

# **Inter-State Dialogue on Internal Displacement: Lessons from Regional Platforms in Africa**

**Dr Allehone Abebe**, Senior Legal Officer, seconded by UNHCR to African Union Commission\*

August 2020

## **Research Briefing Paper**

UNSG High Level Panel on Internal Displacement  
*Work-stream 1 (Political Will)*

**For full analysis and reference to sources, see IDRP research paper by the same author.**

The work of the Internal Displacement Research Programme (IDRP) is supported by the UK Research and Innovation (UKRI) Global Challenges Research Fund (GCRF) through its Interdisciplinary Network on Displacement, Conflict and Protection (AH/T005351/1) and Global Engagement on Internal Displacement in sub-Saharan Africa (EP/T003227/1) projects.

*\* The information and opinions expressed here do not necessarily represent the views of the institutions with which the author is affiliated.*

*The Internal Displacement Research Programme (IDRP) is a specialised programme of the Refugee Law Initiative*

The experience of the African Union (AU) and its Regional Economic Communities (RECs) shows the important role that regional platforms can play in promoting inter-State dialogue and learning on internal displacement and internally displaced persons (IDPs).

## 1. Africa as a leading regional example on internal displacement

The role of regional organizations such as the AU in addressing important social, political and economic issues is recognized under Chapter VIII of the Charter of the United Nations (UN). The Security Council and the General Assembly have also adopted resolutions that have recognized their contributions by regional organizations. Recognizing the important role that regional and even sub-regional organizations can play in responding to internal displacement is thus in line with the principle of subsidiarity in the wider UN system.

Indeed, it may even be the case that regional forums such as the AU are better suited than global ones to promote dialogue and action by Member States specifically on internal displacement. This is primarily because regional and sub-regional organizations are more tuned to the specific dynamics of internal displacement in that part of the world. The increasingly regionalized nature of the conflicts and disasters that provoke such flows often directly impact on neighbouring and other States within that region, such that regional and sub-regional organizations offer primary platforms for dialogue between affected States.

Africa represents a principal case study for regional responses to internal displacement. Not only is it the region that hosts the greatest proportion of the world's conflict-IDPs and a large number of disaster IDPs too, but it has also adopted innovative legal and policy frameworks and designed institutional mechanisms on internal displacement. African regional and sub-regional organizations have served as important platforms for addressing this regional crisis of internal displacement. For instance, not only have the AU and its Member States spearheaded political recognition of this problem of internal displacement in the region and globally but their adoption of a ground-breaking regional treaty on internal displacement, the 2009 AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), has also provided an important centre of gravity for (inter-)State responses within the region.

## 2. Learning from the AU: Implications for regional approaches

As the international community reviews how best to respond to internal displacement crisis, it is vital to reflect on what the experience of the AU and sub-regional mechanisms, as leading regional platforms for responding to internal displacement, tell us about the utility and prospects of such regional platforms in promoting State peer-to-peer learning and dialogue on internal displacement.

- **Strong legal and policy frameworks serve as solid foundation in support of formal and informal dialogue and learning on internal displacement.** Africa's experience has shown that having clear legal and policy framework on internal displacement, based on the Kampala Convention, can facilitate proactive regional actions on internal displacement. The AU and its various RECs have important convening power and are also imbued with several processes and institutional avenues which can galvanize states. The AU has

also established informal avenues for consultation which involves UN institutions, representatives of IDPs, research institutions and other stakeholders to influence development and implement policies. These platforms have provided strong political support and recognition to the problem of internal displacement.

- **Institutional reform efforts by regional organizations present opportunities to enhance their catalytic role in addressing internal displacement and hence these reform efforts must be supported.** Institutional reforms at the AU such as the establishment of regional humanitarian institutions namely the African Humanitarian Agency will provide opportunity to improve implementation of the Kampala Convention, support national and regional coordination, build capacity of Member States and solicit international support. The international community need to provide political, financial and technical support to these institutional efforts. AU should be encouraged to strengthen the role of regional human rights mechanisms such as the African Commission on Human and Peoples' Rights and the Committee of Experts on the Rights and Welfare of the Child.
- **Regional organizations are better suited to play effective preventive diplomacy.** Regional and sub-regional organisations are better suited to prevent forced displacement and find solutions through their preventive diplomacy, mediation and conflict resolutions mechanisms. The AU and RECs are taking important actions in peace and security issues in major displacement hotspots in Africa. Through the Africa We Want: Agenda 2063, they are also supporting efforts to implement the Sustainable Development Goals and make the latter more relevant to different regional contexts. Opportunities of including internal displacement in these processes need to be fully utilized. Support and enhance effective regional and sub-regional early warning, early response, mediation, preventive diplomacy and peace building in line with the 2016 Common African Position on Humanitarian Effectiveness.
- **International partnerships are key ingredients for success.** The AU has shown that through effective international partnership regional organizations can be crucibles of policy innovation and efforts to enhance capacities of Member States. The AU 2019 year of refugees, returnees and IDPs, for example, has presented opportunities for improved partnerships. The AU, working together with key partners such as the office of the UN High Commissioner for Refugees (UNHCR) has developed training on humanitarian law and policy which has a strong component on internal displacement. This training, called Livingstone Syllabus, has already benefited several senior and mid-level government officials. The Panel should identify how such opportunities can be supported and further strengthened through international collaboration. The institutional partnership between the AU and the UN Special Rapporteur on the Human Rights of IDPs also provides a positive example of partnership which must be further explored and strengthened.
- **More investment is needed to ensure effective participation of IDPs in important regional and sub-regional peace and security and development processes.** Regional institutions can benefit from experience of international humanitarian organization on how to systematically include IDPs in important processes of decision making. The AU has increasingly used informal avenues such as its Annual Humanitarian Symposium and regional consultative meetings to involve representatives of IDPs. However structured and effective participation of IDPs in peace and security processes and formal deliberations of the AU and sub-regional organization on issues relating to internal displacement

- **Support is required to enhance capacity of regional and sub-regional organizations in support of national effort regarding data and knowledge management on internal displacement.** Despite increased efforts to improve capacity of international organizations and some Member States in collecting and managing data on internal displacement, the AU and RECs lack capacity in this area. There is a need to improve international support and experience sharing in data management on internal displacement.

### 3. Conclusions

Formal and informal processes and mechanisms at the regional and sub-regional levels represent an effective platform for developing peer-to-peer learning, dialogue and political will on internal displacement among States. This reflects the greater degree of shared experiences, perspectives and links that usually exist among States that participate in regional and sub-regional organizations. The AU offers an important model of how such inter-State engagement and international collaboration can be developed in relation to the specific challenges posed by internal displacement, usually a highly politicised issue in inter-State fora. Its experience in this regard not only shows where its own institutional arrangements might be strengthened but also points to key considerations in relation to how similar processes could be developed in other regions of the world by pertinent regional and sub-regional institutions, International support to efforts spearheaded and owned by regional mechanisms need to be strengthened.