

Report factsheet: Disaster-related displacement from the Horn of Africa

A Joint Report by United Nations University, Institute for Environment and Human Security (UNU-EHS) and Norwegian Refugee Council (NRC)

A normative protection gap at the global level

Currently, a normative protection gap exists regarding persons displaced to another country in the context of climate change and disasters. To date, no instruments explicitly provide entry, status and rights to individuals on the basis of natural hazard-related disasters. Existing refugee laws and conventions, such as the 1951 Refugee Convention, do not legally consider such displaced individuals as refugees, as they are not necessarily “*being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion*”. As extreme weather increases in frequency and intensity, more people will be displaced. There is a need to explore the experiences of those directly affected as well as responses by governments, international organizations and other actors and practitioners on the ground to ensure that the rights of those displaced are protected.

The Horn of Africa: Natural hazards, political tensions and violent conflict

The Horn of Africa (HOA) is a region in Northeast Africa that includes Eritrea, Djibouti, Ethiopia and Somalia, with a population of 103 million people. As the poorest region in Africa, most countries in HOA suffer from widespread poverty and struggle with sudden and slow onset disasters (e.g. floods and drought) in addition to political tensions and violent conflict. These disasters are especially destructive, as many inhabitants are pastoralists and small scale farmers with little education and climate-sensitive livelihoods.

General Research Findings:

- Most Somalis and Ethiopians displaced to Kenya, Egypt and Yemen were influenced in their cross-border movement by natural hazard-related disasters, which interacted with additional social and political factors, such as ethnic and politically based discrimination.
- While a protection gap exists at the global level for those displaced by disasters, on the ground at the local and national level it was clear that climate factors interacted with other social and political factors to displace people. Therefore, existing human rights and refugee instruments often remain relevant in the case of disaster-related displacement.
- On the ground, rules and laws are dynamic and adaptive and vary in their local and national manifestations. For example, in Yemen, Islamic norms of hospitality may provide protection in some disaster situations by influencing the application of law and protection.
- Laws hindering access to the formal labour market by refugees put them at risk of becoming exploitable informal labour. As a result, few refugees planned to remain in the receiving countries for the long-term. This suggests a need of exploring labour migration channels and potentially expanding them in the wider region, as many are moving in search of better livelihoods.
- Without exception, displaced persons mentioned (lack of) livelihood options as one of the main reasons for leaving their homes and going to Kenya, Egypt or Yemen. Most respondents were pastoralists, small-scale farmers and agro-pastoralists.
- The displaced persons were mostly concerned about limited rights to work and lack of livelihood options – other concerns included shelter, food security, education, access to health care, security – including security against gender-based violence, and durable solutions, such as resettlement.

Kenya: Case study

Kenya is the African country with the largest displaced Somali community. According to UNHCR Kenya (2014), there were 482,390 Somali refugees in the country in December 2013. Due to generalized violence in South and Central Somalia, Kenya considers all people coming from the region as *prima facie* refugees. Lack of rain in Somalia in 2010 and 2011 resulted in the worst annual crop production in 17 years, high animal mortality and soaring food prices. Unsurprisingly, lack of livelihood options was consistently mentioned by respondents who were mainly pastoralists, farmers, or agro-pastoralists, as one of the main reasons for leaving Somalia. In addition, many cited getting new skills in Dadaab as an incentive. However, a refugee's freedom of movement in Kenya is restricted; they are usually contained in camps run by UNHCR and NGOs in remote areas of country and have few livelihood opportunities. Women face particular challenges, including fear of gender-based violence, with 14 per cent saying they themselves had been exposed to gender-based violence and 31 per cent saying they knew somebody who did. De facto gradual integration is taking place for some Somalis, since the relationship with the local host community has been historically good. This is mainly due to the fact that the North Eastern Province of Kenya where most refugee camps are located is ethnically Somali. Other Somalis hope for resettlement or to reach European and other developed countries.

Egypt: Case study

Egypt is both a refugee-receiving and a transit country. Most refugees in Cairo were Somali with agro-pastoralist backgrounds. At the time of the fieldwork, the issue of refugees was not as prominent in political discourse, since most of the focus was on post-revolutionary Cairo and the run-up to presidential elections. In Egypt, individual refugee status determination is implemented rather than *prima facie*, which means that each individual must meet all criteria in the refugee definitions, including proof that displacement is due to persecution, generalized violence or another reason recognized in law. In response, people adjusted or highlighted certain parts of their narratives, so that they were more likely to be afforded refugee status. Lack of livelihood options was often given as the reason for leaving, as well as the interaction between armed conflict and drought. Refugees have limited access to work, health services and education and no right to permanent residency. However, many do informal work mostly within the Somali refugee community. There are no camps. Newcomers usually live together in shared apartments. Staying in Egypt was not a long-term solution, most refugees hoped for resettlement or to reach Europe or other developed countries. Others hoped for eventual return to Somalia.

Yemen: Case study

Since the early 1990s, Yemen has received thousands of Somalis and Ethiopians; it is the country in the MENA-region with the largest displaced Somali community as well as a main transit country for Ethiopians. Most interviewees had experienced ethnic, religious and politically based discrimination and persecution at home, as well as generalized violence which interacted with droughts and other disasters. Most Somalis seek refuge upon arrival on a *prima facie* basis. Ethiopians must rely on individual refugee status determination, which has a 20 per cent acceptance rate. The majority of Ethiopians plan to move on to Saudi Arabia and the Gulf countries for work. Local and religious law may play an important role in addition to - and sometimes even replacing - formal state law (e.g. the duty of hospitality linked to Islam). However, Yemen is under strong pressure from Saudi Arabia and other neighboring states to stop the flow of people transiting through Yemen into their territory. The main protection risk for migrants and refugees to Yemen is trafficking. Few saw staying in Yemen as a long-term option, with most trying to make their way from Yemen to Saudi Arabia, the Gulf States or to the United States, Canada or Europe.

About the report

This report aims to offer an understanding of displacement patterns and trends in the Horn of Africa and explores what existing policy and legal options are available to those displaced by disasters. The report focuses specifically on displaced Somalis and Ethiopians in Kenya and the MENA-region (Yemen and Egypt). The research methodology included desk review of existing literature, laws and policies in English and Arabic; interviews with government officials and others in the host countries working on issues closely related to the research topic; and Focus Group Discussions and individual semi-structured interviews with displaced people in host countries. The criterion for inclusion was whether a drought or another natural hazard played a role in their displacement (self identified) at any point in time since they left home. The report was launched at the Nansen Initiative Regional Consultation meeting in Nairobi.