



Assistance to refugees, returnees, and displaced persons in Africa

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Introduction

‘Africa has been aptly described as being a continent on the move (Adepoju 2021).’ Africa’s current refugee situation is evidenced by many distinct migratory flows, the most obvious being labor migration, refugees, and groups of forcefully internally displaced people (United Nations 2021).

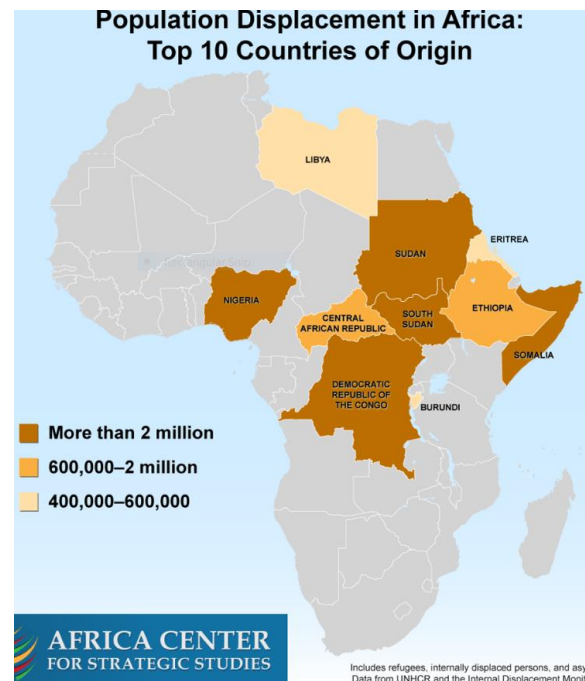
The numbers are extraordinary and without precedent in human history. Worldwide the total number of forcibly displaced people was 82.4 million in 2021—before the Ukraine war—already the highest on record. About 30 million were refugees or asylum-seekers (Economist, 2021).

The largest concentration of displaced people is in Africa, with 44 percent of the world total. 36 million Africans are displaced from their home countries, struggling to settle elsewhere. Their situation is most visible in Central and West and Africa.

Of the 36 million African currently displaced from their homes by fear physical persecution, 8.4 million are refugees and 27.3 million are internally displaced people. Their plight is the focus of this issue brief.

Another 31 million are economic migrants, mostly living in Africa, but also Europe and the Middle East (UNHCR 2022). Their situation is more voluntary in nature, and involved different legal issues. They are not covered systematically in this issue brief.

The African countries with the highest refugee and displaced burdens are, in order: DR Congo, Ethiopia, Kenya, Chad, Uganda, Cameroon and South Sudan (Adepoju 2021). But the sudden rise of armed violence, and rapid displacement of million of people, in 2021-23 in countries like Burkina Faso and Mali, shows this situation is subject to rapid change.



The human trauma affecting refugees and displaced people makes their suffering the responsibility of all mankind, of all UN Member States. While there is wide agreement on the need for humanitarian relief to ease their immediate suffering, there is no agreement on



Assistance to refugees, returnees, and displaced persons in Africa



long-term solutions. The problems of internally displaced people (IDPs) are most readily solvable; if domestic conflict is resolved, they can go home. But the war and conflicts that forced them to leave their homes can be intractable. Refugees, living outside their home, are especially vulnerable, their future especially uncertain. Without international help, they may be forced to lead hopeless lives, living for decades in deprived camps.



IDPs, Refugees, Asylum Seekers and Migrants

There are many and varied causes of forced migration, but the role of international law creates major differences between *internally displaced people* (IDPs) and *refugees*. Although they may be forced to move by identical causes, the legal differences in their status have great implications.

Both groups have been forced to flee their homes. But refugees have *crossed an international border* to escape the conflict, violence, or persecution facing them if they stay due to their race, religion or political views.

IDPs may leave their homes due to conflict but more often do so in response to epidemics or natural disasters and shelter somewhere *within their own country*.

Both groups can return home once it is safe to do so, but IDPs are more likely to be in that situation. The legal difference has major

implications for the responsibility of governments and the role of international organizations:

- *Refugees* have been forced outside the country of their home. They do not choose their country of refuge. Under international law they depend on the hospitality of their new host country, and the resources of the international community, including UN organizations. African countries host 8.4 million international refugees.
- *Internally displaced people* have lost their homes, but remain within the country of their official residence. Unlike a refugee, they migrate within national borders. They are not protected by international law, but remain entirely under the legal authority of their home governments. International assistance may reach them, but only with the cooperation of their home government. Africa has roughly 27.3 million IDPs
- *Asylum seekers* are a special group of refugees. They are also fleeing persecution in their home country, but they apply for asylum in their host country or a third country. Asylum is not something that can be done from their home. Usually people can apply for asylum—permanent residence—only in a country where they are physically. Africa has some 700,000 people seeking asylum, mostly in other African countries.
- *Economic migrants* have left their home by choice, usually for self-advancement. Unlike refugees or internally displaced people, they can return home at will. They may move to near-by cities for work, or travel across international boundaries. From Africa, economic migrants typically go to the cities of

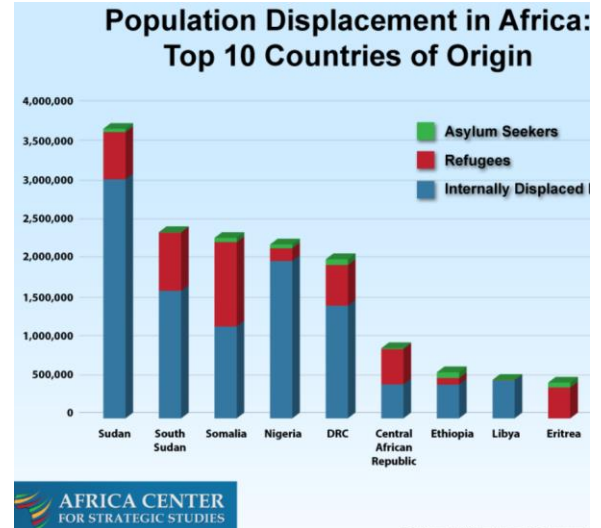
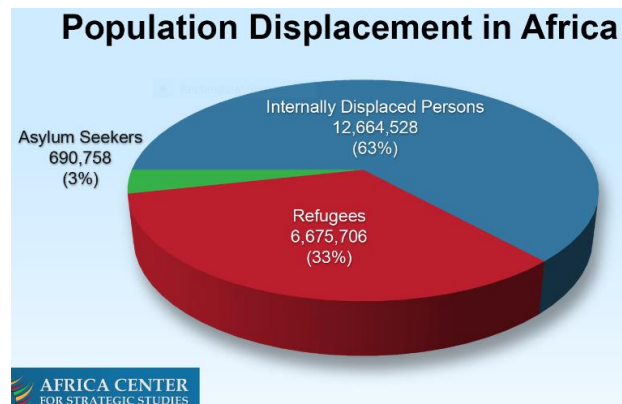
their own country, to neighboring countries, or neighboring regions like Europe or the Middle East. They also may require help from governments and international organizations, but they have more choices. The 31 million or so economic migrants in Africa are beyond the scope of this issue brief.

Of the roughly 20 million refugees and displaced people in Africa, the largest number are in Democratic Republic of Congo (DRC), with approximately 5.3 million IDPs. Ethiopia has some 3.6 million, and Nigeria 3.2 million IDPs (Kamer 2022). The 11 million refugees are concentrated in Uganda, Sudan, Ethiopia, Chad, Kenya and Cameroon.

current circumstances in the country they have migrated to and or an improvement in their home country (Africanews 2022).

History/Background

Most internally displaced persons and refugees in Africa are young, between the ages of fifteen and twenty-four. This group accounts for approximately 54 percent of all IDPs and refugees. Paired with the consistent accelerated growth of the labor force is the slow growth rate in employment opportunities which inevitably results in the forced migration of both skilled and unskilled laborers within various African countries. There are many complex reasons for displacement, and these include civil unrest, environmental disasters, oppressive regimes, and the abuse of human rights (United Nations 2021).



Refugees are people who fit the specific criteria listed in the 1951 *Convention relating to the Status of Refugees*. These criteria include persons who are experiencing well-founded fear of being persecuted for reasons such as their race, nationality political affiliation, and or religion. Refugees are also persons who are currently outside of their country of birth and are unable or unwilling to seek protection in their country of birth because of this well-founded fear (UNHCR n.d., p.6). Finally, returnees are those who have for one reason, or another decided to return to their country of birth. Many who choose to return do so because of the

Additionally, poor, and low-quality education has resulted in more than half of the youth in some African countries being unemployed with the remaining majority being employed in the Agricultural sector which has been described as the least productive sector (United Nations 2021). Poverty, poor governance structures, internal instability, poorly managed economics, and protracted conflicts are some of the major



Assistance to refugees, returnees, and displaced persons in Africa



causes of forced migration, and in more cases than not this result in youth being forced into unsafe, sporadic channels of migration to countries with better economies and employment opportunities.

Current situation

The issue of displaced individuals, returnees, and refugees has increasingly become a global concern and according to the United Nations High Commissioner for refugees, Sub-Saharan Africa hosts more than 26 percent, approximately of the world's refugees. This is a result of the ongoing crisis in The Central African Republic of Nigeria, South Sudan, and Burundi (United Nations 2021). Citizens in countries such as Ethiopia, Nigeria, and Mali face extreme migratory flows, and this is evidenced by the alarming number of internally displaced persons. Ethiopia currently has approximately 3.5 million IDPs and (789,000) refugees who reside in 24 camps distributed across the country while Nigeria has 3.2 million and Mali has 326,000 (Adugna 2021).



Not the way anyone chooses to live.
Source: Ethar Relief 2021

Many persons forced to migrate are responding to issues such as internal conflict and violence,

extreme climate change, and severe lack of resources (IDMC 2021).

In addition to the already volatile migration crisis, there are also groups of people who are being forced to return. For example, approximately 847 Nigerians were turned away at the Algerian border. Ethiopia had to accept repatriated citizens from the Middle East (Africanews 2022). Consequently, there is a need for creation and maintenance of camps in other sub-regions, especially in West and Southern Africa, and need for resources to care for those who are or have been forced to migrate.

The persistent refugee and migration issues in Africa garnered new global attention in 2015, when the Kenyan gave notice of its desire to close the Dadaab Camp, the largest refugee camp in existence, serving refugees from war in neighboring Somalia. This controversial decision came from the belief that the camp was harboring Islamist fundamentalist fighters, suspected of murdering approximately 174 students from the neighboring Garissa University in April 2015 (Adepoju 2021).

However, there has been little effective and long-lasting change. As of 2022, many African countries saw newly internally displaced people as conflicts and violence continued to escalate across the continent. There were new millions being displaced in the Democratic Republic of Congo, Ethiopia, South Sudan, and Nigeria which was triggered by insecurity and multiple human rights violations (UNHCR 2022).

There is a great need for effective and permanent solutions for refugees and internally displaced persons and it became a critical priority issue for the United Nations High Commissioner for Refugees. Organizations such as the Ethar Relief, a popular NGO, work to assist refugees and displaced persons. An example is creation of a new camp for thousands crossing the Sudanese border into Kenya. It is projected that a quarter million refugees will seek refuge there, creating dire need for aid if a



Assistance to refugees, returnees, and displaced persons in Africa



humanitarian disaster is to be avoided (Ethar Relief 2022).

Another example of an prominent NGO is the Network of Migration Research on Africa (NOMRA), instrumental in the global effort to assist refugees and internally displaced peoples in Africa. They have been at the forefront of scholarly and policy research to address the migration crisis that is happening across Africa. The work by this organization informs policy research and provides advocacy, training of staff and personnel to provide policymakers with evidence-based information on the issues that are causing the migration crisis across African Countries.

The African Union has been active, creating the *Convention for the Protection and Assistance of Internally Displaced Persons in Africa*. This came into force in 2012. This was the first regional instrument guiding governments to protect the rights and well-being of people who were forced to flee their homes because of conflict, violence, natural disasters, and or human rights abuse. The effect of the Convention has been lackluster. It has not been implemented fully or effectively.

In addition, there is a partnership between The African Union and the United Nations High Commissioner for Refugees (UNHCR). This collaboration has been considered one of the most important initiatives in the global effort to resolve the migration crisis in Africa and assist displaced persons and refugees. This partnership was established in 2001 and includes 55 member states, tasked with addressing the major political, social, and economic issues that were the root cause of forced migration (UNHCR: The UN Refugee Agency 2022).

society. One such issue is the ongoing migration crisis in Africa, which sees a significant number of individuals being displaced for many and varied reasons. The United Nations system in its mandate to promote and maintain global human welfare has focused its resources on addressing the issue and has attempted to find a permanent and effective solution to this ongoing crisis. For example, as of August 2021, there were approximately 2.9 million internally displaced persons in Nigeria, forced to leave their homes, as well as some 73,000 refugees and asylum seekers in Niger, mostly from neighboring Cameroon, which they fled to escape ethnic violence (UNHCR 2022).

The *United Nations High Commissioner for Refugees* (UNHCR) is the principal arm of the UN system for dealing with these problems. UNHCR sends experts to evaluate humanitarian needs and ensure they are provided. UNHCR advocates for refugees and sometimes for IDPs, to find safe spaces for hosting refugees, ensuring they can move freely and seek gainful employment. With this support from the UNHCR, refugees, asylum seekers and sometimes internally displaced persons have access to health care, and their children can be educated. UNHCR works with donors and host country governments, as well as with displaced communities (UNHCR 2022).

The UN General Assembly sets the terms of action for UNHCR, other UN aid agencies, and guides donor and host country governments. The GA attempts to address the ongoing migration crisis in Africa. In 2021 it adopted two important Resolutions.

The first is Resolution (76/143), on the question of refugees, returnees, displaced persons, and

Role of the United Nations

The United Nations has been the leading international Organization that focuses on many issues that affect multiple countries in modern



Assistance to refugees, returnees, and displaced persons in Africa



other humanitarian questions.¹ This resolution passed in 2021 with 180 votes in favor, 5 abstentions and none against (UNGA, 2021, p. 6).² It supports the humanitarian mandate of the UNHCR, and facilitates work to assist those who are forcibly displaced. Resolution 76/143 emphasizes the need for an international, coordinated, and consistent effort to address the needs of refugees, internally displaced persons, and returnees and for the first time introduced causes of forced migration such as the ongoing COVID-19 pandemic and climate change disasters. It condemned all attacks on refugees, IDPs, and returnees as well as morally sanctioned any country that sought the unlawful expulsion or refusal of asylum to refugees (United Nations 2021). In addition, resolution 76/143 reiterated the need for the respect of the principles of refugee protection. It stressed the importance of protecting camps from infiltration by armed forces, non-state armed groups and criminal groups, including human traffickers.

The second important resolution from the UN General Assembly in 2021 was resolution 76/144, on “Assistance to refugees, returnees and displaced persons in Africa”.³ This was adopted *by consensus*, without a vote, unanimously (UNGA, 2021, p. 6). The UNGA with resolution 76/144 stressed the importance for all African Member States to sign and ratify the African Union’s *Convention for The Protection and Assistance of Internally Displaced Persons*. Drafted in response to the alarming increase in displaced persons in Africa, it implores all Member States and non-state armed groups (NSAGs) actively involved in armed conflict to cease their unlawful actions

and to adhere to the principles of International Humanitarian Law (United Nations 2021).

Country and bloc positions

China supports assistance to refugees through the United Nations. But it expects extensive national control over its assistance, rather than share control with host country governments or other aid providers. What China gives, China expects to control. China generally refuses to direct aid to IDPs, which it notes are not covered as clearly by international law. Most Chinese assistance is directly funded, although some goes through multilateral institutions (Venturi 2022). China allows only very small number of asylum seekers or refugees, and generally does not allow economic migrants.

Rather than humanitarian assistance, China stresses economic development assistance, and is very state-centered, generally not allowing a major role from non-governmental organizations, even when they have great expertise. China insists its own technical expertise in areas of significance to ongoing issues such as rural development, technological expertise, and environmental disaster relief, and can make significant progress in those areas.

China expects support from African governments, because of its aid, and especially its willingness to loan large sums to African governments, financing massive public infrastructure projects and private industry, while permitting practices criticized by some as corrupt.

¹ UNGA 2022a. *Resolution adopted by the General Assembly on 16 December 2021, A/RES/ 76/143*. Office of the United Nations High Commissioner for Refugees, New York, 6 January 2022, <https://undocs.org/en/A/RES/76/143>

² The 5 abstentions were Eritrea, Hungary, Iran (Islamic Republic of), Libya, Syrian Arab Republic.

Each has its own, rather complicated, relationship with refugee and IDP issues. (UNGA, 2021, p. 6).

³ UNGA 2022b. *Assistance to refugees, returnees and displaced persons in Africa, A/RES/76/144*, Office of the United Nations High Commissioner for Refugees, New York, 6 January 2022, <https://undocs.org/en/A/RES/76/144>



Assistance to refugees, returnees, and displaced persons in Africa



The European Union is at the center of the African refugees, displaced persons and economic migrant problem, with hundreds of thousands arriving in its airports and crossing the Mediterranean by boat every year. The inflow is a highly charged political issue, with the potential to overturn governments and encourage voters to support leaders who pledge to stop the influx. Other Europeans insist that these people need humanitarian treatment, above all. The divisions can lead to confusing policies.

There is significant pressure on all 27 European Union (EU) Member states and the 13 associated European countries to coordinate immediate action and to address the underlying causes of the migration crisis. The EU has responded with large humanitarian assistance programs for both refugees and IDPs. European aid donors generally are willing to work with African governments to aid IDPs, partially for humanitarian reasons, partially to reduce pressure on these people to migrate to Europe. It also grants asylum to hundreds of thousands arriving within its borders (Knoll 2016).

The Non-Aligned Movement (NAM) is the UN's largest voting bloc. Its 120 Member States and 17 observers include all 55 African countries. Above all, they want to ensure that refugee and IDPs are treated humanely, but also that assistance can be controlled by their own governments. They usually welcome foreign assistance, but do not want foreign donors or non-governmental organizations to develop into rivals for political power within their own borders. How to increase assistance, without sacrificing authority, is a major question for most NAM Member States.

Other NAM Member States welcome aid to refugees and, but IDPs, who they regard as their own citizens and their own domestic responsibility. Some NAM Member States strive to make sure that assistance does not allow rival ethnic and regional groups within their territory

to develop independent political power or autonomy. Humanitarian aid, in other words, cannot be used to strengthen their potential or real adversaries.

The United States of America is the world's top refugee receiver and was instrumental in creation of international humanitarian and refugee law. The US remains a major humanitarian aid donor, although in recent years China and the European Union tend to give more. Instead, America's greatest concern often is with precedents that could affect migration to its own territory.

While US policies tend to fluctuate dramatically depending on which political party is in power, it has a strong commitment to humanitarian assistance. Aid to African displaced people is a difficult issue for the United States, complicated by its relationship to migration policy, which the US has been unable to reform for decades. The United States Refugee Admissions Program (USRAP) standardized the US system for identifying and resettling refugees in 1980 (Klobucista, et al. 2022). US policy is dominated not by concerns with Africa, but view African events largely for precedents involving geographically closer communities of displaced people and migrants, especially from Central America, Haiti, Mexico and Venezuela.

Some proposals for action

The 193 Member States of the UN General Assembly have complete freedom to address the problem of displaced people in Africa. As sovereign states, they can ignore the issue or make it their primary concern. They can support resolutions that call for minimal responses like asking the Secretary-General to study the issue, or agree on highly ambitious programs stressing deployment of peacekeeping forces to protect displaced people and invest massive resources to ensure their future. Below are some possible



Assistance to refugees, returnees, and displaced persons in Africa



proposals for action. The list is suggestive, not comprehensive. From modest to more visionary.

Appoint an expert commission to evaluate the problem and propose solutions: When the General Assembly cannot agree on proposal to solve a problem, it can choose to step back and examine it carefully. This typically is done by a resolution calling on the UN Secretary-General to form a UN commission of experts to study the issue and report back to the General Assembly on their findings. The *mandating resolution* must explain where these experts come from; are they *government experts* to be appointed by Member States governments, or are they independent experts? Member States often prefer to appoint their own experts, to be sure their interests are stressed in the recommendations. Experts on refugee problems, possibly from UNHCR, have more independence, but Member States may not appreciate this. The commission also requires funding to pay its expenses, its staff, and on-site travel for fact-finding.

Strengthen cooperation between host and donor governments: A general problem slowing and reducing cooperation addressing the problems of displaced people are the rival interests of aid donors and host governments. Both sides have an interest in maximizing their own control; donors want access and effective use of their resources to achieve their objectives. Host governments are the mirror image, often wanting to control access to displaced people and control over aid to achieve their own objectives.

Everyone sees the need for more cooperation. How to make it happen? The UN Secretary-General called for deeper commitment to the shared responsibility in responding to the migration crisis in African countries. He highlighted how COVID-19 exacerbated the effects of forced migration on groups of people. There is also a call to pay closer attention to and provide support for low and middle-income countries while ensuring that the already

strained resources aren't depleted (Global Compact on Refugees 2022).

There is a need for permanent solutions for countries of origin to allow for voluntary repatriation and an improvement in resettlement processes which both require greater support from the international community. In addition, many refugees due to the economic downturn that ensued from the pandemic lost their livelihoods and are incapable of providing for themselves which requires greater efforts from various organizations such as the UN to provide effective long-term solutions.

Small business grants and loans: One proposal was the idea of including refugees in various national public works and the extension of grants and loans to businesses (Global Compact on Refugees 2022). This proposal is expected to provide short-term financial relief for IDPs refugees and returnees who are skilled in entrepreneurship. However, this proposal is very limited because most persons who fall within the three listed categories do not own businesses or are skilled in entrepreneurship. A proposal such as this would also require extensive background checks to ensure persons who applied are eligible and can make good on the investment. This initiative is expected to cost local governments approximately (USD 300 million). Finding the money would be an important part of any UN GA resolution.

Better match employment prospects for displaced people: It would be useful if there was the creation of a database that stores relevant employment details of all IDPs, Refugees, and returnees. Many labor sectors have a shortage of skilled laborers and a decline in productivity because of an aging population and this could be used to the advantage of both those who are displaced and the receiving country (Mutume 2006). It is expected that this will allow IDPs, and refugees to become easily assimilated with an opportunity for them to provide for themselves and their families.



Assistance to refugees, returnees, and displaced persons in Africa



As a possible solution to the above-mentioned limitation, it is being proposed that with this online data system the UN in collaboration with the Global Compact on Refugees and Ethar Relief should pool their resources to provide temporary relocation packages and employment opportunities for those who do not qualify for business loans and grants. This would require a commitment from each organization to provide funding (33.33%) each with a budget of (400 million USD). Also, each organization should offer relevant personnel to provide expertise and oversee the implementation and execution of the relocation and employment program with approximately (100) individual volunteers from each organization. This initiative will attempt to address the economic challenges of IDPs and returnees but makes no concessions for other social issues such as adequate living standards, educational opportunities, or even religious accommodations even if employment is secured immediately.

Accelerate refugee processing. As a result of the pandemic, many states have severe backlogs processing asylum applications. One proposal is creation and implementation of automatic online systems allowing applications to be processed quickly and accurately. UNHCR has recommended this to countries without such a system and committed to provide support to countries that require it.

Also, there are calls for including protection for migrants and refugees in global health responses. The World Health Organization (WHO) highlighted the challenges that refugees face. These include travel restrictions, deportation, overpopulated camps, and lack of access to proper health care which has been further exacerbated by COVID-19 (Alaoui 2021).

Action on public health services—not covering individual medical care—need not be very costly. One estimate is roughly USD 20 million per camp, per year, for approximately 100 health personnel from UNHCR and the WHO. While

this proposal is expected to address effects of the COVID-19 and other pandemics which slow processing of asylum applications and such, it will not to address other the health-related ramifications. Those are a separate issue to be addressed in a separate proposal.

Mandate greater Member State control over humanitarian assistance to refugees and IDPs. Many host countries—sometimes home to hundreds of thousands or millions of displaced people—would greatly prefer assistance that they can control themselves. While most welcome foreign generosity, they can reject foreign control as an affront to their national sovereignty, sometimes in contradiction with their domestic law, and outside their political control. As a result, humanitarian assistance may not serve their national goals. If more assistance were funneled through their national institutions, they would be more assured it served their national needs.

Donor governments, suspicious of the misuse of humanitarian assistance, will resist proposals that facilitate corrupt practices such as large processing fees, favoring friendly government contractors, or distributions schemes that favor particular ethnic groups. They worry that unmonitored aid will serve not humanitarian goals, but narrow economic and political interests. As a result, they strongly oppose greater host country control. Some donors may reduce their humanitarian assistance if it must be delivered through channels they do not control themselves.

Place refugees and perhaps even IDP facilities (camps) under direct UN control. To insulate these vulnerable communities from fear of attack or exploitation, and to maximize humanitarian assistance, they could be removed from control by host country governments and put under direct UN authority. In practice this would mean control by the UN Secretary-General or the UN High Commissioner for Refugees (UNHCR).



Assistance to refugees, returnees, and displaced persons in Africa



To be meaningful, this would require donor government to provide security services able to patrol perimeters and enforce control over rival from host country militaries, criminal groups (including human traffickers) and non-state armed groups (NSAGs). Whether donors would provide such support is uncertain. Whether host countries would allow their presence is equally uncertain.

Peacekeeping Missions: the UN can authorize additional and stronger peacekeeping missions to bring stability in conflict regions, so people need not fear for their lives and can remain in their homelands. Major problems to be addressed are funding and support. Donor governments must agree to finance these

expensive undertaking and countries must be found to supply the tens of thousands of soldiers and massive logistical support these operations usually require. Peacekeeping also has to overcome resistance from host country governments, which do not always welcome to loss of control that comes with foreign military activity.

A peacekeeping force is a complicated structure. Any General Assembly resolution mandating creation of new peacekeeping operations should explain where the troops will come from, how many are required, how long they will stay, what powers they have, what authority host governments have over them, and how the operations are to be paid for.



Assistance to refugees, returnees, and displaced persons in Africa



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Assistance to refugees, returnees, and displaced persons in Africa



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