

Resolution on the need to take measures to reduce forced internal displacement in Africa - ACHPR.Res.582 (LXXVIII)2024

The African Commission on Human and Peoples' Rights (the African Commission), meeting at its 78th Ordinary Session, held virtually from 23 February to 8 March 2024;

Recalling its mandate to promote and protect human and peoples' rights in Africa, as set out in Article 45 of the African Charter on Human and Peoples' Rights (the African Charter);

Considering its Resolutions ACHPR/Res.114(XXXII) 07 on migration and human rights; ACHPR/RES.333(EXT.OS/XIX) 2016 on the situation of migrants in Africa; ACHPR/Res.369(LX) 2017, on the situation of internally displaced persons in Africa; ACHPR/Res.470 (LXVII) 2020 on the protection of refugees, asylum seekers, internally displaced persons and migrants in the fight against the COVID-19 pandemic in Africa; ACHPR/Res. 484 (EXT.OS/XXXIII) 2021 on respect for the principle of non-refoulement of asylum seekers and refugees; ACHPR/Res. 491 (LXIX) 2021 on climate change and forced displacement in Africa; ACHPR/Res.563 (LXXVI) 2023 on the serious deterioration of the human rights situation in the Republic of Sudan following the continuation of the war that broke out on 15 April 2023; and ACHPR/Res.565 (LXXVI) 2023 on the inclusion of refugees, asylum seekers, internally displaced persons and stateless persons in national socio-economic systems, services and economic opportunities in Africa;

Also recalling its press release of 16 February 2024 about internally displaced persons in the east of the Democratic Republic of Congo, particularly in the cities of Sake and Goma, as well as its Communiqué on forcibly displaced persons in the Republic of Sudan and certain neighbouring countries of March 8, 2024;

Recalling the implementation commitments arising from the 1st Session of the Conference of the States Parties to the Kampala Convention held in Harare, Zimbabwe, in April 2017 and the commitment of the States Parties, contained in the Preamble to the Kampala Convention to provide durable solutions to the situations of internally displaced persons, through the establishment of an appropriate legal framework, to provide them with protection and assistance, and the adoption of measures to prevent and put an end internal displacement, by addressing its root causes;

Further recalling the provisions of the United Nations Guiding Principles on Internal Displacement;

Reaffirming the African Common Position (ACP) on Humanitarian Effectiveness, which calls for specific measures to be taken to integrate humanitarian needs and displacement issues into national and local development plans;

Deeply concerned by the growing number of internally displaced persons on the continent (nearly 16 million) at the beginning of 2024, the deteriorating humanitarian situation in certain regions and the difficulties in accessing humanitarian assistance;

Dismayed by the numerous human rights violations perpetrated against internally displaced persons, including abductions, arbitrary executions, extortion, gender-based violence, etc., and the precarious living conditions in the formal and informal sites in which where they find shelter;

Noting the increase in epidemics in IDP camps, particularly the resurgence of cholera, the risks of disease transmission - due to poor sanitary conditions and the lack of drinking water - and the high number of people likely to fall prey to starvation and acute malnutrition requiring life-saving treatment;

Alarmed by the difficulty, if not the impossibility, for the displaced to enjoy some of their social and economic rights, in particular the right to education and the right to health, especially for children;

Deeply concerned that people already displaced are often forced to move several times as a result of continuing fighting or natural disasters;

Concerned about the violence that often erupts between host communities and displaced persons as a result of disputes over natural resources, access to basic services and economic opportunities;

Aware of the direct impact of climate change on forced displacement and the need to address the concerns of those living in climate-sensitive areas, where they generally lack the resources to adapt to an increasingly inhospitable environment ;

Recalling the urgent need to find lasting solutions to the causes of forced displacement in order to reduce or put an end to it;

Bearing in mind the role of the Commission under Article 45(1)(a) of the African Charter on Human and Peoples' Rights, which empowers it to "(...) give advice or make recommendations to governments";

The Commission:

1. Calls upon the States Parties to :

- a. Take effective measures to prevent forced internal displacement by addressing its root causes, including armed conflict, political violence and climate change;
- b. Take appropriate measures to respect the human rights of all internally displaced persons and to ensure that they receive all necessary assistance and protection, in particular by developing humanitarian response plans;
- c. Ratify the Kampala Convention for those who have not yet done so and adopt national measures to ensure its implementation;
- d. Put climate change and its impact on people on their short and medium-term agendas;

2. Encourages States in situations of conflict to respond positively to all measures aimed at resolving them, with a view to restoring peace and stability and putting an end to internal displacement;

3. Calls upon the African Union to :

- a. Engage proactively in the resolution of ongoing conflicts on the Continent in order to put

- an end to one of the main causes of forced displacement;
- b. Provide appropriate and sustainable solutions to assist States facing forced population displacement;
 - c. Develop an action plan to respond to forced displacement due to climate change, by ensuring that the factors contributing to this phenomenon are strictly controlled, especially deforestation, excessive exploitation of natural resources without any consideration of the consequences for the environment and climate change;
 - d. To set up an aid fund to respond to the humanitarian emergency faced by the large number of displaced persons on the Continent.

Adopted on 8 March 2024