The overall picture of refugee and internally displaced persons in Africa
Refugee: according to the 1951 united nation convention it is defined as:

-Any person who: owing to a well-founded fear of being persecuted for reasons of
  .Race,
  .Religion,
.Nationality,
.Membership of a particular social group,
.Or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country.
Internally displaced persons: There is no legal definition as there is for a refugee. However, a United Nations report, *Guiding Principles on Internal Displacement* uses the definition:
Internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence in particular as a result of or in order to avoid the effects of:
armed conflict,
situations of generalized violence,
violations of human rights
or natural or human-made disasters,
and who have not crossed an internationally recognized State borders.

http://en.wikipedia.org/wiki/Refugee
Internally displaced persons
In 2011, IDMC (Internal Displacement Monitoring Centre) monitored internal displacement in 21 sub-Saharan African countries.

There were an estimated 9.7 million IDPs in these countries, representing over a third of the world’s total internally displaced population.
Sudan, the Democratic Republic of the Congo (DRC) and Somalia continued to be the countries with the largest internally displaced populations in Africa.
Cause of displacement

- Violent struggles between groups vying for access to natural resources, and land

- Political representation and power were among the root causes of most of these displacements.

_Drought and famines_
Historical background

Since the 1950s and 1960s, many nations in African have suffered civil wars and ethnic strife, thus generating a massive number of refugees of many different nationalities and ethnic groups.
Africa is experiencing waves of refugees and internally displaced people (IDPs) for long ago after decolonization or in the 1950s and

Sub-Saharan Africa's massive refugee problem is rooted in the continent's colonial past.

http://en.wikipedia.org/wiki/Refugee
The division of Africa into European colonies in 1885, along which lines the newly independent nations of the 1950s and 1960s drew their borders, has been cited as a major reason why Africa has been so plagued with intrastate warfare.
African countries are simultaneously countries of origin for refugees and countries of asylum for other refugees.
Angola

The Angola civil war (1975–2002), one of the largest and deadliest Cold War conflicts, erupted shortly after and spread out across the newly independent country. At least one million persons were killed, four million were displaced internally and another half million fled as refugees.
Uganda

- In the 1970s Uganda and other East African nations implemented racist policies that targeted the Asian population of the region.
Great Lakes crisis

In the aftermath of the 1994 Rwanda genocide, over two million people fled into neighboring countries, in particular Zaire.
Darfur

- An estimated 2.5 million people, roughly one-third the population of the Darfur area, have been forced to flee their homes after attacks by Janjaweed Arab militia backed by Sudanese troops during the ongoing Darfur conflict in western Sudan since roughly 2003.
● African refugees in Israel

Demonstration against the expulsion of refugees and their families from Israel, Tel Aviv, 2009
Since 2003, an estimated 70,000 illegal immigrant from various African countries have crossed into Israel.
African refugees in Egypt

- There are tens of thousands of Sudanese refugees in Egypt most of them seeking refuge from ongoing military conflicts in their home country of Sudan.

- More than two million people of Sudanese nationality (by most estimates; a full range is 750,000 to 4 million (FMRS 2006:5) who live in Egypt.
Western Sahara conflict

- saharawi refugee women with flour in Dakhla, southwestern Algeria (2004).
It is estimated that between 165,000 - 200,000 Sahrawi's – people from the disputed territory of western Sahara – have lived in five large refugee camps near Tindouf in the Algerian part of the Sahara Desert since 1975.
Algerian War

The Algerian war of independence (1954–1962) uprooted more than 2 million Algerians, who were forced to relocate in French camps or to flee to Morocco, Tunisia, and into the Algerian hinterland.
Libyan Civil War

Refugees of the 2011 Libyan civil war are the people, predominantly of Libyan nationality, who fled or were expelled from their homes during the 2011 Libyan civil war, from within the borders of Libya to the neighboring states of Tunisia, Egypt and Chad, as well as to European countries.
DISTRIBUTION OF REFUGEES IN AFRICA

The UNHCR is reported to have put a planning figure of people of concern in excess of 13,000,000 due to the new and long standing refugee situations spread across Africa. For example:

- The dispute b/n Sudan and south Sudan
- Democratic Republic Of Congo
- Somali
GEOROGRAPHICAL LOCATION

Kenya
.Kenya is signatory to a majority of the international treaties which include the Convention relating to the status of Refugees 1951.

DADAAB REFUGEE CAMP IN KENYA:

.Dadaab is a town in North Eastern Kenya located approximately 100 KM from the Kenya- Somali border and is home to the largest refugee camp in the world.
It covers about 50 Km2 and has a UNHCR base that serves the refugee population.

The camp was set up in early 1990s as a result of civil war that ravaged the south of Somali and was initially intended to hold a maximum of 90 000 people.

It currently hosts over 600 000 refugees and still counting.
CHALLENGES/ AND CONSTRAINTS IN THE DADAAB CAMP

.Insecurity

.Inadequate housing, food shortages, poor health services, poor sanitation facilities. Space is running out.

.Dwindling public support for persons of concern.

.Financial requirements are strained.
Deforestation

Single women who head households, pregnant women and the elderly who have special needs arrive in big numbers in a famished and traumatized state.

Some children arrive at the camps unaccompanied and separated from families due to conflict.
WAY FORWARD

Kenya government should provide alternate sites for construction of refugee camps to cope with the increased population of refugees as a short-term measure.

To free areas that are under the control of Alshabaab.

To increase security personnel in the refugee camps to ensure the safety of the aid workers and the refugees.
.To educates refugees while they are staying in the refugee camp.

. Kenyan Government should honor its international human rights obligations.

. To propose and make it in to practice a long term solutions to eradicate famine and drought from the region.

. To stabilize the regions political problem.
What happened!
Why all these human disasters in Africa

Let us take a break with a short video about Somalia
Some research was conducted in South Africa in 1999 and 2000 in collaboration with the Lawyers for Human Rights Refugee Rights Project.

Research was funded by Amnesty International (Dutch Section) and StichtingPostcodeloterj (Netherlands).

Collection was initially presented at the Conference –‘Refugees in the New South Africa on March 27-29th 1998

A good list of NGO’s working with human right issues in Afrika

A good mission, but still no result, South Africa alone cannot take care of refugee protection for Africa
Due to increasing flow of migrants from Africa to Europe in the middle of the 90’s, the European countries decide to practice common asylum politic in the whole Schengen territory.

The refugees’ status was then harmonized in directive 2011/95/EU.

Applicant must be considered as a refugee accordingly to UNHCR convention of 1951.
SYSTEM OF HARMONIZATION

- **Identification of applicants (EURODAC)**
  - Common European Asylum System through a database where all applicants' fingerprints will be registered

- **Examination of applications (Dublin)**:
  - Applicant must apply only once in EU as refugee
  - Common European Asylum System through examinations of application through the Dublin Agreement
EFFECTS OF INCREASING FLOW OF MIGRANT TO EUROPE AFTER THE YEAR 2000

- Asylum-seekers treated like criminals (case in Hungary)
- Arbitrary detention based on the missing identification
- Positioned Police and control posts on the coastline of African countries to avoid the maritime itineraries
The Limits of European Solidarity

- African Refugees Stuck in Limbo on the French-Italian Border
- Italy warns of an immigration 'emergency' due to North African unrest
- France closes its boarders with Italia due to flue of tunisian immigrants
Do we have any solution today

Cecilie Baillet corrects us and says the 1994 San Jose (as mentioned in the presentation) is not applicable in Africa, but the following convention are the legal framework for Africa:

- African Protocol on the Rights of Women
- Cairo Declaration on Human Rights
- OAU Convention governing the Specific Aspects of Refugee Problems in Africa (1969)
- Principles Concerning the Treatment of Refugees 1966
- OAU Convention on Internal Displacement

Do refugees have any hope for tomorrow