



ICRC

The ICRC's Stocktaking Exercise on the Operationalization of the African Union IDPs Convention

London, 29.06.2016

Julie Tenenbaum
Regional Legal Adviser



ICRC

Overview

1. IDP issues in Africa and the Kampala Convention
2. The ICRC's Stocktaking Exercise on the Operationalization of the African Union IDPs Convention



ICRC

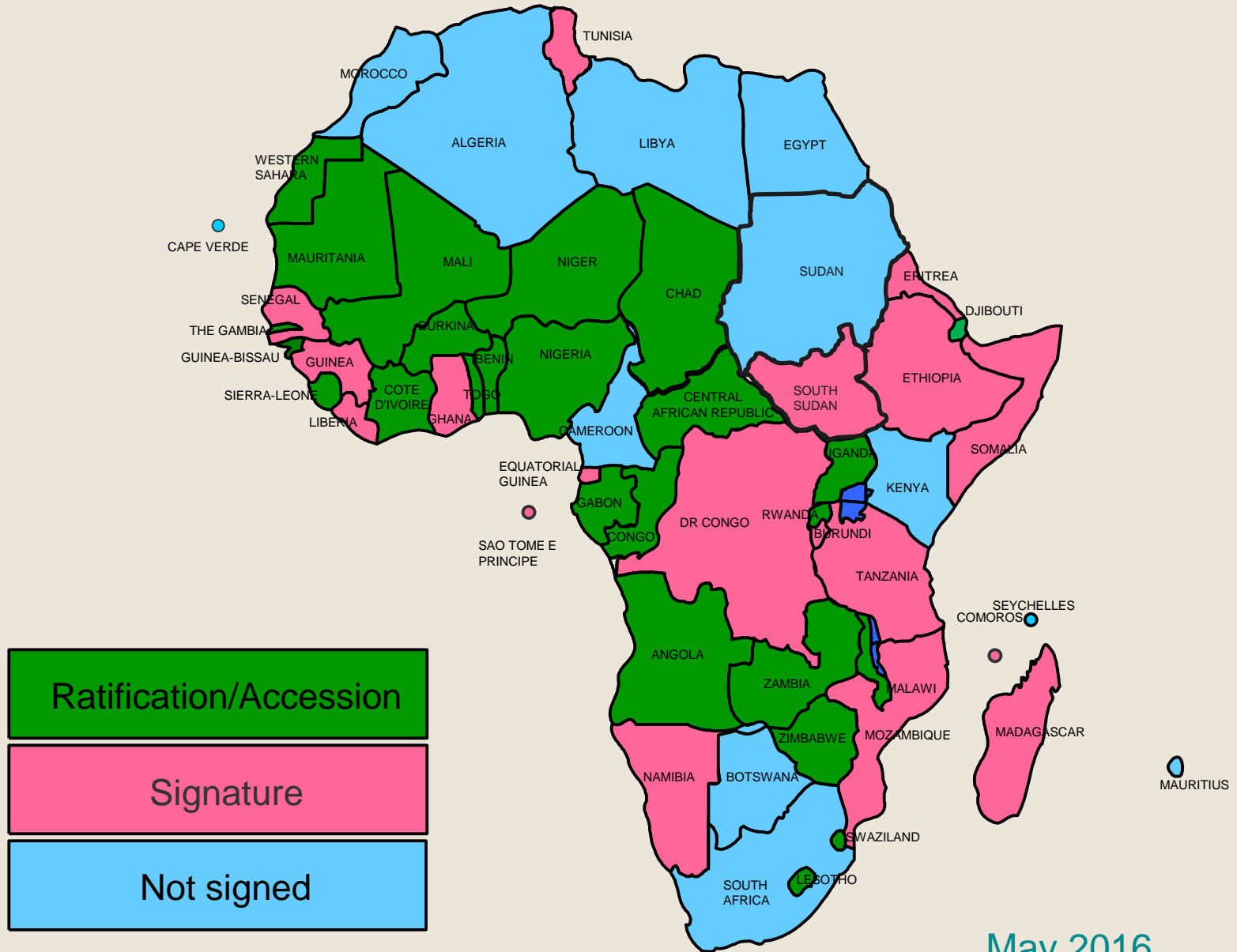
1. IDPs issues in Africa and Kampala Convention

- Africa – continent with the most IDPs
- Sudan (3 million), Nigeria (2 million), South Sudan (1.7 million), DRC (1.5 million)
- Need for a response at the level of the African continent -> African Union Convention for the protection of and assistance to Internally Displaced Persons (IDPs) in Africa (Kampala Convention)
- Adopted 2009, entered into force 2012. 25 State parties



ICRC

Status of signature and ratification





ICRC

Objectives of the Convention

- Promote and strengthen regional & national measures to eliminate root causes of displacement
- Establish legal framework for prevention, protection and assistance – builds on existing IHL and IHRL standards
- Establish legal framework for cooperation, promotion of durable solutions & mutual support
- Provide obligations & responsibilities of States, armed groups, non-state actors and other relevant actors



ICRC

2. The ICRC's stocktaking exercise - Background

- Role of the ICRC from the outset – advice on text of Convention (especially on IHL issues) and promotion of the Convention in Africa
- Challenge of ratification but also implementation and operationalisation of the Convention in State parties
- ICRC internal stocktaking exercise to complement efforts of other stakeholders (eg UNHCR, IDMC) in support of AU's work to advance with the practical implementation of the Convention



ICRC

Modalities of the exercise

- Use the ICRC field presence in Africa – Gather information on legal and practical measures adopted at national level by
 - ▶ collecting best practices and lessons learned
 - ▶ identifying key challenges in States' efforts to implement, more effectively, their obligations
- Focus on issues of concern for the ICRC : obligations drawn directly from IHL and/or touch upon humanitarian concerns that the ICRC encounters in the field



ICRC

Scope and methodology

The stocktaking exercise considers legal and practical measures adopted by:

- States who have ratified and have, or have not yet, adopted implementing legislation
- States which have not ratified but have adopted domestic normative frameworks or policies on the protection of IDPs
- States which are dealing with situations of internal displacement, but have no domestic framework in place



ICRC

Outcome and timeline

- Aim to capitalize on all existing African practice on key aspects of States' obligations to prevent displacement, protect and assist IDPs as well as to establish basic conditions for IDPs to find durable solutions
- July 2016 – joint AU ICRC side event on the operationalisation of the Kampala Convention at Kigali AU Summit
- Report with concrete and pragmatic recommendations in order to support the AU and States Party - end 2016



ICRC

Thank you for your attention

Any questions?