standardization of practices among member states are essential. Furthermore, the Minister noted that existing global and regional conventions, principles and charters governing such issues and the IGAD mechanism at sub-regional level will assist to enhance the capacity of member states to articulate policies and strategies which meet international standards. In this regard, a sub-regional forum will help promoting the exchange of communication, information and experiences, coordination of programmes and sharing resources among member states on the basis of adopted sub-regional mechanisms and policies.
26. On the issue of burden sharing, the Minister underlined that it is being borne by host communities and host states in the immediate vicinity, which calls for increased cooperation and establishment of mechanisms that enhance the assumption of more unified sustainable responsibilities. The Minister informed that the Government of Eritrea has pursued a holistic approach to address repatriation, reintegration and rehabilitation of affected population as enshrined in its Macro-Policy Proclamation of 1994, which empowers the displaced population to become productive members of the society. The policy also highlights the need to sensitise communities in hosting and caring for such populations.
27. The Minister shared the experience of Eritrea as a host to some 4,321 refugees from neighbouring countries. The Minister informed that Eritrea has fully respected the principles enshrined by the 1951 Geneva Convention, the AU Charter and other International Humanitarian and Human Rights Laws and instruments. In this regard, the Minister further informed that Eritrea has cooperated with UNHCR in safeguarding the protection and the respect of human rights of refugees. The Minister also informed the Conference that the Government of Eritrea in cooperation with UNHCR has been engaged in repatriation program for Eritrean refugees, until the application of the cessation of the status of Eritrean refugees. The Minister reported that some 341,000 Eritrean refugees have been returned and assured the Conference that the Government of Eritrea will extend its support for Eritrean returnees within the national reconstruction

and development program. Despite the hardship some returnees face at the initial stage, the Minister noted that most of the returnees are striving to restore their livelihoods, where it is difficult without substantial human and financial resources. In this regard, the Minister informed the Conference that Eritrea maintained original community organisations and administration structures, sensitise and empower these communities to run their own affairs.

28. The Minister expressed concern that Eritrea continues to host more than 50,000 IDPs who cannot return home due to delay in border demarcation. The Minister underlined that efforts to address the effects of displacement must be addressed parallel to those root cause by protecting sovereign legal rights and upholding international law. The Minister challenged the information on the so called “Eritrean refugees” encamped in Shimelba, in northern Ethiopia, who have been there since 1991 as members and families of some subversive groups kept there for hostile agenda and some abducted during the border conflict. The Minister called upon the UNHCR to facilitate the early return of those abducted and at the same time UNHCR not to get involved with humanitarian cover up which serves other political motives. The Minister also expressed concern on the inadequacy of the consultant’s report which lacked meaningful consultation with government institutions in Eritrea which led to misrepresentation and distorted source of information.

29. Thus the need for ample time and enough consultation and resources for such complex undertaking. Finally, the Minister reaffirmed Eritrea’s support to the outcome of the Ministerial Conference and strengthening the capacity of IGAD Secretariat.

### **Ethiopia**

30. The representative of Ethiopia stated that Ethiopia has been home to refugees from various countries irrespective of their nationality, race or religion since time immemorial. He further stated that Ethiopia, as a signatory to all UN and OAU Conventions on refugees, has maintained its open door policy on refugees. He informed the Conference that Ethiopia has enacted a National Refugee Legislation in July 2004 based on the principles of the UN and OAU refugee Conventions.

31. The representative of Ethiopia informed the Conference that the IGAD member states have been hosting the largest number of refugees and displaced persons compared to other regions. While every effort must be made to provide effective protection and assistance to refugees and IDPs, the political, social and economic root causes of refugees and IDPs must be effectively addressed. In this regard, he said that the prevention aspects of the problems is multi-facet involving a range of interrelated tasks like eliminated poverty and promoting sustainable development: Ensuring respect for human and minority right establishing equitable and democratic forms of governance,



encouraging the peaceful resolution of disputes, ending social injustice and averting the growth of ethnic or communal antagonisms.

32. The representative expressed concern on the decline in volume of assistance to refugees as a result of the donor fatigue syndrome, which is manifested in the declining budget allocated for refugees in Africa, which in turn has drastically affected the services provided to the refugees. He further stated that in hosting the refugees, the poorest of the poor find it more difficult, while the environment and the natural resources are depleted.
33. The representative stated that for the last four decades the horn of Africa has been characterized by civil strife, natural disasters and drought causing forced displacement. As a result, Ethiopia used to host nearly one million refugees in the 80's and early 90's and currently it hosts about 99,556 refugees from neighbouring countries. In pursuit of durable solution, the representative stressed that the implementation of refugee programmes remain a top agenda and Ethiopia remains committed to the repatriation of all refugees to their home lands.
34. The representative informed that Ethiopia has so far repatriated 250,000 Somali refugees and continues to host 15,142 Somalis. He further informed that Ethiopia strongly supports the comprehensive plan of action for Somali refugees and requested UNHCR to provide assistance for its implementation. The representative reported that many Eritrean refugees are seeking asylum in Ethiopia and indicated that plans are underway to open an additional camp for Eritrean refugees. He further reported that Ethiopia has been hosting Sudanese refugees since 1983 and is currently hosting 73,588 refugees from Sudan. He informed the Conference that the Comprehensive Peace Agreement signed between the Government of Sudan and SPLM has opened the door to the repatriation of Sudanese refugees and reaffirmed Ethiopia's readiness to work with the Government of Sudan and UNHCR to facilitate the repatriation of Sudanese. The representative emphasized that the refugees need assistance until they are repatriated in safety and dignity and noted that the reduction of budget for programmes of assistance needs careful consideration.

### **Kenya**

35. Hon. Gideon Konchellah, Minister of Immigration and Registration Persons of the Republic of Kenya informed the Conference that Kenya currently hosts over 240,000 refugees in Dadaab, Kakuma and other major urban centres. He reiterated Kenya's respect and adherence to International Human Rights and United Nations Refugees Conventions such as the 1951 UN Convention on Refugees, among others, demonstrating Kenya's commitment to protection of refugees.
36. The Minister informed the Conference that fundamental human rights of refugees and asylum seekers are provided on par level basis with the security of Kenyan Nationals

and International Residents in Kenya. He further informed the Conference that there exists now a strong and effective partnership between the Government of Kenya and Partners on the management of refugees welfare. He also informed the participants that the refugees and their families in camps are eligible for relief rations, health facilities and access to education to make life bearable.

37. On refugees relations with host communities, the Minister reported that occasional strained relations are observed precipitated by the perception that refugees enjoy better living standards, refugees cause environmental degradation and cultural differences. In this regard, the Minister further reported that the Government has put in place programmes that target provision of services and assistance to refugee hosting communities. These programmes include access to education and health services, water, micro enterprises as well as implementation of environmental rehabilitation projects. He highlighted that Kenya hopes to fulfil its obligations to host communities through effective partnership with development partners on the basis of bilateral memorandum of Understanding, such as the one between the Governments of Kenya and Denmark.
38. Hon. Konchellah informed the Conference that the policy of the Government of Kenya is encampment, which resulted from Kenya's geo-political environment, the socio-economic situation of the country and security and safety of refugees. He reiterated that Kenya, as a State Party to 1951 UN Convention, the 1967 Protocol and 1969 OAU Convention on Refugees, Kenya continues to offer protection to refugees and asylum seekers, despite dwindling international support. He informed the Conference that steps are being taken to improve refugee protection through improved modalities of documenting and regularizing the status of all aliens in the country within the existing law.
39. Hon. Konchellah stated that Kenya has formulated a Refugee Bill, which is currently with the Attorney General for republication before Parliament deliberates on it. It is believed that the Bill and the issuance of identity cards to refugees will improve the protection and management of refugees in Kenya. He further stated that refugee camps are situated in areas that are environmentally fragile, which need urgent attention to rehabilitate and protect the environment, similar to what GTZ is doing in Kakuma. The Minister appealed to the international community to assist Kenya in restoring the environment to productive nature for posterity.

### **Somalia**

40. H. E. Ibrahim, State Minister for Foreign Affairs of the Transitional Federal Government of the Republic of Somalia (TFGS) expressed his pleasure and privilege to speak to the IGAD Conference on Refugees, Returnees and IDPs on behalf of the TFGS. He expressed his deep sentiment of recognition and thanks for the historic role the IGAD countries have played in promoting the Somalia National Reconciliation Process

separately and collectively particularly to the people and Government of Kenya. He further thanked the UNHCR and IGAD for organizing the Conference and AU in concretising tangible actions towards the betterment of refugees.

41. The State Minister highlighted that millions of refugees, returnees and IDPs are subjected to the grip of daily acts of violence, general insecurity, recurrent famine, widespread diseases, epidemics, abject poverty culminating in loss of an entire generation. He further highlighted that refugees by and large receive protection and have to certain extent their basic rights, while IDPs on the other hand need to be protected with determination both nationally and regionally as recommended by the Committee of Experts. In this regard, he stated that the primary concern is the protection of our citizens, despite the weak capacity of the national institutions to respond appropriately to internal displacement.
42. The State Minister pointed out that Somalia's case is in a stark contrast to any of our regional neighbours. He further pointed out that instead of depicting the desolate picture in Somalia, we need to promote robustly the regional goals of finding solutions, although the issue of IDPs is ostensibly a domestic problem. In this regard, he stated that the international community ought not to shrug off its responsibility and distance itself from this prolonged plight, which borders to a complete sense of apathy and entails co-responsibilities in witnessing this long-drawn human suffering and tragedy. He further stated that he is confident that the Somalia perspective was well represented in the Conference and that Somalis count on the understanding, brotherly-hand and tolerance that all our neighbours of the sub-region have shown constantly. He concluded that he is confident that the region will stand up for the good of Somalia.

### **Sudan**

43. Brigadier Aleu Ayieny Aleu, State Minister of Interior of Sudan, extended his appreciation to IGAD and UNHCR for holding this regional Ministerial Conference, which he said, would enable the region to take effective steps to bring common understanding and comprehensive of the subject. In this regard, he stated that attracting the attention of the international community towards the basic roots of this global plight and its solutions are of primary importance.
44. The State Minister informed the Conference that Sudan has been hosting a large number of refugees and currently continues to host about 665 829 refugees. He further informed that in line with its commitment and efforts, Sudan has borne most of the burden (95%) in light of the declining international assistance. He reaffirmed Sudan's commitment to all Regional and International Conventions on Refugees, the Geneva Convention of 1951, the Protocol (1967) and OAU/AU Convention of 1969 whose essential clauses are embodied in the Sudanese Asylum Act of 1974. In this regard, Sudan believes that voluntary repatriation is the best solution and that Sudan's efforts are geared towards facilitating repatriation of refugees through tripartite agreements.

On the issue of sharing refugees burden, the State Minister stated that Sudan believes the burden should not entirely lie on the host country. He further stated that the burden should be shared among the different stakeholders, particularly that of the international community.

45. The Hon. State Minister reported that in the Sudan, refugees have been categorized as to their ethnic, occupational and political affiliations to three distinct groups, namely those politically motivated because they hold views that are contrary to their political system, those who are of rural origin and who fled their countries in the face of oppression and injuries and those who are urban dwellers who lost their means of livelihood as a result of uncertainties and political unrest. He further reported that the second category, i.e. rural population constitute the majority of the refugees in the Sudan. The Minister also informed the Conference that the above categories have been used to define the settlement types in the Sudan, namely agricultural settlements, rural settlements and urban settlements.
46. The State Minister underscored Sudan's continuous affirmation of its commitment to all Humanitarian Principles and International and Regional Conventions on Refugees which has been acknowledged by the international community and UNHCR on many occasions. In this regard, he stated that Sudan has made available land to establish refugee settlements, health and education services where assistance is provided by UNHCR to achieve self-reliance. He further stated that the Government of Sudan recognizes the right to free movement in accordance with the Geneva Convention of 1951 and OAU Convention of 1969. He also informed the Conference that refugees exercise employment opportunities in areas not related to security matters in accordance with Article 14 of the 1974 Asylum Act of Sudan. He further informed the Conference that refugees are allowed to repatriate with all personal belonging they have brought from their country of origin and that which they have acquired while in the Sudan. He stated that Sudan believes that voluntary repatriation, settlement in second country of asylum and local settlement constitute durable solutions for refugees. He stressed the need for clear tripartite and bilateral agreement during repatriation processes.
47. The State Minister highlighted that Sudan is now facing negative repercussion due to the application of the cessation clause on Ethiopian and Eritrean refugees, which need to be reconsidered and thoroughly examined remembering that all assistance has been suspended for political considerations without due regard to the humanitarian nature of the problem. He further highlighted that the lengthy stay of refugees in the Sudan has led to environmental deterioration as well as to corrosion of infrastructure, and Sudan hopes that the international community would provide adequate and commensurate resources.
48. The State Minister reminded the Conference on the Comprehensive Peace Agreement signed in Nairobi on 9 January 2005 between the Government of Sudan and SPLM and

requested UNHCR to cooperate with the Government of Sudan to prepare for Sudanese refugees abroad to return safely and in dignity. Finally, the State Minister hoped that the Conference would meet its objectives and reiterated the readiness of his Government to join hands with the international community for the protection and welfare of refugees in full conformity with its obligations to international and regional instruments.

## **Uganda**

49. Mr. Carlos Twesigomwe, the Commissioner for Disaster Management, read the statement of the Lt. Gen. Mosses Ali (R.TD) Hon. First Deputy Prime Minister/Minister for Disaster Preparedness and refugees. He thanked the IGAD Secretariat and UNHCR for organizing this timely Conference.
50. The Commissioner reminded the Conference that refugees, returnees and IDPs have continued to present challenges and problems to the region and impacting on the socio-economic achievements the region should have registered. He hoped to work together towards a common strategy in addressing the root causes of displacement in the region.
51. On the situation of displacement in Uganda, the Commissioner informed the Conference that Uganda has been involved since 1940, given the geo-political location and the continued conflicts which resulted in currently hosting 250,000 refugees. The Commissioner noted on the decline of resource flows from UNHCR resulting in the burden of refugees to the host communities. He further noted that this decline in resources impacts negatively on the relation between countries.
52. The Commissioner stated his concern on the failure of refugees to return to their country of origin when situations that caused them to flee have changed and urged for concerted efforts for voluntary repatriation and to ensure their reintegration in their host communities. On policy and response, the Commissioner informed the Conference that Uganda has a long-term strategy to enable refugees live normal life within Uganda's broad national development framework that encourage refugees to be self-reliant. The Commissioner reiterated Uganda's contribution and efforts to address root causes to seek durable solutions and ensure sustainable return and reintegration in their country of origin. The Commissioner stated that the problem of IDPs in Uganda is mainly caused by conflicts and war with LRA in Northern Uganda, which has resulted in the displacement of about 1.6 million people. He further stated that one of the main challenges in dealing with IDPs has been the inadequate resources and delivery assistance to mitigate the plight of IDPs, which is compounded by frequent attacks on relief convoys and fire outbreaks in the settlements.

53. The Commissioner informed the Conference that Uganda has formulated policy in line with the UN Guiding Principles, providing a framework for coordination national response. He further informed the Conference that with prevailing peace in most parts of Uganda, the Government is resettling IDPs in their homes and a large number of IDPs are expected to return with a support from development partners. The Commissioner informed that clearing of landmine in the areas of return poses a big problem. However, Landmine Action Program is being implemented to address the problem with support from UNDP. Finally, the Commissioner concluded that Uganda hopes that the joint strategy developed by this Conference would be implemented to resolve the long-standing humanitarian crises in the region, and reaffirmed Uganda's commitment to IGAD.

### **Decisions and recommendations of the Ministerial Conference**

54. After thorough deliberations on the problems of displacement in the IGAD region and its implication to sustainable development as well as to peace and security in the region, the Ministers made a set of decisions and recommendations, which are attached to this report (see Annex II).

### **Declaration of the Ministerial Conference**

55. Having assessed the situation of refugees, returnees and IDPs in the IGAD region, the Ministers issued the Nairobi Declaration, which is also attached to this report (Annex III).

### **Closing**

56. Mr. Oluseyi Bajulaiye, Deputy Director, Africa Bureau, UNHCR Geneva thanked IGAD Secretariat for the successful organisation of the Conference and the Government of Kenya for hosting the Conference. He also thanked the Minister and delegates, including the AU and Partners for their active and constructive participation during the deliberations.

57. Mr. Oluseyi Bajulaiye expressed his hope that decisions and recommendations will not be shelved and assured the Ministers that UNHCR will work very closely with IGAD in the implementation of the decisions and recommendations of the Conference. In this regard, he further assured the Ministers and delegates that he will present a full report to the High Commissioner with a view to mobilize the necessary support for the implementation of the decisions and recommendations.

58. Dr. Attalla Hamad Bashir, the Executive Secretary of IGAD thanked the Ministers and Head of Delegates for attending the Conference despite their busy schedules and the Government of Kenya for hosting and UNHCR for funding the Conference. His special thanks also went to the Chairman of the Conference for his ably conducted chairmanship. Dr. Attalla assured the Minister IGAD commitment to implement the decisions and recommendations of the conference and in this regard, he called upon partners to support the Secretariat. Finally, he wished all participants a safe journey back home.
59. Hon. Gedeon Konchellah, Chairman of the Conference and Minister of Immigration and Registration of Persons, of the Republic of Kenya extended his thanks to his colleague Ministers and head of delegation for their active and constructive participation in the deliberations. He also thanked UNHCR and IGAD Secretariat for their effective partnership in organizing this Conference.
60. He reiterated his country's commitment to find durable solutions to the issue of forced displacement in the IGAD region. He underlined the need to work very closely the international community in order to repatriate refugees in safety and dignity to their countries of origin. He appreciated the assistance from international community and aware of the donor fatigue, he requested them to increase their support as the causes of displacement are caused by so many other factors. Finally he invited participants to visit tourist areas in Kenya and wished every body safe journey back home.

### **Vote of thanks**

61. H.E. Askalu Menkerios, Minister of labour and Human Welfare of the State of Eritrea moved vote of thanks on behalf of the Ministers and delegates attending the Conference. The Minister thanked the Chairman, Hon. Gedeon Konchellah, Minister of Immigration and Registration of Persons, of the Republic of Kenya for piloting the Conference in an efficient manner. The Minister expressed sincere thanks to the people and the Government of the Republic of Kenya for the warm welcome and hospitality accorded to the delegations since our arrival in Nairobi.
62. The Minister also thanked Dr. Attalla H. Bashir, the Executive Secretary of IGAD, and assured him that the Member States will continue to support in the implementing the agreed decisions. The Minister further thanked the committee of Experts for the comprehensive report they prepared for Conference. The Minister expressed appreciations to UNHCR and IGAD Secretariat for facilitating the meeting including preparation of the documents in good shape in the short time available.

63. The Minister concluded by extending profound thanks and gratitude to all those who had contributed to the success of this meeting including the interpreter, translators and the Norfolk Hotel management. Finally, the Minister wished everyone who has come from outside Nairobi a safe journey back home.



## ANNEX I

### AGENDA OF THE MINISTERIAL CONFERENCE ON REFUGEES, RETURNEES AND IDPs IN THE IGAD REGION

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#### I. Monday, 20<sup>th</sup> February, 2006:

- 08:45 – 09:00** Arrival of Ministers
- 09:00 – 09:15** Welcoming Statement by **IGAD Secretariat**
- 09:15 – 09:30** Statement by **Mr. Oluseyi Bajulaiye, Deputy Director, Africa Bureau, UNHCR Geneva**
- 09:30 – 09:45** Statement by **Dr. Attalla H. Bashir, Executive Secretary of IGAD Secretariat**
- 09:45 - 10:00:** Welcome / keynote address by **Hon. Raphael Tuju, Minister of Foreign Affairs of the Republic of Kenya**
- 10:00 – 10:15**
- Election of Bureau
  - Adoption of Agenda
- 10:15 - 10:30:** **Coffee / Tea Break**
- 10:30 – 11:00** Presentation and consideration of the Report of the Meeting of Experts
- 11:00 – 13:00** Country Statements and discussions
- Djibouti
  - Eritrea
  - Ethiopia
  - Kenya
  - Somalia
  - Sudan
  - Uganda
- 13:00-14.30** **Lunch at the Lord Delamere Restaurant, Norfolk Hotel**
- 14:30 – 16:00** Discussion on the Report of the Meeting of Experts and country presentations
- 16:00 – 16:15** **Coffee / Tea Break**

- 16:15 – 18:00** Deliberations on:
- Decisions of the Ministerial Conference
  - Declaration of the Ministerial Conference

**19:30 - 21:30** **Cocktail reception by UNHCR/IGAD  
(Garden Suite, Norfolk Hotel)**

**II. Tuesday, 21<sup>st</sup> February 2006:**

**(09:00 – 11:00** Secretariat - Preparation and distribution of the Ministerial Report)

**11:00 - 11:45** Adoption of the Ministerial Report

**11:45 – 12:00** **Coffee / Tea break**

**12:00 – 13:00** Closing session

**13:00 - 14:30** **Lunch at the Lord Delamere Restaurant,  
Norfolk Hotel**

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**NAIROBI DECISIONS AND RECOMMENDATIONS  
MINISTERIAL CONFERENCE ON REFUGEES, RETURNEES AND IDPs  
IN THE IGAD REGION**

The Ministerial Conference, meeting in Nairobi from 20-21 February 2006, has considered the human displacement problems in the IGAD region, which stands today at 11 million displaced persons. The Ministerial Conference has also given due recognition to the challenges that transcend national boundaries and can only be adequately addressed through a concerted action of all Member States.

In addition, they appreciated the need for sharing national experiences and expertise in addressing problems at the national level, in order to harmonise their approaches, in line with international conventions, norms and standards. They further took into consideration the fact that displacement problems are best addressed at the local and community level, according to the principle of subsidiarity – i.e. locating governance at the lowest possible level, closest to the individuals and groups most affected, on the basis of practicality.

After a thorough analysis of the situation of refugees, returnees and IDPs in the IGAD region, the Ministerial Conference underlined the necessity for Member States to undertake a sincere reflection and soul-searching on human development and human security issues currently on the agenda of the African Union, the NEPAD and the United Nations Millennium Development Goals (MDGs) and their impact on protection, assistance and durable solutions for refugees, returnees and IDPs. To this effect, the Ministerial Conference came up with the following set of decisions for implementation at national and regional levels. The Ministerial Conference also made a set of recommendations for consideration at international level

**At National Level**

The Ministerial Conference decided that Member States:

1. strengthen and develop policies and legislation on refugees, returnees and internal displacement, taking into account regional and international conventions and instruments<sup>1</sup>;
2. develop a comprehensive response strategy, including strengthening or establishing national institutions to serve as interlocutor on issues of refugees, returnees and IDPs; and develop multisectoral policy, strategies and action plans to address the root causes of displacement with a view to formulating regional approaches to displacement, with the support of UNHCR, IGAD Secretariat and other development partners;

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<sup>1</sup> 1951 Geneva Convention relating to the Status of Refugees and its 1967 Protocol; the 1969 OAU Convention on the Specific Aspects of Refugee Problems in Africa; the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness; the UN Guiding Principles on Internal Displacement.

3. develop the capacity of their asylum systems, including refugee status determination, addressing existing backlog and ensuring the respect for refugee rights and the protection of specific vulnerable groups;
4. undertake a baseline survey on the situation of urban refugees and asylum seekers in their respective countries in collaboration with UNHCR and other partners;
5. bearing in mind that education is a great asset for refugees, returnees and IDPs, carry out feasibility studies to provide them with access to education, vocational training in relevant sectors and education grants;
6. ensure that birth, marriage, education and other certificates are recognised across the region to facilitate refugee return and reintegration;
7. ensure that refugees, IDPs and returnees are included in the national HIV/AIDS strategic plans;
8. bearing in mind the presence of land mines and small arms in the countries of return, develop national strategies for the eradication of landmines and small arms;
9. promote integrated humanitarian and development projects, including income generating and self-reliance activities, education and infrastructure development in areas of refugee and IDP return, as well as refugee hosting communities with the support of multilateral and bilateral donors;
10. develop solutions for residual refugee caseloads, after the cessation of refugee status, and, in the absence of other durable solutions, encourage their local integration, with the support of UNHCR and the UN Country Teams;
11. engage the private sector to create employment opportunities for refugees, returnees and IDPs in post-conflict societies;
12. establish a consultative working group within the Transitional Federal Government (TFG) of Somalia, in collaboration with IGAD, the UN Country Team and the African Union to address displacement in Somalia and support voluntary return and reintegration of Somalis in safety and dignity, particularly in the Central and Southern regions of Somalia, and incorporating the Comprehensive Plan of Action and the Joint Needs Assessment processes; produce a concept paper in this respect analysing and identifying obstacles;
13. develop a national strategy and action plan, to address the environmental degradation in areas affected by the presence of displaced persons;
14. Ensure and facilitate safe access to refugees, returnees and IDPs by humanitarian organisations, in order to allow the delivery of the required protection and assistance.

### **IGAD Secretariat**

The Ministerial Conference decided that the IGAD Secretariat:

1. amend and expand the mandate, membership and Terms of Reference of the existing mechanisms of the Disaster Risk Management Programme (DRMP) to include refugees, returnees and IDP matters;
2. establish a unit within the Secretariat to provide technical support in the implementation of the DRMP, in particular in relation to forced displacement issues, through the promotion of legal standards, resource mobilization, policy liaison and coordination with UNHCR, OCHA, and relevant partners;

3. support Member States in developing and implementing policies and strategies for refugees, IDPs and returnees;
4. develop a methodology for durable solutions in the region by undertaking a critical analysis of refugee, returnee and IDP situations with the involvement of the civil society;
5. develop a regional asylum and protection regime taking into account national policies on refugees, IDPs and returnees and regional and international conventions and instruments<sup>2</sup>;
6. create a legal framework for the protection and assistance of IDPs in collaboration with the African Union, UN agencies and concerned stakeholders, in line with the Guiding Principles on Internal Displacement;
7. conduct a comparative review on the basis of the surveys of urban refugees and asylum seekers conducted by the Member States, and develop a regional policy response, in collaboration with UNHCR;
8. develop a resource mobilization strategy, in collaboration with UNHCR and other relevant partners;
9. facilitate for its Policy Organs to engage donors at the highest level by articulating the implications of displacement and poverty for global peace and security; advocate vigorously for parity and universality of the responses provided by international community to situations of forced displacement;
10. develop and launch an IGAD Regional Resource Mobilization Strategy for Sudan, following up on the Oslo Pledging Conference for development partners to fulfil their pledges and commitments, in collaboration with the Joint Assessment Mission<sup>3</sup>;
11. develop a regional strategy and action plan to address the environmental degradation in areas affected by the presence of the displaced persons, in collaboration with UNHCR, the UN Country Team and the donor community;
12. evaluate and assess the applicability of the cessation of refugee status in the region, taking into account the peculiarity of each situation, in collaboration with UNHCR and the countries of origin and asylum;
13. identify factors that hinder achievement of peace, security and durable solutions for displaced populations of Somalia by TFG in collaboration with UNHCR, the African Union and IGAD Member States;
14. undertake a Field Assessment Mission to Northern Uganda, comprising of IPF, UN agencies and partners to assess the magnitude of IDP problem, to report to the next IGAD Summit;
15. produce a plan of action for the implementation of the recommendations of the Ministerial Conference within one month.

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<sup>2</sup> 1951 Geneva Convention relating to the Status of Refugees and its 1967 Protocol; the 1969 OAU Convention on the Specific Aspects of Refugee Problems in Africa; the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness; the UN Guiding Principles on Internal Displacement.

<sup>3</sup> The Government of National Unity; Government of South Sudan; World Bank; UNDP and bilateral and multilateral donors.

## **International Community**

The Ministerial Conference recommended that the international community considers to:

1. address regional peace and security issues that contribute to the root causes of displacement;
2. address the declining assistance to refugees, returnees and IDPs according to the peculiarities of each situation using creativity, flexibility and adaptability;
3. support peace and post-conflict reconstruction processes in Sudan, Somalia and other Member States;
4. ensure funding for care and maintenance programmes, including education, related to return processes and continue to commit resources commensurate with the number of refugees remaining;
5. under the auspices of UNHCR and OCHA and in collaboration with IGAD, develop and monitor implementation of a Regional Durable Solution Strategy for refugees and IDPs in the region, in particular for Somali and Sudanese, in order to ensure their voluntary return in safety and dignity;
6. ensure the respect for the human rights, safety and dignity of migrants by advocating and showing compassion in the treatment and handling of the migration issue; in this respect, ensure that people fleeing from conflicts and persecution among them receive international protection;
7. address humanitarian and development issues in an integrated manner, in line with the Millennium Development Goals.

**NAIROBI DECLARATION  
MINISTERIAL CONFERENCE ON REFUGEES, RETURNEES, AND INTERNALLY  
DISPLACED PERSONS IN THE IGAD REGION**

**We**, the Ministers and representatives of the Member States of the Intergovernmental Authority on Development (IGAD) meeting in Nairobi, on 20–21 February 2006; recalling the decision taken by the IGAD Council of Ministers in Kampala in October 2003 and the declaration and recommendations of the Khartoum Ministerial Conference on IDPs in September 2003;

**Reaffirming** our continuous commitment to the 1951 Geneva Convention relating to the Status of Refugees and its 1967 Protocol, the 1969 OAU Convention; the 1954 and 1961 Conventions regarding Statelessness as well as the Guiding Principles on Internal Displacement;

**Alarmed** by the magnitude of the tragedies of forced population displacement in the IGAD region, that has reached the staggering figure of 11 million, making our region of seven countries home to 30% of the world's displaced and 66% of Africa's displaced;

**Considering** also the enormity of the Darfur crisis in Sudan, the humanitarian crisis in Northern Uganda and the flaring-up of conflicts in Somalia, all of which continue to result in further displacement, and add insecurity for the already strained displaced population;

**Noting** with concern the poverty levels of the refugee and IDP hosting communities that put the communities at risk, and that the required attention to these communities is not sufficient;

**Expressing** our deep concern on the current drought situation in the region, which has affected millions of peoples and the severe environmental degradation in host communities resulting from the presence of forcibly displaced populations;

**Underscoring** the recurrent gap between relief and recovery operations linked to return, and longer-term development, that jeopardises the durable and sustainable resolution of refugee, IDP and returnee situations in the sub-region, with the danger to the peace processes;

**Noting** with deep concern that resources made available to the IGAD region by the international community are decreasing tremendously, with negative effects on the standards of protection and assistance to refugees, returnees and IDPs occasioning serious consequences to fundamental rights such as education, adequate nutrition, access to health, water, sanitation and causing malnutrition of children;

**Reaffirming** that the primary responsibility for protecting and assisting the internally displaced and find durable solutions lies with the national Governments and that the role of the international community is to complement the national efforts;

**Cognizant** of the mandate of IGAD that includes the promotion of peace, stability and development in the sub-region, and determining that finding durable solutions to the issues relevant to refugees, returnees and internal displacement is an indispensable step in the realisation of lasting peace, stability and development;

**Reaffirming** the commitment of IGAD Member States to facilitate the voluntary return and reintegration of refugees and displaced persons in safety and dignity, in accordance with the existing national, regional and international instruments and in cooperation with UNHCR and all relevant governmental and non-governmental organisations;

**Recognising** the efforts made so far by the international community, which has provided assistance to refugees, IDPs and returnees;

**Expressing** our appreciation for the collaboration between IGAD Secretariat and UNHCR for organising, and to the latter for funding this conference on forced population displacement;

**Endorsing** the conclusions and recommendations of the Nairobi meeting of the Committee of Experts on forced population displacement in the IGAD region from 14-17 February, 2006;

**We do hereby:**

- 1) **Reiterate** our commitment to address the root causes of forced displacement and ensure the preservation of a human space to create conducive conditions for durable solutions, through sustained efforts and interventions in preventing and resolving conflicts in the region for the human security of our populations;
- 2) **Reiterate** further our firm commitment to provide effective protection for refugees, returnees and IDPs and to endeavour to build capacity of refugee and IDP management systems and find lasting and durable solutions in order to enhance the prospects for long-term peace, security and development;
- 3) **Commit** ourselves to enhance the capacity of IGAD Secretariat to enable it to play an active role in all matters pertaining to refugees and IDPs in collaboration with the relevant organizations, including presenting reports to the highest organs on the situation of refugees, IDPs and returnees, with appropriate recommendations on actions to be taken to address the problem;
- 4) **Further commit** ourselves to include refugees, returnees, and IDPs and host communities in our development agenda, providing timely and effective support and resources for rehabilitation and reconstruction efforts;
- 5) **Call** upon the international community, in the spirit of burden sharing, to step up providing timely and effective support for meeting the urgent needs of refugees, returnees and IDPs, in order to contribute to peace, security and stability in the IGAD region;
- 6) **Encourage** the strengthening of collaboration between IGAD, IGAD Partners Forum, the African Union, UNHCR, UNOCHA, other UN agencies, donors, the private sector,



- humanitarian actors, and civil society, with the view to address the issues of refugees, IDPs and returnees to achieve durable solutions to the problems;
- 7) **Call** upon the international community and the UN Agencies to respond timely and adequately to the humanitarian crises resulting from the current drought situation and assist IGAD in rehabilitating the degraded areas in refugee, returnee and IDP host communities;
  - 8) **Request** the international community and in particular the UN country teams and the partner countries to provide the necessary funds to enable the implementation of the recommendations of the Ministerial Conference on Forced Population Displacement in the IGAD region and explore further means of sub-regional cooperation to address issues of forced displacement in the region;
  - 9) **Call** upon the international community to work together with UNHCR, IGAD Member States and resettlement countries to conduct a review of resettlement procedures, in order to ensure the proper use of resettlement for refugees in need and prevent fraudulent practices, human trafficking and brain drain from the region.

**Nairobi, Kenya**  
**21 February 2006**

**REPORT OF THE COMMITTEE OF EXPERTS ON THE IGAD REGIONAL  
CONFERENCE ON REFUGEES, RETURNEES AND INTERNALLY DISPLACED  
PERSONS**

**14-17 February 2006, Nairobi, Kenya**

**LIST OF PARTICIPANTS  
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INTERNALLY DISPLACED PERSONS (IDPs)  
IN THE IGAD REGION**

NORFOLK HOTEL, NAIROBI, KENYA, 20-21 FEBRUARY 2006

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