

Third AUC-NANHRI Policy Forum on the State of African National Human Rights Institutions

Concept Note and Agenda

Theme:

The NHRIs' Contribution to Durable Solutions on Forced Displacements in Africa

#DurableSolutionsToForcedDisplacementsInAfrica

September 5-6, 2019
Addis Ababa, Ethiopia



Empowered lives.
Resilient nations.



Concept Note

Introduction

The Annual Policy Forum on the State of National Human Rights Institutions (NHRIs) in Africa is a joint initiative of the African Union Commission (AUC) and the Network of African National Human Rights institutions (NANHRI). The Forum seeks to provide a structured space for cultivating strategic collaborations, vital insights, and ambitious goals regarding the future of African national human rights institutions. The dialogue entails policy discussions among the Permanent Representatives Committee of Member States to the African Union (PRC), the African NHRIs, CSOs, Academia, Media and other regional and national stakeholders, as well as development partners. The Forum is held annually at the Headquarters of the African Union in Addis Ababa, Ethiopia.

The first Forum was held on September 6, 2017 at the African Union Commission Plenary Hall in Addis Ababa, Ethiopia, on the theme *“Strengthening Human Rights-Based Approach to Development in Africa: the nexus between strong human rights institutions and development at the national level”*. The Forum (attended by PRC Members, NHRIs, CSOs/development partners and academia) discussed the integral role played by NHRIs in promoting the development agenda at both the national and regional levels, and identified actions that need to be taken by states and other actors in ensuring effectiveness of NHRIs. An implementation committee was also established and tasked with the responsibility of spearheading the implementation of the commitments made. The Committee comprises eight representatives drawn from the PRC, AUC, NHRIs, UNDP, OHCHR and NANHRI Secretariat.

The second Forum which happened on 23-24 November 2018 at the African Union Conference Centre in Addis Ababa, Ethiopia, on theme of *“Role of African National Human Rights Institutions in Winning the Fight against Corruption”*. This was in line with the African Union 2018 theme of *“African Anti-Corruption Year”*, and was jointly organised by the African Union Commission Department of Political Affairs, the Advisory Board on Corruption and the Network of African National Human Rights Institutions. The Forum culminated in the adoption of the 2019-2023 Joint African

Union and NANHRI Action Plan on the Role of African National Human Rights Institutions in Preventing and Combating Corruption in Africa

The theme of the 2019 AUC-NANHRI Policy Forum on the State of African NHRIs is *“The Contribution of NHRIs to durable solutions to forced displacements in Africa”*.

Context

Africa hosts over a third of the world’s forcibly displaced persons. This includes 6.3 million refugees and 14.5 million internally displaced persons (IDPs). The continent is also home to 509,900 asylum seekers and 712,000 stateless persons. Oftentimes, these forcibly displaced persons are vulnerable to abuse, exploitation and violations in context of volatile migratory flows. Conflicts, natural disasters, the effects of climate change and other factors have left a large number of civilians in need of humanitarian assistance. These displaced persons often find themselves in protracted situations where solutions have become illusory¹.

At its 31st Ordinary Session held in Nouakchott Mauritania on 1-2 July 2018, the African Union (AU) Assembly adopted a decision declaring 2019 as the year of “Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa”.

The year 2019 also marks the 50th anniversary of the adoption of the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (OAU Refugee Convention) and the 10th anniversary of the adoption of the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention). The year 2019 will also mark the 400th anniversary of the transatlantic slave trade. The African Union Heads of State and Government took a decision to commemorate and remember this chapter of the largest and longest forced migration in African history. Commemorating this anniversary will at a minimum, serve to remind Africans of the historical experience of the African diaspora which

¹ UNHCR Global Appeal 2019 Update

continues to shape even contemporary African migration, conflict and economies.

In response to the above, the African Union has developed comprehensive and robust normative frameworks governing forced displacement. Within the framework of African Agenda 2063, the AU Assembly of Heads of State and Government adopted a Common African Position on Humanitarian Effectiveness (CAP) and called for a ten-year period of transformation to strengthen humanitarian action on the continent (Decision 604 (XXVI)). The CAP defines Africa's new humanitarian architecture, which includes the creation of the African Humanitarian Agency as a vehicle for Africa's humanitarian action and also emphasizes addressing root causes and achieving durable solutions, as well as bolstering the capacity of States and other stakeholders to tackle the challenges of forced displacement on the continent.

Various African countries have also embarked on the piloting of the Comprehensive Refugees Response Framework (CRRF) which, at the national level, encouraged policy reforms and implementation of innovative programs. These national approaches and practices have been instrumental in the development of the Global Compact on Refugees.

The Global Compact on Refugees is a framework for more predictable and equitable responsibility-sharing adopted by the United Nations General Assembly in 17 December 2018 after two years of extensive consultations led by UNHCR with Member States, international organizations, refugees, civil society, the private sector and experts. While recognizing that a sustainable solution to refugee situations cannot be achieved without international cooperation, the Framework provides a blueprint for governments, international organizations, and other stakeholders to ensure that host communities get the support they need and that refugees can lead productive lives.

Rationale

With 49 NHRIs established on the continent out of the 55 AU Member States² (including the recently established Gambia and Central African Republic NHRIs), NHRIs have become an integral part of the structure for the national human rights protection systems in the continent. Their vital role in the African human rights system is further underscored in the various policy documents of the African Union which highlight the need for strengthened institutions at the national level. According to a 2016 Study by NANHRI and UNDP, African NHRIs have a significant degree of stability and consistency in their operations, with instances of disruptions to their operations. Political will, inadequate funding and political instability in some countries are also key factors that impact negatively the smooth operations of African NHRIs³.

While it's envisaged that these institutions operate optimally to deliver on their mandates, implementation of the various African Union shared values instruments⁴ on human rights and various policy recommendations made in the 2016 State of African NHRIs Report require a renewed commitment by states to ensure strong national institutions for the promotion and protection of human rights. Thus, the role of the African Union Permanent Representatives Committee cannot be underestimated, particularly the PRC Sub-Committee on, Democracy, Governance and Human Rights; and the PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons.

Through the Policy Forum, Members of the PRC will seek to engage with NHRIs and other stakeholders, including, civil society and academia on strategic collaborations and actions that are required to ensure NHRIs are in a position to contribute significantly to durable solutions to displacements in Africa.

² NANHRI & UNDP, 2016

³ NANHRI and UNDP, 2016

⁴ African Union shared values refer to the body of norms that espouse Africa's commitment to human and peoples' rights

Stakeholders / participants

- Members of the Permanent Representatives Committee (PRC)/ PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons
- Department for Political Affairs of the African Union
- African Commission on Human and Peoples' Rights
- African Committee of Experts on the Rights and Welfare of the Child
- African National Human Rights Institutions
- Relevant state actors
- International development Partners
- Civil Society Organisations
- International Committee of the Red Cross (ICRC)
- International Federation of the Red Cross and red Crescent Societies (IFRC)

Key reference documents

- Common African Position on Humanitarian Effectiveness (CAP)
- African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (OAU Refugee Convention)
- AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention)
- IASC⁵ Framework on Durable Solutions for Internally Displaced Persons

Policy Forum format

- The Forum will entail presentations, plenary discussions and sub-regional breakout sessions.

⁵ Inter-Agency Standing Committee (IASC)

General objective

- To strengthen the capacity of African National Institutions for the Promotion and Protection of Human Rights

Specific objective

- To identify strategic collaborations and actions to strengthen the contribution of NHRIs to durable solutions to displacements in Africa

Expect Outputs

- Comprehensive proceedings of the Forum
- Action plan on the role of African NHRIs in durable solutions to displaced persons in Africa

Implementation and Monitoring of Policy Forum Action Documents

- The AUC-NANHRI Policy Forum Implementation Committee formed at the 2017 Policy Forum, will be responsible for leading the implementation of the adopted Action Plan. NANHRI working together with the Department of Political Affairs of the African Union Commission will act as a secretariat to monitor and report on NHRIs work and actions in the implementation of the action plan. Progress reports will be presented in the subsequent Policy Forums.

Agenda

Overall Policy Forum Moderator: **Amb Salah Hammad**, *Head of the AGA Secretariat / Senior Human Rights Expert at the Department of Political Affairs of the African Union Commission*

Thursday, 5th September

08:00 – **Arrival and registration**
08:30

08:30 – **OPENING SESSION**
10:00

Session Moderator: **Dr Matlosa Khabele**, *Director of the Department of Political Affairs of the African Union Commission*

Welcome remarks by **Mr. Gilbert Sebihogo**, *Executive Director of the Network of African National Human Rights Institutions (5 min)*

Remarks by **Mrs. Amina Bouayach**, *Chairperson of the Morocco National Council for Human Rights and NANHRI Working Group on Migration (5 min)*

Remarks by **Ms. Nwanneakolam Vwede-Obahor**, *Regional Representative of Office of the High Commissioner for Human Rights to the African Union and the East Africa Regional Office (5 min)*

Remarks by **Mr. Lamin Momodou Manneh**, *Director of United Nations Development Programme Regional Service Center for Africa (5 min)*

Remarks by **Amb. Morten Von Hanno Aasland**, *Permanent Representative of Norway to the African Union (10 min)*

Speech by **H.E. Amira El Fadil**, *Commissioner for Social Affairs of the African Union Commission (10 min)*

Speech by **H.E. Minata Samate Cessouma**, *Commissioner for Political Affairs of the African Union Commission (10 min)*

Speech by **H.E. Osama Abdelkhalek**, *Ambassador of the Arab Republic of Egypt to the African Union and Chairperson of the African Union Permanent Representatives Committee (10 min)*

Key note address by **Hon. Birhanu Tsegayie**, *the Attorney General of the Federal Democratic Republic of Ethiopia (15 min)*

10:00 – Family photo / Coffee break
10:30

10:30 – **SESSION 1: Setting the scene**

11:30

Session Moderator: **Gilbert Sebihogo**, *NANHRI Executive Director*

- Department of Political Affairs and NANHRI Secretariat (20 minutes)

Plenary session (30 minutes)

11:30 – **SESSION 2: Common trends, statistical data and kinds of displacements in Africa**
13:00

Session Moderator: **H.E. Osama Abdelkhalek**, *Ambassador of the Arab Republic of Egypt to the African Union and Chairperson of the African Union Permanent Representatives Committee*

Presentation by **Ms. Maya Sahli Fadel**, *Member of the African Commission on Human and People's Rights and Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons in Africa (30 minutes)*

Discussion panel:

- **Ms. Ivana Hajzmanova**, *Monitoring Expert in East Africa Region, Internal Displacement Monitoring Centre, Switzerland (7 minutes)*
- **Mr. Emmanuel Okorodudu**, *Head of Democracy and Good Governance at the ECOWAS Commission (7 minutes)*

Plenary session (60 minutes)

13:00 – Lunch break

14:30

14:30 – **SESSION 3: Impact of displacements on Africa Agenda 2063**
16:00

Session Moderator: *PRC Member*

Presentation by the **African Union Commission** - Humanitarian Affairs, Refugees and Internally Displaced Persons (HARDP) Division (20 minutes)

Discussion panel:

- **Ms. Cecilia Jimenez-Damary**, *United Nations Special Rapporteur on the Human Rights of Internally Displaced Persons (10 minutes)*
- Member of the PRC Sub-Committee on Refugees, Returnees and Internally Displaced Persons (7 minutes)
- **Adv. Joseph Whittal**, *Chairperson of the Ghana Commission on Human Rights and Administrative Justice and NANHRI Working Group on SDGs (7 minutes)*
- **Mr. David Kigozi**, *Programme Director at the International Refugee Rights Initiative (7 minutes)*

Plenary session (60 minutes)

16:00 – **SESSION 4: Lessons from migrants' contributions to economic development**
17:30

Session Moderator: **H.E. Hope Tumukunde**, *Ambassador of Rwanda to the Federal Republic of Ethiopia and Permanent representative of Rwanda to the African Union*

Presentation by: **Mrs. Junita Calder**, *Regional Coordinator for the International Detention Coalition (30 minutes)*

Discussion panel:

- **Ms Kagwiria Mbogori**, *Chairperson of the Kenya National Commission on Human Rights*
- **Mrs. Makwetla Matlhodi Angelina**, *Commissioner at the South African Human Rights Commission (7 minutes)*
- **Charles Obila**, *IGAD Migration Program (7 minutes)*
- **Ms. Tumuhimbise Carolyne**, *International Organization for Migration (IOM) (7 minutes)*

Plenary session (60 minutes)

Coffee break / End of day 1

09:00 – **SESSION 5: Formulating Strategies to Better Manage Displacements (Breakout sessions)**
11:00

Session Moderator: **Ms. Maya Sahli Fadel**, *Member of the African Commission on Human and People's Rights and Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons in Africa (10 minutes)*

Particular focus will be made on creating an enabling environment for return and reintegration:

- How can displacement better find its way into regional/ national/ subnational development plans (harmonizing national, regional and international levels' strategies);
- How can we stimulate early action to mitigate against displacements as a way to eliminate the root causes of displacement - poverty, inequality, climate change, governance deficits and even conflicts;
- How can the protection of vulnerable groups - women and children- be mainstreamed in national strategies; and
- What strategies can be applied to improve cooperation among actors at various levels

Working Groups: (90 minutes)

- **Group 1: Conflict induced displacements**
 - Moderator:
 - Resource person: **Mrs. Junita Calder**, *Regional Coordinator for the International Detention Coalition*
 - Members: **Niger, Burundi, CAR, DRC, Algeria, Congo, Cameroon, Mali, Liberia, Djibouti, Rwanda, Nigeria, South Sudan, Chad, Sudan, IGAD, IRRI, ACDHRS**
 - **Group 2: Ecological/ climate change induced displacements**
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- Moderator: **Ambassador Ahmed Haggag**, *Commissioner at the Egypt National Council for Human Rights*
 - Resource person: **Dr Matthew Scott**, *Senior Researcher at the Raoul Wallenberg Institute of Human Rights and Humanitarian Law*
 - Members: **Zambia, Togo, Tanzania, Sierra Leone, Senegal, Mauritius, Morocco, Mauritania, Malawi, Ethiopia, Mozambique, Zimbabwe, Guinea, UNICEF**
- **Group 3: Development induced displacements**
- Moderator:
 - Resource person: **Mr Hezekiah Abuya**, *Senior Regional Protection Adviser to the UN Special Rapporteur on the human rights of IDPs*
 - Members: **South Africa, Uganda, Madagascar, Kenya, Ghana, Gambia, Comoros, Cape Verde, Burkina Faso, Benin, Namibia, Swaziland, ECOWAS, ACPF**
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11:00 – Coffee break

11:30

11:30 – **SESSION 5 Continues:**

13:00

Session Moderator: **Ms. Maya Sahli Fadel**, *Member of the African Commission on Human and People's Rights and Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons in Africa*

Reports from the Working Groups (20 minutes per group)

Plenary session (45 minutes)

13:00 – Lunch break

14:30

14:30 – **SESSION 6: Partnerships for enhanced NHRIs**
15:30 **contribution to durable solutions on displacements.**

Session Moderator: **H.E. David Pierre**, *Ambassador for Seychelles to the Federal Republic of Ethiopia and Permanent representative of Seychelles to the AU*

Discussion panel:

- Ambassador of Equatorial Guinea in Addis Ababa / Permanent representative of Equatorial Guinea to the AU/ AU leader on humanitarian issues – tbc (5 minutes)
- Ambassador of Morocco in Addis Ababa / Permanent representative of Morocco to the AU
- A Member of AU Permanent Representatives Committee (5 minutes)
- **Ambassador Morten Von Hanno Aasland**, *Permanent Representative of Norway to the African Union (5 minutes)*
- Two Permanent Representatives of International Missions to the AU (10 minutes)

Plenary session (15 minutes)

15:30 – **SESSION 7: The African Union-United Nations (AU-UN)**
16:00 **Joint Framework on Human Rights**

Session Moderator: **Ms. Meskerem Geset Techane**, *Chairperson of the UN Working Group on Discrimination Against Women and Girls*

Presentation by: **Ms. Nwanneakolam Vwede-Obahor**, *Regional Representative of Office of the High Commissioner for Human Rights to the African Union and the East Africa Regional Office (10 minutes)*

Plenary session (15 minutes)

16:00 – **SESSION 8: Adoption of Joint African Union-NANHRI
17:15 Action Plan for the role of NHRIs in durable solutions to
displacements in Africa**

Session Moderator: Ambassador of Uganda in Addis Ababa /
Chairperson of the PRC Sub-Committee on Refugees,
Returnees and IDPs

Presentation by **Department of Political Affairs and
NANHRI Secretariat** (30 minutes)

Plenary session (45 minutes)

17:15 – **CLOSING SESSION**

- 17:45 - Vote of thanks by **Mr. Gilbert Sebihogo**, *NANHRI
Executive Director*
- Closing remarks by: **H.E. Minata Samate Cessouma**,
AUC Commissioner for Political Affairs
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17:45 **Coffee Break and Departure**

The 2019 Policy Forum is organized by the African Union and the Network of African National Human Rights Institutions and is supported by the Global Alliance of National Human Rights Institutions, the United Nations Office of the High Commissioner on Human Rights and the United Nations Development Programme under a global tripartite initiative, with financing from the Government of Norway. The organisers also acknowledge the technical support from the Ethiopian Human Rights Commission, Raoul Wallenberg Institute for Human Rights and Humanitarian Law and the Deutsche Gesellschaft für Internationale Zusammenarbeit.

Contacts of the AUC-NANHRI Policy Forum Implementation Committee

Secretariat of the Network of African National
Human Rights Institutions
2nd floor, CVS Plaza, Lenana Road
P.O Box 74359-00200 Nairobi-Kenya
Tel +254 718 201 821
info@nanhri.org
www.nanhri.org