

The

KAMPALA CONVENTION

One year on: Progress and prospects

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NORWEGIAN
REFUGEE COUNCIL

A MEDIA GUIDE

THE KAMPALA CONVENTION ONE YEAR ON: PROGRESS AND PROSPECTS

On 6 December 2012, the African Union's Convention on the assistance and protection of internally displaced people (IDPs), the so-called Kampala Convention, became legally binding.

The world's first continental convention aimed at protecting and assisting IDPs, the Kampala Convention represents an innovative and comprehensive framework to address both the needs of those displaced, as well as the needs of the communities that take them in and offer refuge.

One year later, IDMC's report, *'The Kampala Convention one year on: Progress and prospects'*, seizes the opportunity of this critical first anniversary to see how far African countries have come in assisting and protecting their internally displaced populations, while identifying the challenges that lay ahead.

The report focusses specifically on four key issues: national responsibility, forced evictions, displacement due to disasters like floods and storms, and the important role of civil society organisations and IDPs themselves in addressing internal displacement.

Internal displacement in Africa

Over a third of the world's 28.8 million people displaced as of end-2012 by conflict and violence were in sub-Saharan Africa, and three African countries – Sudan, the Democratic Republic of Congo (DRC) and Somalia – have consistently appeared among the five biggest internal displacement crises worldwide over the last five years.

The region hosts the largest total number of people displaced by conflict and violence at 10.4 million. In addition, people newly displaced in Africa by disasters reached a five-year high in 2012, at 8.2 million people.

The innovative nature of the Kampala Convention

The Kampala Convention goes beyond existing frameworks and guidance notes on internal displacement, as it is the world's first legally binding continental instrument for those countries that ratify it.

Illustrating a forward-thinking and visionary understanding of displacement in a changing world, the Kampala Convention highlights the multiple, complex and often interlinked causes of displacement. These include conflict, natural disasters such as floods and storms, and forced displacement due to development activities like building projects.

The Kampala Convention allocates responsibilities to different actors involved in addressing displacement, providing an excellent framework from which countries can design their own laws and policies. In addition, it establishes a regional process for monitoring progress and sharing information and good practices with other countries.



Internally displaced people in Dungu, Democratic Republic of the Congo. Photo: IDMC/ M. Wissing, July 2013

The Kampala Convention is innovative in recognising how civil society, IDPs themselves and the communities that give them refuge have an important role to play in decisions that affect their lives. It encourages governments and international organisations to build on the strengths of affected communities to ensure that they are a key part of the decision-making process.

National responsibility

The concept of national responsibility, as laid out in international instruments and principles, identifies states as the principal duty-bearers in terms of fulfilling the basic needs and rights of their citizens and others residing on their territory, IDPs included. National sovereignty can therefore be described as a mandate-giving concept, not merely an assumed privilege.

The Kampala Convention clarifies the concrete responsibilities of national authorities in addressing the internal displacement of their citizens. In this sense, countries that fail to successfully implement the Kampala Convention and make concrete change for IDPs on the ground, can also be understood failing to fulfil their national responsibility.

To implement the convention, states are required to do the following:

- Adapt its contents into either new, or existing, nation laws
- Designate responsibility to relevant authorities and stakeholders
- Adopt policies and strategies on internal displacement
- Allocate funding for the on-going protection and assistance of IDPs.

Case study: Uganda

Uganda has a history of national leadership in addressing internal displacement in Africa. The Ugandan government was the first in Africa to ratify the Kampala Convention

The political will and continuing dedication to tackle internal displacement by the Ugandan authorities has led to a participatory process between humanitarian experts, legal experts, development organisations, and civil society organisations at the local and national level, in order to gauge successes and gaps in the country's existing policy on internal displacement.

In this sense, Uganda is highlighted in the report as a good example of a state fulfilling its national responsibility to its citizens.

Arbitrary displacement and forced evictions

The Kampala Convention defines internal displacement as the *'involuntary or forced movement, evacuation or relocation of persons or groups of persons within internationally recognised state borders.'*

The Kampala Convention provides guidance to national authorities on how they should protect their people from involuntary displacement, such as forced evictions. It aims to prevent displacement by defining situations that could otherwise be used as a smokescreen for legal forced evictions, for example development projects that claim evictions are necessary for the greater interests of the public.

In 2012, the African Union (AU) Commission on International Law prepared a draft model law that countries can use as a template from which to adapt the contents of the Kampala Convention for their own use. It requires that any displacement must be conducted fairly and with special consideration for vulnerable or marginalised groups.

Case study: Pastoralists in Kenya

Little is known about the internal displacement of Kenyan pastoralists, as their traditional nomadic lifestyle makes it hard to differentiate between traditional movements and forced displacement.

The UN Special Rapporteur on the human rights of IDPs affirmed [in his 2012 report](#) on Kenya that displacement of pastoralists can indeed be triggered by a wide variety of factors, and is often the result of a combination or sequence of causes, including: conflict, violence, cattle rustling, natural disasters, and development activities.

While Kenya has not ratified the Kampala Convention, Kenya's 2012 IDP Act heavily mirrors its provisions, including those on forced evictions. It specifically seeks to protect communities with a special attachment to land, in many cases due to their particular culture and spiritual values.

Disaster risk reduction

In 2012, an estimated 7.7 million people were displaced by rapid-onset disasters sparked by floods and storms in countries that have either signed or ratified the Kampala Convention.

Important to note is that the Kampala Convention does not just address displacement once it has occurred, but also highlights the significance of preventing displacement through the establishment of effective early warning systems, disaster risk reduction (DRR) strategies, and disaster preparedness and management plans.

A number of countries refer to their vulnerability to natural disasters, particularly those that face seasonal weather events such as heavy rains and floods. For many, these situations are further compounded by other risks such as conflict and poverty.

Case study: Nigeria

Between July and October 2012, the most devastating floods in 40 years hit Nigeria, causing the world's second largest disaster-induced displacement crisis of the year and displacing millions of people.

Gaps in information and inconsistent responsibilities in terms of disaster response have contributed to a lack of understanding of displacement inside the country. Because of these gaps, in particular how people's vulnerabilities are complicated by multiple and sometimes annual displacement, response can be fragmented while the full scale and impact of disaster displacement remains unknown.

A draft policy on IDPs, presented to the Nigerian government in 2011, addresses multiple issues of internal displacement as described in the Kampala Convention. A complementary process has begun to improve the country's disaster management plans in order to address the obstacles faced by the millions of people exposed to floods and other natural hazards each year.

Participation and protection

Consultation and cooperation with all stakeholders, including humanitarian organisations, civil society, and perhaps most importantly with IDPs and host communities that offer refuge, is a key provision of the Kampala Convention.

The Kampala Convention calls on states to pay special attention to vulnerable groups such as children, the disabled, women, and victims of sexual violence and other abuses, and to ensure these groups are consulted in decision-making processes.

Members of civil society are often among the best-placed to understand the local context and identify the challenges facing IDPs. The Kampala Convention recognises how civil society has a vital role in meeting the immediate needs of displaced people and in helping them to find long-term solutions to displacement.

The Kampala Convention also recognises that not all IDPs live in camps. It therefore obliges states to consider and respond to the needs of host communities who offer refuge to IDPs, and are often themselves struggling against poverty and limited resources.

Participation Case study: Kenya

Kenya is one example of a country developing a comprehensive national framework on internal displacement that mirrors the Kampala Convention, through a process that has included civil society organisations, UN agencies, and multiple levels of the Kenyan government.

While the country's current framework on internal displacement is a momentous achievement, ratifying the Kampala Convention would have an added benefit of providing a platform for participation to share information and experiences with other countries in the region.

QUOTES

'The speed at which the Convention has been signed and ratified is witness to the commitment that African states have to protecting the rights of internally displaced people. While we recognise the tremendous potential the implementation of the Kampala Convention holds, we nonetheless bear witness to an ever-deepening situation of internal displacement in Africa in the last few years'.

Secretary General of the Norwegian Refugee Council, Jan Egeland, and African Union Commissioner, Dr Aisha Abdullahi (from a joint foreword in the report)

'Like any other international legal framework, the Kampala Convention is an instrument that requires commitment and leadership for action. Only its domestication and implementation will bring about change for millions of uprooted people and will make it possible to prevent the displacement of millions more'.

UN Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, and African Union Special Rapporteur on refugees, asylum seekers, internally displaced persons and migrants, Maya Sahli Fadel (from a joint foreword in the report)

'As well as displacement by conflict and natural disasters, the Kampala Convention also recognises other drivers of displacement such as forced evictions from development projects like dam building or logging. This unique recognition makes it truly all-encompassing as it is only through an understanding of these various displacement drivers that relevant long-term solutions can be found.'

Alfredo Zamudio, Director of IDMC

PHOTO



Reports of massacres in the area sent thousands of people fleeing in the Central African Republic. UNHCR/ B. Heger, September 2013 [Download here: <http://flic.kr/p/hn1Rib>]

SUGGESTED SOCIAL MEDIA MESSAGING

Twitter:

The #KampalaConvention one year on: how did your country measure up? #IDPRights [LINK]

Participation in #IDPRights: #KampalaConvention calls on states to empower & build on the capacities of #IDPs & host communities [LINK]

Long road ahead towards addressing the needs of people displaced by conflict & disasters as well as of their host communities. [LINK]

Facebook and Google+:

Today marks one year since the African Union's landmark convention to protect and assist internally displaced people (IDPs) became legally binding.

How have African countries fared in assisting and protecting their internally displaced citizens?

Learn more here: [LINK]

[Upload photo: <http://flic.kr/p/hn1Rib>]

Today is the first anniversary of the African Union's landmark convention to protect and assist internally displaced people (IDPs)!

While progress has been made, there is a long road ahead towards addressing the needs of people displaced by conflict and disaster as well as of the communities that host them.

Learn more here: [LINK]

[Upload photo: <http://flic.kr/p/hn1Rib>]

NORTHERN AFRICA

	New during 2012	Cumulative as of end 2012
Conflict, violence, human rights violations	0	200,000
Rapid-onset disaster (natural hazard-related)	600	Undetermined (26,900 newly displaced during 2008–2012)

WESTERN AFRICA

	New during 2012	Cumulative as of end 2012
Conflict, violence, human rights violations	314,168	1,268,500
Rapid-onset disaster (natural hazard-related)	6,698,600	Undetermined (8,911,600 newly displaced during 2008–2012)



CENTRAL AFRICA

	New during 2012	Cumulative as of end 2012
Conflict, violence, human rights violations	1,106,000	2,929,800
Rapid-onset disaster (natural hazard-related)	572,200	Undetermined (822,700 newly displaced during 2008–2012)

SOUTHERN AFRICA

	New during 2012	Cumulative as of end 2012
Conflict, violence, human rights violations	280	760,000
Rapid-onset disaster (natural hazard-related)	303,900	Undetermined (1,796,000 newly displaced during 2008–2012)

WELCOME!
**Angola, Malawi
 and Rwanda**

All newly ratified
 in the last 12 months

- Legally bound
- Signed, but not legally bound
- Unsigned

KAMPALA CONVENTION 2013: Who's in?



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by IDMC.

internal-displacement.org/kampala-convention

0 500 1000 km
0 500 1000 mi

iDMC internal displacement monitoring centre

twitter.com/idmc_geneva

facebook.com/InternalDisplacement

Front cover photo: Reports of massacres in the area sent thousands of people fleeing in the Central African Republic. UNHCR/ B. Heger, September 2013

Back cover photo: An Internally Displaced Persons camp, Masisi, North Kivu, DR Congo. Jonathan Haymes, October 2013

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The *Kampala Convention one year on: Progress and prospects* report was published by IDMC.

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The Internal Displacement Monitoring Centre (IDMC) is a world leader in the monitoring and analysis of the causes, effects and responses to internal displacement. Through its monitoring and analysis of people internally displaced by conflict, generalised violence, human rights violations, and natural or human-made disasters, IDMC raises awareness and advocates for respect of the rights of at-risk and uprooted peoples.

IDMC is part of the Norwegian Refugee Council (NRC). For more information, visit our website at www.internal-displacement.org.



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