



Written Statement for the Record

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**To, House Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and
International Organizations**

For the Hearing: “Africa’s Displaced People”

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The International Rescue Committee (IRC) thanks Chairman Chris Smith, Ranking Member Karen Bass, and the House Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations for holding this hearing on the situation facing millions of internally displaced persons (IDPs) and refugees in sub-Saharan Africa. This hearing comes on the eve of President Barack Obama’s visit to East Africa and is therefore a timely opportunity to discuss displacement in Africa in hopes of this issue figuring into the presidents’ talking points and public statements.

The IRC is a global humanitarian non-governmental organization (NGO) with a presence in 40 countries worldwide and 22 cities in the United States, providing emergency relief and post-conflict development and helping refugees and people uprooted by conflict and disaster to rebuild their lives. Since its inception, the IRC has been involved in virtually every major refugee crisis and resettlement initiative around the globe. In sub-Saharan Africa, the IRC is active in 18 countries. The IRC shares the Subcommittee’s deep concern about the safety and security of some of the world’s most vulnerable people who have been driven from their homes.

Overview

Displacement – whether in one’s own country or across borders – leaves affected persons particularly vulnerable to economic shocks, at risk of human rights violations, without access to basic services, and often puts their physical safety in jeopardy. Uprooted from jobs, schools, social networks, service providers, and the other things we all rely on for our physical and emotional well-being, internally displaced persons and refugees often rely on the care of family, friends, voluntary service organizations, and, in some cases, the international community to meet their basic needs.

Displacement can result from a number of, sometimes conflating, causes – but often they fall into one of two categories: threats to freedom and/or physical safety as a result of conflict or violence and changes in climate or other environmental shocks. The massive uptick in numbers of displaced persons from central and southern Somalia during that country’s 2011 famine is an example of the epic tragedy that can result when these causes of displacement combine. Meanwhile, conflict-induced displacement is influenced by the changing nature of conflict in places like the Sahel belt. For

example, in recent years, the activity of armed groups like Boko Haram and AQIM in Nigeria and Mali, respectively, have forced hundreds of thousands of people out of their homes and, for many, across borders.

The Internal Displacement Monitoring Center (IDMC) estimates that in 2014 in sub-Saharan Africa, at least 4.5 million people were newly displaced within their own countries; figures from the United Nations refugee agency (UNHCR) estimate that 759,000 became new refugees. The majority of these new refugees and IDPs became displaced as a result of conflict. Conflict-induced displacement results in tremendous trauma. And the circumstances of such displacement often take years, not weeks or months, to resolve – making the time IDPs and refugees spend away from home protracted if not permanent.

Humanitarian assistance is often delivered in sub-Saharan Africa in joint effort by UN agencies, international non-governmental organizations (NGOs), and national civil society organizations. The U.S. provides its share of assistance through several accounts: the International Disaster Assistance (IDA) account provides support for IDPs; the Migration and Refugee Assistance (MRA) and Emergency Refugee and Migration Assistance (ERMA) accounts provide support for refugees; and U.S. support for emergency food assistance primarily comes through the Food for Peace/Title II account. Congress' support in funding these accounts is invaluable and quite literally enables the U.S. to save lives and prevent immediate suffering. However, in situations of protracted displacement, people's needs go beyond the delivery of the essential means of survival – food, water, health care and protection. As the average length of displacement reaches 17 years, it is critical that we make a renewed commitment to help people not only survive but regain control of their lives and thrive.

To adequately address the needs of displaced people over the long-term, the international community, in partnership with the governments and civil society representatives in countries affected by displacement, must ensure the following:

- Commitment and resources to protect those displaced (either within their own countries or across borders) and support communities hosting them. This includes not only assistance but also a commitment to advocate for the rights of displaced, including ultimate solutions to displacement;
- Commitment to better meet the needs of those in situations of protracted displacement – both through changes in humanitarian aid delivery, diplomatic engagement with relevant government authorities, and harmonizing humanitarian and development interventions;
- Commitment to address refugee and IDP needs based on where they reside, not simply where they are easiest to reach;
- Focus on encouraging actors with leverage to find a solution to the conflicts that cause people to flee in the first place.

South Sudan and the Central African Republic unfortunately demonstrate these realities all too well.

South Sudan

In South Sudan, conflict has been raging since December 2013. Civilians have historically borne the brunt of violence and the current conflict is no different. Both government and opposition forces have committed extraordinary abuses of civilians, often deliberately targeted along ethnic lines, including mass killings, disappearances, torture and gender-based violence (GBV) such as rape. An upsurge of ethnic violence threatens to further tear the country apart.

In the midst of violence and conflict, civilians use displacement as a survival strategy. Nearly 600,000 individuals have become internally displaced since December 2013; another 1.6 million have become refugees.

In South Sudan, nearly 120,000 of those IDPs who have been displaced since fighting began are presently residing in protection of civilians (PoC) sites within or adjacent to bases of the UN peacekeeping mission in South Sudan (UNMISS). UNMISS should be commended for opening its doors to civilians under threat – U.S. funding of peacekeeping activities provides critical financial support for the mission. Civilians remain in the PoC sites largely because there has been no improvement to basic security outside the bases. They face innumerable challenges: the PoC sites themselves have not been impermeable to violence, living conditions for IDPs in many of the sites (which were not set up with the intention of hosting internally displaced people) are extremely poor, and many of the bases are extremely overcrowded.

However, the vast majority of people displaced are outside bases and formal camps: many are in remote areas and face continued threats to their security, resulting in repeated displacement. This fluid situation in rural areas has made it difficult for humanitarian agencies to reach all those in need of assistance. South Sudan – a poor and underdeveloped country which relies on assistance from the humanitarian community even in the absence of conflict – is a difficult aid delivery environment in the best of circumstances. The fighting which began in December 2013 immensely compounded these challenges, scattering communities across the country, many into remote areas with little to no access to lifesaving assistance. Donors – including USAID and its partner NGOs – and humanitarian agencies have mounted impressive efforts to ensure critical food, medicine, non-food items (NFIs), and other essential goods reached those in need. But with a recent upsurge in fighting – largely concentrated in Upper Nile State and Unity State – and no end in sight to the conflict, such gains can easily be squandered.

The IRC is working in Unity State. Like many other agencies, the IRC had to evacuate staff in April and May and are only now deploying staff back to a few critical locations. However, this region remains insecure with many communities scattering to safe havens in the bush with extremely limited communications with the outside world, no food and at risk of militias. Other displaced communities are arriving in increasing numbers to the UN peacekeeping base in the northern town of Bentiu or heading east across the Nile or north to Sudan and eventually Khartoum.

The situation for South Sudanese refugees in neighboring countries also requires urgent attention. Over half a million South Sudanese have fled their country since December 2013. Among them are extremely high numbers of female-headed households and unaccompanied and separated children (for example, 90 percent of refugees arriving in Ethiopia's Gambella region are women and children). Refugees urgently need assistance. Host countries, who are to be commended for keeping their borders open, should also be supported in seeking alternatives to refugee camps and helping refugees to become self-reliant.

Central African Republic

The IRC has been working in the Central African Republic (CAR) since 2006. Next week we will release a new report with the intention of refocusing attention on the needs of the Central African people as well as on the obstacles the IRC and other humanitarian agencies are experiencing in trying to aid the population.

The IRC's analysis indicates that while the international narrative on CAR is one of progress and increasing stability, Central Africans are very uncertain of the future of their country. Even with a

reduction in violence from the peak of the recent crisis in CAR, a humanitarian catastrophe continues to unfold. Humanitarian assistance is still desperately needed and nearly 900,000 people remain internally displaced. Over 460,000 Central Africans remain refugees in neighboring Cameroon, Chad, Democratic Republic of the Congo (DRC) and Republic of Congo. While the pace of refugee arrivals in neighboring countries has decreased since mid-2014, new refugees continue to flow into neighboring countries.¹ Ongoing violence, banditry and political instability mean the conditions in CAR are largely not conducive to refugee return.

Every effort must be made to extend life-saving assistance and basic services to conflict-affected Central Africans, including to those in areas far outside Bangui. Donor governments should not turn away from humanitarian needs prematurely and should fully fund humanitarian appeals. However, to effectively break the cycle of violence and poverty, the international community must also invest in governance and security. The conclusions of the recent Bangui Forum offer the best roadmap we have to achieving this; donors must support it with funding and the diplomatic muscle to move it forward.

Ultimately, humanitarian assistance is alleviating some of the impact of the crisis on the lives of Central Africans but it is not the answer to the country's problems. As is the case in many other African countries, we must take a long-term approach to addressing the challenges that create displacement while also providing emergency assistance to save lives in the short-term.

In addition to highlighting these two case studies of current urgent needs, the IRC would like to bring attention to critical overall challenges common to most if not all humanitarian crises in Africa.

Protection

Refugees are afforded rights to protection under the international refugee convention of 1951. Individual countries have obligations under the refugee convention including the responsibility to provide asylum to persons who qualify as refugees.² In some cases, because of overt political expediency or implicit lack of attention to the needs of refugees, this asylum space comes under threat. The U.S. government plays a critical role, both publically and behind closed doors, in reinforcing with host country governments, the importance of preserving asylum space for refugees. For example, during his May 2015 visit to Kenya, Secretary of State John Kerry publically praised the government of Kenya in continuing to welcome refugees into Kenya and pledged additional funding to support the work of protecting and providing for refugees in Kenya.³ In addition to support from Congress in continuing to fund the critical humanitarian assistance accounts, the U.S. government must put its diplomatic weight behind supporting refugee hosting nations to keep their borders open and foster an environment that is supportive of refugee protection. President Obama's visit to Nairobi later this month is a key opportunity to do this.

The development of legal protections for IDPs has been more recent than that of the long-standing protections afforded to refugees. Fears of intruding on country sovereignty have historically impeded

¹ UNHCR CAR Regional Refugee Response: <http://data.unhcr.org/car/regional.php>

² "A 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 or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.." <http://www.unhcr.org/3b66c2aa10.html>

³ <http://www.state.gov/secretary/remarks/2015/05/241822.htm>

the development of legally-binding agreements and obligations for the protection and support of persons who are displaced within the borders of their own countries. This is beginning to change with emerging consensus on the responsibilities of governments of countries with internally displaced populations. The *UN Guiding Principles on Internal Displacement*, presented to the UN Commission on Human Rights in 1998, “are based upon international humanitarian and human rights law and analogous refugee law and are intended to serve as an international standard to guide governments, international organizations and all other relevant actors in providing assistance and protection to IDPs.”⁴ In October 2009, governments on the African continent adopted the *Kampala Convention*. The *Kampala Convention* is the “world’s first continental instrument that legally binds governments to protect the rights and wellbeing of people forced to flee their homes by conflict, violence, disasters and human rights abuses.”⁵ As of November 2014, 40 of the African Union’s 54 member states had signed the convention and 22 had ratified it.

By ratifying and signing the *Kampala Convention*, countries commit to protect the rights of IDPs but ensuring such commitments are translated into tangible improvements in the protection of displaced populations is a long-term process that involves national policy change and implementation at all levels of government. African countries are home to nearly 12 million IDPs – more than any other continent or region. It is critical that African governments continue to establish and reinforce protections for internally displaced populations.

While UNHCR was established with a clear mandate to protect refugees, there is no equivalent intergovernmental agency to protect and assist IDPs because the country governments bear this primary responsibility. And while there are continuing improvements to the international humanitarian system’s ability and capacity to support governments to meet the needs of IDPs⁶, the case of South Sudan illustrates vividly why ultimately the protection of IDPs is best addressed through governments taking up their responsibility to protect and assist.

Self-sufficiency from the beginning

In addition to maintaining the commitment to support and protect refugees and IDPs in line with the rights afforded to them under international agreements, the international community, in partnership with host country governments, must ensure its response to displacement is better suited to protracted situations, which is the norm. The assistance refugees and IDPs receive from the international humanitarian community is often designed to provide the essentials of survival – basic health care, clean water, food distributions and shelter. This basic package of services saves lives but does little to enable IDPs and refugees to thrive during the months – and often years – away from home. Without access to educational opportunities and the means of providing for their families, during displacement, children and youth miss critical months and years of education and training and adults miss out on valuable opportunities to develop professional skills and contribute to the well-being of their families and communities. If self-sufficiency of refugees and displaced persons is the goal, then the international community must support and advocate for the means: children and young people’s ability to attend school and attain recognized educational advancement and adults’

⁴ <http://www.brookings.edu/about/projects/idp/gp-page>

⁵ <http://www.internal-displacement.org/assets/publications/2014/201412-af-kampala-convention-brief-en.pdf>

⁶ UNHCR has been encouraged to respond to situations of internal displacement in a number of UN General Assembly (UNGA) Resolutions, most notably 48/116 of December 1993, which sets out the criteria for UNHCR’s engagement with internally displaced persons. While UNGA Resolution 48/116 provides the overall legal basis for UNHCR’s engagement with IDPs, the Cluster approach has introduced greater predictability and accountability.

opportunity to work in local economies. Supporting such efforts to increase IDPs' and refugees' self-reliance will not only enhance their prospects during displacement but also better position them for an eventual durable solution – return home, integration into areas of displacement or, for a limited number of refugees, resettlement abroad.

One place where such an approach is working is Uganda which is hosting approximately 156,000 South Sudanese refugees who have arrived since December 2013. Uganda has a policy of promoting self-reliance for refugees. In practical terms this means the government allocates land to refugees upon their arrival in Uganda. Refugees are also able to access public services in the host community. This obviously doesn't come without challenges – particularly in an environment, like Uganda, of increasing refugee arrivals and no end in sight to the conflict in South Sudan. But the approach provides a good model for a more sustainable refugee assistance: NGOs work with government officials and local social service providers to increase capacity of public services in the area to meet the greater demand brought on by the sudden arrival of refugees. Such support also helps bolster the quality and availability of social services for members of the Ugandan host community.

Out-of-camp displacement

A critical piece of ensuring refugees receive assistance that is better suited to the protracted nature of their displacement is a closer look at the traditional default model of delivering assistance to refugee communities in the context of a formally recognized refugee camp. Globally the majority of displaced persons do not reside in formal camps or collective sites. Instead, they are living with relatives, friends or renting accommodations on their own – often (but not exclusively) in urban settings. The international community must better tailor its assistance to ensure that these refugees and IDPs are not slipping through the cracks and receive the assistance they need. Especially where people reside in non-camp settings, the ability to work becomes paramount. This is of course challenging due to host country regulations – and makes imperative investment in research on the life of refugees in local economies and advocacy with host governments to allow for arrangements to support themselves. Furthermore, one modality that has shown promise as well as impact for displaced populations is the use of unconditional cash transfers instead of non-food item (NFI) distribution and food assistance where markets and security allow. The IRC encourages the U.S. government and other donors to expand the proportion of their budgets allocated to this intervention.

In July 2014, the UN refugee agency (UNHCR) released a new *Policy on Alternatives to Camps*. The policy formally sets out a new modus operandi for UNHCR: “[pursuing] alternatives to camps, whenever possible, while ensuring that refugees are protected and assisted effectively and are able to achieve solutions”. The policy recognizes that the majority of refugees live outside of formal camps and that while refugee camps are an “important tool” in responding to the needs of refugees, particularly in the first phase of an emergency, they often remain long after the “essential reasons for their existence have passed.”⁷

The *Policy on Alternatives to Camps* sets an ambitious, yet sorely needed vision for UNHCR in its service to refugees. It does not incorporate how the policy should apply to the humanitarian community's response to the needs of IDPs – further revisions should include this focus with a specific emphasis on what additional challenges application of the policy to IDPs entails. The U.S. government should continue to support and enable UNHCR and its partners to align practice with the vision set forth in this policy.

⁷ <http://www.unhcr.org/5422b8f09.html>

Need-based assistance

One opportunity to better address the needs of IDPs and refugees in situations of protracted displacement is to better tailor international support based on need, with their legal status being one, but not the only or even chief, consideration. Displaced persons often reside in under-developed places where the host communities are themselves quite marginalized and vulnerable, often resulting in tensions between the two groups. Addressing the needs of IDPs and refugees in these settings provides an opportunity to better integrate their service provision into improved social service infrastructure. Doing so by virtue better enables an extension of assistance to host communities, thereby contributing to an easing of tensions with displaced communities.

Such an approach necessarily involves a close look at how development resources are being directed to communities who are playing host to displaced persons. Often, long-term development assistance is not prioritized for the places where refugees and IDPs are residing. Ensuring that assistance is targeted to such places necessarily involves both a diplomatic and development approach – diplomacy to ensure national development plans are inclusive of both host communities and displaced persons and development to ensure assistance resources are directed accordingly.

There are examples of progress on this front. The IRC serves as co-chairs, alongside UNHCR and the UN Development Program (UNDP), an initiative called the Solutions Alliance. The U.S. government has been actively engaged in the Solutions Alliance which aims to have the displaced included in national development plans and increase their self-reliance. We are encouraged of the Solutions Alliance's progress in Somalia whereby the Peacebuilding and Statebuilding goals under the New Deal Compact now consider internally displaced and returnees to southern Somalia.

Recommendations

Protect the most vulnerable, commit to peace. Governments – those of countries hosting refugees and/or experiencing internal displacement – bear the primary responsibility for the preserving asylum space and ensuring displaced persons receive the protection and assistance to which they have a right. The U.S. government must continue to be a vocal champion of protecting and assisting refugees and IDPs – and political solutions to violent conflict in places like South Sudan and CAR. President Obama's upcoming trip to East Africa provides a critical opportunity for this.

Support refugee-hosting nations, work with partners to deliver assistance. Particularly in an environment of record-breaking displacement in sub-Saharan Africa, the U.S. government must continue to support assistance for refugees and IDPs through financial aid by supporting the critical humanitarian accounts and continuous improvements in humanitarian aid delivery. This includes expanding the use unconditional cash transfers where markets and security allow.

Ensure strong implementation of UNCHR's *Policy on Alternatives to Camps* and other efforts to deliver assistance to refugees and IDPs where they reside. Particularly in situations of protracted displacement, most displaced communities do not reside in formal camps or settlements. The U.S. government should continuously adapt its assistance to ensure it is reflective of this reality. It should encourage other international actors to do the same.

Support the development of evidence in support of advocacy on the economic and social potential of displaced communities. The U.S. government must continue to prioritize advocacy to persuade host country governments of the value of including refugees and other displaced in national development plans and to demonstrate to host communities the value of the presence of displaced

communities. Such advocacy must be complemented by research to build an evidence base in support of such arguments.

Recognize that protracted displacement is not simply a humanitarian issue. Despite the humanitarian community's best efforts, until such time as the displaced are included in national development frameworks, their ability to meaningfully access services and participate in the socio-economic life of their country of residence will be limited. The World Bank now recognizes displacement as a development issue; other development donors should be encouraged to align their programming accordingly.