

A New Dawn for AU's Role in Humanitarian Action?

As we continue to profile some of the key items for the 36th AU summit, the latest from 'Ideas Indaba' focuses on engagements around humanitarian issues. While these engagements include submission of a report to the Assembly on the state of the humanitarian situation and a ministerial side event, today's 'Ideas Indaba' features the AU Humanitarian Agency, whose Statute is expected to be adopted by the Assembly. This also offers analysis on why this matters.

A New Dawn for AU's Role in Humanitarian Action?Date | 13 February 2023

Tsion Hagos
Researcher, Amani Africa

In the face of the dire humanitarian crises affecting parts of the continent induced mainly by violent conflicts and in some cases by extreme weather events, one of the highly anticipated events is the expected adoption by 36th African Union (AU) Summit of the Statute of the AU Humanitarian Agency (AHA). This will bring to a close the establishment of the AUHA that was in the making for a number of years. Other activities on humanitarian issues around the summit include the presentation of a report to the summit on the state of the humanitarian situation in Africa, which according to the report has gone worse, and the ministerial side-event on 'Towards a new humanitarian agenda in Africa' by Rwanda and Sierra Leone in partnership with Norway, OCHA and IFRC, with a focus on the AU 10 Year Humanitarian Plan of Action taking place on 16 February, ahead of the opening of the Executive Council Session.

While the establishment of an African mechanism charged with

undertaking humanitarian activities officially formed part of AU's agenda in 2016 at the 26th AU Summit, the need to mobilise African capacity to address growing humanitarian needs in the continent was already one of the concerning issues at the forefront of discussions among AU Heads of State and Government, in earlier years. For instance, the Executive Council's decision in 2010 at its 17th Ordinary Session, to increase member States' contributions to the Refugees and Internally Displaced Persons (IDPs) fund from 2% to 4% [[EX.CL/Dec.556-599\(XVII\)](#)] was in recognition of the growing deterioration of humanitarian crises Africa. Similarly, at its 14th Ordinary Session convened in the same year, the AU Assembly noted the need for an African body that can ensure coordination and harmonisation of humanitarian action in the continent [[Assembly/AU/Dec.268 – 288 \(XIV\)](#)].

Experiences in recent years, including the worrying deterioration of the humanitarian situation on the continent, have made it clear that Africa ill affords to deal with the humanitarian situation in a business-as-usual fashion. In an initiative that seeks to shift Africa's place from being a mere object of global humanitarian action to being an actor in responding to the plight of Africans caught up in humanitarian crises, in 2016, at its 26th Ordinary Session, the AU Assembly decided to 'establish an African Humanitarian Agency which should be anchored on regional and national mechanisms and funded with Africa's own resources' and requested the AU Commission to 'embark on the process for the establishment of such an architecture ***anchored on principles of pan-Africanism and African shared values***' [[Assembly/AU/Dec.588-604\(XXVI\)](#)].

The process for translating this ambition into reality through establishing the AUHA has since been underway. A critical milestone achieved in this regard has been the development of the Draft Statutes of the AUHA articulating the objectives, mandates, functions, operational modalities and overall

structure of the agency. After a few years of work and rounds of revisions, the final consideration of the Statute before submission to the Assembly for adoption was during the 8th ordinary session of the Specialized Technical Committee on Justice and Legal Affairs of the AU held on 11 December 2022. While the meeting adopted the Statute, a major proposed change concerned the naming of the entity. The proposal was to change 'Agency' to 'Institution'. In the text of the Statute for presentation to the Executive Council before its consideration for adoption by the Assembly, this change is not reflected.

The rationale for establishing a humanitarian agency of the Union has in fact been an important aspect of the discussions around operationalisation of the AUHA. As emphasised in a 2019 study conducted on the operationalisation of the agency, one critical factor which justifies the need for the establishment of the AUHA is the coordination void faced in the existing humanitarian response framework. For instance, while the AU has already instituted various structures such as the Africa Centres for Disease Control (Africa CDC) that can and are playing major role to respond to natural disaster and crises, there is absence of clear modalities for coordination between these mechanisms.

Similarly, implementation of normative standards on humanitarian issues including the OAU Refugee Convention, the Kampala Convention and the AU Humanitarian Policy Framework can benefit from a more organised and coordinated approach in order to be more impactful. The need to respond to humanitarian disasters in a coordinated manner also becomes more apparent as the nature of crises in the continent growingly turns to be more complex and compounded, adding impetus to the operationalisation of the AUHA. In addition to advancing coordination of existing mechanisms and normative standards, the agency is also expected to allow a well synchronised humanitarian response at the national, regional and continental levels through harmonisation of efforts

between member States, Regional Economic Communities and Regional Mechanisms (RECs/RMs) and the AU.

Further to playing a critical role in ensuring coordination, the AUHA would also contribute considerably towards supporting the global humanitarian system which is often regarded as being 'over-stretched'. Not only that, but having an agency which is founded upon continental policy and legal frameworks and which is 'anchored on principles of pan-Africanism, solidarity and African shared values' is also crucial to boost sense of ownership and commitment among African stakeholders. The war in Ukraine which broke out in February 2022 showed how humanitarian operations in Africa can easily suffer due to shifting of aid budget among major contributing countries.

In addition to filling in these gaps, the AUHA can also be deployed towards approaching humanitarian assistance in a manner that is both preventive and responsive. For the most part, humanitarian efforts in the continent are deployed in reaction to full-scale disasters and suffering, most of which could, at the very least, be minimised, if not averted, if timely and effective early warning and preventive action is taken. This applies in cases of both manmade and natural disasters and further to minimising the human cost, environmental damage and collapse of economies, a proactive preventive approach based on effective early warning system is also less costly than responding to an already aggravated humanitarian crisis.

It is against this background that a significant preventive role is assigned to the AUHA in the Statute for instance be the development and implementation of anticipatory tools for crisis preparedness and early action. Indeed, the first of the objectives of AUHA is to 'prevent humanitarian crises through early warning for timely response to situations that may result in humanitarian crises'. In terms of armed conflicts which continue to cause the greatest humanitarian crises on the continent, the agency, in close coordination with the

continental early warning system (CEWS), could for example take on the role of actively anticipating hotspots expected to experience highest loss of human life and damage to property in countries that show clear signs of looming full-blown conflicts. In case of climate change and natural disasters too, the agency can undertake a similar preparedness and early action role in collaboration with pre-existing mechanisms.

Another area of major value addition of the agency could be in advancing humanitarian diplomacy. As we have argued in our [policy brief](#) on the AU humanitarian summit in May 2022, one of the gaps in responding to conflicts relates to the use of humanitarian diplomacy as part of the tool box for responding to conflicts in Africa. The leadership of AUHA on humanitarian diplomacy would fill in a major gap and can contribute hugely to mitigating suffering by facilitating early negotiations with conflicting parties on unhindered humanitarian access, full observation and compliance with international humanitarian law and human rights principles.

While its importance therefore remains beyond doubt, the effective operation and functioning of the AUHA is more than likely to face considerable challenges when it comes to securing sustainable and sufficient funds. As specified in the Draft Statutes and in accord with the central objective of creating an African owned humanitarian agency, the AUHA's budget is to be borne by the AU. This means the agency's main source of financing comes from member States' contributions. While emphasizing contribution from member states, the Draft Statutes already acknowledge the need for securing funding from outside sources, through voluntary contributions from member States, private sector contributions and contributions from AU partners. Also worth considering is as further resourceful African base to explore for funding the agency could be the African diaspora community.

No doubt it is better to resolve the main source of humanitarian crises on the continent than invest in deploying

humanitarian action. Yet, while working on such long-term structural solutions such as the effective operationalization of the African Continental Free Trade Area, which is the thematic focus of the AU for 2023, the establishment of this agency is a demonstration of responsibility by the AU. With the AU in its report to this upcoming summit indicating that Africa alone accounts for 11.6 million newly Internally Displaced People (IDPs) in the world triggered by conflict and violence- the highest figure ever recorded, the need for this agency, if anything, is long overdue. One hopes that it will prove its value.

The content of this article does not represent the views of Amani Africa and reflect only the personal views of the authors who contribute to 'Ideas Indaba'