

African regional review of implementation of the Global Compact for Safe, Orderly and Regular Migration

Rabat, 31 August and 1 September 2021

Background note

Thematic round table 2: Protecting migrants through rights-based border governance measures

Objective 4: Ensure that all migrants have proof of legal identity and adequate documentation.	Objective 8: Save lives and establish coordinated international efforts on missing migrants.
Objective 9: Strengthen the transnational response to smuggling of migrants.	Objective 10: Prevent, combat and eradicate trafficking in persons in the context of international migration.
Objective 11: Manage borders in an integrated, secure and coordinated manner.	Objective 13: Use migration detention only as a measure of last resort and work towards alternatives.
Objective 21: Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration.	

I. What are the opportunities and key challenges that will be considered by the thematic round table?

The Global Compact calls on United Nations Member States to ensure that the measures they adopt to promote the security and integrity of their borders and migration processes are in line with their international commitments. African initiatives to improve border management include the African Union Convention on Cross-Border Cooperation, also known as the Niamey Convention, of 2014, the African Union Border Programme and the African Union Border Governance Strategy, adopted to facilitate implementation of the Niamey Convention.

Significant challenges related to border management stem from the multiplicity of agencies involved in that process, the persistence of violent conflict along many borders, the fact that many borders between African countries are long and porous, and the widespread use of illegal border crossing points by migrants, smugglers and human traffickers. Many border management officials also routinely violate international human rights law, which mandates the detention of migrants only as a measure of last resort.

Much needs to be done to ensure that migrants who return voluntarily to their home countries receive assistance that covers both their immediate travel needs and their basic food and health-care needs. Many migrants also require financial assistance in transit, psychosocial support and long-term resettlement and reintegration assistance. Well-governed borders and deepening economic integration following implementation of the African Continental Free Trade Agreement could significantly enhance security and stability for migrants.

II. What steps must be taken to facilitate the achievement of the overall objective of thematic round table 2 in Africa?

- Improve procedures for the issuance of identity documents, which are required by African nationals wishing to apply for travel documents, and reduce the costs and simplify the administrative processes associated with the identity document application process;
- Improve coordination among African countries and international partners with a view to saving lives and reducing the number of migrants reported missing;
- Strengthen African countries' capacity to monitor their air, land and sea points of entry and exit with a view to preventing and detecting smuggling and trafficking activities, and ensure that appropriate penalties are imposed on individuals found guilty of smuggling and trafficking offences;
- Enhance border management by establishing interoperable digital immigration processing systems, and providing training to immigration and customs officials in line with international border management standards and protocols, including the need to use migration detention only as a measure of last resort;
- In line with established good practices, including those developed by Ethiopia, establish common standards and procedures for facilitating the dignified return and readmission of migrants, and implement long-term sustainable resettlement and reintegration programmes that support the livelihoods of returnees.

III. Guiding questions

- What are the major constraints that have impeded African countries' efforts to guarantee protections to migrants and promote rights-based border governance?
- What strategies and support mechanisms can be provided by States and development partners to ensure that all migrants have proof of legal identity and other required documentation?
- How can African countries and international partners expedite efforts to save lives and enhance their coordination on missing migrants?
- How can African countries improve their collaboration in order to combat smuggling of migrants in line with the United Nations Convention against Transnational Organized Crime, and strengthen the transnational response to smuggling of migrants and trafficking in persons in the context of international migration?
- How can African countries address the challenges faced by border communities, including cross-border violence, and secure borders that are often porous and difficult to monitor in an integrated, secure and coordinated manner?

- What steps should be taken to help African countries implement the provisions of international human rights instruments, including, in particular, articles 9 and 10 of the International Covenant on Civil and Political Rights, which require States to use migration detention only as a measure of last resort and to work towards alternatives?
- What lessons can be drawn from the good practices developed by Ethiopia and other countries to facilitate the safe and dignified return and readmission of migrants and their reintegration into society?

IV. Additional resources

Key resources related to this thematic area include:

- International Organization for Migration, Displacement Tracking Matrix. Available at: dtm.iom.int/.
- African Union Commission and International Organization for Migration, *Africa Migration Report: Challenging the Narrative (2020)*. Available at: au.int/sites/default/files/documents/39408-doc-africa-migration-report.pdf.
- World Bank, Identification for Development (ID4D) initiative. See: id4d.worldbank.org/.
- North Africa Mixed Migration Task Force, Mixed Migration Hub. See: www.mixedmigrationhub.org/.
- International Organization for Migration, *IOM Continental Strategy for Africa 2020–2024 (2020)*. Available at: publications.iom.int/books/iom-continental-strategy-africa-2020-2024.
- International Organization for Migration, *World Migration Report 2020 (2021)*. Available at: worldmigrationreport.iom.int/.
- International Organization for Migration Missing Migrants Project (Africa portal). Available at: missingmigrants.iom.int/region/Africa.
- African Development Bank, *African Visa Openness Report 2020*. Available at: www.visaopenness.org/fileadmin/uploads/afdb/Documents/VisaOReport2020-R8_14dec20.pdf.
- African Union Commission, *Draft African Union Border Governance Strategy (November 2017)*. Available at: www.peaceau.org/uploads/2018-06-14-aubgs-e.pdf.
- African Union Commission, *Migration Policy Framework for Africa and Plan of Action (2018–2030)*. Available at: au.int/sites/default/files/documents/35956-doc-au-mpfa_2018-eng.pdf.

- African Union Peace and Security Council, *African Union Master Road Map of Practical Steps to Silence the Guns in Africa by the Year 2020* (Lusaka Master Roadmap) (November 2016), Available at: au.int/sites/default/files/documents/37996-doc-au_roadmap_silencing_guns_2020.pdf.en.pdf.
- African Union Commission, *Draft Report of The Evaluation of the Implementation Status of The African Union's Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children (2006) in Africa* (January 2019). Available at: au.int/sites/default/files/newsevents/reports/36175-rp-final_draft_report-english.pdf.
- Office of the United Nations High Commissioner for Human Rights, *Recommended Principles and Guidelines on Human Rights at International Borders* (n.d.) Available at: www.ohchr.org/Documents/Issues/Migration/OHC_HR_Recommended_Principles_Guidelines.pdf.
- United States of America, Department of State, Office to Monitor and Combat Trafficking in Persons, *2020 Trafficking in Persons Report* (June 2020). Available at: www.state.gov/reports/2020-trafficking-in-persons-report/.
- United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons (2018)*. Available at: www.unodc.org/e4j/data/_university_uni_/global_report_on_trafficking_in_persons_2018.html.
- International Organization for Migration, Return and Reintegration Platform. Accessible at: returnandreintegration.iom.int/en.