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 to work towards solutions for displaced persons. Despite notable progress in the past year, significant challenges still remain. Space for humanitarian organisations 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 the DRC, Rwanda, Burundi, Somalia, the Central African Republic, Mali, Nigeria, Chad, Niger, South Sudan 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. Humanitarian organisations, governments, and UNHCR, should work together towards further prevention efforts, and find creative and durable solutions that enable more systematic support to all persons in need.

We would like to highlight comments on country-specific developments in the region:

**In the Lake Chad Basin:**

The Humanitarian Response Plans assess that 10.7% of the affected population is in need of life-saving assistance, over 7 million people are struggling with food insecurity and half a million children are suffering from severe acute malnutrition. Water pipelines have been destroyed and limited water availability is contributing to malnutrition, childhood illnesses, poor crop yields, livestock death, thus risking social tensions between displaced and host communities. While food is overwhelmingly a priority, there are grave protection concerns as well including forced conscription, early marriage and disruptions of education.

Despite the overwhelming crisis, the response to the human suffering remains woefully inadequate and uncoordinated. The governments of Nigeria, Niger, Chad and Cameroon, with the support and expertise of donors, the UN and NGOs, must urgently scale up the response to this crisis and effectively provide immediate, large-scale and quality life-saving assistance for IDPs, refugees and host communities.

Given the situation:

- **We call on Member States to fully fund the humanitarian response appeals** across the Lake Chad Basin and include flexible, predictable short-term and multi-year funding to meet immediate needs and build longer-term resilience of host communities and persons of concern. This is essential to improve access to water, provide education and life skills training and ensure children are protected.
We call on UNHCR to streamline coordination with a particular focus on the challenges faced by host communities and the displaced via coordination between governments, UN agencies and implementing partners. We also ask UNHCR to leverage multi-purpose, multi-sectorial cash transfers to support protection, food security, nutrition and health where markets are functioning and to consider how these interventions can contribute to strengthening national social safety nets.

Furthermore, we reiterate the need for free and unimpeded humanitarian access to affected populations in line with humanitarian principles of neutrality, impartiality and independence. Action must be intensified in order to reach areas in Nigeria as well as in the neighboring countries not yet completely covered and where not only refugees but also IDPs and host community are living in extreme conditions.

In Burundi:
NGOs are concerned with the continuing deterioration of the situation in Burundi and the increasing reports of serious human rights violations. More and more people are being affected by the deteriorating socio-economic situation coupled with the increasing risk of natural disasters. The number of people in need has almost tripled since February 2016. There is also apprehension over the continued shrinking of humanitarian space and the lack of access to people in need.

In the Central African Republic:
An estimated 2.3 million people are in needs of humanitarian assistance and protection in the Central African Republic, which is half of the population. As of October 2016, over 385,000 people are displaced within the country, and another 466,000 have fled to neighbouring countries. Humanitarian funding for the response is insufficient and the funding gap is increasingly concerning in a country where insecurity is high and humanitarian needs are immense. Stories from displaced people living in the capital of Bangui echo these sentiments. They are not yet ready to return home and are still frightened by the security situation.

As returns are not possible, we call on:

- UNHCR to continue to support IDPs and refugees in the CAR and its neighbouring countries.
- States to undertake long-term solutions, such as integration in host communities, access to protection, as well as conflict resolution measures, with support from actors of the international community.

In the Democratic Republic of Congo:
Despite significant investment in peace and stability initiatives, the DRC remains in a protracted crisis where most of the population lives in high insecurity, making it always more vulnerable due to additional crisis caused by internal conflicts, tensions in neighboring countries, epidemics, and natural disasters. Every day, new internal displacements are taking place, reaching a number of 2,000 displacements per day, two thirds of which are women and children. In many cases the level of vulnerability between host communities, IDPs, and returnees is similar. Imposed vulnerability criteria causes conflict between increasingly artificial categories.

NGOs call on UNHCR to

- First, conduct an independent analysis of the protection risks associated with registering Rwandan refugees during ongoing FDLR operations;
Second, advocate and implement activities that increase integration of IDPs in their host communities. Integration, rather than return, remains the most realistic option in a context of cyclical conflict; and

Third, UNHCR and humanitarian actors should ensure better protection to IDPs and take a solutions-oriented approach including multi-year planning for livelihoods and access to education, regional approaches to temporary mobility and strengthening of community-based protection activities.

In Somalia:
The country has just reached a pre-famine stage. Successive failed rains across much of Somalia, together with falling incomes, rising food prices and continuing problems with access as a result of conflict and insecurity, have exhausted the coping strategies of vulnerable families. The number of people facing food insecurity has risen dramatically, and is projected to reach nearly 3 million between now and June. More than half of the country’s population is in need of humanitarian assistance. The UN’s humanitarian coordinator has already received anecdotal evidence of deaths as a result of the drought.

Women and girls are bearing the heaviest burden in terms of childcare, fetching water from increasingly remote locations, and making compromises to access food for their families. Children are particularly vulnerable. 944,450 children under five are acutely malnourished, including 185,120 who are severely malnourished. They are often victims of physical and sexual violence, with boys at risk of recruitment by non-state armed actors, and girls at risk of early, and child marriage.

Adding to the vulnerability is the internal displacement of 1.1 million Somalis in which large-scale forced evictions of internally displaced persons, including by government forces, has continued. Internally Displaced Persons (IDPs) continue to represent a large proportion (60-75%) of Somalia’s total population.

Given the critical situation, we call on UNHCR and States to support IDPs and refugees to ensure that their safety and rights are guaranteed and that humanitarian assistance answers their needs. This must be done through:

1. The cessation of forced evictions by all actors. Combined with food insecurity, it creates an increase of cross-border displacement, as over 100 Somalis are arriving each day in Ethiopia, many of them children, with alarming rates of malnutrition. Ethiopia already hosts some 244,000 registered Somali refugees and is badly affected by the drought itself.

2. The tripartite agreement between UNHCR, Government of Kenya and Government of Somalia must be reviewed in light of the current deterioration of the situation: returns from Kenya toward pre-famine areas of Somalia would be inappropriate. The Tripartite Agreement must be integrated into a new agreement and upheld.

3. Neighbouring countries must establish fair, transparent and effective asylum procedures, to guarantee the access to refugee status for displaced Somali.

4. Access to protection for displaced Somali should be monitored by UNHCR.

5. Regional cooperation must be improved. We call on UNHCR to encourage cooperation and information sharing between Somalia, Ethiopia and Kenya in order to enable a coordinated response to growing cross-border displacement. The latter should be monitored, as emphasized at the Regional Durable Solutions Secretariat.
6. Member States should prioritise funding to meet food security and protection needs, especially for programmes targeting women and children, such as school-feeding programmes in both urban and rural areas.

7. The Comprehensive Refugee Response Framework for Somalia should focus on supporting host communities and refugees’ self-reliance and consider halting the ongoing voluntary repatriation process from Kenya to Somalia.

In South Sudan:
The country is gripped by a largely avoidable humanitarian crisis – brutal conflict, widespread displacement, economic turmoil, resulting in and further intensified by a severe man-made famine. Nearly 1.4 million children are at imminent risk of death from severe acute malnutrition. 7.5 million people in South Sudan are in need of immediate humanitarian assistance. 1.4 million South Sudanese are seeking refuge in the region – nearly twice as many as this time last year. Last month, famine was declared in the north central part of the country, a densely populated area where civilian movement remains severely restricted due to ongoing conflict and humanitarian agencies are struggling to access.

Ongoing conflict and resulting insecurity, poor infrastructure, complicated bureaucracy, and a limited funding environment has made providing the humanitarian assistance necessary to respond to and stem further spread of famine incredibly difficult.

The NGO community calls for:

- An immediate cessation of hostilities, a cessation of violations of international human rights and humanitarian law by all parties to the conflict – including and especially the targeting of civilians, humanitarians, and humanitarian assets– and the free movement of all civilians;
- Urgent, unconditional, and unimpeded humanitarian access to assess and address the needs of people throughout South Sudan;
- Measurable commitments to address ongoing bureaucratic hurdles which have led to unacceptable delays or denials of humanitarian assistance to communities in need;
- Full funding for the Humanitarian Response Plan and rapid translation of all pledges to committed funds; and
- Renewed and sustained engagement by the international community to salvage the Peace Agreement and support comprehensive dialogue, judicial and reconciliation efforts.

Urban Situations in South Africa
The NGO community is concerned about recent proposals and actions taken by the government that significantly alter South Africa’s urban refugee protection framework and reduce the protection space. In terms of legislation, the recent Refugees Amendment Bill proposes a number of restrictions on refugee rights and imposes disproportionate penalties on asylum seekers.

In 2016, the government released a Green Paper on International Migration\(^3\) which contains several encouraging proposals, the NGO community is concerned about the proposed establishment of detention centers along the country’s borders to house asylum seekers.

The NGO community calls upon UNHCR to ensure that the urban refugee protection framework remains intact and to expand the protection space and also encourage UNHCR in South Africa to engage with the Refugees Amendment Bill, particularly around the determination process on the

right to work for asylum seekers and their ability to provide shelter/assistance.

**Statelessness in Africa**
Statelessness remains a significant but poorly documented problem in sub-Saharan Africa.

NGOs are concerned about various problems in law, policy and practice, that cause statelessness and undermine access to rights and development of stateless persons in the region. In particular, NGOs would like to draw attention to gender, racial, religious and ethnic discrimination in nationality laws by many African states, the constant lack of safeguards to ensure nationality to children born on a territory who would otherwise be stateless, the lack of due process and the broad discretion granted to State officials responsible for the issuing of birth certificates and identity cards. Stateless persons can be particularly vulnerable to forced displacement, and refugees sometimes face the risk of statelessness, particularly when in situations of intergenerational displacement.

There are, however, important signs of progress, such as recent developments in the African Human Rights system; the second anniversary of the Abidjan Declaration and the new resolution to end stateless at the SADC Parliamentary Forum last November. This shows that there is political will to eradicate statelessness.

NGOs call upon states to build on this momentum and take decisive action in line with their human rights obligations, UNHCR’s Global Action Plan to End Statelessness by 2024 and the Sustainable Development Agenda, to end statelessness, prevent new cases and protect stateless persons.

**Finally, mister Chair, the NGO community calls for a more comprehensive and predictable approach:**
It is time to analyze and better tackle the prevention-humanitarian-development-peace nexus, in order to better respond to the needs of affected populations. This has to be done through a shift towards multiyear-funding and multi-partner planning, as well as a better use and coordination of current human and material resources from the humanitarian, development, and peace sector, at the local, national, and regional levels.

In this regard, NGOs welcome the Comprehensive Refugee Response Framework and its exercise of identifying gaps and best practices in the humanitarian response towards refugees and host communities. NGOs in Africa are eager to be better engaged with UNHCR and other stakeholders in making the CRRF a reality at the country and situation level.

We thank UNHCR for its efforts to date to reach out to NGOs and encourage continued and intensified engagement, as well as meaningful consultations with them.

Thank you, Chair.

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1 These are: Burundi, Liberia, Mauritania, Sierra Leone, Somalia, Sudan, Swaziland, Togo. In Liberia and Sierra Leone only those of Negro descent can be citizens from birth. Other states that exercise elements of discrimination in nationality legislation are: Malawi, Mali, Ghana, Democratic Republic of Congo, Uganda, Nigeria, Eritrea, and Somalia. For more information see: Manby, Citizenship Law in Africa, A Comparative Study, 2010.
3 See for example, the situation in South Africa, as elaborated in the 2015 Lawyers for Human Rights and Institute on Statelessness and Inclusion’s submission to the Committee on the Rights of the Child, available here: [http://www.institutesi.org/CRC_SouthAfrica_2015.pdf](http://www.institutesi.org/CRC_SouthAfrica_2015.pdf)
4 For instance, protracted refugee situations in the Great Lakes region (e.g. Burundians refugees in Tanzania), and the denial of claims of Ivorian nationality to millions of immigrants and their descendants in Côte d’Ivoire.
5 has developed its positions and guidance on the right to nationality and is in the process of adopting a Protocol on the Right to Nationality in Africa