

## Editors' Note

It is our great pleasure to welcome our esteemed readers in Africa and beyond to this Special Issue on Refugees, Returnees and Internally Displaced Persons (IDPs) in Africa. In July 2018, the African Union (AU) declared 2019 to be the Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa.<sup>1</sup> This was an apt choice, as it provided an opportunity to commemorate two anniversaries: the adoption of the 1969 Organisation of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa (OAU Refugee Convention) 50 years ago and of the 2009 AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) 10 years ago.

Both of these instruments have been innovative and remarkable for providing a unique regional legal framework and making distinctive contributions to international legal developments in their respective fields. Yet, challenges abound. A series of systemic and more recent factors contribute to the large number of refugees and IDPs in Africa. Guaranteeing their rights constitutes a major legal, political and practical task. Unsurprisingly, the “[i]mproved implementation of the OAU Refugee Convention and the AU Convention on IDPs-Kampala Convention in the current sub-regional, regional and global contexts” features prominently among the AU’s Project 2019 objectives.<sup>2</sup>

This special issue seizes the opportunity offered by the twin anniversaries to reflect on the state of refugee and IDP protection in, and across, Africa. The Centre for Human Rights, Faculty of Law, University of Pretoria, South Africa, proposed the special issue and took the lead to host an international conference on forced migration in Africa in September 2019. The conference provided an intergenerational and interdisciplinary platform for dialogue, and a forum for researchers to discuss their research contributions for the special issue. This work is reflected in the present volume. It features articles that analyse and engage with historical developments as well as contemporary challenges and prospects in the field of both refugee law and IDP law in Africa. In addition to a particular focus on the two anniversary instruments, contributions also examine the role of Africa’s human rights treaties, namely

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1 “Refugees, returnees and internally displaced persons: Towards durable solutions to forced displacement in Africa” (concept note on the theme of the year), doc EX.CL/1112(XXXIV)Rev.1 (2019).

2 *Id.*, para 22.

the African Charter on Human and Peoples' Rights and the African Charter on the Rights and Welfare of the Child, in the context of forced migration.

Refugee law and IDP law are fitting subjects for a special issue at a time characterized by (the desire for) mobility and forced displacement across Africa and beyond, occasioned by local, regional and global developments. We are privileged, and grateful, to have had an exceptional editorial team with a proven track record in the field, responsible for the conception and production of this special issue. We have benefitted greatly from the knowledge, experience and insights of our contributors. Individually and collectively, they have woven together a rich tapestry of the state of law in Africa in a field of growing importance, ranging from the conceptual foundations of regional refugee law and IDP law, legal developments and practices, to evolving challenges and responses.

The publication of the special issue has encountered some delays, not least due to the outbreak of the COVID-19 pandemic, which has added yet another stern test in the struggle for the prevention of forced displacement and for greater respect for the rights of both refugees and IDPs in Africa. We are therefore delighted to see the special issue come to fruition and hope that it will serve those who are working in the field or are otherwise interested in the subject as a source of information, critical analysis and inspiration.

On a final note, we would like to express our gratitude to the Journal's editorial managers, Raphael Jacquet and Rowan Pease, and to our copy editor, Rachel Wright, for their professionalism, commitment and support in making this special issue happen.

LUTZ OETTE  
SOPE WILLIAMS-ELEGBE  
OLIVIA LWABUKUNA