

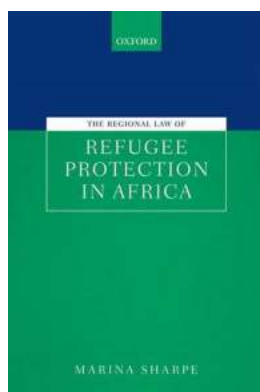
The Regional Law Of Refugee Protection In Africa

The protection and well-being of refugees have always been a matter of concern and responsibility for nations across the world. In Africa, the issue of refugee protection is tackled through various regional laws and frameworks that aim to ensure the rights and safety of those seeking refuge.

Understanding the Regional Law of Refugee Protection

The African continent has faced numerous conflicts and crises, leading to significant displacement of people within and across borders. As a result, regional organizations and African countries have taken steps to establish legal instruments and mechanisms to address the protection needs of refugees.

One of the key regional laws that plays a crucial role in refugee protection is the African Union's (AU) Convention Governing the Specific Aspects of Refugee Problems in Africa, commonly known as the OAU Refugee Convention. This convention, which was adopted in 1969 by the Organization of African Unity (OAU), has been instrumental in offering legal protection to refugees and guiding the actions of African states in dealing with refugee issues.



The Regional Law of Refugee Protection in Africa

by Marina Sharpe (Kindle Edition)

★★★★☆ 4.5 out of 5

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Text-to-Speech	: Enabled
Screen Reader	: Supported
Enhanced typesetting	: Enabled
Word Wise	: Enabled
Print length	: 299 pages



Under the OAU Refugee Convention, African states are obligated to provide refugees with protection, assistance, and asylum. It outlines the rights and obligations of both refugees and host countries, with a primary focus on upholding the principle of non-refoulement, which ensures that refugees cannot be sent back to a country where their safety and life would be at risk.

Furthermore, the convention fosters cooperation among African states and encourages them to work together in providing durable solutions for refugees, including voluntary repatriation, resettlement, and local integration.

The Role of the African Union and its Protocols

In addition to the OAU Refugee Convention, the African Union (AU) has developed other protocols and mechanisms to enhance refugee protection in Africa. One of these is the Refugee Protection and Assistance Protocol adopted in 2009. This protocol aims to supplement and strengthen the provisions of the OAU Refugee Convention by addressing emerging challenges and ensuring effective refugee protection.

The AU also established the African Human Rights System, which includes the African Charter on Human and Peoples' Rights. This charter guarantees the human rights of all individuals, including refugees, and serves as an important tool for advocating and safeguarding their protection.

Moreover, regional economic communities (RECs) such as the Economic Community of West African States (ECOWAS) and the Southern African

Development Community (SADC) have developed their own legal instruments and mechanisms to address refugee protection within their respective regions. These frameworks complement the regional and international instruments in place and provide a more targeted approach to resolving specific regional refugee challenges.

Promoting Rights and Durable Solutions

While regional law and frameworks serve as essential tools for refugee protection, their effectiveness ultimately depends on their implementation by the member states. Adequate resources, capacity-building, and political will are vital to ensure the real-world impact of these legal instruments.

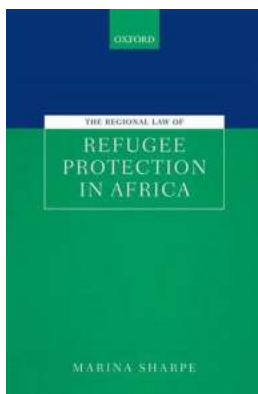
Furthermore, the involvement of civil society organizations, non-governmental organizations (NGOs), and other stakeholders is crucial in monitoring the situation of refugees and advocating for their rights. Their engagement helps in identifying gaps in the law and proposing improvements to enhance the protection measures.

The concept of durable solutions plays a significant role in refugee protection. These solutions aim to provide refugees with options for their future, including voluntary and safe return to their home country, integration into the host country, or resettlement to a third country. Regional frameworks emphasize the importance of addressing the root causes of displacement and finding lasting solutions for refugees.

The regional law of refugee protection in Africa encompasses various legal instruments, protocols, and frameworks developed by the African Union and regional economic communities. These laws serve as a foundation for ensuring

the rights and safety of refugees, promoting durable solutions, and fostering cooperation among African nations.

However, the effective implementation of such laws requires the commitment and collaboration of member states, as well as the active involvement of civil society organizations. By working together, African countries can forge a secure and supportive environment for refugees, allowing them to rebuild their lives and contribute to their host communities.



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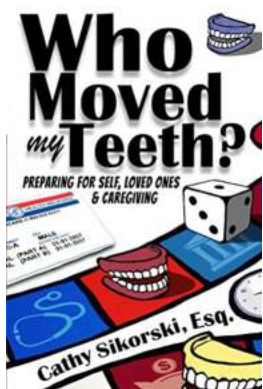


This book analyses the legal framework for refugee protection in Africa, including both refugee and human rights law as well as treaty and institutional elements. The regime is addressed in two parts.

Part One analyses the relevant treaties: the 1951 Convention relating to the Status of Refugees, the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa and the 1981 African Charter on Human and Peoples Rights. The latter two regional instruments are examined in depth. This includes the first fulsome account of the African Refugee

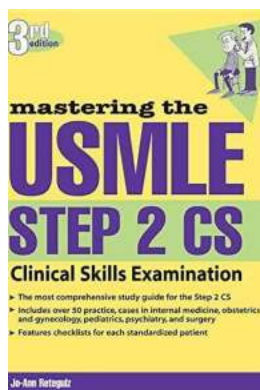
Conventions drafting, an interpretation of its unique refugee definition and original analysis of the relationships between the three treaties. Significant attention is devoted to the systemic relationship between the international and the regional refugee treaties and to the discrete relationships of conflict and complementary relationships between the two refugee instruments, as well as to the relationships between the African Refugee Convention and African Charter.

Part Two focuses on the institutional architecture supporting the treaty framework. The Organization of African Unity is addressed in a historical sense, and the contemporary roles of the African Union, the African Commission on Human and Peoples Rights and the current and contemplated African human rights courts are examined. This book is the first devoted to the legal framework for refugee protection in Africa.



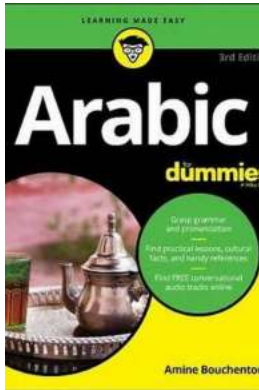
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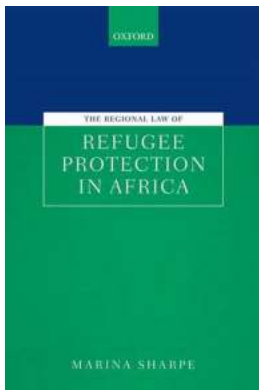
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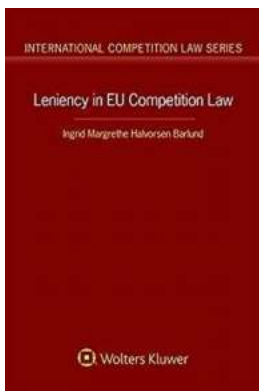
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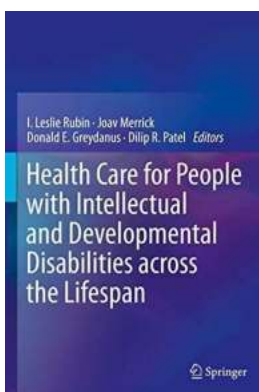
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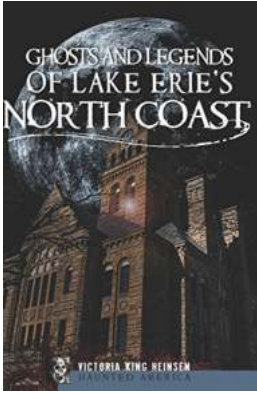
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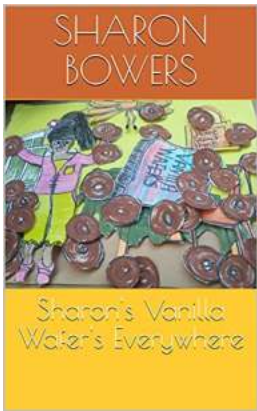
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