

Regional Protection Dialogue on the Lake Chad Basin

Abuja Action Statement

We, the Governments of Nigeria, Cameroon, Chad and Niger, with the support of technical and financial partners gathered in Abuja, Nigeria, on 6 to 8 June 2016 within the framework of the *Regional Protection Dialogue on the Lake Chad Basin*, hosted by the Federal Government of Nigeria, with the technical facilitation of the United Nations High Commissioner for Refugees (UNHCR) to discuss the most urgent protection risks in the Lake Chad Basin resulting from the conflict-induced crisis;

Agree on comprehensive actions to enhance protection and respond to the most urgent needs of refugees, internally displaced persons (IDPs) and other affected populations;

Note that the Boko Haram insurgency and its spill over into neighbouring Cameroon, Chad and Niger have caused the displacement of over 2.7 million people in the region, of whom 2.1 million are internally displaced in Nigeria, while some 155,000 Nigerian refugees have sought asylum in Cameroon, Chad and Niger. The refugee-hosting countries also have sizeable IDP populations (Cameroon: 200,000; Chad: 110,000; and Niger: 127,208);

Reaffirm the validity of the principles and standards of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol as well as the 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa ("OAU Refugee Convention"), in particular the principle of *non-refoulement*; the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa ("Kampala Convention"), especially the prohibition of forced displacement and the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness ("1954 and 1961 Conventions on Statelessness");

Recognize that while military operations have led to significant advances in the fight against Boko Haram and have brought back a number of areas in north-eastern Nigeria under Government control, conditions in much of the north-east are not yet conducive for the return of Nigerian refugees and IDPs, due to continuing insecurity and the absence of basic services which pose acute humanitarian and protection risks for the affected populations, particularly in Borno state;

Further note that alongside persistent threats from Boko Haram, the presence of mines and unexploded improvised devices, climatic change as well as the drying up of Lake Chad, which exacerbate pre-existing vulnerabilities, further poses protection risks for the affected populations in the border regions of Cameroon, Chad and Niger, where Boko Haram attacks on civilians also continue or have intensified in some instances;

Recognize the legitimate national security concerns of the States and the need to ensure an appropriate balance between security and human rights, the obligation to protect IDPs and

refugees, and the right to seek and enjoy asylum;

Stress the importance of maintaining the civilian and humanitarian character of refugee and IDP-hosting areas as an important protection standard with broad implications on other protection issues such as physical security, the prevention of sexual and gender-based violence (SGBV), prevention of child recruitment as well as access to assistance;

Note that the crisis has seriously impacted the most vulnerable civilians, including refugees, IDPs and host communities, particularly women and children at risk, older persons and persons with disabilities or serious medical conditions; that violence against women and children, including SGBV, is widespread, that many persons have suffered the trauma of violent experiences and that there is a significant rise in the number of child and female-headed households;

Welcome the progress made in the region in identifying, preventing and reducing statelessness, including the signing of the 2015 Abidjan Declaration of Ministers of ECOWAS Member States on Eradication of Statelessness by Nigeria and Niger, while **recognizing** that there are still important challenges, in particular the high number of persons in the region who lack documentation and have difficulties proving their nationality and therefore remain at risk of statelessness.

In view of the foregoing:

In the area of forced displacement and freedom of movement in conflict, we agree to:

1. *Take* concrete steps, including continuous monitoring, to ensure that security measures such as restrictions on freedom of movement in the context of state of emergency and evacuations comply with international standards, and are temporary and exceptional in nature.
2. *Strengthen* collaboration between government actors, humanitarian organisations, and other relevant stakeholders to ensure the voluntariness of return and the freedom of movement of displaced persons as well as their physical security.
3. *Develop and implement* practical measures to ensure an appropriate balance between security and respect for the right to seek and enjoy asylum, including respect for the principle of *non-refoulement*, protection of IDPs and related human rights.
4. *Promote* knowledge and training among all stakeholders, including government actors, such as security forces, international organizations and civil society, of the limits and safeguards of refugee and IDP protection, as outlined in international and regional legal instruments such as the 1951 Refugee Convention, the 1969 OAU Convention, and the Kampala Convention.
5. *Enhance* regional coordination and exchange of best practices through greater engagement by States and humanitarian actors with regional institutions such as the Multinational Joint Task Force (MNJTF), the Lake Chad Basin Commission, the Economic

Community of West African States (ECOWAS), and Economic Community of Central African States (ECCAS).

6. *Commit* to prioritize the ratification, domestication and implementation of international conventions, including the Kampala Convention.

In the area of civil-military coordination and the civilian character of refugee and IDP hosting areas, we agree to:

7. *Develop* a capacity building program (training) for security forces and the MNJTF on key international humanitarian standards, international protection and human rights, civilian and humanitarian character of refugee and IDP sites, and sensitize humanitarian and military actors on civil-military coordination to protect and promote humanitarian principles.
8. *Enhance* civil-military coordination to ensure an appropriate distinction between the roles of humanitarian actors and security forces as well as to enable humanitarian actors to reach people in need of assistance in difficult to reach areas.
9. *Enhance* screening and other security measures to maintain the civilian and humanitarian character of refugee and IDP sites, ensuring that these are conducted in a dignified manner and are gender and age-sensitive. *Encourage* at the same time greater information-sharing, while ensuring the protection of informants, IDPs, refugees, humanitarian actors, etc.
10. *Strengthen* access to justice, support the development of legal frameworks, provide legal assistance and encourage communities to use traditional conflict resolution mechanisms, where applicable and provided these are not in violation of national law.

In the area of persons with specific protection risks, we agree to:

11. *Strengthen* the identification of persons with specific needs, such as women and children at risk, through multi-sectoral needs assessments, improved registration and profiling, while ensuring data protection.
12. *Improve* multi-sectoral referral and response mechanisms in order to ensure better access to basic services.
13. *Pay* particular attention to the needs of children at risk, including unaccompanied and separated children and children at risk of exposure to SGBV, child recruitment, forced marriage, exploitation and abuse; and *ensure* referral to appropriate services, such as psychosocial support and post-traumatic services.
14. *Ensure* an increased involvement of local communities and community-based organizations in the provision of support and services to most vulnerable groups, including older persons, the chronically ill, persons with disabilities and youth, through improved protection coordination and a greater involvement of the affected populations.
15. *Commit to* promulgate national legislation aimed at protecting and increasing the involvement and engagement of affected populations through advocacy and awareness campaigns.

In the area of comprehensive solutions approach, we agree to:

16. *Support* the processes aimed at achieving all durable solutions [local integration, voluntary return, and relocation for IDPs and resettlement to a third country for refugees], including by enhancing access to basic services, livelihood opportunities, and financial services; promoting peaceful co-existence among refugee, IDP and host communities; and encouraging environmentally friendly measures.
17. *Ensure* that refugee and IDP returns are voluntary, in safety and dignity, and based on well-informed decisions, once conditions are conducive, and that facilitated returns of refugees are within the framework of a tripartite agreement, and respect the principle of *non-refoulement*.
18. *Establish* the nexus between humanitarian response and development to support durable solutions such as local integration and reintegration, through joint and coordinated planning between humanitarian and development actors to ensure the inclusion of refugees, IDPs and returnees in development planning.
19. *Guarantee* the centrality of protection by ensuring the participation of affected persons in the planning and implementation of solutions, taking into account age, gender and diversity, and paying particular attention to persons with specific needs.

In the area of right to nationality and documentation, we agree to:

20. *Conduct* awareness campaigns on the importance of civil registration and relevant procedures, through the use of local media and the involvement of traditional and religious leaders.
21. *Simplify* birth registration and civil documentation procedures; organize and equip mobile registration centers and create more registration centers especially in remote areas; integrate birth registration in other sectors, such as education and health; and reduce the cost of birth registration and documentation.
22. *Ensure* national laws and policies comply with existing relevant international and regional standards, for example as defined in the 1954 and 1961 Conventions on Statelessness, the African Charter on the Rights and Welfare of the Child, and to support the adoption of a Protocol to the African Charter on Human and Peoples' Rights on the right to nationality and eradication of statelessness.
23. *Create* a forum for consultation and sharing of best practices between States on issues of civil documentation and the risk of statelessness in the Lake Chad Basin.

Follow-up mechanism

To ensure follow-up of the above outlined actions, we further agree to:

24. *Establish* a plan of action at national level within 6 months of the adoption of the Action Statement, and review progress in implementation at national level at regular periods of no more than 6 months, and at regional level after 12 months.

Done in Abuja, Nigeria, on 8 June 2016