The Global Compact on Refugees (Refugee Compact) may ameliorate refugee protection in Africa because its four overarching objectives squarely address the three principal protection challenges prevailing on the continent. First among such challenges is the scale of the refugee problem, coupled with limited resources. Africa hosts about a third of the world’s refugees but also contains many of its most impoverished countries. The African States among the world’s top 10 refugee hosts in 2017 – Ethiopia, Sudan, and Uganda – are all eligible to receive resources from the World Bank’s International Development Association, meaning they are among the very poorest countries in the world. In this context, the Refugee Compact’s first objective of easing pressures on host countries and its third objective of expanding third-country solutions are critical. Secondly, refugees in Africa frequently find some of their most important rights systemically violated; they are often forced to reside in camps and can neither work nor send their children to school. For example, 57 per cent of refugee children in Uganda do not have access to education. The Refugee Compact’s second objective, regarding enhanced refugee self-reliance, speaks to rights including employment and education. Thirdly, refugee situations in Africa are often protracted. The Somali caseload in Kenya, the longstanding (but now largely resolved) situation of Burundians in Tanzania, and the Rwandan refugees (whose status as refugees formally ceased in January 2018) across East Africa are salient examples. The Refugee Compact’s fourth objective of supporting conditions for return in safety and dignity can help address this challenge.

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The Refugee Compact contains several pledges to concretize its four overarching objectives, thereby promising to practically address, at least in part, the critical African challenges of resources, rights, and resolution – or the lack thereof. Regarding resources, the Refugee Compact creates a ‘Support Platform’ to mobilize financial, material, and technical assistance (para 23). The Refugee Compact responds to rights issues by committing States and other relevant stakeholders to contributing ‘resources and expertise to expand and enhance the quality and inclusiveness of national education systems to facilitate access by refugee and host community children (both boys and girls), adolescents and youth’ (para 68). States and relevant stakeholders also promise to promote ‘economic opportunities, decent work, job creation and entrepreneurship programmes for host community members and refugees’ (para 70). Relatedly, within the Comprehensive Refugee Response Framework (CRRF), States agree to take ‘measures to foster self-reliance by pledging to expand opportunities for refugees to access, as appropriate, education, health care and services, livelihood opportunities and labour markets’ (para 13). For example, as part of CRRF roll-out in Uganda, that country recently launched its Education Response Plan. The Refugee Compact is less emphatic regarding freedom of movement. In a statement emblematic of the many difficult compromises it contains, it notes weakly that ‘mechanisms to pursue alternatives to camps away from borders will be supported, where considered relevant by the concerned host country’ (para 54). (Human rights are always a critical source of refugee rights, but this is particularly so in relation to freedom of movement. The African Charter on Human and Peoples’ Rights protects every individual’s right to freedom of movement and residence, provided only that he or she ‘abides by the law’ (art 12(1)). On protracted refugee situations, citing a United Nations General Assembly resolution and conclusions of UNHCR’s Executive Committee, the Refugee Compact recognizes voluntary repatriation as ‘the preferred solution in the majority of refugee situations’ (para 87) and the international community commits to ‘contribute resources and expertise to support countries of origin … to remove obstacles to return, and to enable conditions favourable to voluntary repatriation’ (para 88).

This alignment between the principal refugee protection challenges in Africa and the Refugee Compact’s overarching objectives and specific commitments was clearly no accident. Indeed, the situation of many African States, which are much less well off than their northern neighbours and also host more refugees than such richer countries, is a critical aspect of the challenge that made the Refugee Compact necessary. And it is a challenge Africa tried to address regionally long ago. The African refugee treaty, the 1969 Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa, includes provision on responsibility sharing that was highly innovative for its time: ‘[w]here a Member State finds difficulty in continuing to grant asylum to refugees, such Member State may appeal directly to other Member States and through the OAU, and such other Member States shall in the spirit of African solidarity and international co-operation take appropriate measures to lighten the burden of the Member State granting asylum’ (art II(4)). This provision was, however, rarely used. Had it been, it might have helped mitigate the protection challenges the Refugee Compact is now addressing, with more than half the initial 15 CRRF roll-out countries in Africa.2

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2 Chad, Djibouti, Ethiopia, Kenya, Rwanda, Uganda, Zambia, and the regional Somali situation. Tanzania announced its withdrawal from the CRRF in February 2018.
However, even if States deliver on their Refugee Compact commitments and the instrument achieves its overarching objectives, this will not transform refugee protection in Africa. Addressing existing protection challenges is necessary – but not sufficient – to achieve transformative change. The element required for such change in Africa, which is understandably mostly absent from the Refugee Compact, is conflict prevention to mitigate further displacement.³

With displacement often caused by conflict, prevention is, of course, critical all over the world, but it is particularly salient in contemporary Africa. Of the 71 intra- and inter-State conflicts included within the September 2018 edition of the International Crisis Group’s CrisisWatch global conflict tracker, 27 – or 38 per cent – are in Africa.⁴ Of the seven refugee situations currently categorized by UNHCR as emergencies, the five in Africa – Burundi, the Democratic Republic of the Congo (DRC), the Central African Republic (CAR), Nigeria, and South Sudan – all stem principally from conflict. A focus on conflict prevention must inform how the Refugee Compact is implemented in Africa, particularly in relation to ‘root causes’ and with respect to how humanitarian/refugee and political affairs/peace practitioners collaborate.

The critical role of conflict prevention in averting refugee situations will not be news to anyone, yet conflict prevention is often subsumed within prevention more generally, which is itself often discussed in the imprecise terms of ‘root causes’. Such root causes obviously include conflict, but the category is broader, also including other drivers of refugee movement, such as severe human rights violations, as well as the intersection of persecution with other triggers of displacement, such as disasters. The African Union’s (AU) Executive Council, for example, recently stressed the need ‘to tackle the root causes of the situation of refugees and migrants within the framework of political solutions of the real factors generating such situations’,⁵ but gave no indication of what such ‘real factors’ actually are. Similarly, the Refugee Compact covers ‘[p]revention and addressing root causes’ (para 8) without specifying the nature of such root causes. As States and other actors work to implement the Refugee Compact, they should aim to disaggregate root causes, specifically identifying and addressing conflict – and, to the extent possible, specific types thereof – as a principal cause of widespread and often protracted displacement.⁶

The Refugee Compact’s discussion of ‘[p]revention and addressing root causes’ goes on to state that ‘averting and resolving large refugee situations are ... matters of serious

³ Efforts to resolve existing conflicts – and hence protracted displacement – are also critical, but the focus here is on prevention.
⁴ Angola, Burkina Faso, Burundi, Cameroon, CAR, Chad, Comoros, Côte d’Ivoire, DRC, Djibouti, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Mali, Mozambique, Niger, Nigeria, Somalia, South Sudan, Sudan, Togo, Uganda, and Zimbabwe.
concern to the international community ... requiring early efforts to address their drivers and triggers, as well as improved cooperation among political, humanitarian, development and peace actors’ (para 8). The latter cooperation element is an additional critical aspect of how conflict prevention should be practically incorporated in the roll-out of the Refugee Compact. It has the potential to take a mere introductory remark from the Refugee Compact and transform it into an aspect of the Compact’s implementation that will enhance its effectiveness, especially in relation to the Compact’s first and fourth objectives of easing pressures on host countries and supporting conditions for refugee return.

The Refugee Compact clearly recognizes the importance of cooperation between humanitarian and development actors (para 35). The work that led to this took decades. On 1 October 2018, UN High Commissioner for Refugees, Filippo Grandi, tweeted part of World Bank CEO Kristalina Georgieva’s statement to his office’s Executive Committee: “the very fact that I stand before you today means that we have a seismic change” in how humanitarian and development actors work together. This change should not have been seismic, but indeed it was. As they implement the Refugee Compact, States and the international community must learn from the past and work in earnest to ensure that the next frontier in bridging divides – between humanitarian and peace actors – is not neglected and does not take nearly as long as it took to bridge the gap between humanitarian and development actors.

The traditional durable solutions to refugee situations are voluntary repatriation, resettlement, and local integration. But the most durable solution of all is peace. This is recognized in the Refugee Compact, albeit somewhat imprecisely: ‘[e]liminating root causes is the most effective way to achieve solutions’ (para 85). To eliminate root causes, particularly those in Africa, conflict prevention must be mainstreamed within the Refugee Compact’s implementation, including by disaggregating the inherently imprecise notion of ‘root causes’ and through effective collaboration in refugee matters between humanitarian and peace actors.

7 The Refugee Compact recognizes two new durable solutions: ‘other local solutions’ and complementary pathways for admission to third countries (para 85).