Thank you, Chair.

This statement has been drafted through a wide consultation with NGOs and attempts to reflect the diversity of views within the NGO community.

NGOs would like to begin by recognizing the commendable efforts made by African governments over the past year in working towards solutions for displaced persons. The year began with the ratification of the Kampala Convention by the Republic of Congo, and subsequent ratifications by Djibouti and Mauritania. Zambia made a commendable commitment to ensuring effective local integration of Rwandan and Angolan refugees, and the humanitarian communities in the Central African Republic and Somalia have initiated the Working Group on Return and Durable Solutions, and the IDP Solution Initiative respectively.

More than 35 presidential and legislative elections were held on the continent, with notable results. These include the first peaceful transfer of power since independence occurring in Nigeria, following their elections in March, as well as the October elections in Côte d’Ivoire, which were peaceful and transparent. Burkina Faso was able to carry out elections in December after the process was threatened earlier in the year. Unfortunately, the build-up to elections in Burundi led the country back into violence, causing significant refugee flows out of the country, and internal displacement within its borders. These elections have set the stage for those scheduled for 2016 – showing the broad spectrum of possible outcomes.

Despite notable progress in the past year, significant challenges remain. Humanitarian space is shrinking, new threats continue to emerge on the continent, and ongoing violence has prevented many displaced persons from returning to their countries and areas of origin. Refugees and IDPs from Burundi, Somalia, the Central African Republic, Mali, and elsewhere have continued to face barriers caused by ongoing hostilities. Access constraints have, in many places, led to inconsistent and uneven support for displaced persons living outside of capitals and easily accessible areas. Across operational contexts, humanitarians, governments, and UNHCR as one of the leading protection agencies, should work together to find creative solutions that enable more systematic support to all persons in need.

We would now like to highlight comments on particular country-specific developments in the region:
In Burundi:

NGOs are concerned with the continuing deterioration of the situation in Burundi, and the increasing reports of serious human rights violations, including those of torture and extra-judicial killings. Numbers of IDPs are unknown due to IDPs’ unwillingness to self-identify for security reasons, but are estimated to be at least 15,000. Moreover, the crisis has perpetuated the outflow of almost 250,000 refugees into neighboring countries. NGOs welcome efforts to scale up humanitarian response in Burundi and would highlight the need for a substantial increase in protection capacity within the country.

In the Central African Republic:

While the Central African Republic has seen some reduction in the level of violence in the past year, 2.3 million people are still estimated to be in need of humanitarian assistance and the number of IDPs has remained unchanged with 417,000 people displaced inside the country.1 In order to provide the most effective humanitarian assistance to the population, NGOs encourage UNHCR to provide greater information about the needs of displaced persons in remote areas, camps, and enclaves, as well as ensure that its project proposals are based on comprehensive needs assessments and gap analyses. As the country moves towards planned elections, the government should be supported to develop legislation on internal displacement, and a strategy for durable solutions. Moreover, UNHCR should work with partners to develop action plans to address the assistance and protection needs of all displaced minority groups and persons remaining in the enclaves, with special consideration for the needs of children, elderly, female headed households, and other vulnerable individuals.

In the Democratic Republic of the Congo:

Despite significant investment in peace and stability initiatives, the presence of a Chapter VII peacekeeping mission for more than 17 years, and a substantial humanitarian response, the DRC remains in protracted crisis. As the country moves towards elections later this year, NGOs are concerned about increasing attempts to instrumentalize aid and politicize humanitarian response. NGOs are particularly concerned with the sudden closure of the Mukoto IDP camp and the forced eviction of its more than 4,000 residents due to the presence of arms that were held by 4 individuals in the camp. NGOs would like to emphasize that by committing to the Kampala Convention in 2014, the Congolese government has officially committed to principles of voluntary and dignified return of displaced persons as well as freedom of movement and choice of residence for IDPs. While NGOs recognize the government’s right to close camps where their civilian character has been violated, we urge the government to consider the proportionality of their response to any threat a camp may be perceived to pose. We encourage UNHCR to support

---

the government in fulfilling its commitments under the Kampala Convention and in ensuring that there is proper planning and management of any further camp closures.

The DRC also has a significant refugee population, with large groups of refugees from Rwanda, Central African Republic, and Burundi residing within its borders. There are currently more than 100,000 Central African refugees registered in the country, who are primarily concentrated in North and South Ubangi Provinces in the northwestern part of the country. In the eastern province of South Kivu, the crisis in neighboring Burundi has resulted in a substantial refugee influx, with over 20,000 registered arrivals as of January 2016. With refugee numbers from these two neighbors likely to increase, NGOs urge UNHCR to prioritize consistent and transparent communication with the refugees themselves, affected communities, and partners in determining the most effective means for addressing their protection and assistance needs. Recognizing the complicated dynamics that accompany any efforts to address the needs of Rwandan refugees in DRC, NGOs encourage UNHCR to work with both the Congolese and Rwandan governments to ensure that humanitarian assistance to Rwandan refugees is not compromised due to associations with larger political processes.

**In Ethiopia:**

NGOs commend Ethiopia for its open-door policy on accepting refugees. The country currently hosts more than 730,000 refugees from South Sudan, Eritrea, Somalia, Kenya, Burundi, Congo, Yemen, and Sudan, among others. We recognize the challenges that accompany such a commitment, and support the High Commissioner’s call for increased assistance to Ethiopia in providing for this population.

**In Kenya:**

The Ministerial Pledging Conference on Somali Refugees, which was held in October in Brussels fell short of its fundraising goal for the Voluntary Returns Programme of Somalia Refugees living in Kenya. According to UNHCR, 8,000 refugees have so far chosen to return. When put in the context of the more than 430,000 Somali refugees hosted by Kenya, this figure suggests that there needs to be a review of the conditions of the Tripartite Agreement. The Agreement, and any agreement which may follow its 2016 expiration, must account not only for safe and voluntary returns but should also provide for the integration of refugees in Kenya. Such a revision would necessarily account for the provision of relevant skills and educational opportunities to this population. NGOs feel that the return agenda must be expanded, and that the support to Somali refugees must make the range of durable solutions accessible. NGOs would encourage the Kenyan government to continue the collaboration with the Somali government with the support of UNHCR to allow for such expanded support for refugees in Kenya.
In Mali:

UNHCR estimates that there are over 90,000 people internally displaced within Mali, in addition to the more than 146,000 who have fled the violence and have taken refuge in other countries. Renewed violence in April and May 2015 increased the number of displaced, but positive signs were evident towards the end of the year, when voluntary returns began to increase. For those still in need, NGOs wish to emphasize the ongoing needs for protection and assistance, and encourage UNHCR to allow greater flexibility in funding agreements with implementing partners in order to allow for the sometimes costly adaptations needed in order to deliver assistance in a safe and responsible way. NGOs applaud the Government’s commitment to durable solutions, and call for the necessary resources to be allocated to ensure the effective ongoing implementation of the national durable solutions strategy.

In Nigeria:

NGOs are increasingly concerned about the protection crisis in Northeastern Nigeria. The protection vulnerabilities in the states directly and indirectly affected by the Boko Haram insurgency (Borno, Adamawa, Gombe and Yobe) are currently affecting an estimated 5.5 million people in the region. Such vulnerabilities include widespread displacement, grave human rights violations, direct and indirect civilian harm, sexual and gender-based violence and child protection concerns. It is clear that civilians have borne the brunt of the insurgency and counter insurgency in Northeastern Nigeria. The scale of civilian deaths (17,000), displacement (2.2 million) and deterioration of the humanitarian situation reveal the urgent need for a prioritization of the protection of civilians in this conflict.

The recent attack on IDPs in Dikwa IDP camp and Dalori village of Borno State are alarming. There must be concerted efforts between humanitarian and protection actors in preventing incidents such as Dikwa from recurring. Nigerian authorities should adhere to international laws and standards in enhancing the safety and security of IDPs by ensuring that measures taken to restrict IDP movement proportionate to the perceived and real threats of their movement, and ensure that any such restrictions do not further increase the vulnerabilities of IDPs.

Recent relocations of IDPs from schools in Maiduguri serve to emphasise a need for a re-energised engagement on IDP relocations with the government and humanitarian stakeholders. We must address current inconsistencies in returns and relocation of IDPs in the North East by emphasizing that any initiative on this topic must ensure IDP safety and dignity in areas of return and relocation, meaningful engagement of all actors (government and humanitarian) in the planning and process returns and relocations, and respect for the right to seek safety, freedom of movement, and the integrity of the civilian and humanitarian character of displacement sites.

Recognizing the scope of this crisis and its effect on UNHCR’s populations of concern, NGOs urge UNHCR to increase its presence in North East Nigeria, in order to ensure improved protection support on the ground. Moreover, we encourage UNHCR to take a stronger leadership

2 2015 HNO.
position in addressing the serious protection issues facing the Nigerian population, from forced relocations, to militarization of IDP settlements, to violations of the principle of non-refoulement, among others.

**In Somalia:**

With the Somalia New Deal ending in 2016, the conceptualization of the National Development Plan (2017-2018) is now in progress. NGOs feel that this plan is a significant opportunity to elaborate a path towards durable solutions for the more than 1 million IDPs within the country, and would encourage the government of Somalia to ensure that such thinking is reflected in the pillars of the plan that include humanitarian aid. NGOs are concerned with ongoing protection violations, including the 9,582 cases of GBV, and the forced eviction of 130,000 individuals in the past year as well as the significant presence of explosive remnants of war. NGOs are encouraged by the Somali government’s and UNHCR’s efforts to address these concerns – notably the Somalia IDP Solutions initiative, the activation of the Mine Action AoR and the HLP sub-cluster – and look forward to concrete outcomes from the initiatives being put in place.

**In South Sudan:**

NGOs are concerned that the peace agreement that was signed in South Sudan in August has stalled. Instead of having a transitional government in place today, NGOs continue to witness ongoing ceasefire violations and human rights abuses against the civilian population. NGOs call on the Government of South Sudan and all parties to the conflict to immediately find a solution to the issue of the 28 states, and compromise on remaining issues in the Peace Agreement to allow the transitional government to move forward.

NGOs are also deeply concerned about the South Sudan NGO Bill, which was signed in early February this year. In its current form, the Bill creates a prohibitive operating environment for NGOs and will likely inhibit the delivery of services to those persons most in need. NGOs urge the Government of the Republic of South Sudan to ensure that the Bill is submitted to a process of public consultation following the formation of the Transitional Government of National Unity. This consultation is essential for ensuring that the ultimate implementation of the bill complies with international best practice.

---

3 Somalia Protection Cluster Annual Report