

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

AI Index: AFR 01/005/2008 (Public)

Date: 06 June 2008

### **Internally Displaced Persons in Africa need a strong Convention**

Amnesty International, IDP Action, the International Federation for Human Rights, and Refugees International called on the African Union (AU) to revise and swiftly adopt its draft *Convention for the Prevention of Internal Displacement and the Protection of and Assistance to Internally Displaced Persons in Africa*.

We believe that the adoption of a legally-binding Convention on the issue of internal displacement would send an important signal to the rest of the world about the seriousness with which Africa, home to around half of the global total of internally displaced persons (IDPs), considers the issue. But important changes first need to be made to the draft to ensure that it can become an effective instrument for protecting and assisting IDPs.

Our detailed analysis of the text has been submitted to the Group of Experts who this week met in Addis Ababa, Ethiopia, to review the latest draft of the Convention. Among the most pressing points that we raise are for the AU to:

- Amend references to displacement stemming from 'lack of development', which would blur the conventional boundary – the element of coercion to the act of moving – between IDPs and internal migrants and at a stroke dramatically multiply the number of those considered as IDPs in Africa. Instead, the Convention should narrow the concept of displacement due to 'lack of development' to cases of displacement caused by discriminatory policies which result in violations of the economic and social rights of particular groups or those living in particular geographic areas.
- Strengthen the Convention's line on non-discrimination throughout the draft and through the addition of a clause specifically asserting the basic principle that IDPs "*shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced*".
- Outline in more detail the responsibilities of states for monitoring and ensuring adherence to the Convention. States should provide adequate resources to enable implementation of the Convention at national level and submit public reports to the African Commission on Human and Peoples' Rights on the measures they undertake.

Our organisations consider that, as it stands, there are elements of the draft Convention that are vague or inconsistent with other international human rights standards. A legally-binding framework would make a huge difference to the issue of internal displacement, one of the greatest challenges Africa faces, making it all the more important and urgent that the AU and its members act to make the Convention as strong as possible.

## **Background**

There are approximately 12 million IDPs in Africa, of a global total of around 25 million. Unlike refugees, who fall under the protection of international instruments such as the Organisation of African Unity *Convention Governing the Special Aspects of Refugee Problems in Africa* and the United Nations (UN) Convention relating to the Status of Refugees, and who have a specialist UN agency to assist them, there are no comparable standards or mechanisms to safeguard the rights of IDPs. Their own state is often unable or unwilling to assist and protect them and the international community is often unable or unwilling to intervene.

In 2006, the AU initiated a process to adopt a Convention focused specifically on the rights of IDPs. To date a draft text has been discussed among a Group of Experts, drawn from AU member states and including representatives of various UN agencies. From 2-6 June, the Group of Experts met for the final time to review the draft Convention text. After they have submitted their recommendations to the AU, it will be for member states to consider and approve the Convention at a Special Summit scheduled for later this year.

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Public Document

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