

15/3/2024

**National Human  
Rights Institutions**  
(NHRIs) Networks

# National Human Rights Technical Working Group on Migration and Human Rights

## Our Maiden Newsletter!

Greetings to all stakeholders and participants in the realm of human rights and migration! We are thrilled to present the inaugural edition of our newsletter, a collaborative initiative born out of the insightful recommendations made by National Human Rights Institutions (NHRIs) from Djibouti, Ethiopia, Kenya, Uganda, South Sudan, and Somaliland. The idea was crystallized during the Regional National Human Rights Institutions Technical Working Group Meeting in August 2023, underscoring the commitment of these institutions to enhance regional cooperation and knowledge sharing. The primary objective of this newsletter is to serve as a dynamic platform for disseminating crucial insights, updates, and best practices in our collective efforts to protect and uphold the rights of migrants.



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## **About the Network for Human Rights Institutions**

Let's take a moment to introduce the key members advocating for human rights and fostering cross-border collaboration:

1. CNDH (Commission Nationale des Droits de l'Homme) - Djibouti: Established in April 2008, CNDH is an independent institution committed to safeguarding human rights through various initiatives.
2. EHRC (Ethiopian Human Rights Commission) - Ethiopia: was established in 2000 by Proclamation No. 210/2000, which laid out the legal framework for its formation and functioning. EHRC has been a crucial advocate since its inception, contributing significantly to the protection and promotion of human rights in Ethiopia.
3. KNCHR (Kenya National Commission on Human Rights) - Kenya: was established on June 24, 2002, by an Act of Parliament – the Kenya National Commission on Human Rights Act (No. 9 of 2002) KNCHR has played a key role in addressing human rights concerns in Kenya.
4. UHRC (Uganda Human Rights Commission) - Uganda: With a longstanding commitment, UHRC has been a pillar in protecting and promoting human rights in Uganda. UHRC was established in 1995 by an act of the Ugandan Parliament, the Uganda Human Rights Commission Act, 1997.
5. SSHRC (South Sudan Human Rights Commission) - South Sudan: Established to champion human rights, SSHRC has been actively working towards creating a rights-respecting environment in South Sudan.
6. SLNHRC (Somaliland National Human Rights Commission) - Somaliland National Human Rights Commission (SLNHRC) is a statutory body established by an Act of Parliament No. 39/2009.

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# **EHRC Delegation's Mission to Djibouti: Fostering Collaboration to Safeguard Migrant Rights**

**The Ethiopian Human Rights Commission (EHRC) delegation, led by Deputy Chief Commissioner Rakeb Messele Aberra, embarked on a field visit to Djibouti from December 17 to 20, 2023.**

The primary objective of this visit was to explore collaborative opportunities with the Djiboutian National Human Rights Commission (CNDH) concerning the human rights situation of migrants along the Eastern migration route. Facilitated by the Better Migration Management (BMM) Programme, the visit encompassed a series of meetings and engagements with key stakeholders in Djibouti, including migrants originating from Ethiopia.

During their stay, the delegation held a productive meeting with the leadership of CNDH, featuring discussions with President Ali Soubaneh Atteyeh, Secretary General Djibril Osman Houfaneh, and other members of the Commission. In addition to engaging with CNDH, the delegation met with various partners and agencies, such as the International Organization for Migration (IOM), Caritas Djibouti, and the National Coordination Bureau for Migration in Djibouti.

As part of their comprehensive itinerary, the delegation visited the city of Obock, situated along the coastal region of Djibouti. Obock serves as a critical point where migrants cross the Gulf of Aden en route to the Arabian Peninsula.

Additionally, the delegation explored the Fontehero locality, which marks the final stop for migrants before embarking on their journey to Yemen. While in Obock, the joint team visited the International Organization for Migration's Migration Response Center (MRC). Here they engaged in discussions with the centre's leadership and staff, and following necessary clearances, interacted with Ethiopian migrants awaiting repatriation.

This direct interaction provided valuable insights into the experiences and challenges faced by migrants, contributing to a more comprehensive understanding of the human rights implications along the Eastern migration route.

**Compiled by: Firaol Ofga, Associate Human Rights  
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# EHRC promotes a human rights-based approach to migration governance in Ethiopia

On December 8, 2023, the Ethiopian Human Rights Commission (EHRC) convened a consultative meeting with various stakeholders to deliberate and delineate the Commission's responsibilities and pivotal roles.



**Claudio Delfabro D. (Director of the Department of International Refugee Law and Migration Law at IIHL , Enguday Meskele (Director, Department of Refugees, IDPs and Migrants' Rights at EHRC) and Tessema Simachew (Migrant Rights Expert at EHRC) receiving questions from the audience during the consultative workshop**

The primary objective was to foster a human rights-based approach to migration governance in Ethiopia. Hosted at the EHRC headquarters in Addis Ababa, this gathering, supported by the Better Migration Management (BMM) Programme, addressed pressing challenges encountered by migrants and aimed to pinpoint opportunities for collaborative efforts and coordination among stakeholders to uphold human rights principles throughout the migration process.

During the opening remarks, Deputy Chief Commissioner of the Ethiopian Human Rights Commission, Rakeb Messele Aberra, and Gertjan de Gruijter, BMM Regional Coordinator for Ethiopia-Djibouti, underscored the imperative of strengthened collaboration for more effective outcomes.

Mr. Claudio Delfabro D., Director of the Department of International Refugee Law and Migration Law at the International Institute of Humanitarian Law (IIHL), delivered the keynote address on "Promoting a Human-Rights Based Approach to Migration Management in Ethiopia." The one-day workshop drew participation from a diverse array of stakeholders, including representatives from EHRC, BMM, pertinent government agencies like the Secretariat of the National Partnership Coalition for Migration and Regional Partnership Coalitions, international non-governmental organizations (INGOs), embassies, local civil society organisations (CSOs), and representatives of migrant associations.

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Engaging discussions unfolded during the workshop, resulting in commitments from the diverse participants and stakeholders. They pledged to intensify collaborative actions to address challenges associated with irregular migration, including trafficking, and to champion the commitments from the diverse participants and stakeholders. They pledged to intensify collaborative actions to address challenges associated with irregular migration, including trafficking, and to champion the rights of migrants. The workshop served as a platform for a united front against the complexities of migration, aligning efforts to protect the human rights of those involved.

Compiled by: **Tessema Simachew, Human Rights Officer, Ethiopian Human Rights**



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# Business and Human Rights: Djibouti's Pioneering Path to Inclusive Development

The National Human Rights Commission (CNDH) has joined forces with the United Nations Development Programme (UNDP), the Ministry of Justice and Penitentiary Affairs responsible for Human Rights, and other key partners to spearhead the Business and Human Rights project.

This ground-breaking initiative, launched in early 2023, unfolds in the dynamic context of international businesses becoming pivotal players in global investment and job creation, while also playing pivotal roles in the adaption of human rights frameworks that effectively shield against discrimination and abuses arising from business activities.

At its initial stages, this project engaged stakeholders through consultative discussions to understand pressing issues, such as the situation of migrants in the workplace. Additionally, national awareness campaigns and regional tours, aimed at amplifying the dynamics of business and human rights were implemented. To achieve this milestone, a meticulous mapping of all identified stakeholders and the use of collaborative approach, to bring on board the active participation of government entities, civil society, and law enforcement actors, representatives of the United Nations (UN), the Chamber of Commerce, and other public figures, were employed.

This initiative maintains an unwavering core commitment to the promotion and protection of human rights, guided by the three United Nations key Business and Human Rights principles on: '*the State's obligation to protect*', '*corporate responsibility*', and '*access to remedies*'. These principles will further inform the development of a National Action Plan, where key advocacy efforts such as '*ensuring inclusivity, such as facilitating access for people with disabilities and promoting social responsibility*' by the private sector will be keenly realised.

Through holding businesses accountable to respect these fundamental rights, this project's positive progress stands as a testament to Djibouti's investment to support its growth potential and the transformative role of human rights, as a catalyst for national development, envisioning a future where prosperity is inseparable from justice.

Compiled by: **CNDH**

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# Setting the Pace! - Advancing Migrants Rights of in Kenya

In June 2023, Kitale County Commissioner urgently sought advice from the Kenya National Commission on Human Rights (KNCHR) to address an overnight influx of 1,600 migrants in Kitale Town, Uasin Gishu County, Northern Rift Valley (Kenya).



**Refugees stranded at the Kitale ASK Showground** *Photo: Dennis Lubanga*

The migrants, including women, men, youth, and children, were left by the roadsides without explanation of their origins.

In response, a multi-agency team from state and non-state entities, including security organs, migration management, and human rights departments, refugee affairs, and humanitarian services, took action. Due to the unexpected high number of migrants, housing was arranged at Kitale show grounds, and screening services began to identify identities, backgrounds, and immediate needs.

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KNCHR recommended adopting a human rights-based approach (HRBA) in migration management, emphasizing understanding the root cause and providing holistic assistance.

The Commission activated National Government interventions by communicating the dire situation to the relevant Ministry Permanent Secretary, aiming to prevent potential human rights violations such as shortages of food, shelter, safe drinking water, and health services due to an overstay in Kitale.

With full support from KNCHR and government agencies, the exercise concluded successfully by establishing that most migrants were 'secondary movers' from Uganda. A consultative decision resulted in the return of about 1,300 refugees to Moroto, Uganda. KNCHR monitored the screening and re-repatriation/admission of migrants in Tororo, Uganda. The remaining asylum seekers were handed over to UNHCR for processing according to the law.

## ***Advocacy: Promoting Alternatives to Detention of Migrants in Kenya***

**In 2022, the Kenya National Commission on Human Rights (KNCHR) finalized the development of Standard Operating Procedures (SOPs) for monitoring the human rights and status of migrants in detention facilities.**

A meeting convened 15 KNCHR officers to validate these SOPs, intended to guide operations not only within KNCHR but also for other National Human Rights Institutions (NHRIs) during inspections and monitoring of detention places. The aim was to support assessments of migrants and ensure the protection of their rights while in detention.

Upon approval, the SOPs were promptly deployed and piloted in 16 prisons and three children's centers across Kenya. The pilot activities involved targeted inductions for officers and their teams, gathering valuable views and feedback on the SOPs and the associated data collection tools.

This initiative also provided KNCHR with opportunities to disseminate widely its report on the 'Status of Migrants in Detention Places.' This report has played a crucial role in raising awareness among various strategic state actors, supporting the advocacy campaign to consider detention of migrants as a last resort. Instead, the focus is on encouraging agencies and officers to explore alternative approaches to the detention of migrants.

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## KNCHR Advocacy in action!

**KNCHR held a consultative meeting in 2023 in Isiolo County to discuss 'follow up recommendations' of KNCHR's Status of Migrants in detention places survey report and share experiences on alternatives to migrant are detention.**

This meeting was attended by 23 duty-bearers and representatives from Judiciary, the Children's Department, the National police service, Kenya Prisons, office of the Director of Public Prosecution, Probation department, civil society organisation (CSOs), the LSK local chapter, the Labour Ministry, the CTIP and NEA.

At this meeting KNCHR also dissemination 60 copies of the 'KNCHR report on status of migrants in detention places' that helped to further inform the meeting of the key issues that have been reported and how progress in handling migrants can be achieved. Isiolo town falls in one of the migrant routes between Kenya and Ethiopia corridor, spiraling from Moyale – Marsabit – Isiolo to Central region of Kenya as a transit to Nairobi towards the south.

Compiled by: **KNCHR**

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# Empowering Somaliland Law Enforcement for Inclusive Migration

**In response to the evolving landscape of migration, Somaliland is taking proactive measures to equip its law enforcement agencies with specialized knowledge, fostering inclusivity and ensuring the protection of migrants' rights.**

Situated along the eastern migratory route, Somaliland witnesses a significant influx of mixed migration, primarily comprising Ethiopian migrants en route to the Gulf Cooperation Council countries through Bosaso and Djibouti. In our ever-evolving world, it remains crucial to equip our Law Enforcement Agencies (LEAs) with the knowledge and skills necessary to adeptly navigate the intricacies of migration and safeguard the rights of migrants. This initiative reflects our unwavering commitment to fostering a safer and more inclusive community.

Mr. Ismaciil Cabdi, a dedicated Somaliland Police Officer based in Boroma, expressed profound gratitude for the essential training provided by SLNHRC and the Better Migration Management (BMM) Programme. Recognizing the unique challenges faced by diverse categories of migrants is imperative for law enforcement personnel to execute their duties effectively and with sensitivity. Armed with this newfound knowledge, officers can confidently engage with individuals from various cultural, linguistic, and social backgrounds, thereby cultivating trust and collaboration within our community.

The LEA training unfolded from October 15 to 18, 2023, in the border towns of Wajale and Boroma. A total of 57 officials from Somaliland Police, Immigration Officials, and SLNHRC regional staff actively participated in the training, further fortifying our collective efforts to enhance community engagement and uphold the rights of migrants.

Compiled by: **Abdirahman Mohamed, GIZ/BMM**

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# "Migration Rights: A Regional Forum Uniting Human Rights Champions"

**The Uganda Human Rights Commission successfully orchestrated a Regional Meeting for the National Human Rights Institutions (NHRIs) Technical Working Group on Migration and Human Rights across the IGAD region.**

The meeting that took place on the 30th and 31st of August 2023 at Onomo Hotel in Kampala, was attended by delegates from Uganda, Kenya, Djibouti, Ethiopia, South Sudan, the Intergovernmental Authority on Development (IGAD) and Network of African National Human Rights Institutions (NANHRI).

The attendees converged to foster collaboration and knowledge-sharing among NHRIs, and pool resources to address cross-border human rights violations against migrants, influence key policies, combat human trafficking, advocate for alternatives to detention and to fast track the ratification of important migration treaties.

The meeting further provided opportunities to strengthen cooperation and coordination among NHRIs to successfully monitor, report, and readily share information on 'cross-border migration'.

The delegates appreciated on-going collaboration exhibited by other institutions and stakeholders who work on migration and human rights, which were witnessed through the presentations and discussions, held on various topics.

The meeting unanimously agreed that there was need to explore opportunities to i) actively support cross-regional learning missions, ii) pilot the data sharing checklists developed during the BMM phase II, and iii) enhance NHRI information sharing and exchange through its annual Newsletter among others.

Compiled by: **UHRC**

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