

After years of negotiations, on 26 February 2020, the seven Member States of the [Intergovernmental Authority on Development \(IGAD\)](#)

, namely: Djibouti, Ethiopia, Eritrea, Kenya, Somalia, Sudan, South Sudan and Uganda, finally endorsed the

[Protocol on Free Movement of Persons](#)

. The Protocol marks a significant step in protecting those people in the Region that are displaced by disasters and are not qualifying for refugee status or other forms of international protection, in a Region in Africa among the worst affected by drought, flooding and environmental degradation, with additional challenges including conflict, poverty and weak governance.

Article 7, b. of the [Agreement Establishing IGAD](#) calls for the promotion of free movement of goods, services, and people and the establishment of residence. However, lacking a protocol on free movement of persons, iGAD Member States have regulated so far the movement of persons in the region exclusively on a bilateral basis. Ethiopia for instance has bilateral visa abolition agreements in force with Kenya and Djibouti, while Kenya signed in 2018 an

[agreement](#)

with Djibouti on visa exemption for holders of diplomatic passports.

In most of the Regional Economic Communities (RECs) in Africa, free movement Protocols are already in place that recognise the right of free movement to the all citizens in the territory of their respective regions, even though in many cases such RECs are still facing problems regarding their practical implementation. At present, regional and sub-regional free movement agreements across Africa's various RECs is still undermined by restrictive laws and policies at the national level, or by onerous documentation requirements for those who move. Among the RECs in Africa that have adopted specific arrangements recognising the right of free movement of persons, there are the [Economic Community of West African States](#) (ECOWAS) and [SADC](#), while in the East African Community (EAC) the right of free movement is recognised by the

[Protocol on the establishment of the East African Community Common Market](#)

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[COMESA Region](#)

there are two primary legal instruments governing the free movement of persons: 1) the Protocol on the Gradual Relaxation and Eventual Elimination of Visa Requirements, and 2) the Protocol on Free Movement of Persons, Labour, Services, the Right of Establishment and Residence, adopted in June 1998.

In some cases, for travellers residing in one of the above RECs, a passport is not even required, as the possession of a national identity card may be enough to allow entry and stay in

other countries of these Regions.

The IGAD Protocol will facilitate entry and lawful stay for those who have been displaced. It specifically provides for citizens of IGAD Member States to cross borders in anticipation of, during or in the aftermath of disaster, and enables disaster-affected people to remain in another country as long as return to their country of origin is not possible or reasonable. The IGAD Protocol could provide a first step in supporting the other African regions and countries to develop specific frameworks and guidelines for the use of free movement in the context of disaster and climate change.

The progressive realisation of free movement is a continent-wide goal in Africa. The African Union (AU) [Agenda 2063](#) sets out a vision of an integrated Africa, where people and goods move freely between countries. In 2018, the AU adopted a continent-wide [Protocol Relating to Free Movement of Persons, Right of Residence and Right of Establishment](#)

Together with the Protocol on Free Movement of Persons, an IGAD Roadmap for the negotiation and adoption of the Protocol was also adopted, setting out the next steps and the specific measures to be taken by the IGAD Member States in order to implement this Regional arrangement.

The draft of the IGAD Protocol on free movement of persons is available [here](#)

