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THE KAMPALA CONVENTION ON INTERNAL DISPLACEMENT IN
AFRICA: A HUMAN RIGHTS MILESTONE

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P R O C E E D I N G S

MS. BRADLEY: Well, good afternoon, everyone, welcome to the Brookings Institution, my name is Megan Bradley, I'm a fellow here with the Brookings-LSE project on internal displacement, and I'd like to thank everyone for joining us for today's events, the Kampala Convention on internal displacement, a human rights milestone.

So, the aim of today's events is to celebrate the landmark achievement of the adoption and entry into four of the Kampala conventions. We'll be examining its implications for the protection of internally displaced persons, or IDPs, in Africa, and also strategies to support the effective implementation of the agreement.

It's a particular pleasure for the Brookings-LSE project to be hosting today's event, because, as many of you all know, we work very closely to support the human rights of IDPs around the world, and in particular, to support the mandate of Dr. Chaloka Beyani, the Special Rapporteur on the Human Rights of Internally Displaced Persons.

One of the main objectives for the mandate and for the work of our project over the upcoming five years is to provide considered support for this agreement, and the possibilities that it holds for IDP protection in Africa. Chaloka

is the Co-Director of our project, so it's always particularly great to have him with us.

In this work, we work very closely with a range of organizations and states, so I would like to say a special welcome to the members of the Diplomatic Corps who are with us here today. The Ambassador of the African Union had actually also hoped to join us for today's event, but unfortunately, was unavailable. But I think that this will be the beginning of a longer conversation here at Brookings on the Kampala Convention, so we'll hope to welcome our AU colleagues for future events.

By a quick word of background, as many of you will know, the Kampala Convention came into force on December 6, 2012, and this is the first regional binding agreement on internally displaced persons in the world, but it does build an important precedence, perhaps foremost among them would be the guiding principles on internal displacement, the key normative standard for IDPs around the world.

Like the guiding principles, the Kampala Convention focuses first and foremost on national responsibility for internal displacement, and it addresses the rights of IDPs at every stage of displacement. In addition to the guiding principles, the Kampala Convention also integrates and builds on insights coming

from important agreements like the Great Lakes Protocol on IDPs in which Chaloka Beyani was also quite extensively involved.

The Kampala Convention also breaks new ground in terms of looking at the responsibilities of states as well as regional organizations, two responding IDPs in Africa, and it strengthens international norms on key issues such as the prohibition on arbitrary displacements, and it strengthens the rights of IDPs and others who are affected by displacement, to a remedy for the harms that they've suffered in association with their displacement.

So this is not only a convention that strengthens the current standards, but also advances the bar in terms of IDP protection on the continent. This is particularly important, as many of you will know, because sub Saharan Africa at the moment is host to one third of the world's internally displaced persons, and I know many of us in the room today are really hoping that this is a convention that is going to make a concrete contribution to improving the rights and wellbeing of these individuals.

Now, making the most of the convention is obviously going to require meeting several challenges, and first and foremost, perhaps, amongst those is addressing issues of ratification. At the moment, there are 16 states that have signed and ratified the agreement, and among those are several states that

do have large IDP populations, such as Malawi, Chad, and the Central African Republic.

But many of you will also know that there are many countries with large IDP populations such as the DRC in Cote d'Ivoire that have signed the agreement but not yet ratified. And there are several other countries such as Sudan, South Sudan, and Kenya that have very large IDP populations but have not yet signed or ratified the agreement. So part of today's discussion will look at how key actors such as the United States can encourage more states in Africa to sign and ratify the agreement.

But in addition to this challenge, we, of course, have to face the question of the effective implementation of the agreements. This entails the development of national laws and policies on internal displacement, as is required in the convention itself. And fundamentally, of course, this is not just a humanitarian question or human rights question, but also it's fundamentally a matter of development, it's about good governance and how do we strengthen the rule of law in many of the states that are facing these challenges across the African continent.

So, to address these issues, we are very glad to have with us three leading panelists today; first, Dr. Chaloka Beyani, the UN Special Rapporteur

on the Human Rights of IDPs, and Co-Director of the Brookings-LSE project on Internal Displacement, he'll be sharing with us some of his thoughts as Special Rapporteur on the human rights of IDPs, and is one of the lead drafters of the Kampala Convention.

After we hear from Chaloka, we'll have comments from Niels Harild, on my right. Niels is the lead Social Development Specialist focusing on displacement issues with the World Bank, and he'll be sharing some of his reflections on the development implications of the convention. And then, last, on my far left, we'll turn to Andrea Lari, who is the Director of Programs at Refugees International, he'll be reflecting on some of the advocacy questions that the convention raises, addressing issues including how to engage the United States in supporting the convention, and how to bring more countries on board as signatories, and countries that have ratified the agreement.

So I'll ask each of our speakers to offer us their reflections for about ten minutes, and then we'll open it up to questions and comments from the floor. So thank you in advance to our speakers, and we look forward to your thoughts.

DR. BEYANI: Thank you very much, Megan, for your kind introduction, and I'm very delighted to be at Brookings, here, especially as Co-

Director of the Project on Internal Displacement with Elizabeth Ferris somewhere in the audience. So Brookings has become very much part of my stomping ground, as well.

I'll try and give a sense of the background to the convention, its framework, the nature of the obligations without being legalistic, looking at implementation, as well, and the framework for the compliant managed frame, compliance with the convention. It's the first ever regional instrument that's binding, as Megan has stated on the issue of IDPs, but it actually started with a very intense discussion within the African Union of the fact that Africa hosted more than 16 million IDPs.

Others said that Africa did have a legal framework specifically for dealing with refugees, but not with IDPs. So there's this imbalance that African states gradually, with the success of the project on displacement and recognition acceptance of the guiding principles on internal displacement, and the Great Lakes Protocol, came to the conclusion that it was necessary to elaborate a legal framework on IDPs in Africa, and that decision 12-95, 2004 remains historical for those reasons.

And as Megan has mentioned, the convention entered in force on 6 December 2012, after Swaziland also has a mark of its own history, deposited

the 15 instruments of ratification. A great deal of advocacy around the friends of the Kampala Convention in which the project was involved mandate UN 8 CR and other agencies, clearly created the momentum for ratification in a very strategic way, so that, as far as African conventions go, it's actually rare to have an instrument that was adopted in 2009 and entering force in 2012, three years after it being adopted.

The path of negotiation and adoption of the convention was not easy, there were times when you thought, well, this is it, it has actually collapsed because of different interests, and I think it was with a great sigh of collective relief when the heads of states in Kampala adopted the convention after much debate between themselves, which was also unusual, because the heads of state usually simply agree after the minister have adopted an instrument.

But this made history in the sense that the debate went right from the experts to the ministers and right up to the heads of states before it was adopted. As to the framework of the convention, it was negotiated with a view to achieving a common consensus on its framework to achieve a common understanding on the issue of displacement, and of the word in which the framework should respond to the problem of displacement in Africa.

The major question that the participants asked themselves was, how should, in 50 years' time, Africa deal with the problem of IDPs. That was one positive question. The response to that question by others, who were detractors, was, well, what if, in 50 years' time, there are no more IDPs in Africa. So you had those currents all the time underlying the debate forwards and backwards until we made progress.

It starts with a preamble which has quite a good number of paragraphs, but the importance of that is actually underlies the framework of the convention, it recognized the phenomenon of displacement in terms of magnitude, it laid out the vision of the African Union to deal with displacement, indicated the founding legal principals, including the guiding principles, and finally balanced state sovereignty with protecting IDPs.

And for those reasons, the first experts' meeting only considered three paragraphs of the preamble in a whole week's meeting, and ended there, the discussion never went forward. So further meetings had to be held to actually look at further substance.

In terms of the obligations, the obligations are fairly unique in the sense that they relate to states, they relate to non state actors, they relate to the African Union, they also relate to international organizations. Rare will you find a

treaty that encompasses obligations of that kind. Most treaties will have obligations related to states, because states are the states party. But this broke ground by looking at the role of non state actors because they are fairly active agents in the process of displacement.

It also broke ground in the sense that it reached out to armed groups, as the groups that are mostly actively involved in displacements, and the tension there ran throughout the negotiation history. On the one hand, the states with displaced populations recognized the role and the damage done by armed groups. Those who had not experienced displacements said, well, but we're legitimizing armed groups in the convention of a convention that is dealing with obligations of state, and we don't want these obligations.

And that argument reached all the way to the summit when President Mugabe, as I stated before, simply raised the question are we legitimizing armed groups? And he was answered very effectively by the DRC, the Central African Republic, and others who say this is where the problem lies, and unless we deal with groups, we're skating around the surface.

The issue then became fine, we're not going to legitimize them, but we are going to find language which says that the inclusion of armed groups is without prejudice in interstate sovereignty and other obligations and international

law. The objectives are what underpin the entire convention, the fabric of the convention, and its roll out would be understood by looking at the objectives to try and prevent conditions contributing to displacement, providing protection and assistance during displacement, and in all phases of displacement.

So the convention was actually drafted as an ABC of how you protect IDPs in the field, it was not drafted for lawyers, it was drafted with a view to say if X is in a camp or a location, and IDPs have just been displaced, which aspect of this convention will guide them; all IDPs have now reached their places of displacements where they are, what are their needs, what do we do with those; or it's time to apply durable solutions, which does the person in the field do in relation to durable solutions. So it's a cycle around which all the phases of displacement are captured in that way, so that it's user friendly and it also corresponds to what is needed in the convention.

There are certain themes that run throughout the convention which are important to appreciate, the first of which is ownership of the convention and responsibility for its implementation by African states themselves, and to take responsibility for the issue of displacement, and the conference is evidence of that ownership. The partnership between the African Union and its member states and international organizations and civil society, international organizations actively

participated in drafting this convention, and the decision by the African Union to draft the convention also recognized that there's a partnership between Africa and the international community.

And for that reason, there are obligations that reach out to international organizations, irrespective of the mandates. And, here, again, the issues were these organizations have got their own mandate, and they assume additional obligations under this convention, and how to recognize that. The reconciliation was that the obligations would be exercised in accordance with the mandates of those international organizations, but there have to be cohesive framework within which the organizations engage with African states and the African Union Civil Society on the basis of partnership. So partnership runs through, not just in terms of the formulation, but also in terms of the implementation of the convention.

Comprehensiveness, not just addressing all phases of displacement, but the convention clearly applies to any type of displacement, irrespective of cause, so we have a definition of an IDP and the guiding principles, but also a clear statement that you apply to any form of displacement, and very explicitly refers to natural disasters, as well as climate change.

It also is the basis for looking at peace agreements that relates to durable solutions, especially in the context of conflict and use displacement. It states quite clearly that its provision shall be included in the framework of peace agreements because of its importance in addressing IDP issues. It does reach to development and use displacement, and they are requiring, clearly, the needs to identify a physical alternative forms of location, preventing use displacement in the first place, and really, that there is an alternative, and the obligation to carry out environmental risk assessment in any case where development projects are going to be embarked upon in the context.

This was a problematic matter, because some states didn't actually want any development induced displacements to enter the convention at all, and objected on that ground. Others were persuaded by the argument that, well, this is the rubric, if you're going to engage with development actors that fund development projects that might lead to displacement of populations, then Africa will say, well, this is our framework for dealing with this, and would be bound by this framework, and that argument seemed to have prevailed in relation to others.

There is a very strong theme about conversation and reparation, but in addition to durable solutions, it has to be recognized that IDPs are persons whose rights have been violated. And conversation, of course, addresses

narrowly the damage that has been done, where as reparation attempts to repair the damage and retribute the situation that would have existed before, and both of those were delicately negotiated and finally found their way.

And reparation apply clearly in situations where, in the context of natural disasters, for example, a state neglects to extend protection to the victims of natural disasters as displaced persons. That was negotiated and put in the conference after the events in Myanmar, where, in the after math of an earthquake, the government actually refused to grant access to humanitarian organizations to one part of the country, which was seen as politically discouraged obedient.

And there, it was thought that those kind of situations must be addressed fully within the convention, so it was also informed by developments not just happening in Africa, but developments that had happened elsewhere. Then, no implementation, it caused clearly for the national legal policy frameworks to be formulated in order to domesticate the conference at a national level. The African Union has prepared another law on this issue, but there is this one issue of compliance with obligations in the light of not just the objective framework, categories involved, it's very strong in identifying protection for women, children,

and the elderly, and persons with disabilities. That, again, is an important aspect of the convention.

Finally, a note on the issue of compliance and monitoring, which exercise the minds of the drafters in the states matters, but the convention should not be open ended in terms of simply laying obligations and assuming that states will automatically comply with those obligations. So the first thing was to make this a some participation process to have a conference of states parties to monitor and review the implementation of the convention in the light of these objectives every so often, but the understanding was that this meeting will take place every five years.

Five years was not spelled in the conference because it was felt that it would introduce a rigidity. Nonetheless, affairs for review was every five years, as agreed. It also integrates the monitoring function of the African Commission on Human and People's Rights so that, when the Commission examines state's reports, it also uses the framework as the basis for examining those reports in relation to IDPs.

It incorporates the African peer review mechanism under the method framework in relation to which every African state is peer reviewed every two or three years, much the same way as the Human Rights Counsel invokes the

investor or peer reviewed mechanism, and this was incorporated so that both of those aspects would be used to review implementation.

IDPs have the rights to file complaints to the African Commission on Human and People's Rights, as well as the African Code on Human Rights, which still is an aspect about compliance in relation to the convention.

Finally, one of the challenges, understanding the convention itself is a challenge. It looks very lean, very thin, but it carries a great deal of underlying detail, both in terms of law, policy, framework and its relation to the guiding principles in the context of protection. And for this reason, the Brookings-LSE project is preparing a commentary or a notation to the convention to make them public and to make the convention more understood in that context.

It's also important to benchmark implementation, i.e., what are the benchmarks of implementing the convention. And this is also part of the process and part of the discussions that are going on to establish indicators of the requirements for implementation. And I also see the final challenge as oppressionalization of the convention following implementation.

You can have a narrow legal aspect of implementation which actually hits all the right buttons, you have domestication, which reflects the convention, the benchmark, but this is an instrument that is intended and was

designed to be of personal and to be oppressionalized field where it really matters. And there, the issue of implementation in actual situations of IDPs is to a longstanding challenge and goal to be reached.

Thank you very much.

MS. BRADLEY: Thank you very much, Chaloka. For those who are also interested in the challenge that Chaloka flagged of understanding the convention itself might also note that there are several shorter resources that are available on the website of the Brookings-LSE project on internal displacement, in addition to the commentary that Chaloka mentioned is being under preparation. I believe that some copies of those resources are also available on the table on your way out, so please to pick those up if you haven't already.

And, without further ado, I'll turn it over to Niels.

MR. HARILD: Thank you, Megan. I'm always nervous when somebody was something like that to me. Elizabeth, can you hear me down there? Too much or too little? Okay, good.

Now, as Megan mentioned when she introduced us here, I work at the World Bank, and I lead a program called the Global Program on Forced Displacement in the Bank.

And I think I will now, when both Megan and Chaloka explained to you everything about the Kampala Convention, I don't want to do that. I maybe want to talk a little bit about that program we do at the Bank and how that then relates to the Kampala Convention, because some of you may think, well, how on earth does that happen, conventions are done by convention people, and they do things and they are difficult to understand, as Chaloka said, and what does that have to do with development.

I'll spend a little time here in the graveyard session after lunch to keep us, hopefully, from falling asleep by saying a few words about the rationale for why we have this program in the Bank. I think it's important for us to remind ourselves about the scope of forced displacement due to conflict, war, persecution and all that.

I'm not talking about forced displacement about development projects, that's something entirely different, I'm not going to address that. We have the number of 43 million is often referred where most of them are IDPs and the rest are refugees. I normally add another 20 million, because of those displaced refugees or IDPs that have supposedly found solutions over the last 10, 15, 20 years and have not found solutions. Some of them have, but most of them haven't, actually.

It's not more than half a year or a year ago that we assessed that the vast majority of the refugees that have returned to Afghanistan in the last ten years, which is several million, have not found solutions, for they're off everybody's books. So there's an issue, here. So that also means if we talk about forced displacement globally, we are close to one percent of the world's population, if you had another 20 million on top of the 43 that we normally refer to.

So, it's also important to remember that most displacement today, refugee or IDP related, is protracted. And if you look at it, when displacement is protracted, the needs and the concerns and the issues are more developmental than humanitarian, if you take them one by one. Nevertheless, it still seems to stay in the humanitarian box by those that deal with the humanitarian work, and also those that think about it from policy concerns, and so on.

So the impact of displacement also has development impacts. You know, that can be negative impact on human and social capital, economic growth, poverty reduction, negative impacts on achievement of MBGs and whatever comes off of that, and environmental degradation and all that. These are all developmental negative impacts.

Sometimes these can be maybe made less negative or even in some cases be made positive if displaced people are allowed to move and be self-

reliant and supported to live with them more proactively in host communities where they are displaced. That's all of the impact side.

The development challenge, per se, starts already during displacement, where if development actors get it right and policymakers get it right, then you can work on strengthening the capacity of hosting communities so that they are better able to look after displaced, you can support higher level of self-reliance of displaced, you can maybe seek more support programs that provide interaction between displaced and locals. All this to avoid camps, which has a kilometer long list of negative implications that I don't even want to start mentioning.

I agree that often sometimes there's no option, you have to have camps, but sometimes it becomes the default reaction for decades. Camps should, as far as possible, be a short term option. And then, when solutions come about, traditional solutions, either return or local integration where you are discouraged based or in some third country, then the full fledged pillars, as we define it.

We have four pillars we talk about where development needs to kick in, and that has to do with reestablishment of housing, productive capacity, it has to do with restitution or reestablishment of livelihoods, it has to do with

regaining access to services or equal access to services, or access to equal services, depending on how you look at it, and lastly, it also has to do with accountable governance, often at the local level; how displaced people, when they are returned, or find solutions where they are included, or what voice do they have in decision making, and all that.

So you may be wondering why I'm sitting here and working in the World Bank and saying all these things, whether you agree with them or not. But I think the Bank has actually done more about this than many other development actors has. It hasn't, by far done enough, in my opinion. But then three years ago, when I got the opportunity to start this program, we took stock of what the bank had done up until then, which was not that insignificant, actually, it just has been done on an ad hoc basis and not in any systematic way.

So we established this program that I now lead, which is now an eight year program three and a half years down the line, that would seek to improve the way the Bank would deal with forced displacement, and also serve to give good ideas to other development actors, bilateral development actors, U.S. Aid, and others, as well as UN Agencies in Angels. So the program is not operational in itself, but it supports in three different ways operations in the Bank, it

can either support certain themes or Bank themes that are designing operations, or we can perform analytical work that supports operations.

And right from the beginning, we have had a very strong partnership approach dealing with bilateral UN Agencies in Angels as we have moved along. In terms of examples of analytical work, global analytical work, we have recently concluded or finalized a methodology for how to measure impact of displacement, which has sort of never really been done in terms of both social, economic and fiscal.

We are also about to finalize an assessment tool on how to better create, recreate livelihoods for displaced people, either temporarily displacement or completely when you find a solution. In terms of operations, we have supported recently a large operation on housing and livelihood in Azerbaijan, for instance, where some of you may know there are a large number of IDPs. We have been working closely with the Bank in south Sudan to design a local government service delivery program. That, amongst other things, is supposed to take care of an inclusive approach to integration of returnees, and so on.

We have worked with (inaudible) and that was involving both UN and a number of bilaterals, as well, in both consultations and design phase. And in eastern Sudan, we've been working with the government UNCR and UNP, and a

couple of bilaterals for a couple of years to design an area based development program that's supposed to improve socio economic livelihoods of nationals, IDPs and refugees in order to try and see as humanitarian for UNCR for 40 years or more now, I think, has provided humanitarian type assistance with a little bit of self-reliance. But, obviously, not getting out of that box doing so.

This is in its early stages, it is not easy, but it's a very interesting example of what we do. We also, for a number of years, worked with the Columbian government on protection of patrimonial assets which laid the ground work for designing of the Victim's Law, which the government now is in the process of implementing, and we are working with the government to help them implement that.

I think, in addition to the Kampala Convention, I think the Victim's Law in Columbia is equally important when it comes to policies and examples of how to deal well with displacements issues.

In the program, we have, this is just a few examples, we have a small team so there is a limit to what we can do, but we work maybe with 20 or 25 different country situations where we work with bilaterals and the UN agencies that are interested in this part, and Bank country themes. And I forgot to mention the most important thing, because that's why I came here, or was invited to come here.

And that is supposed to be the link between what I do here in that program and the Kampala Convention.

And in terms of global analytical work, we actually did a piece on the development perspectives of the Kampala Convention, and the idea to this came, I'm not sure, but I think it was on Dar Hanson's boat in Oslo, his Polar ship where Walter Kelly and Chaloka and myself were discussing life and the Kampala Convention, and we saw an opportunity here, with the Kampala Convention, to also bring in the development aspects that are so obvious.

And try to avoid a convention of this nature would not be treated as a legal issue dealt with by legal people and humanitarian people, because, intuitively, people would think that somebody about IDPs, that's where it belongs, and that's fine, and everybody else would go about their business as usual. So we talked about this, and then we started through the program that I have with some funding we got from the Nordic Trust Fund on Human Rights that exists in the Bank to do this book, which you can access on the net. Walter Kelly was the main drafter of that, the Opportunity For Development Actors, the Kampala Convention and Opportunities For Development Actors, it's called.

And you can see it on the forced displacement website in the back, you can also maybe get it on the IDMC's website, I think. And we also did

two things, we started, we developed that piece of analytical work, because development people, they need to have a piece of analytical work before they do anything. And so we knew that was important. But we also contacted AU and IDMC who were sort of working on promulgating and making sure that all the numbers that Megan mentioned actually came about.

And 12 months ago, we weren't at all that sure it would reach as far as we are today. So when the AU was drafting the model law that Chaloka was referring to and going back to the Dar Hanson's ship discussion that Walter, Chaloka and me had, we then contacted the AU and suggested that we could help them by inviting some development people from various countries in Africa to be part of the expert meeting that would meet in Mombasa, as the case was, I think it was in June last year, to finalize this model law that the AU would throw out for governments that has ratified the convention for them to use when they put things into motion in their respective countries.

And that actually worked quite well in the sense that it did break the ice between the type of people that normally does that type of thing, legal instruments and convention work, and development people. So that was a little bit of an example of why the hell did this guy put the World Bank here when they talk about a convention. So that connect was made there.

We also followed up with supporting a workshop organized by IDMC in Entebbe, close to Kampala. And since it was Entebbe, it was for Ugandan government and society in Uganda and other people in Uganda/Sinai to discuss how do we then, as a nation, Uganda, apply an operation, as Chaloka mentioned, as one of the challenges the convention in Kampala, in Uganda.

Because Uganda has a lot of experience with both refugees and IDPs, and they were building on that. There was a two day workshop that actually was seen as a first step in the Uganda process led by the Ugandan government itself to make sure that the action plan that they put into place, made sure that all aspects, all bases are covered in the way they were implemented, including the development aspects, which we through the model law, which the action plan is based on, had made sure it's included there.

So we managed to get the development language and thinking and philosophy into this, and also an understanding amongst the Ugandans that dealt with this, that it's not only for us to sign up to this, and then it's just a matter of more blue plastic sheets and then hope for the best, it's also about including displacement issues and the issues that are outlined in the convention in national development plans, without which, of course, you cannot have any development operations.

So the first steps were taken to that. I'm not saying this is easy, because development plans have a tendency to take a long time to be developed. But the first steps were taken, and the right things were said by the right people in the same room, as opposed to that not having happened. That's an important thing to note, I think.

So, I mean, I should stop rambling now, also, I can feel. But if there's anything I would conclude with, I think it is about responsibility, as was also mentioned earlier, and recognition. Government must recognize their responsibility and recognize that displacement is not only a humanitarian issue and a rights issue, it's also a development issue, and it should go into a national development plan.

Thank you.

MS. BRADLEY: Thank you very much, Niels. And without further ado, I'll pass the floor over to Andrea.

MR. LARI: Thank you very much Megan, thank you for inviting me to share a few ideas with all of you, and I'll try to make my remarks short.

First of all, we have been working on maintaining displacement occurrences in Africa for many years, and over the years, we have expended our attention in terms of advocacy from working on the international framework and

structure whenever a government is incapable or unwilling to intervene and protect its own people, to do so.

We have been working on that particular axis, but the last two or three years, and being in the Kampala Convention, we got ready to move further, deeper into the process. We have tried to understand how we can help as an advocacy western based organization to push for partnership, making an effective partnership, and also having a partnership in the operationalization of the convention.

I think these are the two concepts that I really take from Chaloka's representation, and I'd like to keep two words always in mind throughout my points. I've left a few reports from our organization on the counter outside that I think exemplifies our focus on displacement situations. So, please, you are welcome to pick them up.

The Kampala Convention does recognize strongly throughout its own structure a critical role the civil organizations, and communities that are actually welcoming displaced in assisting and protecting the very same displaced people. I think that partnership is a cornerstone partnership that we need to think, to keep in mind when we look at the implementation of the convention.

But we also need to be a bit honest and realistic. An effective partnership can only happen if the parties in the partnership have, not equal capacity, but sufficient capacity to be able to engage on a meaningful level. We have major institutions, the World Bank with significant resource, governments with significant resources, the monopoly of security and the usual force whenever they like or they don't like.

So I would like to bring here another component of this partnership of a civil society, and I think it's extremely important to make sure that we, as foreigner, we as an institution coming from abroad, would look at this particular group as an important actor that would enable the implementation of the convention. And I will focus on two points only at the national country level.

The first point is, and I think that we should find ways to support the strengthening of civil society, and when I say civil society, it's an all encompassing number of groups, it's communities, it's churches, it's also organization representing the displaced themselves. I mean, I really like to stress over and over the need of having the very same displaced people, and particularly the most frequent context of displacement, being able and capable to advocate for themselves, and negotiating with the same authority, which should provide them with assistance and protection.

And then I would say that supporting these different organizations would actually lead from an accountability from below. So we are talking about how can we support governments to sign and ratify and move into domestic litigation, and finally, operationalize legislation from the top down. I would bring the other side, how can we support citizens in countries affected by forced displacement, require their own government to do this process, to engage in this process.

And then I think, as I said, we need to work with the civil society, and we can use different tools. I mean, I recall during the period of spreading and sharing the concept UN guiding principle for displacement, there were a lot of events done in Africa where organization and international law could be working together, try to make awareness in the countries about what would the UN guiding principle think.

We should start thinking of a similar process with the Kampala Convention, kind of a holistic approach. And perhaps we can start, and, again, I'm going to throw out some points that will probably spark some questions afterwards, start with a practical suggestion. We could start with some specific countries. I mean, again, the convention is very wide, it is all encompassing, comprehensive, it's huge, it's very demanding, it requires a lot of resources to implement.

Why can't we try to help and start with those countries that have both signed and ratified, Malawi is one case, although there is not a great degree of stability right now, there are other priorities. Why don't we think about starting with one, two, three countries in Africa that have signed and ratified or are about to ratify to start working with these, strengthening and supporting local groups and organizations. We could then provide resources that could be useful for donor organization, governments, World Bank, we could provide resources for local human rights organizations.

We have different human rights organizations very active in Africa that perhaps do not look at internal displacement issues as a human rights issue, or perhaps they do. Oftentimes, they look at the human rights issues that are not perceived through the lenses of humanitarian needs, and I have oftentimes heard that humanitarian needs of IDPs in a given country is a business of the humanitarian organization, it's the UN, UNCR, there's OCHA, it's not business or local people, national organization.

Well, this is, I think, a mentality that should be challenged big time, and we could start with these. Human rights organizations are very active, they have networks, they have church groups that are very efficient and have effective networks country wide in these countries. And in some cases, we can start with

the human rights commission in some countries, and I guess Chaloka can refer some of those countries are very effective, and they push respect and protection of specific rights of the population, and I think we should challenge them to pick up issues of internal displacement.

And, finally, I would say that we should dedicate resources and attention, especially in protected displaced situations, to support the leadership of IDPs themselves, of communities, and host communities that are bearing the burden of protection and assistance well beyond anything we can think.

We normally, and I say we as an external institution, international humanitarian organization, UN agency, multilateral agency, we always think that we are doing essentially important work. Yes, it is important, but the scope and the magnitude and the protection and assistance to the very same people who are welcoming IDPs, provides is beyond our own understanding. I mean, this I have seen over and over in different trips I did in Africa.

And let me bring just one example that brings me back 20 years almost, when I worked in Angola during one of the humanitarian crises there, where a combination of a religious group called Justice of Peace Commission, that was then renamed Justice of Peace and Formation Commission. The human rights unit within the united nation mission in Angola, so UN, and organization

providing humanitarian assistance to IDPs, and leadership of internal displaced groups.

We all worked together and we organized a couple of these meetings. So the first day was, let's work together and understand, really, what the IDPs need, what the local community needs in helping IDPs. And the following day, the international, as good officers, diplomatic people were invited, central government and local government officials, and facilitated dialogue between those in need of assistance and protection.

Those leadership that should provide some protection, and I think that this could be an example, it could become a mechanism, an example that could be used with the Kampala Convention, and perhaps supporting this kind of gathering. Because it is an effort that has to happen from the bottom up and from the top down, not just one sense.

I think, finally, I just want to say that, again, I repeat, on Malawi, that could be an interesting exercise, because, first of all, because of the wars in Malawi very recently. I was very surprised by some of the positive elements that I found in many of the households and in many of the communities were hosting the majority of displaced in the south of Malawi, and I found a lot dedication and commitment from local technical level government officials.

One of our recommendations is also to have a future (inaudible) visiting Malawi as soon as possible. And I think it's one of the countries that have signed and ratified. It's a complex situation, and I do understand that there are different dynamics happening, but I think it is a great opportunity. So, as a final word, and I would be happy to throw some ideas about how the UN, in particular, can help in this process of, I think, making a partnership effective and supporting this sector of the partnership convention, and helping the operational of the convention at the ground level, the level of those that are facing the displacement, those that are helping them in the first place.

Thank you very much.

MS. BRADLEY: Great, thank you very much, Andrea, and to all three of our speakers. I'll now open the floor to questions that you might have. If you could raise your hand and we have a microphone that will be brought by.

MS. KNUTSON: Thank you very much. I have a question, kind of a complex question about looking for strategies for resettling IDPs, and also kind of connected to that, strategies for getting countries that might not have already signed to sign.

As you mentioned, Kenya hasn't signed or ratified, but they have a very active domestic debate on the question of IDPs, and I think one of the things

that's preventing civil society in Kenya from pushing harder to get Kenya to sign is that, at least in Kenyan media, you don't see clear answers or a unified coherent idea of what should be done about the IDPs.

So you've seen a lot of confusion, the government offering IDPs money, but that doesn't work very well, or resettling IDPs, but then sometimes the IDPs don't want to go to the land that they're being offered, or some voices in civil society saying don't resettle the IDPs, because we should have the government protecting their title deeds and protect them going back to the places that they left.

So you don't see a consensus, a public consensus on what the government should do, and therefore, it's hard to kind of rally behind an effort to get the government to do that. So perhaps that's something that the AU could do, or the civil society could do is to develop these tools, kind of expectations of what the government needs to do.

Do they need to give IDPs a choice of either going back and being protected or being resettled. And if they're going to be resettled, what should they be able to expect. Thank you.

MS. BRADLEY: Thank you very much. And if I could ask each speaker to identify themselves and the organization that they're coming from, as well, that would be great.

MS. KNUTSON: My name is Debra Knutson, and I just recently worked for the Kenyan government

MS. BRADLEY: Thank you. Chaloka, do you want to start off in answering that question?

MR. BEYANI: Yes, thanks very much. Fortunately, I spent about two years in Kenya working on their constitution, and one of my missions was also to Kenya at the very beginning, so this situation that you are addressing is somewhat familiar.

In the sense of why Kenya hasn't ratified the AU convention, it's because of the fact that their new constitution automatically applies as part of Kenyan law all treaties ratified by the government of Kenya. Now, that was intended to address the problem whereby treaties were being ratified but not being implemented. So all preexisting treaties, by virtue of the constitution became applicable law.

With regard to the African Union Convention, they intend to sign the treaty, but they say they'll wait until, because of the nature of the constitution provisions, they are going to pass a law which elaborates the process by which treaties are ratified, so that they become part of Kenyan law. And I think they are actually sincere about that.

But they ratified the Great Lakes Protocol on the basis of which, as you know, last year, legislation on IDPs was actually adopted and signed by the president in law, making Kenya one of the very few countries in Africa with a comprehensive piece of legislation, and my mandate was involved with the draft of that piece of legislation are somewhere in this room.

So to get to that, we had to work with UNCR, we had to work with the ministries, we had to work with the refugee consult of Kenya, as the umbrella for civil society groups, we also had to work with the National Human Rights Commission and the protection working group, which is fairly well integrated between government, civil society.

So they were fully engaged all the time to make sure that this legislation comes about, and that the policy also comes about. So the legislation itself, insofar as it applies to Great Lakes Protocol, which is, to some extent, similar to the African Union Convention, from the point of view of the guiding principles, would achieve this on paper.

But I think that they are minded to ratify the convention as soon as they've passed their law which governs the way in which treaties under the new constitution would be ratified.

In terms of IDPs and the media and strategies for resettling IDPs, I think the coverage by the media of IDPs in Kenya is actually a good thing, because whichever voice comes up, in some places you find IDPs are not altogether. But the media coverage depends very much on which aspect of the political pendulum is swinging.

As you are aware, the issue of IDPs in Kenya is highly political, it has followed a cycle of each election from the early 1990 to 1996 and 2007, and I think it's quite a good thing that at least the selection has not produced any more IDPs, even if reports of displacements in some places around Nakuru, for example, where we had gone to.

But the dynamics of resettlement there are simply about the political forces. First of all the, at the level of the government, there is not much consultation with IDPs in terms of what solution is appropriate for IDPs. Did they want to remain where they were or did they want to go back? We met many IDPs who said, look, if I had some kind of compensation package, I would set myself anywhere, I don't need a piece of land, to go back to someplace.

And then the policy of buying land without consulting both the IDPs and the local communities when in trouble, because the receiving communities sometimes objected and said, look, we don't want IDPs here. No

public awareness had taken place. But after some of these issues we addressed, and awareness, I think was an important thing on the part of the Kenyan government.

They actually began to resettle IDPs on the basis of consulting them and addressing populations and communities to where they were going. Now, what has happened after the election is that the local political leadership has changed in some of those places, and reason why the political leaders are so concerned is that bringing in IDPs in a resettlement program changes the dynamics of the population in terms of what for whom, at what point in time.

So some of those departed political leaders like MPs that accept that resettlement is a policy, the new ones are questioning that and that has anxiety again on the part of IDPs, and some of those who were set to be resettled, the government program has stopped.

And then you also have instances where the whole process was kind of fumbled in relation to the evictees, who were set to be resettled, but were not resettled, and have now taken advantage in the change of governmental, at least to go back to the forest. And that's a challenge, is the government going to evict them from the forest again?

But we hope that the new legislation and the policy framework that has gone with it will provide a cohesive framework which will engage all organs of the Kenyan government, at least to act in one direction, and also to apply the well known principles in the context of durable solutions. And hopefully, by the time they implement the African Union Convention, I don't think that there will be much acting that they've have to do in terms of the legislation that they already have.

MS. BRADLEY: Thank you very much Chaloka. Other questions from the audience?

MR. MOORE: Thank you. I'm Michael Moore, I'm with Land Mines in Africa.

Within the lens of mine action, persons who are displaced are at a high risk of land mine and UXO injures as they pass through mine fields, or return to homes that are now within mine fields. Article 11 of the convention, speaking about implementation, provides for safety upon return. I'd like to know more about how that article may be implemented, and not just within the context of mine action. Thank you.

MS. BRADLEY: Thank you. Any other questions? Towards the back on the right hand side, the woman yes, thank you. There's a microphone right behind you.

MS. SHENTIMAN: Hi, I'm Jill Shentiman, I'm the consultant on extractive industries and a senior scholar at the Wilson Center. So I was interested to hear that this applies to development-induced displacement and it encompasses all actors. So I guess my question is, would you make any comment on the implications for private sector companies, for example, that tend to be, that have projects that can involve what we call involuntary resettlement. So, you know, mines, hydro-projects, dams, large plantations.

So, what, if any, are the implications for companies?

MS. BRADLEY: Thank you very much. And as moderator, I'd like to introduce an additional question into the mix, and this is around the implications of the Kampala Convention for other regions that are interested in addressing interim displacement, whether through regional organizations or other means. In what sense might the Kampala Convention provide a useful example for other regions of the world?

So we'll start with Niels then we'll head down the panel.

MR. HARILD: Yes. I don't have much to add to this, because as I said earlier, my area or niche of work in the Bank has to do with displacement due to conflict and persecution and so on, and not development induced displacement.

The Bank, of course, has a whole set of different types of safeguards that apply to that, and if programs are done through the Bank, these things apply. And I think I'll leave it at that, because I'm not going to sit here and pretend that I know so much about it, so sometimes it's better to shut up. So I'll do that.

MS. BRADLEY: Fair enough.

MR. BEYANI: I actually didn't hear the first question, where it related to article 11 on the convention.

MS. BRADLEY: The first question pertained, if I understood correctly, to issues around land mines and safe return to communities that have been affected by land mines.

MR. BEYANI: That's fine, thank you. Thank you very much for the question. In the context of safe return and land mines, Article 11 makes the framework for durable solutions in the context of safe return, quite obviously. And their reference to sustainable return, that return is sustainable. So the requirement is that if there are actually land mines, then, obviously, return may not be sustainable until the land mines have been cleared.

And there the idea of partnership behind the convention is that those organizations that are expertise on land mine clearing, which you find in

places like Sudan previously, Angola, and Mozambique, I think have effectively walked in those areas, would then come to a system in a particular country where return is actually sort of prohibited or constrained by land mines.

That's a huge issue. And, of course, you still have the framework of the land mines convention, which might apply in that context. But the practice is fairly well established. But what Article 11 would require is the measure of sustainable, and whether that return is sustainable, if it isn't, then obviously, that solution would not apply, and you'd have to look at a balance between either local integration or resettlement, or indeed, being in places where IDPs are displaced for the time being.

There is then the question about development induced displacement private actors. We have tried, just as the Great Lakes Protocol does in the framework of this convention to have a definition of IDPs that also includes displacement by projects. But it was felt that, in keeping with the faith of the guiding principles, we should retain one definition. But, however, make sure that there's actually scope for including the activities of private companies.

So when you look to Article 1, which defines the terms of convention, there's a definition of non state actors. Now, non state actors are distinct from armed groups that are dissident forces in relation to the state. That

distinction is quite clear. So non state actors would include private companies, it's clear from the scope of Article 1, if I may, it just gives you an indication of that.

And non state actors means private actors who are not public officials of the state including other arms groups not referred in Article 1(d) above, and whose acts cannot be officially attributed to the state. That then is followed by Article 10, displacement induced projects. First of all, the need to prevent this, and then physical alternatives with full information, and then, of course, carry out a socioeconomic environmental impact assessment.

So the requirement here is that non state actors have to lead by those obligations in the first place, so that displacement is the measure of last resort on account of development induced displacement. There's the spirit of the guiding principles which requires that any displacement based on development project must be in the public interest and must also be sufficiently overwhelming and compelling on that basis.

So there is a clear scope for dealing with that and making sure that the activities of these companies approach all counts that was the measure of debate within the framework of the African Union Convention and the Great Lakes Protocol is actually much more clearer, because it was easier to get consensus at the sub-regional level than at the big regional level.

As I said, you clearly had states such as Egypt, Ethiopia, Gabon in the first instance, as well, that were given provisions in Botswana on developmental induced displacement. Then you have Tanzania, Uganda, to some extent the DRC who were saying, no, we need clear provisions on aspects of projects or displacement induced by projects.

So having had that compromise, the next thing was, okay, how do we find language that would speak to both ends, and the language actually started, first all, from the guiding principles to make displacement a measure of last resort in that regard. And then to have the obligation that, if it's going to be under taken, then, clearly, all visible alternatives have to be explored with full information and consultation of persons likely to be affected by those projects, so that there's a process that goes within it.

And then the state, having licensed this to happen, will have an obligation to carry out a socioeconomic and environmental impact assessment of the proposed development project prior to under taking such a project. So those are onerous applications on the part of states, and the way in which the convention attempts to deal with it.

And then Megan threw a question about is model for other regions. It may very well be. If you remove the tense African Union Convention

and anything that's African in this convention, it would apply to any situation of displacement wherever in the world. And if the world actually wanted to have a convention on IDPs, which I wouldn't push for because of the dynamics.

For argument's sake, you'd have to do the reverse of what was done to the 1961 convention relating to the status of refugees which originally was a European framework, and was a mandate in 1967 to make each universal in terms of its application. So you'd have to do the reverse of this and remove the title African Union Convention, and everything that African Union in it, and leave the rest of the terms, and there you'd have a convention.

But that's a tall order, because there are different political dynamics, and I think that, quite critically, each region would have to generate the political will. This happened because African states themselves actually caught the political will and it came from them. No one said you should do this. There was no pressure from the outside, it was a homegrown initiative, which made it possible to pursue.

But if you wanted to impose development elsewhere, then you'd get different results. So my approach would be in the context of other regions is use their human rights frameworks which exists in the American system, and the

convention and declaration, European convention, and now the Asian declaration has come about, to try and see where IDPs fit within those frameworks.

Both the inter-American and European systems already have fairly well established jurisprudence and case law on the protection of IDPs, and they have already context. So within those frameworks, I think it's important to push for full protection, whereas the attempt to have a sort of either external convention driven by external forces would actually produce awkward results, which might diminish what we already have.

There's always the risk of making sure that we keep the integrity. But if the European Union tomorrow, or the Asian Union said, yeah, we want a convention on IDPs, then, of course, that's the thing, and I think you'd have a range of international actors and other experts helping with that process. But it has to be theirs.

MS. BRADLEY: Thank you.

MR. LARI: Last question in terms of other regions, and maybe work on a lot of Western Hemisphere, I've seen very steep decline when it comes to letting America, for instance, Central America, even the refugee convention, when it's being regionalized, is regionalized with declaration.

So there is a level of resistant of sovereign states in America to even consider interference dealing with refugees. So I would say, on the other side, we have extremely developed and very sophisticated national frameworks, so somehow we have achieved what we are trying to get with the incorporation of a regional convention into domestic relation.

But, yet, there are a lot of gaps even in that particular case. I'm just thinking about Columbia where there's a wealth of national legislation, but something that I've seen come, and this is why I was pushing a lot on the role of civil society, the great change in Columbia when it came to implementation of the law that was passed in 1997 happened when 10 to 30,000 petitions by individuals displaced people were sent to the Constitutional Court of Columbia demanding a response from the government of Columbia about the protection and assistance of their own needs.

That was the push that forced the Constitutional Court to demand the government of Columbia to live up to its responsibility. And it was, almost exclusively, an activity performed by individuals from displaced communities, civil society legal adviser groups, filing petitions to the Constitutional framework that was available in that country.

In terms of the separate terms and mine action programs, I think, again, I don't have anything to add to the petition of the article, I would say in the pragmatic experience I had, for instance, in Angola, that, often times, their return is considered the priority and the most likely, the most durable or desirable solution.

First of all, we should talk to the people, first after all, we really need to do an assessment of the environment, because in a country like Angola, many Angolans didn't care about going back to the same areas unless there were religious or other considerations, there was so much land, there was no need to demand. This was kind of an option to relocate or to develop economic activities in other areas within the same region, and having the state being able to provide alternatives. And this has actually worked in that case.

And following the implication of the private sector, I will look at the next step beyond the provision that Chaloka referred to, there's an old provision that should be respected before an intervention after it before the awarding to the concession, before starting displacing people. Well, I think there is a real need to pay attention to what's happening after that, because in many cases, why the legal process takes its own course, it takes time, things are happening.

The most recent discussion case in Mozambique about coal mines, new discovery of coals in other areas in Mozambique, well, what's

happening, it's already happening. The company is already investing, have already signed agreements with the government, and then what's happening to the people. So I think the whole aspect of following through in terms of commitment of the companies and the state, compensation, viability of alternative solutions, in terms of residence and livelihood, and possibly even consider consultation throughout the whole process, not just at the beginning, keeping a continuous consultation with the community affected.

Because in my time, people might end up in a better place than they were before. So we should be sometimes even pragmatic and look at different options. And, finally, there is a provision that I was liking at when it comes to the I just pulled the papers, a bit of patience there is a provision, the ordinary session of the African commission of human and people's rights, there is a Rapporteur on special political refugees, asylum seekers, internal displacement in Africa.

Every two years it reports back to the African commission and reports back on several theories, and there is a section in this today where civil society is allowed to present cases and bring them to the attention of the commissioner of the African Union. So this is another tool that can be used once you have supported local organization to put together these statements in case of

investment of private sector, in case of either situations like forced evictions in urban areas is another being problem in African cities where the urban area is particularly voluble for big development programs, in terms of housing programs.

So I think there are tools that can be used and just help civil society groups to become acquainted and comfortable with those tools, and then use them.

MS. BRADLEY: Niels, you would like to add?

MR. HARILD: Yes. I can't give much more, but I wanted to say something again. The convention about the private sector made me think that there's something the private sector can actually do, in my opinion, and that is as well as politicians and policymakers and development actors, has to think about, and so should private sector people, too.

And maybe they could do a lot in terms of thinking about how their respective business could, in certain areas that have high level of either protracted displacement or return, or whatever, think of how to expand their business or whatever, have a soft window with their business model, or whatever it is, to support joint ventures between host communities and displaced.

Because this is where there are always livelihoods, in the bigger scheme of things, this may be the most important thing for displaced people. And

often, there's a disconnect between small scale microfinance and how that hooks up to community development programs and how that hooks up to the local economy. And that link is very rarely established, and it requires at least two to tango, and therefore a more open mindset in the private sector. More specific focus on this, I think, would go a long way.

MS. BRADLEY: Thank you. Roberta?

MS. COHEN: Roberta Cohen, Brookings. I have two questions, if I might. Chaloka, you sort of touched on some of this, but I want to make sure I understand it. There's a Great Lakes Protocol, and that requires states in that area to adopt laws and policies on internal displacement, and then you have the African Union Convention.

So how is this playing out? You mentioned Kenya, I was listening, and is this reinforcing or duplicating, or how are these two instruments, this model law, I think, also, for the Great Lakes, I'm to remember, so you have an AU. How does this promote ratification, does this take away from, and who deals with that. That's one question.

And the second question is really from listening to everybody, which has really been interesting and informative. Is there an overall strategy for trying to promote the ratification and implementation of the Kampala Convention?

There are pieces, just listening, I mean, there are pieces on Chaloka's dealing with governments and laws and policies, and I know that you and HCR funded by the United States government sitting next to me is looking at promoting laws and policies all around the world, but also in Africa on internal displacement, and so you're dealing with governments in these cases.

And then you have Andrea speaking very eloquently about civil society and bringing them in, national commissions, local governments, and you have the development actors, as well. Is this AU, is the Rapporteur the AU on refugees and IDPs, or is there an office there that has to do with this convention, or are NGOs, I mean, is there an overall strategy developing putting together all these pieces to try to get implementation and ratification. Ratification first and implementation?

MS. BRADLEY: Thank you very much. Time is running a bit short, so I think we'll just leave that as the last question, we've give Chaloka a chance to respond, and if anyone else would like to weigh in.

MR. BEYANI: Thank you very much. Your questions remind me of the early days when I came to Brookings to engage with a project on displacement issues. But, first, the relationship between the Great Lakes Protocol

and the African Union Convention. Let's just say that the Great Lakes Protocol is what actually led to the African Union Convention being promoted.

Because the Great Lakes started a while back, about 2003, to promote a protocol in the context of forced conflicts frontward and the human dimensions of it meant that they had to look at refugees, IDPs return, sexual violence, there are protocols in all those areas. But what of those they actually required was a protocol for IDPs, and they state specifically they wanted to protocol which would implement the guiding principles, they did not want to go beyond that.

So when that protocol was designed, it was to give a frame work of how to make the guiding principles legal and binding in the context of the international conference on the Great Lakes, and that protocol was then ratified by all the 12 member states of the conference.

When that happened, ECOWAS began speaking about its own protocol in west Africa, so the African Union then moved very quickly, detecting that perhaps the time had come to actually have an instrument and passed their decision and started this particular process, which would be a continent-wide process. But unlike the Great Lakes Protocol, African Union practice does not permit annexing documents like the guiding principles.

So the Great Lakes Protocol establishes framework for the application of the guiding principles and then the principles were next to the protocol so that they became part of the protocol. So, here, the approach was different, it was that we have to infuse the guiding principles directly in the fabric of the instrument, make the instrument wider than the Great Lakes Protocol.

But the Great Lakes Protocol was always a fall back, and, indeed, the suggestion was that if the whole frame work of the convention collapsed, then we would simply have something like the Great Lakes Protocol, and then annex the guiding principles.

So the two are related, and indeed, we made sure that in the drafting, they spoke to each other. There were issues that are more explicit in the Great Lakes Protocol like development and use displacement, which are not so explicit in the African Union Convention, but nonetheless, you find the framework for the application.

The fact that the Great Lakes Protocol was ratified by all those states meant that it was easier for the member states of the international conference to ratify the African Union Convention. And, indeed, that's part of the advocacy that we took, so it is not surprising that countries like Uganda and

Zambia that are part of the conference took the lead in ratifying the African Union Convention.

So it was a preface to that, and they completely speak to each other in terms of the substance and aspects of implementation. The overall strategy to promote ratification, those are fairly comprehensive and robust strategy organized by the partners of the African Union and the friends of the Kampala Convention. So the first thing to do there was to make sure that we're all coordinated and sharing information in terms of what we did, the mandates, UNHCR, OCHA, or ICRC.

Because what it means is that each one of these and other partners have their own programs and policies on advocacy in terms of advocacy, and therefore, states were responding to different initiatives. And the idea was to have one initiative coordinated so that we all knew what we were doing, where. And the same with the African Union, so the African Union has an action plan, and they led the convening of the regional conferences in southern Africa, east and central Africa, as well as in West Africa.

And the partners then fed into that framework, and that whole framework was intended to raise awareness in terms of the needs to ratify the conference. And I think that worked fairly well, and it is one of the reasons why the

convention was ratified in such a short time to enable it to enter force according to their requirements in terms of the number of states that had to ratify it.

But having said that, I think once it is in force, I think the advocacy that was going towards ratification has kind of dropped back, which is damage. That advocacy has to continue. We need a different type of advocacy in moving towards implementation, because of the fact that, here, the idea of partnerships is still quite critical, but we have to look at which aspects of the convention should be implemented and where.

It's in the integrated framework, but it clearly incorporates different ideas in relationship to different situations, all of which require different responses in terms of not just implementation. By that, I mean, operationalization. The easiest by far, of course, is model of domestication. That's the easier part, but the more difficult part is actually how to make it operational and to think more clearly in terms of field presence and responding more directly to the protection and assistance needs of IDPs on the ground so that it's not an instrument that is pitched up there, it should be clearly horizontal.

And I think that that's a huge challenge, and there, we need to work with the African Union, the Brookings-LSE project has elaborated at least a road map in this direction in terms of how to implement the convention. The

African Union is clearly involved in this. I went to ADSEP on the date in force and shared my ideas with the African Union on how to collaborate.

The African Union Special Rapporteur on refugees, IDPs was also present, and we're working together, which is why the African Union Commission on Human and People's Rights was integrated in here for the reasons that Lari mentioned, so that if there are monitoring activities, complaints from anyone, including civil society, can use and activate the convention in the framework of the African Commission on Human and People's Rights.

There's also a fair degree of cooperation because the special procedures of the Human Rights Counsel decided to work very closely with regional organizations, so at last year's special procedures meeting, our commissioners from the African Union were invited to attend to annual Special Rapporteur's meeting and we shared some ideas on how to move forward. And I think, thankfully, at this point in time, the Special Rapporteur of the African Commission on IDPs is the same member of the working group on the protection of the rights of persons of African descent.

So we met in Geneva at the annual meeting and shared ideas on how to go forward in terms of making sure that they also have ownership of the

convention, and the more useful points when it comes to some of the politics around the convention.

MS. BRADLEY: Thank you. Niels, Andrea, any closing thoughts?

MR. HARILD: It's been a long day. I think from the Bank's side, the program I lead, we would be keen to support if there are more workshops coming up, organized either by the AU or IDMC or any combination, like the one we had in Entebbe to see whether we can support with development interventions at such workshops. That certainly would be something we would be willing to consider as part of the overall plan.

MS. BRADLEY: Well, I imagine it won't be too long before people come and take you up on that offer, I think it's an important one.

MR. HARILD: Then I have to qualify then, because, of course, that depends on resources and time.

MS. BRADLEY: Of course. Thank you very much. Andrea?

MR. LARI: My final thought is about looking at the mandate, looking at Chaloka and LSE and Brookings project as taking the leadership on and making institutions aware of the road map, the degree of the strategy that has been implemented so far. Because, and I speak on behalf of BRI, but I could speak for other humanitarian organizations, the more knowledge we have of the

progress that has been achieved in implementing these road maps, the better it is for us and our interaction at the country level when we visit places that are hosting significant numbers of IDPs, and we can share this information, we can provide advice or opportunities for local organization and other humanitarian organizations to be interested in plugging into this project.

So we look at Brookings LSE, the mandate, or office of the mandate in Geneva and London to take the leadership, to show the leadership, and we would be more than happy to collaborate in our own capacity as part of the nongovernmental, nonoperational advocacy community.

MS. BRADLEY: Well, thank you very much Andre what. I think that this event is a step towards that longer term process of making sure that we all continue to be informed about steps towards the implementation and operationalization of the convention. I hope that this is the beginning of a much longer conversation.

I think, as Chaloka's comments made very clear, this is a convention that came into effect quite quickly, but the effective operational station will be a much longer term undertaking, so we look forward to working with you all in that endeavor.

Thank you very much for taking the time to join us today.

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