

Regional Consultation of African National Human Rights Institutions on the Regional Review of the Global Compact for Safe, Orderly and Regular Migration in Africa

Online Side Event, 26 August 2021

Outcome Document

The National Human Rights Council (CNDH) of Morocco, in its capacity as Chair of the Working Group on Migration of the Network of African National Human Rights Institutions (NANHRI), and NANHRI organized an online side event of African NHRIs on the Regional Review of the Global Compact for Safe, Orderly and Regular Migration (GCM) in Africa, on 26 August 2021.

The event saw the participation of 22 NHRIs and regional and international stakeholders, including the International Organization for Migration (IOM) (Geneva HQ) and the African Commission on Human and Peoples' Rights (ACHPR). An invitation was also addressed to Ms. Hannah Forster, Executive Director of the African Centre for Democracy and Human Rights, an NGO, who was, at the last minute, unable to attend.

The opening session featured opening remarks by Ms. Amina Bouayach, President of the CNDH of Morocco and NANHRI Working Group on Migration, and Mr. Mohamed Fayek, NANHRI Chairperson. In her remarks, Ms. Bouayach stressed that this multi-stakeholder consultation is part of a series of events organized by the WG in implementation of its plan of action. She also called on the adoption of a consultative approach to the cross-border threats posed by some aspects of migration. Ms. Bouayach reiterated the importance of various roles that NHRIs can play in implementing and monitoring the GCM, and highlighted the need for a structured cooperation with the newly established African Migration Observatory.

Mr. Fayek highlighted that NHRIs were among the first stakeholders to address the implementation of the GCM and in this regard adopted the Cairo Declaration of NANHRI on implementing the GCM, which includes 26 recommendations related to the promotion and protection of migrants' rights as well as cooperation and partnerships with various stakeholders.

Ms. Gianna Sanchez, IOM representative, shed light on the role NHRIs can play in ensuring the implementation of international human rights law through contributing to the revisions and amendments to laws, or advocating for their revision; monitoring, capacity-building and engagement with international human rights mechanisms. Rémy Ngoy, vice-president of ACHPR, reaffirmed that ACHPR attached high priority to migration issues, stating that its action involved urging the members states of the African Union and the European Union to rethink their migration policies.

Four NHRIs from Kenya, Morocco, RDC and Niger spoke as panelists and shared their experiences regarding the implementation and monitoring of the GCM. The NHRI of Mauritania and Congo Brazzaville also intervened as participants.

More particularly, the NHRIs addressed the missions they have discharged under the 23 objectives of the GCM. While some NHRIs highlighted the need to raise awareness about the GCM at national level, other NHRIs have either contributed to the implementation and/or monitored States' compliance with its provisions.

The participating NHRIs have highlighted their best practices in the implementation of the GCM. These include calls on the government to extend financial support measures to vulnerable groups to include migrants, especially in the context of Covid-19. Other NHRIs have advocated for a human rights-based approach to migration policies and organized capacity building actions for national stakeholders on

migration perspectives. Some of the participating NHRIs have implemented projects related to migration, including support for the integration of migration in the labor market and advocacy for the launch of vaccination programs for migrants, while others conducted monitoring visits to assess the situation of migrants in places of detention and handled cases of violations of migrants' rights.

NHRIs also underlined that they have faced several challenges, namely the impact of COVID-19 on their work, inadequate funding and staffing and lack of awareness among state authorities regarding migration issues. They also called for further engagement with international stakeholders to encourage the implementation of the GCM, adoption of clear-cut migration policies and action plans to attain the objectives of the GCM.

The NHRIs made recommendations for a better implementation of the GCM. These included further financial and administrative independence of NHRIs through robust laws in line with the Paris Principles, and adequate funding for NHRIs so that they can better fulfill their mandate. They also recommended that new laws on foreigners and immigration be adopted, taking into account the new principles and objectives of the GCM. Migration policies in Africa, where appropriate, should be based on a human rights approach and take account of the provisions of the GCM. Further protection of the rights is needed by all state authorities, especially in time of crisis, such as Covid-19. More research is also needed to explore the linkages International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families and the GCM.

The WG will continue to raise awareness about the implementation of the GCM and call on states to fulfil their international engagements regarding the rights of migrants and members of their families.