



**The 12th Biennial Conference of the Network of the African
National Human Rights Institutions (NANHRI)**

**“The Global Compact on Migration: African NHRIs common vision, opportunities and
challenges in its implementation”**

Cairo, 5 - 6 November 2019

Cairo Declaration

1. The 12th Biennial Conference of the Network of African National Human Rights Institutions (NANHRI) took place in Cairo, Egypt, from 5-6 November 2019. It was hosted by the National Council for Human Rights (NCHR) of the Arab Republic of Egypt and organized in collaboration with NANHRI. The theme of the Conference was “*The Global Compact on Migration: African NHRIs common vision, opportunities and challenges in its implementation*”.
2. The Conference was officially inaugurated by H.E. Mr. Omar Marawan, the Egyptian Minister of House of Representatives Affairs and Mr. Mohamed Fayek, NANHRI Chairperson and Chairperson of the NCHR.
3. More than one hundred and eighty (180) participated in the Conference including chairpersons and representatives of 41 national human rights institutions (NHRIs) members of NANHRI , representatives of the Office of the United Nations High Commissioner for Human Rights, the UN Working Group on Discrimination against Women and Girls, the International Organization for Migration, the International Committee of the Red Cross, the African Commission on Peoples' and Human rights, International and regional experts in Migration, the Chairperson of Global Alliance of National human Rights Institutions and its representative in Geneva, International , regional and national NGOs, the Egyptian National Councils for Women , Childhood and Motherhood , and for Disability Affairs, and partners of development, among which the GIZ and AECID, Egyptian government bodies and Judiciary authority and representatives of the Diplomatic Corps in Egypt.
4. The Conference is held almost one year after the adoption by UN Member States the Global Compact for Safe, Orderly and Regular Migration in the Conference that took place in Marrakech, Morocco, from 10-11 December 2018 and the United Nations General Assembly Resolution No 73/ 195 on 19 December 2019.
5. Participating National Human Rights Institutions (NHRIs) expressed their gratitude to the NCHR of Egypt for the warm hospitality and the excellent organization of the Conference, which was informed by the fruitful and interactive discussions, reflecting the wide range and diversity of experiences and perspectives from all participants.
6. During the NANHRI 12th Biennial Conference, participants discussed among others: promoting research and accurate data as a basis – for evidence-based migration policies in Africa; the role of NHRIs in fostering social cohesion, integration and within the context



of migration; the role of NHRIs in monitoring compliance as well as protecting and promoting human rights; and national implementation plans.

The participants in the 12th Biennial Conference of NANHRI:

7. *Reiterating* that all human rights are interlinked, universal, interdependent and inalienable, including the rights of migrants, and *recalling* that States have the primary responsibility to respect, protect and fulfill human rights of all and without discrimination;
8. *Recalling* the international and regional human rights instruments, including those related to the rights of migrants, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, as well as the GCM and the Agenda 2030 for Sustainable Development, and calling on all States to ratify and implement their provisions;
9. *Recalling* the statement adopted by NHRIs in GANHRI Annual Conference in Geneva on March 6, 2019, in which NHRIs from all regions affirmed their commitment to assist States in implementing the GCM including by promoting the development of human rights-based National Implementation Plans ;
10. *Recognizing* the important role of international and regional human rights mechanisms, especially the UN Committee on Migrant Workers, the UN Special Rapporteur on human rights of migrants, as well as the African Commission on Human and Peoples' Rights in the protection of the rights of migrants;
11. *Highlighting* the paramount importance of the GCM which is firmly rooted in the human rights framework and the Agenda 2030 for Sustainable Development and which calls on a common approach to international migration in all its dimensions, particularly a whole-of-society approach, as it promotes broad multi-stakeholder partnerships to address migration in all its dimensions (humanitarian, developmental, human rights-related aspects) by including various actors, including national human rights institutions;
12. *Recognizing that NHRIs have a role across all GCM objectives and Welcoming* in particular the seven explicit references made to NHRIs in the GCM and their contribution to achieve the objectives enshrined therein, mainly to receive, investigate and monitor complaints about situations in which migrants' access to basic services is systematically denied, and to prevent, detect and respond to racial, ethnic and religious profiling of migrants by public authorities, as well as systematic instances of intolerance, xenophobia, racism and all other multiple and intersecting forms of discrimination;
13. *Welcoming* the new International Migration Review Forum to be held in 2020, as a platform in which Member States, human rights bodies and mechanisms and other stakeholders will review and follow up on the progress made by States in the implementation of the GCM, and the invitation extended to NHRI to contribute to the Forum;



14. *Stressing* the interlinkages of the Sustainable Development Goals and the GCM, especially goal 10.7 which is to facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies;
15. *Welcoming* the African Common Position on Migration and Development, and the Migration Policy Framework for Africa, which addresses the policies governing how member states regulate migrant access to their territories, and the treatment of immigrants within their lands;
16. *Expressing* deep concerns about the increasing violations of the rights of migrants in Africa, who may face multiple and intersecting forms of discrimination and inequality, and calling hence for enhanced and appropriate protection of the rights of all migrants;
17. *Recognizing* that most migrations in Africa take place within the continent and recalling that the GCM provides for a process of follow-up and review on the implementation of the GCM at the regional level with the participation of all stakeholders. This includes an invitation for relevant sub-regional, regional and cross-regional processes, platforms and organizations to review the implementation of the GCM within their respective regions;
18. *Noting* the fact that several African countries have been no longer transit or sending countries, but also destination countries;
19. *Underlining* the need for accurate data on migration within the Africa region in all its aspects , *welcoming* in this regard the setting up of the African Migration Observatory, and underscoring the important role it has to play by addressing data scarcity regarding migrations within the Africa region ;
20. *Stressing* the unique role that Paris Principles-compliant NHRIs can play in advocating for the implementation of the GCM and monitoring its implementation, with a view to promoting and protecting human rights of all migrants;
21. *Reaffirming* the importance of establishing NHRIs, where they do not exist, by UN members States and strengthening existing ones in full compliance with the Paris Principles in collaboration with the Office of the United Nations High Commissioner for Human rights and encourage them to seek accreditation within the Global Alliance of National Human Rights Institutions (GANHRI);
22. *Welcoming* the development of the African Union 3-Year Action Plan (2020-2022) on the implementation of the Global Compact on Migration,
23. *Welcoming* the establishment of the GANHRI Task Force on Migration and its significant input in the international processes on migration,



24. *Welcoming* the establishment of the Working Group on Migration of NANHRI *and welcoming* its plan of action, which was approved by NANHRI General Assembly on November 4, 2019 and calling on all NHRIs to support its implementation;

The participants of the Conference hereby resolve:

A. With respect to Promotion

25. Urge all States to ratify international and regional human rights instruments, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and to implement its provisions and achieve the objectives of the GCM, including by adopting or amending, where required, national laws and policies and to ensure their compliance with international laws and standards, and provide legal and policy advice in that regard;
26. Conduct awareness-raising and advocacy actions to minimize the adverse drivers and structural factors that compel people to leave their country of origin. This can be done through the contribution to the development of emergency procedures and tool kits, launch of emergency operations and support for post-emergency recovery ;
27. Cooperate with state authorities and other stakeholders to establish human rights-based, gender-responsive and child-sensitive referral mechanisms and recommend relevant actions to authorities including improved screening measures and individual assessments at borders and places of first arrival, by applying standardized operating procedures;
28. Conduct in-depth and thorough research on migration and promote human-rights data collection and disaggregation to allow for evidence-based monitoring and analysis including in collaboration with academia and civil society;
29. Promote the establishment of, and contribute to the work of whole of government bodies and contribute to the development, implementation and review of human rights-based national plans for GCM through inclusive, participatory and whole-of-society approach;
30. Act as bridge between civil society, migrant communities and government, to ensure migrants' voices and those defending them are heard and considered in legislative and policy decisions that affect migrants;
31. Establish internal focal points or mechanisms on migration within the NHRI. This should include the monitoring of the implementation of the GCM and should place specific attention to migrants in vulnerable situations, including women, children, and undocumented migrants. These mechanisms should be provided with adequate financial and human resources;
32. Raise awareness and conduct advocacy for the human rights-based implementation of the GCM, translate it into local languages and disseminate it as wide as possible;



33. Raise public awareness and counter misinformation about migration, including by working with civil society, in communities, and with the media, and promote positive narratives about the contributions of migrants to societies;
34. Promote strategies to empower migrants and communities to realize full inclusion and social cohesion and harmonious societies;
35. Provide human rights education and training, including for the judiciary, parliament, law enforcement and border control officials, media, and the general public;
36. Raise awareness among private sector entities about their responsibility to protect and promote migrants' rights and to provide remedy for rights violations, and advise them on actions and measures to ensure that they meet this responsibility.

B. With respect to Protection

37. Monitor and report on, at national and international levels, the human rights situation of migrants including with treaty bodies and the Universal Periodic Review, as well as by participating and contributing to the IMRF follow-up and review processes;
38. Handle and investigate into complaints relating to migrants rights, including cases of migrants' access to services is systematically denied and ensure that complainants are duly informed of the handling of their complaints; and facilitate migrants' access to justice
39. Prevent, detect and respond to racial, ethnic and religious profiling of migrants by public authorities, as well as instances of intolerance, xenophobia, racism and all other multiple and intersecting forms of discrimination, including by tracking and publishing trend analyses, and ensuring access to effective complaint and redress mechanisms;
40. Conduct monitoring visits to places where migrants are deprived of their liberty, and report thereon, and provide legal aid to migrants in detention;
41. Monitor the human-rights compliance of management of borders and make recommendations to review relevant national protective procedures for border screening, individual assessment and interview processes to ensure due process at international borders and that all migrants are treated in accordance with international human rights norms and standards;
42. Ensure that international, regional and national mechanisms available for the protection of migrants are widely known, gender-sensitive and accessible also for persons with disabilities.



C. With respect to Cooperation and partnerships

43. Call on States to establish and strengthen effective and independent, pluralistic and adequately-funded NHRI across Africa in full compliance with the Paris Principles, and reinforce cooperation with States, United Nations and the OHCHR as the lead UN department on human rights , African Union, GANHRI and NANHRI to this end;
44. Engage with the international and regional human rights mechanisms dealing with migration, particularly the IMRF, as well as regional and sub-regional forums, the Human Rights Council, the Universal Periodic Review, the UN Committee on Migrant Workers, the United Nations Special Rapporteur on the human rights of migrants, the African Commission on Human and Peoples' Rights and its Special Rapporteur on Refugees, Asylum Seekers and Internally Displaced Persons, as well as the AU African Observatory on Migration. This cooperation can be made through reporting, organization of joint events, facilitation of country visits, when appropriate, as well as capacity building activities. NHRIs should monitor implementation of relevant recommendations made by these mechanisms ;
45. Strengthen strategic collaboration and partnerships with peer NHRIs, as well as with key institutions and networks to enhance and promote the GCM and Africa Agenda 2063. These include but are not limited to, the NANHRI, national stakeholders, GANHRI, OHCHR, IOM, UNDP and other relevant UN agencies, as well as relevant domestic human rights bodies, parliaments, national statistics offices, and other key state institutions;
46. Interact with civil society and migrants and their communities, and well as with those defending their rights, in a regular and constructive manner and involve them in the planning, implementation and evaluation of the NHRI's activities to promote and protect the human rights of migrants ;
47. Engage with relevant donors to raise funds necessary for supporting the activities on GCM monitoring by the NHRIs;
48. Conduct sharing of experiences and good practices, as well as knowledge management with and among NHRIs in relation to migration, with special focus on opportunities available and challenges encountered in the implementation of the GCM;
49. Engage with NANHRI WG on Migration by sharing information on the implementation of these recommendations and the progress made at the national level in view that it has to present a report on the matter to NANHRI General Assembly in 2021.
50. The Delegates agree that the 13th NANHRI Biennial Conference will be held in Zimbabwe in 2021.

Adopted in Cairo, Egypt, on 6 November 2019