

African Union, African Regional Bodies

## Resolution on the African Union theme from the year 2019 The Year of Refugees, Returnees and Internally Displaced Persons

Legislation as at 17 May 2019

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African Union

## **Resolution on the African Union theme from the year 2019 The Year of Refugees, Returnees and Internally Displaced Persons**

Published on 17 May 2019

**Commenced**

*[This is the version of this document from 17 May 2019.]*

### **THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP) to ensure the full participation of the people of Africa in the development and economic integration of the continent;

**CONSIDERING** also Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4 (a) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to facilitate the implementation of policies, objectives and programmes of the African Union and to oversee their effective implementation;

**WELCOMING** the theme of the African Union for the year 2019, "*The Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa*", which is a clear commitment to effectively address the issue of refugees, returnees and internally displaced persons in Africa;

**RECALLING** the Final Communiqué from its workshops on the year of Refugees, Returnees and Internally Displaced Persons: Pan-African Parliament's Contribution towards finding durable solutions to forced displacement in Africa held during the March 2019 Committees' in Midrand, South Africa and in Tunis, Tunisia;

**RECALLING** all legal frameworks developed at the regional and international level to address the legal status, rights and obligations of refugees, including the 1951 Refugee Convention, the 1967 Protocol relating to the Status of Refugees, the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969 OAU Refugee Convention); the African Charter on Human and People's Rights, the African Charter on the Rights and Welfare of the Child; the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa; and the Protocol relating to the Establishment of the Peace and Security Council of the African Union;

**NOTING** with concern the lack of a comprehensive and overarching humanitarian policy framework in the continent to address the problems of refugees, returnees and internally displaced persons;

**NOTING FURTHER** that 2019 marks the 50<sup>th</sup> and 10<sup>th</sup> anniversaries of the adoption of the 1969 OAU Refugee Convention and the 2009 African Union Convention for the Protection and Assistance of Internally Displaced in Africa (the Kampala Convention) respectively;

**EXPRESSING DEEP CONCERN** about large-scale and complex displacement, humanitarian crises and risks of statelessness that have affected African states for many years, owing to factors such as conflicts, discrimination, effects of climate change, human rights violations, inter-communal tensions, natural disasters, public health emergencies and socio-economic inequality and exclusion;

**NOTING FURTHER WITH CONCERN** that many situations of displacement have become protracted with no durable solutions in sight;

**REAFFIRMING** the continued importance of the 1969 OAU Refugee Convention, which, anchored in the African culture of hospitality and solidarity, constitute a pan-African solution to the crisis of refugees on the continent and plays a crucial role in contemporary refugee challenges, by supporting the implementation of the Global Compact on Refugees and Migration;

**REITERATING** the central and primary role and responsibility of the State in addressing root causes and finding durable solutions to forced displacement, humanitarian crises and situations of statelessness and recognized that effective responses and solutions depend on a fully capable State, ensuring that people remain at the center of development and humanitarian interventions, in line with the principle of leaving no one behind;

**ACKNOWLEDGING** with pride and satisfaction the solidarity shown by Member States and their citizens towards refugees, internally displaced persons and stateless persons in Africa in the spirit of pan-Africanism and humanitarian solidarity;

**ACKNOWLEDGING FURTHER** the unique role and position of Parliamentarians in the legislative and policy formulation, implementation and oversight for the prevention, effective responses to and/or sustainable solutions to forced displacement in Africa;

**FULLY RECOGNIZING** the importance of international and regional collaboration and cooperation towards finding permanent solutions to forced displacement as to realize the aspirations of Agenda 2063: the Africa We Want and the United Nations Sustainable Development Goals;

**IN ACCORDANCE WITH** Rule 5(b), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

**NOW HEREBY RESOLVES TO:**

1. **SUPPORT** the commitment by the African Union's Assembly of Heads of State and Government, made at its 32<sup>nd</sup> Ordinary Session, to take bold and effective political leadership to resolve conflicts in Africa through policies and strategies that strengthen national systems and structures that prevent conflicts and displacement on the continent;
2. **CALL ON** the National and Regional Parliaments to effectively contribute to the eradication of structural sources and drivers of conflict and forced displacement, including corruption, extreme poverty, gender inequality and other forms of discrimination, human rights violations, low political participation, organized crime, resource mismanagement, rule of law issues and youth unemployment.
3. **ENCOURAGE** Members of Parliament to deploy their law-making and oversight power to monitor State implementation of the 1969 OAU Refugee Convention and the Kampala Convention as well as other relevant international and regional legal and policy frameworks relating to refugees, internally displaced persons and returnees;
4. **ADVOCATE** with National Parliaments for the adoption and/or effective implementation of laws and policies that guarantee and advance human rights, good governance and rule of law, and for the increase of social security budget allocations, which are critical to addressing the needs of refugees, internally displaced persons and returnees;
5. **RENEW ITS COMMITMENT**, in accordance with the decision by the African Union's Assembly of Heads of States and Governments, made at its 32<sup>nd</sup> Ordinary Session, to work closely with the African Union Commission, the Regional Economic Communities, the Member States and other relevant partners, including civil society, to ensure the effective protection of the rights of refugees, internally displaced persons and returnees, particularly to promote effective registration, access to education, healthcare and other basic services for refugee, returnee, internally displaced and stateless women and children in Africa.
6. **CONDEMN** all acts of inhuman treatment of refugees and displaced persons, **CONDUCT** parliamentary fact-finding missions to refugee camps across Africa and **INVESTIGATE** the alleged slavery and trade of migrants in Libya with a view to formulating relevant recommendations to the African Union policy organs, the Member States and other relevant stakeholders;
7. **URGE** African Union Member States to universally ratify, domesticate and implement the African Union instruments relating to refugees, displaced persons and returnees, and to adhere to the Global Pact on Refugees;

8. **PAY TRIBUTE** to all Member States that have been exemplary with regard to good treatment and hospitality granted to asylum-seekers and refugees in the host communities, particularly Algeria, Rwanda and Uganda, and urge other Member States to emulate these good examples.

**Adopted at Midrand, South Africa, on 17 May 2019**