

**Keynote Statement by Mr. Adama Dieng, United Nations Special Adviser
on the Prevention of Genocide**

at

High-Level Segment of the 65th Annual Session of UNHCR's Executive
Committee on *"Enhancing International Cooperation, Solidarity, Local
Capacities and Humanitarian Action for Refugees in Africa"*

Geneva, 29 September 2014 - am

Thank you very much Mr Chairman,

Mr High Commissioner,

Honourable Ministers,

Your Excellencies,

My United Nations colleagues

Ladies and Gentleman,

It is a great honour for me to join you in this global review today of one of the most pressing challenges – in truth nothing short of a crisis - confronting Africa namely the forcible dislocation and displacement of millions of the Continent's people both as internally displaced persons and across borders as refugees. I am very grateful indeed to the High Commissioner, Mr. Antonio Guterres, for having invited me to deliver the keynote statement. Having heard him speak a moment ago, I am delighted that he has underlined in his statement some of the very questions that are signal for me too, thus it will be my pleasure to echo and reinforce them as my statement moves along.

Mr Chairman, Excellencies, Ladies and Gentlemen,

I speak to you here today as an African who has dedicated his life to the cause of justice, the rule of law and the realization by all peoples of their human rights, including rights to life, safety and full participation in their societies as citizens. My role today as the Special Adviser of the Secretary-General on the Prevention of Genocide and before that as Registrar of the International Criminal Tribunal for Rwanda have brought me eye ball to eye ball with one of the most venal failures of humanity to others in recent times - thus the Rwanda genocide .

UNHCR in fact started its operations in Africa to respond to displacements borne out of large-scale bloodletting crises. The high water-mark of these crises, the genocide in Rwanda in 1994, would see the swiftest massive displacement of people ever of modern times - over two million in just a matter of days and weeks – and the genesis of the single largest nationality refugee caseload yet to mark the African Continent. So far in 2014, killings which have targeted ethnic or religious cross-sections have brought reminders of this venality and created nearly half a million new refugees in the first six months of the year alone. You will thus understand, ladies and gentlemen, if I will direct the greater part of my remarks to the question of the root causes of refugee and other human dislocations and the core responsibilities which it is necessary to exercise to turn around this situation.

Let me quickly resume the picture as it stands today. Africa has some 15 million persons of concern to UNHCR, over one quarter of the worldwide total as per the details we have just heard the High Commissioner overview including 3.4 million refugees and over 8 million internally displaced persons. Yet, displacement on the Continent remains on a sharp upward spiral which, if sustained, could see a total of nearly 19 million persons of concern in 2015.

Mr Chairman, to put it differently, if the Continent's overall number of persons of concern - refugees and internally displaced persons included - were a country, they would rank in 21st position well ahead of 33 of the Continent's 54 countries. And if the rate of internal and displacement witnessed in 2014 so far was compared with the average relative population growth in the region's countries, at 18%, it would be by far at the top, nearly five times the highest figure today of around 4.4%.

These are all dramatic mathematical values. The situation itself is however profoundly disturbing. The greatest of number of the refugees are the product of ruptures characterized by gruesome violence, killings, rapes and wanton destruction of the social, economic and cultural capital of nations. Unspeakable human suffering has accompanied these eruptions both within the countries of origin and even for those who escape across borders.

In South Sudan, women have been raped, children forced to take up arms and innocent civilians killed in campaigns based on ethnic and political targeting.

In South Kordofan and Blue Nile States of Sudan, there have been horrifying episodes of violence committed by the fighting forces which have caused large numbers of deaths, massive destruction and thousands of refugees. The conflict in South Sudan has compounded the condition of Sudanese refugees in South Sudan.

In Nigeria, the terrorist organisation Boko Haram is continuing to commit atrocities with impunity and incite communities to turn against one another on the basis of religion.

In Central African Republic, neighbours who have lived together peacefully for decades have turned against each other in an ethno-religious campaign that has seen the decisive part of the country's Muslim population either killed, trapped in enclaves surrounded by Anti Balaka elements or forced into exile into neighbouring countries.

With the social and economic fabric at home rent virtually irreparably, decay and stagnation is the pattern in many of these situations, with large swathes of the national population reduced to marginal conditions of survival and international humanitarian assistance as the principal safety net. In exile, with needs so great and acute, Governments, UNHCR and other humanitarian actors struggle to keep up with the mass of people seeking help under such desperate and crushing conditions. For its operations in sub-Saharan Africa, UNHCR requires as of today \$2.6 billion, \$800 million of that resulting from the CAR, South Sudan and Northern Nigeria emergencies alone. Food for the refugees provided by the World Food Programme calls for another US\$ 186 million for just the last six months of the year alone. Meanwhile, nine, or 56% of the sixteen United Nations singular or joint peacekeeping operations around the

world are in Africa¹ with approved budgetary requirements which top out at over US\$5.1 billion. Once again, if all these budgetary requirements were expressed as a national GDP, they would rank in 30th position ahead of those of 25 of the region's countries.

Against this background, let me turn now to key themes which I have come underscore in this dialogue today.

First, I want to state emphatically that I am a dedicated friend and ally of the humanitarian system of asylum and protection for people who lose the most fundamental bond that a citizen has with her or his country - that of national protection - and are forced to seek safety and the opportunity of a normal life in other countries. This exceptional mechanism for the protection of the human rights of refugees calls for our most telling solidarity and support globally. Obviously, the images we saw earlier in the video are a sombre and sobering reminder for all of us just what a wretched experience asylum can come to mean in practice for refugees in Africa. Even so, millions have been and continue to be protected and even to recreate their lives in asylum notwithstanding the hardships which the Governments and people that have kept their borders open and extended dependable hospitality themselves have as the Secretary General of the United Nations acknowledged when he said on the occasion of World Refugee Day for 2014:

"Most of the world's refugees – 86 per cent -- live in the developing world, compared to 70 per cent 10 years ago. Most of

¹ In the Central African Republic, Cote d'Ivoire, Democratic Republic of Congo, Liberia, Mali, Somalia, South Sudan, Sudan and Western Sahara.

these countries have kept their doors open to people in search of safety, and have shown a generosity that is often well beyond their means. I appeal to all Member States and our partners in civil society to do their utmost to support the nations and communities that have welcomed the forcibly displaced into their midst."

I am sure we will hear today more of the challenges, problems and difficulties this system is weathering across the region. Of protection problems. Of refugees who have spent decades of exile in camps now even into second or third generations. Of others caught in a circle of poverty and hopelessness despite the positive contributions they could make to rebuild their societies. Of children not able to have education. Of the profound impact of refugee presence including on the environment and social cohesion. And so on.

These problems underline the imperative for actions to be taken to underpin, buttress, and make as robust as possible this safety net of solidarity and support for those who otherwise may even face death. Whether with regard to more funding support for refugee programmes in Africa; support for the capacity of Governments, civil society and agencies in managing refugee issues; or transformative change for the refugees themselves, those who have been victimized in the most extreme manner through no fault of their own by being forced into exile away from their homes should not be made to suffer new ignominies now in exile.

Mr Chairman, I turn now to focus on the gratuitous killing of citizens or placing them in the way of other harm that are some of the key causes of the refugee and displacement crisis in Africa. There simply has to be zero tolerance for this form of impunity no matter the context and no matter that State or rebel actors are involved.

This question has in recent years been wrapped up in the debate and contentions around the question of the responsibility to protect. Let me however stress that the obligation to assure the protection, safety, security and social progress of civilians is a cardinal responsibility established not only in the respective regimes of international and regional law to which almost all the African States have subscribed, but in virtually all core national legislations especially Constitutions. What is clear is that there can be no complete conversation about turning around the refugee and internal displacement crisis in Africa that does not at the same address fundamental accountability for civilian protection and safety in their essential forms. In other words, as we have heard already from the High Commissioner, and I hope very much that we will hear a resolute commitment from this High Level Segment on this issue, we must invest in preventing the range of root causes that result in forceful displacement.

What are some of these root causes? And what does prevention mean or amount to?

Mr Chairman, the evident experience of our Continent underlines the imperative for Governments everywhere in the region to be as fundamentally responsive to the needs of their people as possible. There have certainly been too many cases of failure in accountability – through exclusion, discrimination, inequitable distribution of resources and repression – which have led to or provided justifications for the rebellions, insurgencies, or other disturbances that disrupt

societies. Diversity in particular has in general not been managed optimally or positively on our Continent and in many cases has provided the ground for political, social and economic tensions as opposed to cementing and driving national energy forward.

Societies fractured in this way have no essential stability or sustainability and are built on contradictions which ultimately propel people to seek refugee or opportunities elsewhere including the tragic phenomenon of risking death to cross the high seas in search of better opportunities. We need to invest more in building capacities that strengthen the resilience of local communities to withstand strife and promote social cohesion.

Mr Chairman, I would thus like to frame as my important call to this High Level Segment, and particularly to the African Governments represented in this Executive Committee, respect for the rule of law and observance of human rights as the most fundamental requirement of the democratic and accountable governance which will provide assurance of a sustainable polity, social and economic progress and ultimately make a thing of the past Africans forced to seek safety or opportunity elsewhere. Africa must strive even more decisively to promote respect for human rights and fundamental freedoms; nurture the rule of law and, most importantly, guarantee protection of populations irrespective of race, nationality, religion, ethnicity, gender or political affiliation. Whether one resorts to obligations placed by international law or to Africa's own signal norms or mechanisms it has instituted for the protection of populations and conflict prevention continental to community levels, this is a primary responsibility of the State that is at core of our debate here today. In the refugee context, the 1969 OAU Refugee Convention which was the first such regional

instrument ever to be adopted, and, in the IDP context, the Convention for the Protection and Assistance of Internally Displaced Persons, commonly referred to as the Kampala Convention, adopted in 2009 provide frameworks in which, with the relevant political will, the plight of refugees and internally displaced should continue to be addressed predictably and in keeping with the pertinent humanitarian standards in an optimal manner.

Excellencies, Ladies and Gentlemen,

I want to underline my belief that there can be no durable and sustainable peace without the rule of law and justice. African Governments themselves espouse this belief which was at the root of the merger of the African Court of Justice and the African Court on Human and Peoples' Rights into the African Court of Justice and Human Rights to lay the foundation for ending human rights abuses and bringing justice to victims. In a step further, they have recently adopted a protocol establishing an African Court with criminal jurisdiction that extends even further than the jurisdiction of the International Criminal Court! In addition to genocide, war crimes and crimes against humanity, the African Court will have jurisdiction over corruption, money laundering, human and drug trafficking and piracy. While the provisions which protect leaders from prosecution in this Court have drawn much critical comment, its establishment sends a clear message that impunity has to be tackled if we have to end the cycle of violence that afflicts the people of the continent and forces many into internal or external displacement.

The conventions and mechanisms must be implemented in letter and spirit if the public good they epitomize will be realized. Our declarations must be backed by action. Early warning without proper mechanisms for response will not deal with the danger. A criminal court that does not try those responsible for serious violations would not end impunity. A continental or sub-regional security architecture that cannot provide protection to vulnerable groups will not deliver on peace and stability.

We must demonstrate to all and sundry that we can guarantee equality before the law, that justice will always be our core value and that the African *Ubuntu* spirit will always lead us to protect the downtrodden and those that are in need. Although the primary responsibility to protect lies with the state, it is our collective responsibility to protect populations from mass displacement or atrocity crimes.

Every individual can play a role. And as we say back in Africa, if you think you are too small to make a difference, then you haven't spent a night with a mosquito. Let us strive to do our best to address these challenges.

Excellences, Ladies and Gentlemen

While we recognize that through solidarity and burden sharing, African people can continue their generosity to host those seeking sanctuary away from strife, it is equally true that this generosity is increasingly being tested by enormous pressure exerted by refugees on their host communities. We must therefore

tackle the root causes of conflicts. States must do more to address factors that give rise to conflicts, inter-communal violence and atrocity crimes that cause so much suffering, including displacement. We must remain vigilant and we must work together if we are to succeed in preventing future tragedies.

Thank you for very much listening and for your patience.

I wish you excellent and fruitful deliberations.

Adama Dieng
