**INTERVENTION NAJI – PANEL CIDH**

**INTRODUCTION**

Recent displacement crises have demonstrated once again the links between internal displacement situations, the rights of internally displaced persons and the processes leading to refugee and migrant movements across borders. Internally displaced persons and refugees are often driven from their homes by similar circumstances and, for some people, internal displacement may be followed by cross-border displacement. Among the key reasons for further movement across borders are the failure of national protection systems and the lack of prospects for internally displaced persons to find solutions in their country of origin. While the nexus between internally displaced persons and refugees and that between internally displaced persons and migrants demand greater attention, it must be recalled that the majority of persons forcibly displaced by conflict and violence move and seek solutions within their countries, and internal displacement is a critical humanitarian issue in itself rather than the first stage in a migration journey.

By 2030, Africa will be the continent with the largest increase in youth population. By 2050, Africa’s population will be made up predominantly of youth, with 2 in 5 children worldwide who will be Africans. These dynamics will influence on Migration. Education and skills are seen as foundational to both societies and will affect future generations at all levels of society, “central to development and to the improvement of the lives of young people.

Agenda 2063 calls for a people-driven development: with respect to education and mobility, and includes the African Passport and free movement of people processes.

**CURRENT REALITIES**

1. African migrants are now being sold in markets as slaves aside the other abuses that they are subjected to as legal and undocumented workers and persons. For domestic workers and other African migrant workers, the ACHPR should emphasize the urgency for the effective and complete implementation of the Kampala Convention in North Africa. We must also urge the member states of the ACHPR to engage the ongoing UN Global Compact on Migration process progressively to ensure the decent work and human rights of migrants and members of their families.

2. For migration and mobility: Expand information collection and build an integrated data system for profiling migrants and mapping migration routes across countries outside and in Africa, in order to inform balanced policy responses.
**MAIN CHALLENGES**

Internally displaced persons, Migrants, Refugees and Asylum Seekers face many challenges namely:

- Lack of shelter, safety and inability to secure a livelihood before, during and after displacement;
- Persisting issues such as discrimination and marginalization during the displacement. In addition, the host communities sometimes make it difficult for the displaced groups to access the basic services such as land, water sources, property, etc.
- Lack of documentation as a prerequisite to secure ownership/title deeds; omission from title deeds and lease agreements and inability to access justice for violations of housing, land and property.
- Difficulty in rehabilitating the family property and reconstructing family houses due to lack of resources or lack of equipment or capacity to pay required labor.
- Women face low access to justice both at the customary and traditional courts.

**DEVELOPMENT OF DISCUSSION**

The Kampala Convention was adopted by the AU to prevent displacement, assist those who have been forced to leave their homes, and find safe and sustainable solutions to help people to rebuild their lives. The Convention is therefore a comprehensive legal instrument which also addresses different causes of internal displacement, such as conflict, generalised violence, man-made or natural disasters, and development projects.

Since the Kampala Convention has come into force, there is still a need of the law to be translated into practice by the AU Member States that ratified the Convention.

Taking into account the several cases of internal conflict on the continent, it is urgent for African countries to take responsibility by ratifying instruments that guarantee the protection of victims of conflicts and natural disasters and who are forced to abandon their homes to become refugees and internally displaced persons.

Refugees, asylum seekers, migrants and internally displaced persons are vulnerable people with equal rights, and should be treated with dignity and be provided adequate protection.
Bringing together the Kampala Convention has been an enormous accomplishment, but this is not the end of the process. The challenge now is to transform these provisions into tangible improvements in the rights and wellbeing of IDPs across Africa. What would it take to make this happen?

First, concerted efforts are needed to encourage those African countries that have not yet signed or ratified the Convention to do so as soon as possible.

Second, awareness-raising initiatives are required so that government and civil society actors at different levels across the continent can learn about the Convention and its implications for their work. Parallel efforts are needed amongst international organizations and donor officials that may be in a position to help promote and support the implementation of the Kampala Convention. Information about the Convention should also be shared with other regional organizations and governments outside of Africa, who may be interested in applying the insights from the Kampala Convention process to their own contexts.

Third, the Kampala Convention’s international supporters should help facilitate the development of an African-led implementation plan for the Convention. This would build on the activities that have already started to promote the agreement’s implementation, such as the development of the AU Model Law on the Kampala Convention. It would likely entail activities on several fronts, including trainings and support for the development of comprehensive national laws and policies on internal displacement that anchor states’ obligations under the Convention in robust domestic frameworks. Experiences in Africa and around the world have demonstrated that backing up innovative international agreements such as the Kampala Convention with strong domestic laws is essential to ensuring that the obligations laid out in these instruments don’t just exist on paper, but translate into improved practice.

CONCLUSION

It is the primary responsibility of Governments to provide durable solutions that can only be achieved when internally displaced persons no longer have any specific assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of their displacement. Such solutions, whether they involve return,
local integration or settlement elsewhere in the country, require national leadership, strong political will and commitment. They must be anchored in national legal and policy frameworks, yet frequently in practice they are not in place or not implemented. States frequently see return to places of origin as the primary or only solution, neglecting the fact that, in conflict situations, local integration or resettlement may be the preferred or more viable options, and essential to unlocking protracted displacement.