



INTERNAL DISPLACEMENT IN AFRICA: AFRICAN SOLUTIONS TO AFRICAN PROBLEMS? CHALLENGES AND PROSPECTS

Olivia Kokushubila Iwabukuna, PhD

Abstract

Internal displacement is regarded as the new African dilemma. It has gained prominence over the problem of refugees that has haunted the African continent for years. The issue of internal displacement has not just emerged recently, it has existed for a while but various political and social-economic factors have given the matter preference. Areas in Africa that are regarded as serious focal points for internal displacement include the Horn of Africa, the Great lakes region and some parts of Western and Southern Africa. For purposes of this article the main area of focus is the Great lakes region of Eastern and Central Africa. This paper will discuss internal displacement and its effects in the Great Lakes region, taking into account the various descriptions of 'internal displacement, prevalent reasons for internal displacement in Africa, existing regional, sub-regional and national mechanisms put in place to address the problem of displacement as well as the successes and challenges faced by the African continent in addressing internal displacement.

Keywords: internal displacement, Africa, Great Lakes Region, East African Community

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Introduction

The Great Lakes region (GLR) has over the recent past experienced serious ethnic conflicts resulting in alarming numbers of IDPs in the region. The region comprises Rwanda, Burundi, the Democratic Republic of Congo (DRC), Uganda, Tanzania and Kenya. The region is further made up of a number of countries that are not traditional members of the Great Lakes region but happen to be core members of the International Conference for the Great Lakes region (ICGLR).¹ These countries include Angola, Central African Republic, the Republic of Congo (Congo-Brazzaville), Zambia and Sudan, which were admitted as core countries on account of proximity and national interests. There is also a group of countries that are not core members of the International Conference of the Great Lakes Region, but have co-opted to be additional members of the regional conference of the Great Lakes because they regard themselves linked with the conflict situation in the region. These countries are Egypt, Namibia, Botswana, Zimbabwe, Malawi, Mozambique, South Africa and Somalia.

Demarcation of the region by European colonial powers in the late 19th and early 20th centuries appears to have been based on political² rather than geographical considerations. Consequently within the borders of these countries there are diverse ethnic groups of people with common cultures who were eventually divided and settled in different countries. After colonization, the struggle shifted from one of self-determination to political organization. This resulted in many inter-ethnic conflicts as each group struggled for political and economic representation, these conflicts are cross border and have led to internecine outcomes.³

Most of the countries in the region are directly and indirectly affected by major conflicts in the area.⁴ Such conflicts fall into a number of categories: Rwanda, Burundi, DRC and Uganda have faced internal conflicts and cross border conflicts over decades; Tanzania was affected by the conflicts due to the large number of externally displaced it has

¹ This was a conference undertaken pursuant to the search for peace, security, stability and development for the people of the Great Lakes Region following the Rwandan Genocide of 1994.

² Such considerations were based on unilateral agreements reached at the 1886 Berlin Conference in which the local leaders were neither consulted nor were they parties to such agreements. See Korn David A *Exodus within borders: An introduction to the crisis of displacement* Brookings Institution Press 2000.

³ The Great Lakes Region of Africa: Divergent pasts and converging future at www.glendon.yorku.ca/greatlakesofafrica

⁴ United Nations Office for the Coordination of Humanitarian Affairs (OCHA) 'Affected populations in the Great Lakes Region' Report of 31st October 2004 pg 3.

harbored; and Kenya was seriously affected by the post-election violence in 2007 and 2008, which resulted in alarming numbers of IDPs.⁵ This does not seem like an anomaly, but rather a periodic government technique usually employed during elections to destabilize potential voters in areas where rival parties are popular.⁶

The Rwandan genocide of 1994 that claimed over 800,000 lives, devastated the country and immensely destabilised the region. Rwanda's neighbour Burundi, involved in ethnic warfare since 1993, has made considerable headway towards national reconciliation.⁷ Meanwhile, the civil war in the Democratic Republic of Congo (DRC), which erupted in 1998 and involved six other African governments and rebel movements from Rwanda, Uganda and Burundi, seems to have settled down, especially after the initiation of the International Conference on the Great Lakes Region and the capture of Renegade General Laurent Nkunda (the commander of the Rwandan rebel forces in the DRC).

Millions of people have been displaced in the Great Lakes Region within their national borders.⁸ Poverty and low standards of living have left many internally displaced persons vulnerable to diseases and human rights violations and made the possibility for recruitment into insurgent groups very high.⁹ States in the region have independently addressed the problem but attempts to eliminate it seem futile. Presently, original countries of the Great Lakes Region and those that voluntarily acceded through the (ICGLR) International Conference of the Great Lakes Region, are attempting to bring ethnic groups within borders together as well as trying to find areas of common interest involving the countries in the region and their various ethnic groupings.

The reformation of the East African Community (EAC), as well as the formation of the Economic Community of the Great Lakes Region, the Dar es Salaam Declaration of 2004 advocating peace, security and stability for the region and other efforts that culminated into the Great Lakes Pact, can be regarded as evidence to support efforts to stabilize and develop the region.

Overview of displacement in the Great Lakes Region

As of April 2010 there were at least 4,345,275 internally displaced persons in Eastern Africa.¹⁰

- *Burundi*

Burundi had an estimated 100,000 IDPs by September 2009, according to the UNHCR Burundi's Refugee fact sheet, of 31 August 2009.¹¹ They were displaced by ethnic violence

⁵ It is estimated that more than 600,000 people were displaced. For more information see the Irin Kenya Website; [www.irin.kenya.org](http://www.irin kenya.org).

⁶ Oloka O, 'State creation of internally displaced persons in Kenya' East African Journal of Peace and Human Rights Vol 10 No.1 2004 p 1-33.

⁸ From emergency relief to rehabilitation: an evaluation of the Dutch Humanitarian assistance, Terms of reference for the case study of the Great Lakes Region 4-March 2005.

⁹ From emergency relief to rehabilitation: an evaluation of Dutch Humanitarian assistance *ibid*.

¹⁰ United Nations Office for the Coordination of Humanitarian Affairs (OCHA) Sub-regional office for Eastern Africa (SROEA), Nairobi Displaced Populations report April 2010 Issue 7 at 1.

and civil strife, which broke out after the 1993 coup and the fighting between the government and rebel groups, which followed. The security situation improved after the last rebel group in the country laid down its arms in 2008, and no new conflict-induced displacement was reported in 2009. Most IDPs reportedly have no intention of returning to their place of origin, mostly because of the better economic opportunities around the sites, rather than for security reasons. Many of the sites are gradually becoming permanent villages. The government has, with international support, integrated vulnerable members of the host community and landless returnees into some existing sites now called “peace villages”. In 2009 the ministry in charge of supporting the reintegration of IDPs and returnees drafted the National Strategy of Socio-Economic Reintegration for People Affected by Conflict. Results on the 2009 study on IDPs conducted by the government are not yet released.¹²

▪ *Democratic Republic of Congo (DRC)*

Access to people in affected areas in the Democratic Republic of Congo remains a great challenge, especially in eastern DRC due to the continued deterioration in security. The DRC is estimated to have had at least 2, 136, 358 IDPs by September 2009.¹³ The security situation in North Kivu also remains unstable, due to military operations and clashes between armed groups, specifically the Democratic Forces for the Liberation of Rwanda (FDLR), Mai Mai militias and Armed Forces of the Democratic Republic of Congo (FARDC). The Province of North Kivu is estimated to have about 814, 744 IDPs, South Kivu 603, 520, Orientale (which includes Ituri/Haut Uele/Bas -Uele) has 448,130 IDPs and Katanga has 15,127 IDPs.¹⁴

▪ *Uganda*

It is estimated that there were about 445,145 IDPs in Uganda by March 2010. This is about 50,000 less IDPs than was reported in September 2009.¹⁵ This change in the figures of IDPs is observed as a result of the progress achieved after success in implementing durable solutions for IDPs. More than 30 IDP camps were closed in 2010. Out of the almost 251 IDP camps in Northern Uganda in 2005, only 72 camps remain with 942, 000 (approximately 85 per cent) of IDPs having returned to their villages of origin. UNHCR and its partners are in the process of gradually phasing out the remaining camps.¹⁶

▪ *Kenya*

In the wake of the 2007 and 2008 post election violence in Kenya, it was estimated that more than 600,000 people were displaced internally and another large number fled the country as a result of the tribal and political conflicts that were catalyzed by the not so transparent elections.¹⁷ Since then, steps have been taken by the government and other Non governmental institutions to adjust the situation by trying to repatriate and resettle

¹¹ OCHA SROEA report *ibid* at 5.

¹² IDMC 2009 country report Burundi at www.internal-displacement.org; OCHA SROEA report *ibid* at 5

¹³ OCHA DRC, September 2009 at 5.

¹⁴ OCHA DRC *ibid*.

¹⁵ The 2009 estimates were made by the Inter Agency Standing Committee (IASC) Working Group in Uganda, Update on IDP movements, September 2009; UNCHR Kampala ‘Donor update’ January 2010

¹⁶ UNHCR Kampala, Humanitarian update, March 2010.

¹⁷ Kamugi P ‘The situation of Internally displaced persons in Kenya’ Jesuit refugee service (E.A) March 2008

the displaced people. However, the programme of resettlement faces many challenges, which include fear of returning into the communities that allegedly caused harm upon the displaced people. Unresolved and politically aggravated tribal and land grievances have made resettlement problematic.¹⁸ As of end of February 2010, there remain 3,714 households (approximately 18,600 persons) living in 25 transit sites, in three districts in the Rift Valley Province.¹⁹ The Kenyan government, through the Ministry of State for Special Programmes (MoSSP) continues to offer assistance to IDPs awaiting final resettlement.²⁰ The country also unveiled a draft IDP policy in March 2010. The policy emphasizes the criminality of arbitrary displacement, and calls for laws to address historical injustices, such as the national land policy of 2009. The draft IDP policy is largely based on the African Union Convention for IDPs.²¹

Internal displacement as a term

The term 'internal displacement' has been defined in various existing documents dealing with international law, international humanitarian law and international human rights law. The most modern and classical definition of the term was first set in the United Nations Guiding principles on Internal Displacement.²² The principles were introduced in 1998 and were the first international standards specifically tailored to the needs of Internally Displaced Persons (IDPs). They are basically a restatement of existing human rights and humanitarian law. They cover all phases of internal displacement, from prevention from arbitrary displacement, to protection and assistance during displacement, to finding durable solutions that will lead to return in safety and dignity, alternative resettlement, and reintegration and self-sustaining development.²³

The principles describe internally displaced persons as:

Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human made disasters, and who have not crossed an internationally recognized border

The description of the terminology highlights two core elements of internal displacement. The first is that the movement is involuntary in character, and secondly, such movement takes place within national borders. But it should be noted that this is merely a description, the Principles do not at any point confer a status upon the internally displaced.

It should be further noted that the Principles provide widely for the internally displaced. The Principles define the problem of 'internal displacement' in terms of the victims and the circumstances, rather than the process itself. The principles further look at

¹⁸ 'Crisis in Kenya: land, displacement and the search for durable solutions' A meeting to launch an HPG policy briefing that analyses post-election displacement resettlement and return in relation to land issues in Kenya.

¹⁹ OCHA Kenya, 'Kenya Humanitarian situation', April 2010.

²⁰ Of course it is hard to keep track of those IDPs that have settled in urban areas, as well as the protracted IDP population prior to the 2007 election violence, whose figures are not included in this paper.

²¹ IRIN news, 'KENYA: Draft policy offers new hope for IDPs', Nairobi, 19 March 2010

²² Hereafter referred to as 'the Principles'

²³ Deng F 'The plight of the internally displaced: A challenge to the international community' at <http://www.brookings.edu>

displacement from the point of view of legal 'persons' (persons to be recognized as displaced) as opposed to defining the process of displacement itself. It seems obvious that the purpose was to differentiate the internally displaced from externally displaced (refugees). Since the process was similar, the differentiation was achieved in the definition by concentrating on the definition of the legal persons involved, because IDPs have been misconceived to be would- be refugees if any international borders are crossed. For political, legal and bureaucratic purposes of differentiating refugees from internally displaced persons, such a definition was adopted.²⁴

The Great lakes Protocol on Protection and assistance of IDPs has gone further than the Guiding Principles and additionally defines IDPS as:

Persons or groups of persons forced or obliged to flee or leave their homes or places of habitual residence in particular as a result of or in order to avoid the effects of large scale development project, and who have not crossed an internationally recognized border²⁵

This definition specifically includes development as one of the root causes of internal displacement, something that the drafters of the Guiding Principles avoided to do in order to avoid over extension in the application of the Principles. On the other hand, the African Union Convention on internal displacement defines IDPs as:

Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects or armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.²⁶

Reasons for displacement

It should be noted that there are various reasons for displacement that are provided for by international standards. These reasons are not mutually exclusive, and at some point the causes of displacement do overlap.

Natural disasters

Natural disasters such as famine, floods and any other natural calamities especially those resulting from climate change are one of the major causes of displacement in Africa. Kenya's arid regions for instance have faced displacement time and time again. Uganda's populations have also faced and still face displacement as a result of famine. Ethiopia as well as various countries in East Africa face this problem especially because of lack of rainfall, or deforestation.

In DRC the volcanic eruption of Mount Nyiragongo in Goma in 2002 forced thousands of people into displacement. The community was predominantly already displaced as a result of attacks from the Congolese Rally for Democracy, an insurgent group

²⁴ Ibeanu O 'Exiles in their own Home: conflicts and internal population displacement in Nigeria' *Journal of Refugee Studies* Vol 12. No. 2 1999 165

²⁵ Article 1 (5) of Protocol on the Protection and Assistance to Internally Displaced Persons of 2006.

²⁶ This definition is similar to the one adopted in the Guiding Principles.

controlling the area. This resulted in double displacement for an already displaced group of people and led to increased vulnerability for the particular community.

Development induced displacement

This is largely influenced by organized resettlement of populations to make way for large development projects such as the creation of natural parks and game reserves. It may also include other development projects such as expansion of towns, introduction of infrastructural structures such as highways, railways and large hotel resorts or factories. When this movement involves indigenous populations that have a special attachment to their land, for instance pastoralist communities, it may result in deep rooted and non-reparable distress. The effect of such displacement can still be felt in communities of people such as the San of Southern Africa and the Maasai of East Africa.²⁷

It has been lately realized that a large number of internally displaced persons in Africa are actually as a result of development projects. It is stated that the number of people displaced by development projects might actually be higher than that of people displaced by conflicts.²⁸ According to the World Bank, the total number of people displaced as a result of development worldwide has reached an astonishing number of 200 million during the last two decades of the 20th century.²⁹ It has been noted that development induced displacement is more common than is believed and yet very little attention has been paid to the problem. The only encouragement existing in Africa can be found in article 9 and 10 of the newly adopted African Convention for Internally Displaced Persons as well as the Great Lakes Pact.

Displacement as a result of government policies

In Kenya the policies imposed by government periodically during election times have affected displacement patterns. These policies, which are usually strategically channeled into protracted land grievances, and ethnic groups have resulted in violence and massive displacement. The origin of some of these policies, especially those related to land, is the colonial administration's strategy to divide and conquer which were subsequently inherited at independence. They have left the country divided, tribalism has remained rife, and the government exploits these weaknesses to incite ethnic divisions and displacement during elections – especially in provinces where opposition parties are in control.

Conflict related displacement

This is one of the common documented reasons for displacement in Africa.³⁰ As a consequence of violence most people usually leave their homes either as a result of fearing for their lives or after being threatened. When caught in the middle of cross fires IDPs face the least protection. It should be noted that in most conflicts, armed groups rather than

²⁷ Ibid

²⁸ Internal displacement monitoring centre, Norwegian Refugee Council Internal displacement: Global overview of trends and developments in 2004, Geneva: Global IDP Project Norwegian Refugee Council, 2005, 35-37.

²⁹ Cernea M, Development- induced and conflict induced IDPs: bridging the research divide, in FMR Special issue, December 2006, 26.

³⁰ It should be noted that in as much as conflict related factors are highly documented, and thus regarded as the major reason for displacement in Africa, development induced situations do generate a higher amount of internally displaced persons in Africa.

confronting one another, settle their scores by tactfully attacking or killing innocent civilians or they force communities to flee from their homes. At times people flee to save their lives or to avoid being inducted forcefully into the insurgent groups as warriors. Since the borders are sometimes inaccessible or unsafe to cross, people are forced to hide in forests thus becoming undocumented IDPs.

At times the government itself is responsible for displacing its people. This usually happens when the government incites the violence or refuses to protect its citizens. Similar circumstances exist in Sudan and some parts of the DRC, where governments have disregarded their nationals or sidelined them.

Prospects and challenges

- *The African Union*

The African Union has taken steps and addressed the issue of internally displaced persons by adopting the African Convention for the protection of internally displaced persons. This Convention was formally adopted on the 26th of October 2009 at the African Union Special Summit in Kampala, Uganda. This is the only binding convention worldwide providing for IDPs, and the only document of its caliber to originate from regional initiatives. At an African level it is a great breakthrough, considering it took the shortest deliberations before adoption.

- *The Great Lakes Pact*

A major step taken at the East African regional level to address the issue of internally displaced persons was the Great Lakes Pact on Peace, Security and Stability entered into by heads of states in December 2006 and came into force in June 2008. The Pact was a result of a four-year negotiation process and was an achievement towards putting an end to persisting conflicts in the region, and a sign of hope for millions of IDPs. The Pact has incorporated special provisions for the forcibly displaced. Some of its objectives include the introduction of a Regional Protocol to deal with the protection and assistance of Internally Displaced Persons. If successful in implementation, this would be the only attempt internationally at a sub regional level to formally address the issue of the internally displaced. The Pact also includes a Regional Protocol of Property Rights of Returning Populations and Protocols to address some of the root causes of flight in the Great Lakes.³¹

- *The Ugandan IDP policy*

The Ugandan government implemented a strategy to deal with the internally displaced through the new government policy on the internally displaced. This policy recognizes the rights and needs of internally displaced persons and reaffirms the responsibilities towards them of government and other parties.³² This is regarded as a great stride by the country and a good example for other countries under similar circumstances.

³¹ International Displacement Monitoring Centre 'Great Lakes Pact, a welcome towards better protection of the displaced'

³² Great lakes affected populations by OCHA ibid at www.reliefworld.int/library/documents/2004/ocha-glakes-31-oct.pdf on 16-04-2007.

- *The Kenyan Draft IDP policy*

The Kenyan government also unveiled a draft IDP policy on 17 March 2010. The policy broadens the definition of an IDP to cover displacement due to political and resource-based conflict and natural disasters as well as development projects that force people from their homes without proper relocation.³³

Challenges

It should be noted that despite these achievements, there is still a long way to go for the African continent when it comes to the issue of internal displacement.

- *Abdication of responsibility to protect*

The vast majority of African countries facing this problem are still denying its existence within their borders let alone making the necessary attempts to address it. In Zimbabwe the internally displaced are called 'mobile populations'. This reference, to such a vulnerable group of people has led aid organizations and the international community to believe that the situation is not dire thus failing to provide adequate assistance.

- *Hindrances to humanitarian access*

In other parts of Africa the issue of displacement still persists with little attempts being made to resolve it. In areas where efforts are being made, the obstacles that exist are making the process complicated. For instance, in central and Eastern Africa the geographical locations of the internally displaced, especially the undocumented ones make it impossible to provide them with aid. Most of the displaced persons flee into forests. A large part of central and Eastern Africa has impenetrable forests that are proving to be a challenge for aid workers and governments. These forests are also hide away for rebels and insurgents and thus a danger and hindrance to attempts to document or resolve the issue of internal displacement.

- *State sovereignty*

The issue of sovereignty is also posing a problem to the resolution of internal displacement. Under International law every country is entitled to deal with its own internal affairs without intervention. This is a principle that most countries, especially the less responsible ones or those that contributed to the displacement of their peoples are very keen to invoke.

- *Failure in attaining permanent solutions*

In circumstances of return and repatriation, little attention is paid to the wishes of the internally displaced themselves. Consultation is either hardly ever done, or it is not done properly. In extreme circumstances internally displaced persons are forced to return to areas that they are not comfortable in due to fear of further victimization. In Kenya for instance, the internally displaced were forced to return by the government even when it was against their choice.³⁴ There is also the problem of governments and the international

³³ OCHA Sub-regional office for Eastern Africa-Nairobi displaced populations report, April 2010 Issue 7.

³⁴ Operation 'rudi nyumbani'-return home; see IDMC Kenya report at www.internal-displacement.org; Kenya Human Rights Commission (KHRC) 'A tale of force, threats and lies: operation *rudi nyumbani* in perspective' October 28, 2008 Nairobi.

community failing to properly implement durable solutions to address the problem of internal displacement and its root causes.

Conclusion

Internal displacement is an issue that the African continent has faced for a long time. Initially it was regarded as an individual state's duty to protect its nationals, but this has led to immense violations of human rights across the continent with irresponsible government leaders relying on international principles of 'sovereignty' and 'non- intervention' to neglect their duty to protect their nationals.

Over the recent past concerns towards the protection of the human rights, economic, and political rights of individuals within a state have increased. In Africa, there seems to be an emerging regime for the protection of these rights not just by the state in question, but a collective responsibility of the countries on the continent. African leaders, academics, policy makers and politicians have teamed together to solve the issue of internal displacement and without a doubt, the attempts made are slowly but surely taking shape into a formal, binding and concrete regime for the prevention of and protection during and after internal displacement.

Against these efforts to curb internal displacement are challenges that the African continent still faces. Most of them can be easily addressed through close cooperation and coordination between African leaders and the international community as well. Matters such as access to the internally displaced, forced return, manipulation of statistics and abdication of responsibility to protect, which are still an impediment to provision of protection and assistance can be resolved timeously. The attainment of durable solutions and other long term goals require more cooperation, funding as well as political commitment which is still immensely lacking, but not totally impossible to attain.

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