Executive Summary

The impact of conflict on Africa's humanitarian crises has in recent years become far more devastating. As a major driver of humanitarian calamities, conflicts have led to massive displacement of already vulnerable populations and disrupted the societal fabric in many countries. This is happening at a time when the global infrastructure put in place to mitigate humanitarian crises has turned out to be grossly inadequate, especially in the face of the current public health pandemics, natural disasters, effects of climate change, and other structural challenges.

Concerted efforts have been put in place to scale up the capacity of member states of the African Union to mobilize and deliver humanitarian assistance in the context of protracted conflicts and complex emergencies. In 20101, for instance, the Assembly of Heads of State and Government of the African Union (AU) called for the establishment of an African Mechanism for Humanitarian Action in Africa and beyond. Six years later, in January 20162, the 26th Ordinary Session of the Assembly recognized the deficit in resources, infrastructure, and mechanisms for managing humanitarian crises and called for the establishment of a Pan-African humanitarian agency. The mandate of the African Union Humanitarian Agency is to strengthen the capabilities and capacities of African Union member states and regional mechanisms for effective coordination of humanitarian action in Africa. This policy brief makes a compelling argument for the need to press the reset button: first, by simultaneously making a case for renewed (and substantial) investment in conflict prevention; and second, by scaling-up efforts to address the structural and root causes of conflict. More precisely, the aim here is to provoke deeper reflections on how best the yet-to-be operationalized African Union Humanitarian Agency should be positioned.

Key points

- Africa is disproportionately affected by man-made and climate induced disasters that trigger and accentuate complex humanitarian crises. Enhanced investment in and commitment to conflict prevention is a proactive and viable route to bridging current resource and logistical gaps in delivering humanitarian solutions across Africa.

- For it to produce positive and sustainable results, the new humanitarian architecture for Africa should align with the tenet and realities of African solutions to African problems; and should be African-led, African-driven, recognizing and amplifying the voice and agency of African citizens, governments, and institutions on humanitarian issues.

- Given that "there are no humanitarian solutions to humanitarian problems" (UNHCR, 2005), the primacy of national responsibility and political will is key to ensuring the effectiveness of the African Union Humanitarian Agency in preventing and addressing present and future humanitarian crises.

- There is a need for concrete commitment and action within the AU on translating the vision and normative framework on humanitarian action in Africa into practical reality with the same approach and vigor with which African Peace and Security Architecture (APSA) was pursued.
Introduction

Although the scale, scope, and impact of humanitarian crises in Africa have reached a record high, it was after observing the international response to the 2010 earthquake in Haiti that the AU came to terms with the urgent need to establish modalities for an 'African Humanitarian Mechanism' at the 14th Ordinary Session of the AU Assembly in 2010. The African Union Common African Position (CAP) on Humanitarian Effectiveness adopted on 31 January 2016, unveiled further details on the Agency. The CAP was a response to a call by the former United Nations Secretary-General, during the 68th United Nations General Assembly (UNGA) in September 2013, to organize a World Humanitarian Summit (UNGA, 2013). Convinced that Africa would be at the center of the discussions, during the premier summit, the AU Assembly called for the African Union Commission, particularly the Permanent Representative Committee (PRC) Sub-Committee on Refugees, Returnees and Internally Displaced Persons, to prepare a CAP to be presented at the Humanitarian Summit (AUC, 2014).

The CAP on Humanitarian Effectiveness was the result of extensive consultations between and among AU Member States, Regional Economic Communities (RECs), Civil Society Organizations (CSOs), international humanitarian agencies, and other concerned parties. The outcome documents presented during the World Humanitarian Summit (WHS) held in Istanbul, Turkey, from May 23-26, 2016, demonstrated Africa's commitment to shaping and guiding humanitarian action that would fulfill the AU's Agenda 2063. The message from Africa at the WHS was unmistakably bold: an inclusive and transformative "global humanitarian architecture" that can respond to emergencies in Africa (AU, 2016).

The WHS brought together several humanitarian actors looking for lasting solutions to human suffering to discuss ways in which humanitarian coordination systems can be strengthened. The Agenda for Humanity, its outcome document, called for a coherent approach to humanitarian action that leaves no one behind. The outcome document, in concrete terms, made compelling arguments for conflict prevention, investment in early warning systems, and tackling the root causes of conflict as key necessities towards closing the gap in humanitarian needs. It was clearly highlighted that robust investments, and firm commitments to addressing conflict drivers are crucial steps to achieving optimal humanitarian needs.

Ahead of WHS, in 2015, OXFAM noted that the failure to invest in disaster reduction and prevention significantly impacted the current humanitarian system (J.Cohen, 2015). At the same time, Active Learning Network for Accountability and Performance (ALNAP) warns that the system has reached its limit as it is falling short in meeting the humanitarian needs of people in lingering crises (Stoddard, 2015). A study by an SOAS and Oxford Policy Management elaborates further the benefits of preventing and mitigating humanitarian crises – "preventing violent conflicts is less costly than addressing the consequences of complex humanitarian crises" (Christopher Cramer et al., 2016). As the adage goes, "Prevention is better than cure", however, spending on humanitarian response continues to be higher. A Stockholm International Peace Research Institute report shows that in 2019, for every dollar that went to prevention, six dollars went to humanitarian assistance (Silva, 2021). The current humanitarian appeal, 2022, for the United Nations has reached around US$41 billion, which also spotlight the heavy tool of conflict affecting civilians, especially in Africa (OCHA, 2022). If violent conflict continues to be the major driver of humanitarian crises, addressing this significant aspect might help address the consequence. The study conducted for the AU Humanitarian agency lists several causes that can trigger humanitarian crises, but strongly emphasizes that conflict remains the primary driver.

Humanitarian action, beyond saving lives and alleviating suffering includes maintaining human dignity during and after human-induced crises. Prevention and preparedness are part and parcel of humanitarian action in many humanitarian organizations. As we speak, in 2021 and 2022, concepts such as 'Anticipatory Action' are once again surfacing in international discussions on humanitarian actions calling for international system to be as 'anticipatory as possible and reactive as necessary.' Additionally, there have been calls for more investment towards the prevention and reduction of human suffering. Strengthening the arguments on commitment towards conflict prevention will alleviate human suffering and minimize the effect of violence on life and livelihood of ordinary African citizens.
The African Union Conflict Prevention Framework

The AU Constitutive Act recognizes conflict as a major "impediment to the socio-economic development of the continent" (AU, 2002). Similarly, Agenda 2063 (4) aspires to see a peaceful and secure Africa and calls for the prevention and resolution of conflicts with a hope to silencing the guns, originally by 2020, now by 2030. Both documents recognize that the absence of peace and security will impact the lives of its citizens. The AU clearly understands that violent conflict cannot be prevented without addressing the root causes and believes that structural prevention must be fashioned to address the problem. For this, it has developed a comprehensive and commission-wide approach that brings together different departments through an Inter-Departmental Task Force for Conflict Prevention (IDTFCP) to enhance the Commission's efforts in conflict prevention and post-conflict reconstruction (Carvalho, 2017).

The African Union recognizes two pathways to conflict prevention: operational and structural prevention. Operational prevention deals with the proximate and immediate causes of conflict. In contrast, as the name implies, structural prevention aims to address the root causes of conflict to strengthen resilience and facilitate space for political inclusivity, economic and developmental justice, and other governance issues (Carvalho, 2017). The African Union Commission has developed various tools to facilitate the structural prevention of conflicts in Africa. In 2015, it endorsed the Continental Structural Conflict Prevention Framework (CSCPF) alongside two additional tools: (i) the Country Structural Vulnerability and Resilience Assessments (CSVRAs) and (ii) Country Structural Vulnerability Mitigation Strategy (CSVMS) (AU, 2016). The CSCPF, a comprehensive approach to structural conflict prevention, seeks to identify and address structural weaknesses, which often evolve to cause violent conflicts if they remain unaddressed (AU, 2016). Conflict prevention remains a priority of the continental body which has also put in place several other mechanisms under the pillars of the African Union Peace and Security Architecture (APSA) which also support the peacemaking efforts of the Commission.

Beyond the above elements enshrined in the peace and security frameworks, other AU legal and normative frameworks relating to humanitarian action in Africa underscore the importance of predictive and preventive responses. For instance, the African Union Humanitarian Policy Framework (AUHPF) and the Common Africa Position (CAP) on Humanitarian Effectiveness are the major frameworks that provide all-embracing guidelines and AU's intention to protect lives, alleviate suffering and enhance human security on the continent (AULO, 2016). These instruments complement one another in giving guidance to humanitarian action on the continent. AUHPF enhances AU's leadership role through providing strategic approaches that implement regional and international law for standard humanitarian action on the continent (AU, 2016). The CAP on Humanitarian Effectiveness called for an enhanced leadership role for the AU by providing strategic approaches that implement regional and international law for standard humanitarian action on the continent (AU, 2016). The African Union Humanitarian Policy Framework (AUHPF) and the Common Africa Position (CAP) on Humanitarian Effectiveness are the major frameworks that provide all-embracing guidelines and AU's intention to protect lives, alleviate suffering and enhance human security on the continent (AULO, 2016). The Special Emergency Assistance Fund (SEAF) and other normative frameworks mentioned above assist member states in humanitarian action.

Source: African Union Humanitarian Policy Framework presentation to the AU Humanitarian Symposium, November 2019

The African Union Humanitarian Architecture

The CAP on Humanitarian Effectiveness called for an enhanced leadership role for the AU by providing strategic approaches that implement regional and international law for standard humanitarian action on the continent (AU, 2016). The African Union Humanitarian Policy Framework (AUHPF) and the Common Africa Position (CAP) on Humanitarian Effectiveness are the major frameworks that provide all-embracing guidelines and AU's intention to protect lives, alleviate suffering and enhance human security on the continent (AULO, 2016). These instruments complement one another in giving guidance to humanitarian action on the continent. AUHPF enhances AU's leadership role through providing strategic approaches that implement regional and international law for standard humanitarian action on the continent. Both instruments strongly advocate for predictive and preventive response and adaptive capabilities. The continental body also has several instruments and mechanisms to mitigate natural disaster and extreme weather condition like the Africa Risk Capacity (ARC). The Special Emergency Assistance Fund (SEAF) and other normative frameworks mentioned above assist member states in humanitarian action.
As can be seen in the above chart, the African Union humanitarian normative settings remain the greatest strength, and coordination mechanisms and platforms continue to guide and support humanitarian action in AU member states. The AU Humanitarian Policy framework spans the 1969 OAU Convention on Refugees to the 2009; African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention); African Union Policy Guideline African Standby Force on the role of the in Humanitarian Action and Natural Disaster Support (HANDS) etc. There are also mechanisms like Specialized Technical Committee (STC) on Migration, Refugees and Internally Displaced Persons and the Permanent Representative Subcommittee on Refugees, Returnees, and Internally Displaced Persons that oversees and advises AU member states on humanitarian issues. In addition, different organs of the African Union such as the Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrant in Africa, of the African Commission on Human and Peoples’ Right, works towards protecting the most vulnerable population in Humanitarian settings.

The Protocol for the establishment of the Peace and Security Council expounds on an additional AU mechanism in humanitarian response by stating the Peace and Security Council’s active role in coordinating and conducting humanitarian action, calling for the council to develop its own capacity to take humanitarian action efficiently. More specifically, Article 15 of the protocol highlights the role of the African Standby Force (ASF) in facilitating humanitarian emergencies and response. Similarly, the Continental Early Warning System (CEWS), one of the pillars of the APSA, have humanitarian indicators that alerts member states for possible humanitarian calamities to take early action when possible.

According to the CAP on humanitarian effectiveness, the AU Humanitarian agency will be set up to advance the continental agenda on humanitarian action. It will be an African institutional pillar in dealing with the effects of natural and human-made disasters. It is also envisioned to strengthen the African humanitarian architecture and bridge the gap in global humanitarian action (AU, 2016) and strengthen the efforts, capacity and capabilities of AU member states, regional mechanisms and bodies in responding to humanitarian crises in line with international and regional instruments. It is also instructive that the core mandate of this Pan African Agency is to be an independent, innovative, self-driven and self-funded agency that will complement and coordinate the humanitarian affairs in Africa (BADEJO, 2019) derived from existing continental instruments like the Constitutive Act adopted in July 2000 and Agenda 2063 - 'The Africa We Want.' The draft statute of the African Union Humanitarian Agency pointed clearly that mandate of the Agency is to ensure effective coordination of humanitarian action in Africa. Research, capacity building, advocacy as well as a platform for coordinating and mapping regional and international humanitarian action are part of the functions of AU Humanitarian Agency. It is also to be charged with linking RECs, regional mechanisms and member states in building resilience through preparedness and prevention like disaster risk reduction that builds on existing emergency response in addressing root causes and finding durable solutions to forced displacement in Africa.

It is clear from the designated functions on the statute of the AU Humanitarian Agency that it should play more of a preventive (rather than reactive) role in mitigating humanitarian crises. In other words, even if conflict prevention is not its primary role, the agency can be a complementary mechanism calibrated to avert humanitarian crises in Africa. It is precisely for this reason that the AUHPF placed a premium on utilizing early warning systems, both within the AUC and in RECs, to enhance predictability and to prevent possible humanitarian crises by facilitating early action (AUC, 2015). The increasing complexity of threats, combined with the growing linkages between conflicts, disasters, and other risk factors, necessitates an approach that incorporates risk assessment and integrates multi-risk indicators and vulnerabilities at the national and regional levels (BADEJO, 2019). While making a strong case on how the AU Humanitarian Agency should pursue and elevate conflict prevention, it is essential to avoid duplication of efforts across several institutions and organs of the AU and RECs.

**The Mandate of the African Union Humanitarian Agency**

Almost a decade ago, the Humanitarian Policy Forum (HPF) pointed out that there is no prototype on the regional organization’s role in humanitarian action as much as there is on peace and security (Zyck, 2013). Today, however, there is renewed interest among Africa’s intergovernmental institutions in engaging in humanitarian action. Although they were established mainly to address economic, political and security challenges, the AU and the RECs are beginning to place a premium on the need to address emerging humanitarian crises in proactive and sustainable ways (Zyck, 2013). First, they are doing so by putting in place robust normative frameworks, agendas, and plans of action on disaster risk reduction and forced displacement in Africa.
The study on the operationalization of the AU Humanitarian Agency divides drivers of humanitarian crises in Africa into four categories. Along with geological, hydro-meteorological, and biological drivers, conflicts alone account for the highest share (80%) of disasters in Africa (BADEJO, 2019). If that is the case, the question this raises is: how can the AU Humanitarian Agency play a predictive and preventive role in addressing conflicts? Furthermore, the new humanitarian agency is likely to confront challenges linked to the political context or environment within which it is expected to operate. This is, without question, the case, given that “there are no humanitarian solutions to humanitarian problems”. Essentially, the new AU Humanitarian Agency can only survive by navigating complex political contexts and considerations that would shape what it can do and achieve. Therefore, the core argument is that the agency must have political acceptance, capacity, and leverage to build humanitarian effectiveness. Here, the quixotic issue of ‘sovereignty comes into play, as the agency seeks to pursue its preventive mandate within the political context, whereas the AU and RECs, as intergovernmental institutions, also work with their sovereign member states that are most reluctant to give up their much-avowed principle of non-interference (Sharpe, 2017).

**AU Humanitarian Agency: Challenges and Opportunities**

Among many humanitarian challenges experienced in Africa, the COVID-19 pandemic poses additional problems. 2020 was an important year for the AU, which gave due recognition to conflict by dedicating the year to Silencing the Guns. It was also the year that global attention towards the fight against racism was renewed following the killing of George Floyd in the USA which led to a growth in the #BlackLivesMatter movement. In the humanitarian sphere, and for the purpose of this policy brief, another major development that surfaced was the fervent call to ‘decolonize’ international aid and humanitarianism. This acknowledges the existence of a lopsided and unjust power relationship in the global humanitarian system, which is not only funded and dominated by the North versus the Global South, where the need for urgent humanitarian actions is growing at an unprecedented scale (Slim, 2020). Degan Ali (2020) shed critical insight on the systemic racism in the humanitarian system when she argued that "[We] have to be honest about who the humanitarian system is — and it is dominated by the UN and NGOs who are predominantly ‘Westerners’ (Cornish, 2020). Consequently, the AU Member States made a strong call for the AU Humanitarian Agency to be anchored on Pan-Africanism and African shared values and fully funded with Africa’s own resources.

There is a success story to share on the AU response to emergencies primarily related to public health emergencies. One of the key lessons learned from the management of the Ebola outbreak was establishing an institutional platform to mobilize and coordinate a response. Also born out of the need to proactively and adequately respond to the Ebola outbreak in West Africa and the Democratic Republic of Congo (DRC), the African Centre for Disease Control and Prevention (Africa CDC) is now actively involved in similar efforts to mitigate the debilitating impacts of, public health emergency, COVID-19 in Africa.

It is instructive that the African CDC, which was already well-prepared, marshalled a coordinated response to COVID-19 well before the pandemic reached Africa. The initiative has become one of the best examples of adopting “African Solutions to African Problems”. Despite the remarkable achievements that African CDC realized within its relatively short existence, there is the need to turn the spotlight on some of the teething and long-term challenges the AU Humanitarian Agency might face in dealing with humanitarian emergencies and what they portend for its capacity to deliver promptly and adequately as and when the need for humanitarian response arises.

First and foremost, the AU has delayed in fully operationalizing the Agency, four years after the decision to establish it was adopted in 2016. In 2019, AU member states called upon the AUC to expedite the agency’s operationalization for the umpteenth time (AU, 2019). In his commentary in The New Humanitarian, Oheneba Boateng highlighted possible challenges the AU Humanitarian Agency might face in its effort to Africanise the continental humanitarian system. The current anti-racism movement in various parts of the world puts a spotlight on the international humanitarian system and the urgent need to decolonize it to reflect particular regional contexts and exegeses. A corollary to this is related to the challenge imposed by the exercise of sovereignty. To what extent will AU member states fully and genuinely commit themselves to empowering the new agency with the right mix of resources to prevent and address humanitarian crises? This alone will require political will to mobilize adequate funding (Boateng, 2019). In addition, there is a need for AU member states to step up and honor the commitment made to finance humanitarian response, more specifically contribution to the refugees and Internal Displaced Persons Fund. The Executive Council decided in 2010, (EX.CL/Dec.567(XVII)), to increase contributions to this fund from 2% to 4%. Similarly, efforts towards replenishing the Specialized Emergency Assistant Fund (SEAF) properly and materializing the discussion on expanding the AU Peace Fund to include other emergencies need to happen.
Conclusion

Protracted violent conflicts have led to unprecedented forced displacement and destruction of livelihoods in many parts of Africa. The AU achieved commendable results by showing solidarity in response to health pandemics, the need to extend the momentum to capture the broad spectrum of humanitarian challenges has become acutely urgent for several reasons. On the one hand, the AU has managed to adopt a milestone decision to establish the AU Humanitarian Agency after some delay; on the other hand, the full operationalization of the Agency has been slow in coming to fruition. Despite the perceived need, it may take some time for the AU to take up the challenge of fully running a humanitarian Agency in a short time.

Recommendation

1. The AU Should further elaborate on the AU Humanitarian Agency comparative advantage equivalence to existing international and regional humanitarian agencies as well as mechanisms so that it can be able to bridge the gap in addressing needs and responses on the continent.

2. In the context of the existing humanitarian operation environment, AU Humanitarian Agency has no choice but to be innovative in its approach and be anticipatory in its response not only to save cost but to decrease human suffering and preserve the dignity of citizens of its continent more specifically women and children who continue to pay the highest price in humanitarian crises. The Agency needs to find ways to be accountable to the people in need, as the Agency is an extension of the AU and its member states. Accountability should also be to the affected population. This gives the AU Humanitarian Agency and other AU specialized institutions the chance to expand the debate on accountability to African Citizens.

3. The CAP clearly states the current International humanitarian system is unable to withstand the existing humanitarian crises especially in Africa- and this helps in defining the structure as well as the role and responsibilities of the AU Humanitarian Agency. The AU Humanitarian Agency has the opportunity to be less reactive in its approach and invest more on prevention and anticipatory action in order to address humanitarian crises in Africa.

4. The AU Humanitarian Agency should enhance institutional alignment by closely working with different organs/departments of the African Union and reduce duplication of efforts in prevention of conflict, disaster risk reduction and other efforts aimed at investing in disaster preparedness. At the same time, it should foster a strong partnership with international and regional humanitarian partners operating in Africa.

The COVID-19 pandemic offers another opportunity to revisit and update the blueprint to take cognizance of new challenges and imperatives previously not considered. The bottom line is that, even if there is still some room to think through and improve upon current modalities necessary to shape the future of the Pan-African humanitarian agency, there is not much time to waste in fully establishing it, given the sheer scale and scope of humanitarian challenges that require urgent attention. The AU, RECs, and other key stakeholders within and outside the continent would enthusiastically embrace and support achieving positive results if enough funding were available, and make sovereignty concessions necessary to advance the agenda.

The question should be: should the Agency duplicate the global humanitarian architecture that has been accused of being reactive to emergencies, or should it be made more vigilant to anticipate and address emergencies before they occur. The answer could not be more obvious.
Endnotes


3 The Sub-Committee assist AU design, develop, defining, harmonies and coordinating policy on matters affecting refugees, displaced persons and returnees, as well as in matters relating to the promotion of humanitarian law on the continent. Executive Council called on the Commission in close collaboration with the PRC Sub-Committee on Refugees to engage Member States in a Political Process, to establish an African Position that will be presented at the World Humanitarian Summit Executive Council Ex.CL/Dec.817 (XXV))

4 Including but not limited to UN partners like OCHA, UNHCR, International and regional NGOs NRC, AHA and the ICRC, IFRC etc.

5 A network ANLAP (Active Learning Network for Accountability and Performance) is a sector-wide network in the international humanitarian system made up of key international humanitarian organizations and experts.

6 Anticipatory action is a set of actions taken to prevent or mitigate potential disaster impacts before a shock or before acute impacts are felt. https://www.unocha.org/sites/unocha/files/20210729-AnticipatoryActionHLE2021_ConceptNote.pdf

7 Here it is also important to indicate the triple nexus and approach getting momentum the need for humanitarian-development and peacebuilding, strengthening the argument on this paper—the need for all actors to work together to address the gap left by each response and approach. It is not also surprising to see initiatives like.

8 Coordination Committee on Forced Displacement and Humanitarian Action (CCOFDHA) is another instrument yet to be revitalized.

9 The African Union Peace and Security Council follow suit the United Nations Security Council established decisions that considers health crisis as threats of international peace and security, including through its secondary impacts. The African Union Peace and Security Council has been discussing health emergencies in its councils since the outbreak of the Ebola Virus in 2014. In 2021, the AUPSC expressed concern regarding social, economic, political and security threats posed by COVID-19 pandemic in the continent as it continues to pause threat to human security increased existing inequalities and disrupt the implementation of Agenda 2063 and other flagship projects.

10 The only exception in this regard is perhaps the Inter-Governmental Authority on Drought and Development (IGADD) - which later metamorphosed into the Intergovernmental Authority for Development (IGAD) - and was principally established to mitigate the adverse impacts of drought and natural disasters in Eastern Africa during the 1970s and 80s.


12 Several abbreviation has been proposed for the African Union Humanitarian Agency (AfHA, AUHA) but final decision has not been made yet.

13 Indeed, its full operationalization was expected to be one of the highlight events to commemorate the AU theme of 2019, “Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa.”


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