



Inter-State and Intra-Regional Cooperation on Migration Management in the IGAD Region

**A Workshop Report
12th - 14th May 2008,
Addis Ababa, Ethiopia**



Acknowledgement

This report of the workshop on Inter-State and Intra-Regional Cooperation on Migration Management in the IGAD Region forms part of the East Africa Migration Route Programme: *“building co-operation, information sharing and developing joint practical initiatives amongst countries of origin, transit and destination”* within the framework of the EU-Africa Strategic Partnerships on Migration and Development.

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Charles A. Kwenin
Chief of Mission
IOM Special Liaison Mission in Addis Ababa

Table of Contents

Acknowledgement	2
List of Acronyms and Abbreviations	4
Foreword	5
Executive Summary	7
Official Opening	11
Setting the Context	19
Norm Setting and International Standards	25
Pictorial	31
Migration Management and International Migration Law	35
Response to the Challenges and concerns in the IGAD Region	45
Country Reporting and Information Sharing	49
International and Regional Cooperation Regional Consultative Process	55
IGAD Regional Consultative Process Launching Ceremony	57
Declaration on the Establishment of the IGAD Regional Consultative Process on Migration ...	61

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Acronyms and Abbreviations

ACP	Africa, Caribbean and Pacific
AfDB	African Development Bank
AIDS	Acquired Immunodeficiency Syndrome
AU	African Union
AUC	African Union Commission
CEWARN	Conflict Early Warning and Response Mechanism
CPA	Comprehensive Peace Agreement
CSOs	Civil Society Organizations
DG	Director General
EAC	East African Community
EC	European Commission
ECOWAS	Economic Community for West African States
EU	European Union
GMG	Global Migration Group
HeSAD	Health and Social Affairs Desk
HIV	Human Immunodeficiency Virus
ICPAC	IGAD Climate Prediction and Application Centre
IDPs	Internally Displaced Persons
IGAD	Intergovernmental Authority on Development
IML	International Migration Law
IOM	International Organization for Migration
IPF	IGAD Partners' Forum
IRAPP	IGAD Regional HIV and AIDS Partnership Program
MDGs	Millennium Development Goals
MIDA	Migration for Development in Africa
MIDSA	Migration Dialogue for Southern Africa
MIDWA	Migration Dialogue for West Africa
MPFA	Migration Policy Framework in Africa
NEPAD	New Partnership for Africa's Development
NGOs	Non Governmental Organizations
OECD	Organization for Economic Cooperation and Development
OHCHR	Office of the High Commission for Human Rights
PASDEP	Plan for Accelerated and Sustained Development to End Poverty
RCP	Regional Consultative Process
RECs	Regional Economic Communities
TAPs	Technical Assistance Programs
TCM	Technical Cooperation on Migration
UN	United Nations
UNECA	UN Economic Commission for Africa
UNHCR	UN High Commission for Refugees

Foreword

In recent times, images of African irregular migrants stranded off the coast of Canary Islands or Malta have filled the media worldwide. Similar incidences are also occurring in the Gulf of Aden, off the coast of Somalia and Djibouti, though they are not getting same media attention. Some of them end up tragic as the often overloaded makeshift boats capsize in the high seas.

The problem of irregular migrants is global and they are vulnerable to abuses and violation of their human rights. Despite this unfortunate situation, migration need not be viewed as a problem, but an opportunity for development. The latter is only possible through inter-state and intra-regional cooperation. Regional consultative processes have also shifted the understanding of migration as it affects the various continents of the world. Indeed, migration of people, minds and cultures has and continues to be the cornerstone of human civilization.

The three-day workshop on migration management in the IGAD region held in Addis Ababa is an effort to seek ways to enhance inter-state and intra-regional cooperation in a region whose biggest challenge is internally displaced populations due to conflicts, natural disasters and resource scarcity.

There are costs and benefits as well as positives and negatives in migration. The challenge is and will always be to find a balance between the two. While on one hand, the reality of brain drain through migration of skilled labour from developing countries to the first world; on the other hand, remittances transferred back to countries of origin contribute to their economic growth and development.

Remarkable efforts have been made to turn brain drain into brain gain through international cooperation initiatives, such as the one undertaken by the International Organization for Migration (IOM) Migration for Development in Africa (MIDA) Programme. Several developing countries are doing a wonderful job to facilitate easy, secure and expedited remittances for investments and economic development.

This workshop report is a summary of statements and remarks made by various dignitaries during the opening and closing sessions of the regional forum. It also includes presentations of research study papers and situational analyses from within the region and worldwide. Case studies and country experiences were also presented and discussed at length. Recommendations were made and a way forward on inter-state and intra-regional cooperation on migration management in the IGAD region proposed.

At the end of the workshop, a declaration on the establishment of the IGAD Regional Consultative Process (IGAD RCP) on Migration was prepared and subsequently launched.



Dr. Attalla Bashir
IGAD Executive Secretary



Mr. Brunson McKinley
IOM Director General



Adv. Bience Gawanas
AU Commissioner for Social Affairs

Executive Summary

Background and Rationale

The African Union Commission (AUC), Inter Governmental Authority on Development (IGAD) and the International Organization for Migration (IOM) hosted a workshop on Inter State and Intra Regional Cooperation on Migration Management in the IGAD Region from 12th to 14th May 2008, at the Headquarters of the AU Commission in Addis Ababa, Ethiopia.

This three-day workshop, which was the first of its kind for the sub-region, was organized in response to the recommendations and in implementation of the AU Strategic Framework for a Policy on Migration in Africa. This is in accordance with the AU Assembly Decisions in Banjul, Gambia that urges all Member States and Regional Economic Communities (RECs) to utilize the Migration Policy Framework for Africa as a basic guideline and reference document for developing their National and Regional Policy Framework.

Workshop Objectives

The workshop was designed in a manner to build on the AU Banjul Decisions and to strengthen partnerships in the region as well as explore the implications of existing policies in the Member States. The end of the workshop saw the adoption of the Declaration of the Establishment of the IGAD Regional Consultative Process (IGAD-RCP) and the launching of the process on migration for the IGAD countries, which allows for dialogue on regular basis as well as consolidate efforts for further cooperation in managing migration within the region. It is expected that this will also facilitate regional co-operation in migration management by fostering greater understanding and policy coherence in migration as well as strengthening regional institutional and technical capacities.

The workshop was aimed at facilitating the implementation of the Joint EU-Africa Declaration on Migration and Development (Africa-EU Strategic Partnership on Migration, Mobility and Employment) and Ouagadougou Action Plan to Combat Trafficking in Human Beings Especially Children and Women to enhance cooperation on migration management between Africa and the EU.

The main objective of the workshop was to improve inter-state and inter-regional cooperation on migration management issues in the East Africa Region, in particular among the IGAD Member States. Other objectives included:

- ❖ Strengthening cooperation between IGAD and EU Member States as well as transit countries such as Chad, Egypt, Libya, Niger, Tunisia and Yemen; and
- ❖ Addressing policy and operational challenges associated with migration with a view to build capacities of the targeted African countries.

Attendance and Participation

Delegates from IGAD Member States of Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda included senior government officials drawn from the ministries with mandates on migration and related issues notably; internal affairs, immigration, foreign affairs, labour and social affairs, justice and constitutional affairs.

Also in attendance were representatives of transit countries that included Egypt, Libya, Niger, Tunisia and Yemen). Other participants were senior officials from AUC, the East African Community (EAC), EU, IOM, as well as several United Nations agencies including the UN Economic Commission for Africa, the UN High Commission for Refugees, UN Population Fund, and the Office of the High Commissioner for Human Rights.

A number of Embassies and Foreign Missions based in Addis Ababa were also represented.

Conclusions and Recommendations

Among other things, the workshop stimulated dialogue on emerging issues in the region and also built stronger migration networks, and understanding for a coordinated and stronger response.

The workshop identified the shared interests of IGAD Member States, allowing them to better understand each others' perspectives and needs, and build confidence in inter-state dialogue, information sharing, cooperation and exploration of collaborative approaches on migration issues with other transit and destination countries.

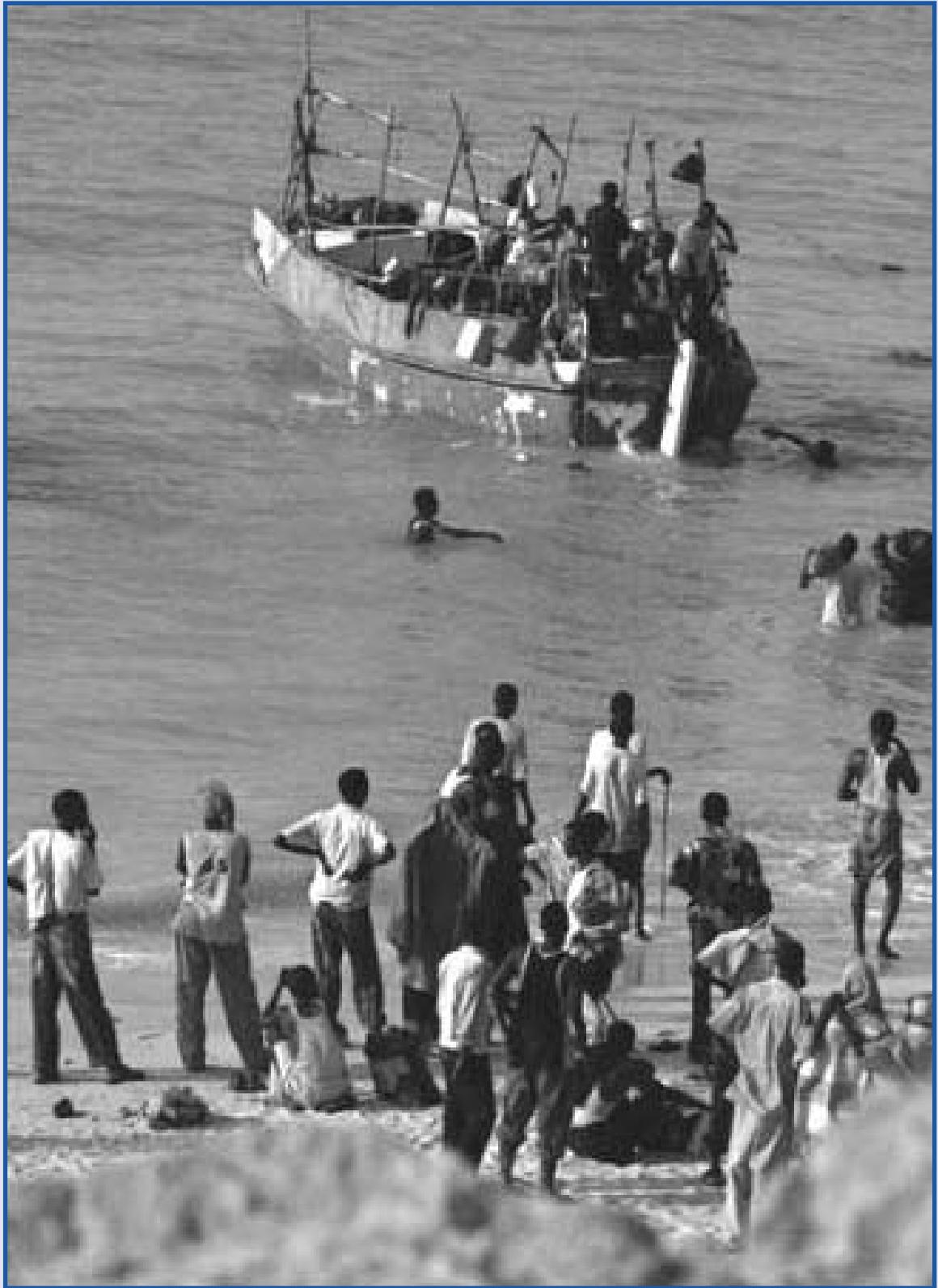
At the end of the workshop, a number of recommendations were made. They included:

- ❖ Developing national and regional policies on migration in line with the AU Migration Policy Framework for Africa;
- ❖ Linking migration management to economic, productive, environmental, conflict management, governance and social issues to address both push and pull factors of migration;
- ❖ Encouraging and supporting bilateral, regional and international cooperation on migration and related issues;
- ❖ Incorporating human rights and protection issues in regional and national policies;
- ❖ Facilitating implementation of the protocols and action plans to combat trafficking and smuggling of persons at national, regional and continental levels;
- ❖ Mobilizing financial and technical resources for capacity building at national and regional levels;
- ❖ Addressing irregular migration issues including improved border control within the national and regional policy frameworks on migration, and with due regard to humanitarian obligations for refugees and others eligible for international protection;
- ❖ Setting up a regional mobile migration centre;

- ❖ Incorporating migration management issues in all IGAD regional strategies as well as those of its member States [food security, environment and natural resources, HIV and AIDS, etc.];
- ❖ Undertaking awareness and sensitization programs through the mass media among migration communities;
- ❖ Enhancing training and sharing of best practices taking into consideration the changing dynamics of migration; and
- ❖ Encouraging and facilitating engagement, cooperation and partnership between countries of origin, transit and destination.

Funding

The workshop was funded by the European Commission and the Governments of the United Kingdom, the Netherlands, Italy and Malta as a key part of the EU-Africa Dialogue to improve inter-state and intra-regional cooperation between the African countries and the EU Member States on migration management issues in general and in the fight against irregular migration in particular.



Official Opening

Facilitator: The AU Commissioner for Social Affairs, Adv. Bience Gawanas

Mr. Brunson McKinley, Director General of the International Organization for Migration:

In his opening statement, the DG highlighted some of the positive contributions of migration that include constructive economic and socio-cultural development. He also pointed some of the negative consequences brought about by irregular migration.

Talking about the trans-national dimension of migration that requires close cooperation among countries of origin, transit and destination, the DG emphasized the necessity for a collaborative effort to jointly identify and implement effective methods for reducing irregular migration flows. In this regard, IOM as the leading organization in this area renders its expertise to governments, regional and continental organizations in managing the emerging challenges and opportunities presented by human mobility across the world.

Currently, the DG said IOM has a membership of 122 countries and two more members have just applied. He added that the organization has over 400 offices worldwide addressing the challenges of migration.

He applauded IGAD for rising to the occasion and being a crucial part of the regional process and expressed IOM's commitment to support IGAD in its efforts to manage migration in the region. The DG thanked the European Commission and the Governments of the United Kingdom, the Netherlands, Italy and Malta for their support. This, he pointed out, was a key part of the EU-Africa Dialogue to improve inter-state and intra-regional cooperation between the African countries and the EU Member States on migration management issues in general and in the fight against irregular migration in particular.

Mr. McKinley appealed to IGAD Member States that have not joined IOM to do so as soon as it is possible in order to fully participate and benefit from the programs and initiatives. He said that Kenya was the first African state to become a member and Uganda as well as Sudan joined later.

H.E. Mr. Jean Ping, Chairperson of the African Union Commission:

The Chairperson welcomed the delegates, resource persons and participants to the Commission pointing out that they had just been recently elected to take up office.

Mr. Ping said that the workshop was timely because its outcome will inform the process of AU

Commission in the coming years. He reiterated the importance of linking migration issues with economic and social challenges of the continent as one fifth of the world's migrant workers are Africans.

The former Minister for Foreign Affairs of Gabon stated that the AU has prioritized matters of migration as demonstrated in the Lusaka Summit in 2001 and the many decisions taken by the Assembly of Heads of State and Government as well as the Council of Ministers. He added that African and European Ministers made a declaration on the Partnership on Migration, Mobility and Employment during their meeting in Lisbon last December.

Furthermore, the Chairperson said that there have been several meetings of experts from AU countries to deliberate on the implementation of the African Common Position on Migration and Development, and the Joint EU-Africa Declaration on the Migration and Development, including the Ouagadougou Action Plan to Combat Trafficking in Human Beings, especially Women and Children that has also been adopted by the Ministerial Conference.

He reminded that delegates from the IGAD Member States that most of the recommendations of the declaration and the action plan are to be implemented at both national and REC levels. The Chairperson concluded that the workshop provides a useful input in the efforts to ensure implementation of the many instruments – regional, continental and international.

Besides assisting Member States and the RECs to develop and implement policies relating to migration, he added that the AU Commission encourages governments to put in place mechanisms to address the issues holistically due to the multi-sectoral nature of migration that includes human rights, economic and social development.

The Chairperson expressed the AU Commission's concern on the slow implementation of the Migration Policy Framework for Africa. He, however, looked at the workshop and the subsequent launch of Regional Consultative Process in the Horn of Africa as an important step in the right direction.

While addressing the negative effects of migration that include human trafficking, HIV/AIDS and brain drain, the Chairperson, who spoke alternatively in English and French, called on the workshop to also highlight the positive aspects such as remittance of funds, transfer of technology, brain gain and brain circulation.

He concluded his remarks with a note that to facilitate the implementation of the AU policies on migration, the Department of Social Affairs has recruited a Program Coordinator for Migration. The Department has also prepared and already begun implementing its two-year Migration Program and Plan of Activities (2008 – 2009). The first activity is consultative visits to the RECs. The Chairperson pointed out that the Consultation with IGAD was already carried out and the outcome and recommendations of the consultation visit will be considered for further partnership and implementation.

Finally, he urged the Member States to identify contact persons within focal ministries for migration issues so as to ensure smooth exchange of information and effective collaboration could be made with the AU Commission, IGAD and among Member States.

Dr. Attalla Hamad Bashir, Executive Secretary of the Inter Governmental Authority on Development:

In a statement read on his behalf by Ambassador Abuzeid El Hassan – IGAD Liaison Officer, The Executive Secretary welcomed all the participants to the workshop that had jointly been organized by the AU, IGAD and IOM targeting officials from Ministries with migration related functions and responsibilities. Besides the distinguished participants from the IGAD Member States, the Executive Secretary also welcomed delegates from transit countries of Egypt, Libya, Niger, Tunisia and Yemen for effective consultations and deliberation on migration issues of common interest.

While explaining the purpose of the workshop, organized in response to the AU Strategic Framework for a Policy on Migration in Africa, endorsed at the Banjul summit in June 2006, which urged all Member States and Regional Economic Communities (RECs) including IGAD to utilize it as a basic guideline and reference document for their National and Regional Policy Framework, the Executive Secretary underlined the significance of the forum for IGAD to develop its Regional Migration Policy Framework. He further recapped that the workshop aimed to assess the interests of states in the region in laying the groundwork for developing a regional consultative process as well as elicit key issues and problems from the Member States and establish ownership for the process.

He said that while migration can be a constructive economic and social force, illegal migration has serious negative consequences for all countries concerned. Dr. Attalla added that the transnational dimension of migration calls for cooperation among origin, transit and destination countries in order to jointly identify and implement effective methods for reducing illegal migration flows.

It is estimated that there are more than one million irregular immigrants within the East and Central Africa region including the Horn of Africa. Most of these migrants, the IGAD Executive Secretary noted, are undocumented and undertake migration for various economic, political as well as environmental reasons. He further lamented that irregular migrants in search for economic opportunities were using the region and North African countries to reach the Gulf, Europe and other western industrialized nations.

Appealing to IGAD Member States to develop and institute migration management policies that would tackle this growing phenomenon, Dr. Attalla stated that his organization and IOM signed a cooperation agreement in September 2006 to work together in addressing some of the threats, challenges and opportunities that come with migration.

He was delighted that at the end of the workshop, an appropriate forum for a comprehensive dialogue would be established among IGAD Member States, IGAD Partners Forum including EU and other countries in the region about the dynamics of international migration and the social, economic, political and security challenges.

In conclusion, he highlighted one of the considerations brought up at the UN High Level Dialogue on International Migration and Development in September 2006. It stated: “The potential for migrants to help transform their native countries is capturing the imaginations of national and local authorities, international institutions and the private sector. We now understand, better than ever before, that migration is not a zero-sum game. In the best case scenarios, it benefits the receiving country, the country of origin and migrants themselves.”

Ambassador Dino Sinigallia, Head of the European Commission Delegation to Ethiopia:

Reading a statement on his behalf, Ms. Irene Mingasson, who is in charge of governance and civil society at the mission in Addis Ababa, thanked both IOM and IGAD for the invitation and recalled that European Union and its African partners had made major progress in building a consolidated policy agenda on migration and development.

He said that they have tried to integrate migration issues in development policies and the other way round too adding that the challenge was to try and make migration work for development. In doing this, the Delegation Head pointed out that there were different interests to be reconciled taking into account the benefits for the African, Caribbean and Pacific (ACP) countries such as reduced domestic labour market pressures, remittances sent home by migrants abroad, and possibly ‘brain gain’ when migrants take home their skills and knowledge obtained elsewhere.

On the other hand, he cited the benefits for the EU where inward migration is one of the responses to shortages on their labour markets for both high and low-skilled labour. In addition, the EU-Africa Partnership on Migration, Mobility and Employment adopted in Lisbon, Portugal in December 2007 is the latest milestone in the context of improved relationship.

Furthermore, the partnership is part of the wider Joint EU-Africa Strategy reflecting an agreed understanding and commitment to address migration and mobility issues in the framework of labour market disparities, both within and between the two continents.

Amb Sinigallia said that the EU Missions in many African countries were integrating migration related topics in their regular political dialogue giving the example of the recently initiated process on Migration Cooperation Platform with the Government of Ethiopia following a visit of an EU Migration Team. The envoy talked of a concrete action that the EC had undertaken of setting up a network of regional observatories in Africa to promote the collection, processing and dissemination of information on migration movements in the continent and between Africa and other continents. He said that this information would help them to better adjust their migration policies.

Alluding to another important initiative that supports transfer of remittances from the Diaspora, he acknowledged that though these were private money, a lot can be done to help define policies that link the migrant communities to their countries of origin and to reform the banking and financial sectors. Already, the EU is working with the World Bank and the AU to set up an African Remittances Institute.

To facilitate legal migration, the ambassador recognized the challenge of matching supply and demand. He however told the participants that EC plans to establish a Migration Information and Management Centre to provide concrete information to potential migrants on legal migration opportunities. In the coming years, they would like to see these kind of centres replicated in other countries of the region.

He concluded that well managed migration contributes to development, to employment, to mobility and to growth, both in Europe and in Africa. It is in this spirit, he added, that the dialogue should continue.

Mr. Abdoulie Janneh, Executive Secretary of the UN Economic Commission for Africa:

Delivering the statement on his behalf, Mrs. Thokozile Ruzvidzo, the Officer-in-Charge of the African Centre for Gender and Social Development, stated that international movement of people across countries and regions is a matter of interest and concern to states and international organizations alike. This, the statement argued, is because unlike movement of goods and services, the movement of people abroad involves a wide range of economic and social issues, such as social security, human rights, family unification, social integration, brain drain and remittances.

It went further to state that migration is not just a mere economic phenomenon, but also impacts on human development and the well-being of people world wide. These movements are complex and impact directly on peace and security, development and human rights, the three pillars of the United Nations work.

The Executive Secretary further pointed out that migration is also an emotive issue and it therefore requires judicious policy making and the striking of right balances between its benefits and costs as well as different interest groups. Accordingly, there is a strong need for cooperation by all concerned at the international level and within regions to manage migration and the IGAD region cannot be different, he asserted.

Cooperation between countries and within regions is important to promote co-development initiatives and to enhance the economic and social benefits, while minimizing the costs of migration in all directions. For example, cooperation is needed to promote and enhance human capital formation and building of skills particularly in countries where human capital and skills are scarce and needed to alleviate poverty and achieve the Millennium Development Goals.

This is not only an issue for international organizations, but also for Africa as well, the ECA stressed.

Migration in Africa is, of course, not just about flows out of the continent. In fact, the statement reveals that the majority of African migrants remain in the region. However, much of African migration occurs mostly outside a regulatory framework because few African countries have a well-articulated policy on migration and some policies are so strict that irregular migration becomes the only alternative, the UN body observed. This is a key point because irregular migration renders migrants vulnerable to abuse and exploitation by unscrupulous smugglers and others who take advantage of their situation. It is therefore encouraging that inter-state and intra-regional migration is increasingly gaining the attention of African leaders. The ECA welcomes the AU Strategic Framework for a Policy on Migration in Africa, which recognizes migration as an engine for regional cooperation and integration, as well as development of the continent.

Better management of migration entails policies to promote the developmental benefits of diverse and complex migration regimes and streams. These include policies to integrate migrant communities through investment, trade, knowledge exchange and sharing of experiences, acquisition of skills, enhancing the use of remittances for development, and facilitating circular and return migration. In this regard, a key challenge in the management of migration in Africa, the statement recommends, is how to turn the brain drain, which has led into the loss of skilled professionals into brain circulation, which has helped to drive economic growth in India and China.

Coercive migration policies in countries of origin and destination alike, the statement emphasized, work against peace and security at all levels, and against the maximization of the benefits of migration. It however concluded and suggested some issues that the participants might wish to address to enable the better management of migration in the IGAD region.

These issues included:

- ❖ How best can the countries develop stronger institutional capacity to manage migration including through the harmonization of policies in this area at all levels?
- ❖ What are the policy options for managing the competition for human capital, while ensuring at the same time that the socio-economic opportunities to the countries outweigh the inherent risks?
- ❖ How best can the strengths of the countries' Diaspora be used for continental development including the channelling of remittances into productive activities that promote growth and create employment?

Above all, there is need to understand how migration impacts on the achievement of the MDGs in Africa and to do so, the ECA called for a strong global partnership amongst all stakeholders to help the continent to better manage migration.

Dr. Tekeda Alemu, State Minister, Ministry of Foreign Affairs – Ethiopia:

First and foremost, the State Minister congratulated the Chairperson of the AU Commission and his entire team for their recent election.

He said the workshop could not have come at a more opportune time as weaknesses in migration management have become a source of enormous challenges in a variety of areas including in undermining confidence among countries.

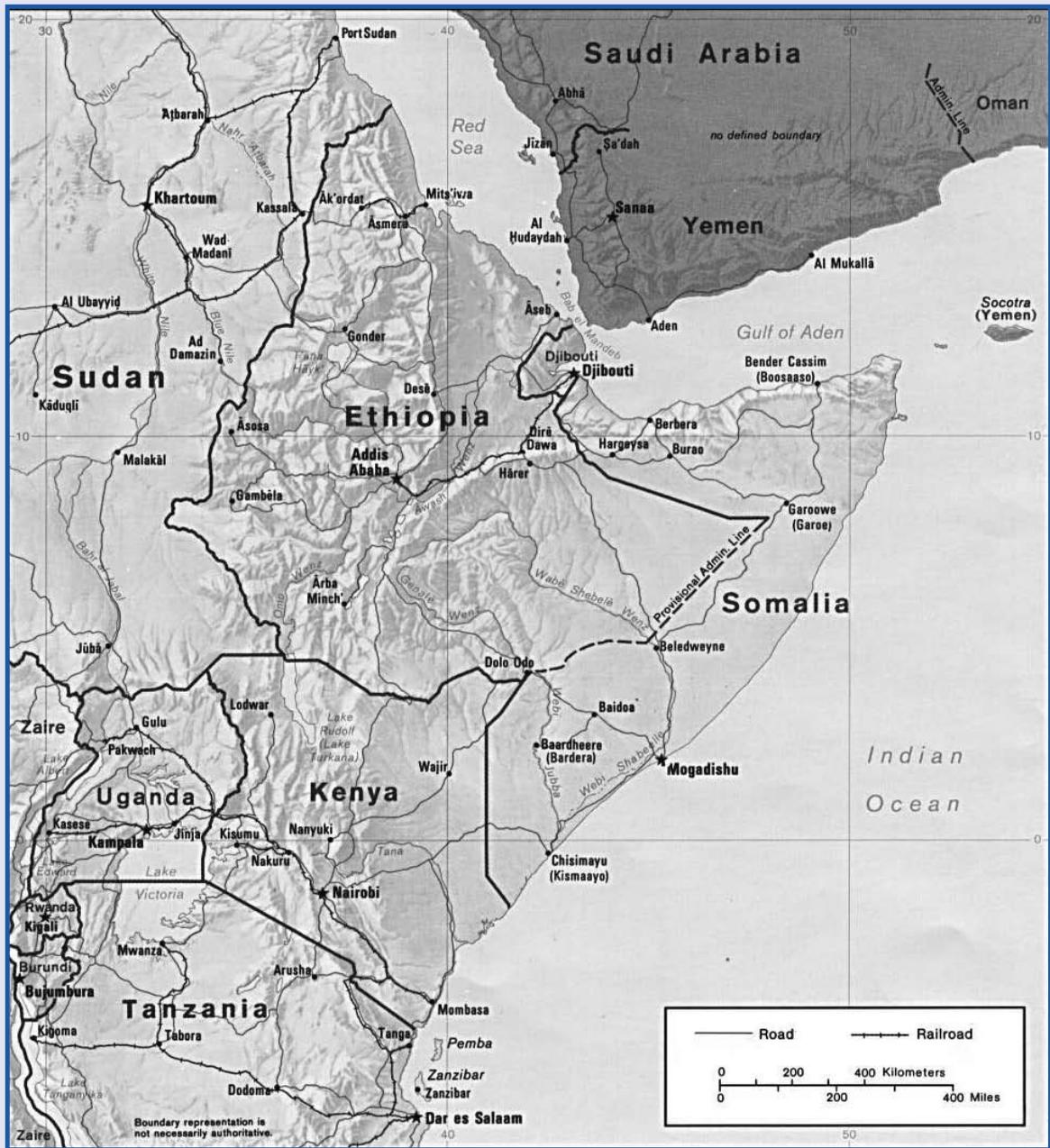
Dr. Tekeda particularly thanked the IOM Director General for having come all the way for the workshop and expressed gratitude to his organization for the support extended to Ethiopians in distress out of their country whenever it has been needed.

He observed that at present there is a strong and broad consensus both in Africa and internationally on the need for effective cooperation on migration management. He added that a common position and a strategic framework had been developed at the level of Africa, on which basis a lot of ground towards developing a common understanding with the EU have been covered.

The State Minister said there is great need for Member States of IGAD to develop a common strategy and a common approach on migration management and to harmonize their policies in this area. The fact that the region needs to enhance its capacity to ensure proper legal migration and strengthen migration management, the Ethiopian policy maker reiterated, cannot be overemphasized.

He pointed out that was why this workshop taking place in Addis Ababa and the others scheduled to be held in Nairobi are important. Dr. Tekeda expressed confidence that the regional consultative process, which the two workshops are designed to lay the basis for, would facilitate a more productive and effective partnership between IGAD countries and the EU. This way, he added, the IGAD Secretariat would be in a position to address its shortcoming to assist Member States in migration management.

The Minister pledged that the Government of Ethiopia would spare no effort to ensure that this initiative would be a success and that there would be effective cooperation between IGAD countries and the partners on migration management.



Setting the Context

By Mr. Brunson McKinley, Director General - IOM

Regional dimension of migration is a prominent feature in migratory patterns all over the world today as regional approach to migration management gains ground.

This workshop provides an important opportunity to foster greater understanding and policy coherence in migration management as well as to strengthen regional institutional and technical capacities. It also provides a forum to identify the shared interests of IGAD Member States to better understand each others' perspectives and needs, and to build confidence in inter-state dialogue, information sharing, and exploration of collaborative approaches on migration issues, including with the neighbouring transit countries.

Eastern Africa

Migration patterns in the region have to be seen against the background of conflict, political instability and natural disasters. Border and migration management regimes in East Africa are weak; borders are porous; staff are ill-equipped and regional technical cooperation is minimal.

A review of migration flows in the region reveals some broad patterns. These include:

- ❖ Migration from the Horn of Africa is not exclusively directed towards Europe and in fact, many migrants remain in the region;
- ❖ Intra-regional migration is marked by traditional forms of mobility linked to nomadic lifestyle, trade and labour as well as refugee flows;
- ❖ Young people seek to escape poverty, repressive political environments and in some cases, compulsory military service;
- ❖ Migration to Europe is heavily influenced by historical, language, educational and cultural ties with former colonies. Highly educated and qualified migrants in this category add to the brain drain; and
- ❖ Social networks, migration associations, Diasporas, families, peers and ethnic ties also explain the continued movement to Europe.

Recent research undertaken has categorized these migration flows into four key trajectories that are directly relevant to the objective of this workshop and the countries present. These are:

- ❖ The East Africa Route that leads from the region via Sudan, Chad and Libya to the Mediterranean Sea;
- ❖ The Mediterranean Sea Route from the shores of Libya and Egypt to Malta, Italy, Cyprus and Greece;

- ❖ The Gulf of Aden Route that leads from Somalia to Yemen across the Gulf; and
- ❖ The Red Sea Route via the sea and the Suez Canal to Italy and Malta.

These multiple routes used by migrants travelling via specific transit hubs is further compounded by smuggling, trafficking and organized criminal networks.

In recent decades, in line with globalization trends, old patterns and processes have undergone notable changes. Most states have become simultaneously countries of origin, destination and transit, resulting in a progressive intensification of mobility throughout the region, with important consequences across a range of policy issues.

The significant economic, social and cultural contributions made by migrants to host communities need to be better recognized. One way to achieve this recognition would be by having more balanced and accurate information and reporting on the positive impact of migration. Adequate channels for legal migration need to be developed to meet the needs of modern economies including the greater use of temporary labour migration schemes, where appropriate. This is particularly important in addressing the growth of grey-market employment in sectors such as agriculture and many service industries.

Given the focus of this workshop on inter-state and intra-regional cooperation on migration in the IGAD Member States within the AU Migration Policy Framework for Africa and the EU-Africa Dialogue on Migration and Development, two key issues were emphasized. These are:

- ❖ The need for a comprehensive and multifaceted approach to migration management, and
- ❖ Migration as an element of regional cooperation and integration.

The Need for a Comprehensive and Multifaceted Approach to Migration Management

Today's migratory patterns are more complex and diverse than ever. As a result, migration management is an increasingly complex area of governance. The ability to address migration issues comprehensively and cooperatively is a fundamental requirement for responsible national governance, effective international relations and full participation in international and regional institutions.

Areas as diverse as migration and development, migration and environment, climate change, the human rights of migrants, migration and security, migration and health, demographic forecasts of aging and shrinking populations in much of the developed world need to be addressed alongside the important positive potential of migration contributing to economic growth and development in the poorest countries.

The challenges facing governments are complex and include promoting the rights of migrants,

reducing irregular migration, identifying economic pressures that propel outward migration and directing regular migration towards national developmental goals. A particularly urgent challenge is dismantling transnational criminal networks engaged in the trafficking and smuggling of migrants.

The management of the international labour market needs must be seen in the context of investing in more effective poverty reduction schemes. The same applies to border control. Although developed countries spend much money to stop irregular migration at their borders, evidence shows that such measures are not particularly effective or efficient on their own. Only comprehensive and multifaceted approaches will address migration patterns and needs of today. The developmental, economic and social aspects of migration need to come to the fore.

Migration as an Element of Regional Cooperation and Integration

Historically, migration has been used by individuals in Eastern Africa as a poverty reduction strategy. What is new today is the notion of using migration as a regional development tool through strategies that pool and coordinate the expertise and potential of migrants to maximize the benefits of migration and reduce poverty in the region.

Examples of effective regional consultations abound. Under the aegis of the Migration Dialogue for Southern Africa (MIDSA), IOM and its partners have for the last eight years sponsored workshops on migration and development themes in that region. Similar progress is being achieved in West Africa through the Migration Dialogue for West Africa (MIDWA), jointly sponsored by ECOWAS and IOM.

The Colombo Process, a forum of eleven Asian labour-origin countries, has recently met under IOM auspices with the destination countries of the Persian-Arabian Gulf in the Abu Dhabi Dialogue with the goal of improving the full cycle of overseas employment, ensuring fair treatment for workers and maximizing developmental benefits to countries of origin.

In Central and North America, the Puebla Process has moved steadily from issues of border control to questions of development and the human rights of migrants. Its counterpart in South America has focused from the start on the economic and developmental dimension of migration and is showing remarkable results.

All around the world, the regional approach is flourishing and the IGAD region can be proud of moving to the establishment of an ongoing regional consultative approach at the end of this workshop.

The AU has specifically sought to lay an appropriate foundation for building sustainable migration capacity within the region. The continental Migration Policy Framework adopted in Banjul, Gambia in July 2006 emphasized the need for comprehensive and balanced approaches to migration and more intensive capacity building in the area of migration management. The Eastern Africa Migration Route program is a direct response to requests by the AU and the

Governments of East Africa to build on lessons learnt from other migration initiatives on the continent and the world.

Hosted at the IGAD Secretariat, the program brings together several organizations and countries with an aim of improving inter-state and intra-regional cooperation on migration management by addressing policy and operational challenges associated with movement of people in the Horn of Africa.

Besides IGAD, other partners in the program are IOM and AUC with funding from the European Commission, and the Governments of Italy, Malta, the Netherlands and the United Kingdom. The countries to participate in the program include Chad, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Niger, Somalia, Sudan, Tunisia, Uganda and Yemen.

The 15-month program will endeavour to build cooperation, share information and develop joint practical initiatives among countries of origin, transit and destination. Some of the main activities to be undertaken include:

- ❖ Establishing a Migration Resource Centre at the IGAD Secretariat to act as a clearing house for strengthened and harmonized migration management activities and the hub for a network of contact points in East Africa, who may also coordinate with the EU Joint Analysis Unit;
- ❖ Organizing Technical Workshops on migration management issues including inter-state and intra-regional cooperation, and border management and irregular migration;
- ❖ Commissioning Technical Assessments of strategically selected land borders and migration routes, and targeted recommendations for addressing key gaps in the region's border and migration management structures, including professional training; and
- ❖ Carrying out Information Campaigns directed at potential irregular migrants advising them of the dangers of irregular migration and legal alternatives.

This historic regional workshop considered steps towards a comprehensive approach to migration management in East Africa; migration terminology; authority and responsibility of states; migrants' rights and obligations; international migration law and the development of national migration legislation, administrative frameworks and international cooperation; human trafficking and smuggling; migration and development; mixed migration; and other policy and operational challenges of migration in the East Africa region.

Conclusion

Today's mobile and interconnected world requires governments to take a fresh, multi-dimensional and balanced approach to managing the mobility of persons. Effective migration management is increasingly a matter of effective joint management among states – identifying, shaping and working towards the achievement of shared goals.

In the 21st century, it is not possible for single nations or group of nations to dictate the ways in which migration can be channelled and managed. Cooperative efforts among developing and developed countries are essential. Without a proper appreciation of the needs and interests of countries of origin, no lasting solutions can be found!

Comprehensive, transparent and coherent approaches to the management of migration involving all countries along the migration continuum can help minimize the negative impact of migration and maximize its positive potential.

IOM is increasingly called upon to help governments achieve those shared goals and, in partnership, to devise workable approaches. Technical cooperation activities of the organization help concerned states and other actors build the means necessary to that cooperation.

The IGAD regional consultation and management structures will be important building blocks in the region as well as the international system in the process of being built.

Emerging Issues and a Summary of Discussions after Setting the Context

After the context of the workshop was set, delegates and participants discussed the issues that had been raised and suggested some way forward. Below is a summary of the discussions and proposals made.

- ❖ Rights of immigrants should be safeguarded.
- ❖ There is increased global attention and positive attitude towards migration issues.
- ❖ It is important for IGAD Member States to cooperate with both transit and destination countries to address the migration challenges.
- ❖ Countries of Eastern Africa can learn a great deal from the Colombo Process and the Abu Dhabi Dialogue since they also have a lot of migrant workers in the Gulf.
- ❖ Border and migration regimes in the region urgently need to be revamped.
- ❖ IOM and other organizations with migration mandate should be supported to research the routes and trends.
- ❖ Globalization is a reality that challenges the old ways of doing things.
- ❖ There should be more concerted efforts to influence attitude [mentality] and policy change on migration in countries of origin, transit and destination taking into account the complex and diverse issues.
- ❖ Cooperation and partnership between nations and regions is extremely essential as well as comprehensive approach and multifaceted dimension to migration management.



Norm Setting and International Standards

Steps towards a Comprehensive Approach to Migration Management in Africa

By Mr. Mehari Taddele Maru – AU Commission

The Africa Union has four major policy instruments and tools on migration. These are:

- ❖ Migration Policy Framework for Africa,
- ❖ African Common Position on Migration and Development,
- ❖ Joint Africa-EU Declaration on Migration and Development/Africa-EU Strategic Partnership on Migration, Mobility and Employment, and
- ❖ Ouagadougou Plan of Action to Combat Trafficking in Human Beings, Especially Women and Children.

The ultimate aim of these policies is to make migration voluntary and legal. Methods used to achieve this aim include collaboration among actors [the migrants, plus supply, transit and receiving countries], respect for human rights of migrants, and respect for laws of the countries of origin, transit and destination.

Africa has more than 36 million forced migrants. 16.3 million of them are migrants, while 13.5 million are internally displaced persons in 19 countries making the matter a priority area for AU. At the moment, the continent is the largest source and host of forced migration with 50 percent of the world's IDPs found in Africa.

Despite repatriations in Angola, Burundi, DR Congo, Rwanda, Sudan and Uganda, there are many refugee and IDP camps that are becoming permanent settlements.

There is an increase in labour migration and Africa is contributing one-fifth of the global total. It is predicted that by 2025, one in ten Africans will live and work outside their countries of origin. In order to best understand the causes and trends of migrations, and plan appropriate interventions, the Push-Pull Framework comes as a highly recommended tool. The framework looks at both the push and pull factors of migration. While the former includes issues of human insecurity, conflict and poverty, persecution, famine and bad governance; the latter has matters of better opportunities, better human security, better policies and even aging in countries of destination.

Furthermore, one needs to appreciate the trends in the three historical periods of migration – pre colonial era, colonial times and post colonial period, in pursuit of a comprehensive approach towards a well-managed migration. During the Cold War, migration politicized refugees as anti-communist heroes, yet come the Post Cold War era, there was a shift from encouragement to containment. While hero refugees became bogus asylum seekers, a political migrant turned into an economic one.

In recent times, globalization has had a huge impact on migration. Mobility of people and goods has increased in direction and volume; means of transportation and communication have also increased in speed. Real and perceived television coupled with increased social capital and networking has presented attractive opportunities abroad. At the same time, economic competition has generated demand for more labour.

With the rising number of women migrants, more cases of abuses, and violations of human rights of migrants have been reported. Xenophobic reactions have also been observed. Some of the reasons given for restrictive law, especially in countries of destination, include the volume and speed of migration, the end of Cold War, cultural threat, labour market protection, and threat of terrorism.

The Migration Policy Framework in Africa [MPFA] is the most important AU policy document on Migration that provides basic guidelines for legislative, regulatory, policy measures and specific recommendations for Member States and partners. The MPFA has 14 major areas of importance.

These are:

- ❖ National labour migration policies, structures and legislation;
- ❖ Regional cooperation and harmonisation of labour migration policies with RECs playing a very significant role;
- ❖ Labour movement and regional economic integration;
- ❖ Border management;
- ❖ Strengthen cooperation and coordination;
- ❖ Irregular migration providing clear definitions;
- ❖ Focus on UN conventions;
- ❖ Human trafficking;
- ❖ Return and readmission;
- ❖ National and international security and stability;
- ❖ Forced migration;
- ❖ Human rights of migrants, the principle of non-discrimination, and integration and re-integration;

- ❖ Migration data – promoting importance of systematic and reliable migration data and regional migration data exchange; and
- ❖ Migration and development.

The framework further provides seven areas of priority, namely:

- ❖ Upholding the humanitarian and human rights principles of migration,
- ❖ Border management and security,
- ❖ Promotion of regular and labour migration,
- ❖ Integration of migrants in host communities,
- ❖ Migration and development,
- ❖ Capacity building, and
- ❖ The promotion of policy-relevant research and capacity on migration.

The AU Commission recommends that the RECs develop regional migration policy framework in line with the continental one, but reflecting the unique and specific needs of the various regions. The Commission would also like to see the regions come up with specific partnership declarations, similar to the Tripoli Declaration with Gulf Countries as African Union-Arab League Joint Declaration on Migration and Development. Equally important is inter-departmental coordination within the RECs, and the RECs and the AU Commission.

The IGAD Regional Consultative Process has to genuinely be by, of and for IGAD, and fully owned by its Member States with the core business of promoting and defending the common position, cooperation among Member States, protection of human rights of migrants and policy coherence at regional level.

Migration Management and Policies in the IGAD Region: Overview of Migration Trends, Perspectives and Challenges in the East Africa Region

By Ms Fathia Alwan – IGAD

The regional organization was initially established in 1986 with a mandate of addressing drought effects and combating desertification in the Member States of Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda. This mandate was ten years later expanded when the organization was revitalized to include food security and environment protection, economic cooperation and social development, and political and humanitarian affairs.

In April 2005, a Health and Social Affairs Desk (HeSAD) was established within the IGAD

Economic Cooperation and Social Development Division following an AU Decision requesting the RECs to establish such units. The priority areas of the unit that was recommended by the Council of Ministers of Health in the IGAD Member States include health, education, culture and migration.

On health front, the unit initiated development of common strategies and programmes for control of major cross border health problems, such as HIV and AIDS, bird flu, sleeping sickness, to mention but a few.

Migration flows in the region are connected to conflict, economics, drought and famine. Conflicts top the list as the major producer of large numbers of refugees and Internally Displaced Persons. However, there are also economic migrants – people from the region seeking to work abroad to escape poverty and send back remittances to contribute to the livelihood of their families. Drought and famine are linked to traditional movements for pastoralism and trade. It must be acknowledged that international borders in many countries of the region intersect traditional territories of various ethnic communities, such as Somali, Maasai, Oromo, Afar, Luhyia that accounts for irregular border crossing.

A critical look within the IGAD region reveals signals to the possibility of increased migration that need to be addressed urgently. These include:

- ❖ Contested electoral processes;
- ❖ Border and territorial disputes, and ethnic struggles;
- ❖ Rapid population growth;
- ❖ Economic depression;
- ❖ Deepening unemployment; and
- ❖ Widespread poverty.

All these are contributing to widespread population movements of different nature and scale.

IGAD has undertaken several cross border interventions to address the health, climatic and security challenges. These include:

- ❖ The Regional HIV/AIDS Partnership Program (IRAPP) for the cross-border mobile population in collaboration with the World Bank, the African Development Bank, UNAIDS, UNHCR, WHO, UNICEF and IOM;
- ❖ The IGAD Climate Prediction and Application Centre (ICPAC) that fosters regional and national capacity for climate information, prediction products and services, early warning, and related applications for environmental management and climatic risk management for sustainable development in the region;
- ❖ The Conflict Early Warning and Response Mechanism (CEWARN) that systematically anticipates and responds to violent pastoral conflicts in a timely and effective manner; and

- ❖ The IGAD Capacity Building Program against Terrorism (ICPAT) that supports the Member States to strengthen the legal regimes against crimes linked to terrorism and to promote security.

The East African Migration Route Program will help improve inter-state and inter-regional cooperation on migration management and in the fight against illegal immigration by sharing information and developing joint practical initiatives. The program, supported by the European Union, in partnership with the AU and IOM will also address policy and operational challenges associated with migration in East Africa with a view of building the capacity of the targeted African countries and the IGAD Secretariat to manage migration effectively. Furthermore, it will promote regional collaboration through migration policy dialogue.

Though migration in the Horn of Africa is historical, new issues and trends have emerged. Improved transportation, communication and globalization have all contributed to increased migration in the region and the world over.

The multifaceted nature of migration calls for cooperation and partnership with all relevant government ministries, development agencies, NGOs and the civil society. For this reason, the Regional Consultative Process (RCP) will not be creating a new institution, but utilizing existing ones and ongoing complementary mechanisms and processes in the region. It will also tap on the knowledge and experiences of other RCPs in the world, such as the Migration Dialogue for Southern Africa (MIDSA) and its West African counterpart - MIDWA.

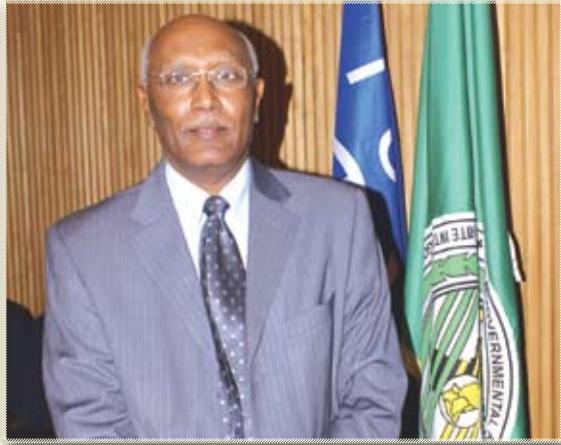
Emerging Issues and a Summary of Discussions

- ❖ Deliberate efforts and initiatives of the organizers to invite neighbouring non-IGAD countries to the workshop were acknowledged. Participants also emphasized on the importance of this kind of cooperation between IGAD Member States, the region and other regions, which should be encouraged and supported.
- ❖ Libya as a member of Maghreb, the AU and League of Arab States pledged to support this initiative, and as a recent addition to IOM, the leadership and cooperation of the Libya Jamahiriya was commended for setting up a well functioning office in Tripoli.
- ❖ The North African country is also a member of the 5 plus 5 consultative process that brings together 10 African and European countries on the Mediterranean. Other countries especially IGAD Member States can learn a lot from this particular duo continental experience.
- ❖ It is noted that the pull factors seem to be more than the push factors in Asia as opposed to the case of Africa where it is the other way round. True as it may be that the pull-push factors in Asia and Africa vary, a lot can still be learnt from the experiences of these regions.
- ❖ Most of the 56 years of IOM existence were spent addressing European migration issues, however the end of the cold war provided an opportunity for the rest of the world to discover and benefit from the organization's experience and knowledge.

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from page 29

- ❖ There are now 38 African Member States who have joined IOM and they are most welcome to tap on the experiences from other regions, such as the Colombo Process – a recent yet unique one in the sense that countries that seem to be competitors for the Gulf States' labour market came together to negotiate and create better conditions for migrant workers.
- ❖ Ministers of Labour from East Africa should be encouraged to come together for the sake of migrant workers of their countries in Gulf States.
- ❖ As part of follow up to the framework and other policy documents, the AU Commission will be organizing workshops similar to this one and encourage RECs to tap and learn from experiences within and outside the continent.



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Mr. Brunson McKinley, Director General of IOM



Mrs. Thokozile Ruzvidzo, Representative of the Executive Secretary of the UNECA



Ms. Irene Mingasson, Representative of the Head of EC Delegation to Ethiopia



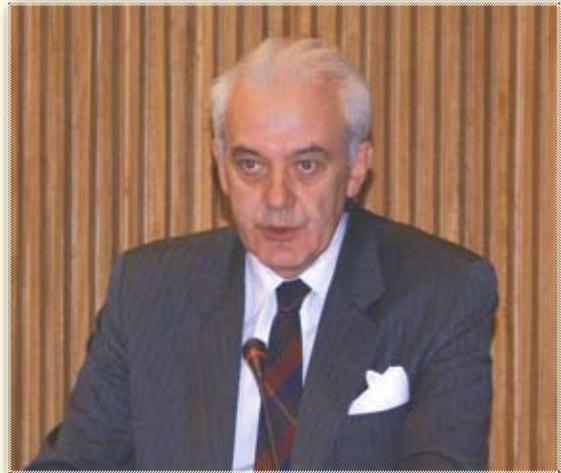
Hon. Dr. Tekeda Alemu, State Minister for Foreign Affairs of Ethiopia



H.E. Mr. Jean Ping, Chairperson of the AU Commission



H.E. Mr. Franklin Espila, Ambassador of Kenya to Ethiopia and Chair of the IGAD Committee of Ambassadors



H.E. Mr. Raffaele de Lutio, Ambassador of Italy to Ethiopia and Chair of IGAD Partners Forum



Ms. Irene Kauma Tewungwa, Ugandan Participant and Representative of the Participants



Ms. Michele Klein Solomon, IOM Director of Migration Policy, Research and Communication



Representatives of the Organizing Partners at a Press Conference



Participant from Somalia consults with his Kenyan counterpart



Ambassador Lutio, Dr. Attalla and Mr. Charles Kwenin of IOM



A section of Delegates including some of those from Countries of Transit



A group of Kenyan Participants pose for a picture with Dr. Attalla



A Delegate from Tunisia



A Delegate from Niger



A Delegate from Libya



Dr. Meera Sethi of IOM



A group of Sudanese Participants share a moment together



Adv. Bience Gawanas of AUC and Dr. Attalla Bashir of IGAD launch the IGAD RCP

Migration Management and International Migration Law

The Importance of Common Terminology and An Overview of International Migration Law

By Ms Jillyanne Redpath – IOM

Definition of terminologies using in migration management – legislations and international agreements and treaties – migrant worker, refugee, IDPs, trafficking and smuggling in persons including the confusion between these two concepts were given.

An understanding of the terms and terminologies is important especially when seeking protection and improvement of conditions of migrants, it was stated. It was also noted that while countries managed migration individually in the past, currently there is more bilateral and multilateral management of issues relating to migration. IOM has developed a glossary of commonly used migration terms and terminologies that can be assessed on the Internet at <http://imlion.int/section.do>

It was pointed out that definitions are also dependent on the different perspectives of the users, e.g. governments, the UN system, international organizations, NGOs, etc. Though, for example, irregular and illegal migrants are used interchangeably, the participants were encouraged to use irregular migrant for legal purposes.

Although, there is no worldwide legislature, international migration law has developed over time compiled from branches of international law and applied to migration issues. Different instruments apply depending upon context making a distinction between nationals and aliens. Main sources of international migration law are human rights law, migrant workers law, humanitarian law, refugee law, law of aliens and nationality law. In other words, there is no one single international legal instrument on migration.

More importantly, human rights law cuts across all humans regardless of race, creed, gender, religion, etc. Equally significant, most governments of the world have ratified many of the human rights instruments including declarations and treaties.

Human Rights and Protection of Migrants

By Mr. Patrice Vahard - Office of the High Commission for Human Rights (OHCHR)

The Office has not had much interaction with IGAD, but has had a lot of cooperation with IOM and AU Commission. It must be understood that the human rights mandate does not necessarily belong to the United Nations. It is seen as a tool to enforce policies already in place in every country in the world.

For example, security as well as poverty is an issue that IGAD countries have in common, but one has to look beyond them and interrogate their genesis and how human rights as a tool can be used to address them.

On the global arena, the issue of forced migration, viewed as clandestine, illegal and spontaneous, is an important one as forceful deportation is a violation of human rights. Indeed, in order to make human rights more useful, it should be a tool that goes beyond naming and shaming of certain nations. This means the world should not just be looking at the violations, but also management of human beings including migrants.

There is an urgent need to review the push factors [poverty, human insecurity, conflicts, persecutions, etc.] that are matters of human rights, and to critically look at the pull factors [better labour opportunities – perceptions, human security], if long lasting and tangible solutions are to be found.

Talking about the importance of developing legal frameworks, policies and mechanisms to address human rights issues amongst nations and to protect the rights of migrants, the OHCHR gave examples of some country specific incidents. These included Libya deportation of undocumented migrants and reported incidents in Angola where Congolese migrants were subjected to systematic rape in case of women and forced labour. These examples are highlighted for the purpose of developing policies and mechanism to address these human rights issues amongst the nations of the world.

A regional mechanism has to be put in place to prevent these violations from happening and to guarantee human rights of voluntary migrants, most of whom are temporary migrant workers and business persons leaving their countries for a limited amount of time to make some money to bring back home.

South Africa's economy, for example, has been seen as a prosperous one and therefore attractive to migrants from the north of Limpopo and even from as far as West Africa, but a legal framework does not exist to protect them, easily becoming victims of xenophobic tendencies.

A successful regional migration policy has to be the one that takes into consideration issues of human rights.

Rights of Migrants/Responsibility and Authority of States

By Ms Jillyanne Redpath – IOM

Each and every state has responsibilities over its nationality, which includes admissions of non-nationals. Any person has a right to leave own country, but has none to enter another country, because each state has a criteria for admission of non-nationals.

State has the power to regulate its nationality, admission of non-nationals, residence, detention, expulsion of non-nationals and state security including border control. There is no international instrument to guide this process and therefore each country has its own. However, once a person has entered another country, one has protection under certain international instruments.

For example, the right to remove a migrant is guided by several instruments [refugees and protection of a child] that expressly states that migrant cannot be sent back to a country of flight or persecution. There is however the matter of national security that safeguard state sovereignty. In recent times, counter terrorism actions have also been used to deny entry of some non-nationals.

It has to be understood that a majority of migrants are not terrorists, but moving for economic, social and other protection issues. For this reason and a range of others, knowledge and awareness needs to filter to all cadres of those handling migrants and also the migrants themselves.

Other concepts that have emerged in the migration debate include issues of incorporation of standards, knowledge, legality, transparency, proportionality and involvement of all actors. The bottom line is that there is more gain for governments to cooperate on migration – this is just not an IOM agenda, but proven effective and beneficial to all states.

Emerging Issues and a Summary of Discussions

- ❖ There is need for transparent visa application processes that allows immigrants to know exactly what is required of them.
- ❖ All cases of forced deportations – small and huge – should be brought out in the open and publicized.
- ❖ There is also need to sensitize and raise awareness of opportunities that already exist in the countries

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of origin. It must be understood and appreciated that most of the time, Africans are forced to migrate because of poverty, as one popular saying in Niger goes: "empty stomachs have no choice."

- ❖ Countries of the region have to make their economies more vibrant and attractive to reduce the pull factors [improve the governance and human rights situations to reduce the push factors]. In other words, economic, social and political conditions in the countries of origin have to be improved to counter the exodus of their citizens to countries of destination, starting with countries respecting the rights of their citizens.
- ❖ Lessons of IOM since its inception are of great value to the RCP and IGAD Member States can indeed benefit a lot from experiences of other regions of the world.
- ❖ More important than anything else, dignity of irregular migrants has to be preserved at all cost as human beings can be a resource anywhere, if given the opportunity and liberties.
- ❖ There was a call for open dialogue and cooperation with honesty that will result in tangible solutions, and therefore human rights will remain a useful instrument to resolve some of the migration challenges. The aim is not to stop migration, but to make it voluntary.
- ❖ It has to be acknowledged that there are different and varied migration realities in the countries of the region and elsewhere in the world, and therefore the reality of making migration voluntary would be difficult given the conditions in most countries of origin – poverty, conflicts, insecurity, etc.
- ❖ Human rights have to be mainstreamed to be seen as an incentive to countries of origin to improve their Human Rights Index.

Irregular Migration

By Ms Phyllis Coven – IOM

The issue stems from provision of good travel documents and management of the same. It is very hard to know and even more difficult to appreciate the magnitude of irregular migration, because in most cases, documentation comes from the migrants themselves.

A few countries have shared some of the challenges they encounter when dealing with irregular migration. Besides free movement protocols in Africa contributing to irregular migration, there is the whole issue of porous and hazardous borders. At the same time, due to increased vulnerability of irregular migrants, they are easily exploited.

Africa nations are becoming attractive countries of transit due to the fact that many of the migrants may have travelled long distances and therefore becomes difficult to identify and costly to repatriate them, especially for extra-regional migrants. The continent's proximity to Europe has added to its attractiveness. Another interesting phenomenon is where migrants acquire convenient visas for neighbouring countries that enables them to then sneak back into the

country of transit. For example, there are many cases of migrants from as far as China and South Asia getting visas for Lesotho, enter through South Africa by either air or sea and then re-enter South Africa for forward movement.

On the regional front, there is limited knowledge base on irregular migration due to lack of effective regional consultative mechanisms that are being developed at the moment. Legal frameworks need strengthening as limited infrastructure and automation make the situation even more difficult. Furthermore, data sharing mechanisms need to be developed to improve on the prosecution and punishment of irregular migrants.

It has also been observed that routes shift often when they are discovered and therefore very difficult to map them. Criminal enterprises around trafficking and smuggling of persons have continued to thrive due to lack of capacity to control the movements. These criminal networks are also involved in other forms of trafficking (drugs, goods, precious stones) taking advantage of the poor security situation and lack of socio-economic stability of the zones in conflict or those in a post conflict situation.

Efforts are being made and initiatives taken to capitalize on the knowledge and experience of IOM and other organizations working on migration on the ground. Cooperation that has been seen between Western Mediterranean – Maghreb countries and Southern European states under the 5 plus 5 Dialogue should be emulated.

Migration being a human phenomenon, the challenge is to see how best it can be explored for the benefit of all.

Ouagadougou Plan of Action on Trafficking in Human Beings, especially Women and Children

By Mr. Mehari Taddele Maru – AU Commission

The Plan of Action was adopted during a meeting of AU and EU ministers in Tripoli in November 2006 to reinforce the international treaties on trafficking of persons, including the UN conventions.

The Plan aims at upholding the various UN conventions and AU treaties on trafficking; provides political and legal commitment of AU-EU unique legal protection for children and women due to vulnerability, harmful cultural traditional practices and increasing sex tourism; presents principles such as victims protection approach, the best interest of the child, principles in UN Convention, empowerment of women and girls, and gender sensitiveness; and gives specific strategies such as those of fighting trafficking.

The three Ps of prevention, protection and prosecution are observed and safeguarded in the Plan of Action. Under prevention and awareness raising, a number of activities are undertaken. These include:

- ❖ Capacity building for institutions, such as training police, judges and other enforcement agencies, and establish protection and rehabilitation centres for victims;
- ❖ Research and information exchange on the cause, extent and forms of trafficking in human beings, and forms, methods and means, and establishing an effective registration of births and the provision of identity documents;
- ❖ Education and employment with special focus on youth particularly women at risk of trafficking;
- ❖ Preferential policies for employment of young women and to protect children; and
- ❖ Awareness campaign and advocacy through mass media and information campaigns, mobilizing CSOs to fight trafficking in persons.

On victim protection and assistance, national laws, policies and programmes have been developed in some countries, information on legal rights and legal aid provided, victims-witness assisted and encouraged to cooperate investigation and prosecution, criminalisation of victims of trafficking avoided, and victims permitted to remain in their territory.

For effective prosecution to take place, legislative, policy and enforcement frameworks have to be put in place by ratifying and domesticating UN and AU conventions and protocols, effective prosecuting traffickers and criminal organization, passing stiffer and deterrent penalties and criminalizing all people, organs and property related to trafficking.

Furthermore, there has to be constant analysis of means and methods used by traffickers, development of regional and national action plan to combat trafficking, establishment of a multi-disciplinary national task force on trafficking, and institution of special unit of police and national focal points.

The need for regional and national cooperation and coordination for effective prevention, protection and prosecution cannot be overemphasized. At the end of the day, the root causes have to be addressed ensuring socio-economic development and tackling both the supply and demand sides of trafficking in persons.

He further noted that trafficking in persons is a form of slavery and that as one can neither be half free nor half slave. A person is either free or a slave and no in-between. Trafficking should therefore be seen from coercion and absence of consent and then exploitation. The bottom line is that freedom from slavery, under international law, is absolute human right and jus cogens norm for the above reason.

Trafficking and Smuggling in Persons

By Ms. Jillyanne Redpath

International instruments on trafficking and smuggling in persons do exist starting with the UN Convention against Transnational Organized Crimes; the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children; and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

A good number of countries have either signed or ratified these instruments. A country has to ratify the convention before ratifying either of the protocols. Whilst the convention contains general measure against transnational organized crime, the protocols deal with specific crime problems concerning trafficking and smuggling. Basically, the protocols supplement the convention.

It is important to have clarity of definitions between smuggling and trafficking in persons. According to the protocol, smuggling in persons mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.

The protocol goes further to point out that illegal entry shall mean crossing borders without complying with the necessary requirements for legal entry into the receiving State.

Trafficking in persons mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Article 3(a) of the protocol states that exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

The protocol against smuggling seeks to prevent and combat smuggling, and promote cooperation amongst states, whilst protecting the rights of smuggled migrants. The one against trafficking defines and standardizes terminology, requires states to criminalize trafficking (Art. 5), assist and protect victims (Art. 6) and repatriate them (Art. 8). It further seeks to enhance control measures, such as borders, travel documents etc. (Art. 11) and training for border guards, research and information measures.

The consent of a victim of trafficking in persons to the exploitation shall be irrelevant where any of the means of force, threat of, coercion, deception, have been used. The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be

considered "trafficking in persons" even if this does not involve any of the means set forth in the definition of trafficking in persons.

One thing is for sure, and this is that the reality of smuggling is not pretty due to change of status involving abuse of rights. The two protocols therefore need critical review. Criminal rings are smart as they are familiar with weak legislations that exist and are able to exploit them. There are also huge amounts of money involved.

Though the AU has done quite a bit, especially through the Ouagadougou Action Plan on Trafficking, a lot more needs to be done in pursuit of the three Ps – Prevention, Protection and Prosecution. Governments should come up with stronger legislations and cooperation with other states.

Mixed Migration in the Horn of Africa: the East Africa Migration Route

By Mr. Ilunga Ngandu – UNHCR

There is a distinct difference between the mandates of IOM and UNHCR. UNHCR is a UN body mandated to provide international protection to refugees who have left their countries by force or difficult circumstances and therefore cannot seek protection from their countries of origin.

IOM, on the other hand, protects the rights of migrants outside the UNHCR definition of a refugee. However, the two organizations cooperate in areas where the economic and social migrants are threatened by their countries of origin.

Indeed, conflicts provide the backdrop for much of movement from East Africa. It is equally important that the debate on mixed migration must not focus only on control or impact on developed countries or socio-economic motivations, but international protection needs must be included in the discussions.

From East Africa and the Horn, there are three main routes for mixed migration. These are:

- ❖ Via Sudan, Chad and Libya to Mediterranean (and onwards);
- ❖ Via Red Sea and Suez Canal (to Italy and Malta); and
- ❖ Via Gulf of Aden to Yemen (and Gulf States).

This presentation focuses on the Gulf of Aden Route where protection needs are most pronounced. Over time, the route has had three principal departure points, i.e. Puntland (Bossaso), Djibouti (Obock), and North West Somalia (Berbera). At the present moment, most movements are from Bossaso involving migrants and refugees using irregular means and facilitated by smugglers.

The numbers are shocking, but what is even more shocking are the abuses and deaths that occur in these movements. In 2006, there were a total of 22,000 movements. This went up 29,000 the following years of predominantly Somalis. This year by the end of April, the

movements are already more than 16,300 - double the rate of the same time last year and two thirds of them are Somalis.

UNHCR has a ten-point plan in the Horn of Africa meant to:

- ❖ Strengthen national and regional cooperation through creation of Mixed Migration Taskforces in all relevant countries ensuring protection issues brought into regional consultative mechanism and increasing engagement by AU, IGAD and Arab League;
- ❖ Improve data collection and analysis at national and regional level;
- ❖ Enhance systems for identifying and responding to protection needs at arrival;
- ❖ Secure adequate resources to ensure basic humanitarian needs;
- ❖ Discern those not in need of protection and counsel on alternatives;
- ❖ Bolster systems for determining refugees and identifying persons with specific needs, e.g. victims of trafficking and unaccompanied children;
- ❖ Promote solutions for refugees (self-reliance, voluntary return, resettlement);
- ❖ Learn scope of and discourage onward movement by improving response to push factors such as lack of protection, SGBV and inadequate living conditions;
- ❖ Facilitate voluntary return for those without protection needs; and
- ❖ Enhance efforts to raise awareness of international protection concerns in source, transit and destination countries.

As a way forward, UNHCR proposes that protection concerns must be part of regional response to migration, especially where conflicts are active. Furthermore, there is need to marry evolving protection strategies to evolving processes, such as the Regional Consultative Process.

UNHCR has Memoranda of Understanding with AU, IGAD and IOM, and therefore stands ready to help in the process and any other way possible.

Emerging Issues and a Summary of Discussions:

- ❖ Having been in disarray since 1990, Somalia continues to generate a huge influx of refugees in the region and beyond. However, the country continues to receive major contribution from its Diaspora – financial and human resources.
- ❖ Lack of a functioning Army and Coast Guard has made it difficult to effectively monitor, control and patrol the porous borders and long coastlines of Somalia. The delegation of Somalia appealed for assistance and expressed desire to join IOM to benefit fully from its initiatives.
- ❖ Despite the instruments against human trafficking and smuggling, the challenge is to coordinate the many and diverse key players in any given country.

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- ❖ The AIDS scourge has created a large number of orphans in the region. This has also brought forth some well wishers who take advantage of the situation and explore the loopholes in the weak migration legislations to smuggle and traffic the unsuspecting orphans.
- ❖ A balance has to be struck between controlling the borders effectively and facilitating and protecting migrants of all kinds. With large communities divided by territorial borders, the region has to devise ways to facilitate movement of these border communities crossing for various reasons such as attending social functions like funerals and weddings.
- ❖ The thorny issue of naturalization of refugees who have lived in a country for a very long period of time need to be addressed and practical solutions found. Already, some African governments have revised their legislations for naturalization of refugees, but more should be encouraged to do so with support from regional and continental organizations such as IGAD and AU.
- ❖ It is important to sensitize and involve communities to support legislations against trafficking and smuggling.
- ❖ IGAD will have to create a synergy between what UNHCR and other partners are already doing and the RCP.
- ❖ As the numbers of mixed migrants increase and their routes change rapidly, it seems like the number of abuses of their rights increases too. The profile of the migrants is also changing as there are more young male adults.
- ❖ The Mixed Migration Taskforce [co-chaired by IOM and UNHCR] is coordinating efforts and conducting joint studies that bring out recommendations to be worked on and increase participation of communities.
- ❖ Participation and partnership of the Diaspora, governments of the region and the international community is important and cannot be over-emphasized.
- ❖ IOM is assisting Uganda women parliamentarians to draft a bill on trafficking for legislation.
- ❖ Bilateral cooperation such as the one between Senegal and Spain to legally source migrant labourers should be encouraged.
- ❖ Sudan appreciates the international cooperation and assistance received from IOM and seeks even more. Due to the size of the country and the length of its borders, Sudan experiences many migration challenges both as a country of origin and transit. The delegation of the country appealed for a special fund to be established to address the challenges, including resettlement of the large numbers of returnees following the signing of the CPA for South Sudan.
- ❖ Having an instrument is one matter, but the challenge lays in the use of the same and many countries have set up national unit to coordinate the multifaceted nature of trafficking. The instruments not only outline the measures to be taken, but synergies and cooperation with other efforts including national policies and awareness raising campaigns.
- ❖ Countries of the region are encouraged to make reference to Ouagadougou Action Plan when developing their national policies and support their awareness raising efforts.

Response to the Challenges and Concerns in the IGAD Region

Technical Cooperation in Migration Management

By Ms. Phyllis Coven – IOM

IOM has over the years undertaken several regional programmes, activities, actions in the area of border and migration management under the auspices of its Technical Cooperation on Migration Division (TCM). These include migration and border management assessments, integrated border management – data collection (Personal Identification and Registration System - PIRS), and technical cooperation in Southern Africa, East Africa and West Africa, with an ultimate goal of maximize from these experiences and opportunities.

Specifically TCM work revolves around issues relating to borders and security, travel documents, management structures, policy and legal base, human resource development, and intergovernmental cooperation.

The Division is also providing Member States in the region with technical assistance to implement the various protocols on migration that includes capacity building to reduce irregular migration and enhance security. There are several technical assistance programs (TAPs) in East Africa supported by various donors [see the slides for details] including a regional training centre in Moshi, Tanzania.

As a way forward, the priorities are to see how best the region can utilize the opportunities brought about by these programs. This includes establishing the focus of the IGAD RCP, making the IGAD Migration Resource Centre work, and identifying the most strategic locations for the border management assessments.

International Migration and Development: Implications for Regional Cooperation and Integration

By Mrs. Thokozile Ruzvidzo

While there are at least 5 million Africans living in OECD countries, around 17.1 million of African migrants actually stay on the continent (1.9% of the population).

Migration is a multi-faceted, complex phenomenon in Africa consisting of labour migration, irregular migration such as smuggling and human trafficking, forced displacement, and rural-

urban migration. There are also many migrants within IGAD Member States, some from the same countries or neighbouring states of the region (see slides for tables and graphs showing the figures). This is partly because there is a long history of movement of people in this region, both within countries and across borders. At the moment, however, the migration debate in the IGAD has to be in the context of inter- and intra-regional, and what is happening within a particular country in the region.

The emigration of the best and brightest is a major development challenge for African countries, including those in the IGAD region as the emigration rates of skilled workers exceed 50% in countries like Somalia. The loss of health professionals in particular hits African countries hard and prevents them from making progress towards the attainment of the Millennium Development Goals (MDGs 4, 5 and 6). The big question is when will brain drain become brain circulation in Africa?

Remittances from the Diaspora have become very significant and increasing. These remittances are playing a vital role in financing development in Africa, particularly in the IGAD region. They also support households with consumption (food and clothing), MDG-related areas (education, health), and increasingly, with investment. Official flows to Africa surpassed USD 20 billion in 2006. Sudan is the fifth largest recipient in Africa with USD 1.2 billion. (Egypt is the largest recipient with USD 5.5 billion).

In addition to remittances, the Diasporas are investing in Africa and transferring skills and technologies (see slide for full graphic representation). Sadly, though, thousands of Africans, especially young people from the region are making desperate bids to reach Europe and the Middle East through the Khartoum-Libya and Djibouti-Yemen routes. There is also a large number of refugees and IDPs in the IGAD region that is raising a lot of concern.

In addition to these forms of regular and irregular migration, there are also other dimensions of migration on the continent and in the IGAD region.

Firstly, rural-urban migration is increasing in countries as they rapidly urbanize, with young people in particular being drawn to the cities in search of employment. Secondly, there is the issue of feminization of migration. The gender aspect is important because women make up a considerable proportion of African migrants. In the IGAD region, women account for 45-50 per cent of all international migrations within the borders of these countries.

This dimension, like migration in general, has both positive and negative aspects. Overall, migration of women has the potential to reduce gender inequality and poverty, enhance women's economic security and breakdown discrimination and traditional attitudes about their role in society. At the same time, women are vulnerable to exploitation, while they are transiting as illegal migrants or in their destination countries where they work (for example, as nannies and maids in the Middle East).

After a repositioning exercise in 2006, the United Nations Economic Commission for Africa (UN-

ECA) has set two main priorities:

- ❖ Promoting regional integration; and
- ❖ Meeting Africa's special needs and the global challenges faced by the continent

Migration is an issue relevant to both priorities – achieving the goals of regional integration and development (MDGs), which in turn will reinforce each other.

In November 2007, the UN-ECA became a member of the Global Migration Group (GMG) and will continue to work with the AU and its NEPAD programme to promote the positive impacts of migration on development in the region. The Commission is committed to continuing its activities in the area of migration and to supporting these processes, including the Regional Consultative Process (RCP), to ensure the United Nations is delivering as one to enhance the benefits of well managed migration for Africa and help countries as a result reach the MDGs.

Technical Cooperation in Migration and Development – Implications for Africa

By Dr. Meera Sethi - IOM

It is well understood that development is about economic growth. In recent times, development is also about achieving the MDG targets, poverty alleviation and generally about progress. There is however need for migration and development inter-linkages.

Effects of migration on development depend critically on migration patterns and capacities of countries to adjust and profit from migration. As far as dynamics of migration are concerned, they do not alone constitute the explanatory factor for the performance of African development and vice versa. There is no shortage of linkages between migration and development in Africa. There are numerous linkages, of various natures, non-linear and have frequent feedback effects.

In the 70s and 80s, it would be remembered how IOM facilitated the return of skilled labour from the Diaspora – Kenya, Uganda and Somalia were involved. At the moment, a lot is being done through the Migration for Development in Africa (MIDA) Program mobilizing the African Diasporas for the development of the continent. For example, there are studies on the remittances being undertaken in Kenya, Ethiopia and Uganda. There is also remarkable work being done to prevent irregular migration through poverty reduction initiatives. To this effect, there are many best practices including the cooperation between Spain and Senegal where employment agencies have been allowed to recruit agricultural workers from the latter.

In Africa, migration and lack of development is a result of political and ethnic conflicts, violation of human rights, slow and uncertain democratization processes, an absence of human security, social and economic factors such as poverty and unemployment. Historical, environmental, demographic conditions as well as both traditional and new phenomenon that co-exist in any

specific context prevent us from making generalizations. More importantly, this has direct consequences on the policy choices to be made.

The Migration and development nexus is important. However, what is even more important is that development policies should integrate migration considerations and vice-versa. Governments, the international community and migrants should work together to realize the positive impacts and potentials of migration on development and of development on migration.

Emerging Issues and a Summary of Discussions

- ❖ There is enormous and urgent need for equipping and building capacity of Member States on border control. There exist best practices on development of national policies and capacity building initiatives on border control that IOM is more than willing to share.
- ❖ Uganda is planning to undertake the much-awaited registration of nationals and aliens, and therefore seeks support and cooperation to learn from best practices elsewhere on the development of an effective national registration system.
- ❖ Labour laws in the region need to be revised to address some of the emerging challenges of 'bogus' foreign investors while countries in a sincere endeavour trying to create employment, have opened up their economies for foreign investors. Countries of the region also have to address the issues of labour and investment deficiency in their national migration policies. Furthermore, they have to identify areas of skills and investment deficiency.
- ❖ IOM and other development partners were requested to support initiatives that countries are undertaking to involve the Diaspora. They should also be encouraged to engage in direct foreign investment in their countries of origin.
- ❖ Most governments of the region have improved and revised laws and policies to encourage remittances [study tours have been made to India and the Philippines, but countries in the region should benefit from experiences in the neighbouring countries, such as Egypt and Sudan].
- ❖ More cooperation and support is needed to harmonize policies and procedures in the region. Remittances need to be managed carefully so as not to adversely affect the national and regional financial markets.
- ❖ Efforts are being made to gather information on Diaspora expatriates in social areas, such as education, health, sanitation, etc.
- ❖ Egypt has an initiative with Italy to support migration of contract workers.
- ❖ Countries should take note of their priority areas that require support and TA under the IGAD – IOM initiative [including strategic themes that countries want to pursue].
- ❖ IOM, ECA, AU and the RECs should explore more opportunities to share experiences and skills [including the south – south remittances].

Country Reporting and Information Sharing

Djibouti

- ❖ The country has an immigrant workforce from neighbouring countries and even from India and Philippines, mostly working at the free port.
- ❖ All workers including migrants are protected by the national labour laws, but due to lack of awareness, some of them are easily exploited by their employers.
- ❖ There is also a large refugee population, mostly from Somalia and Ethiopia that have sometimes relocated to the Gulf Countries using clandestine means.
- ❖ Through the port of Obock, some migrants have found their way to the Gulf especially Yemen that is very near.

Recommendation:

- ❖ As part of support from the US Government in the fight against terrorism, the country's travel documents are now electronic and urge neighbouring countries to do the same.

Ethiopia

- ❖ Migration in the country increased during military regime in the mid 1980s and early 1990s. It is estimated that there are more than one million Ethiopians in the Diaspora, mostly in America, Europe, the Gulf and the Middle East and Australia.
- ❖ Whilst the country benefits from the remittances from the Diaspora, the negative effects include loss of skilled manpower – many of those who went for studies did not return and the health sector has suffered the most.
- ❖ The country has opened embassies and consulates in many countries, especially the Middle East to keep a close eye on its citizens working and living there. Bilateral agreements have also been entered with governments of receiving countries to protect Ethiopians in those countries.
- ❖ There are many cases where Ethiopian migrants have been exploited and their rights abused in some countries, especially domestic workers who are mostly women and even children.
- ❖ These violations are also occurring when rural folks come from the villages into the urban areas and seek work as domestic workers.
- ❖ The government has revised the laws and policies to mitigate the problem of illegal brokers who are trafficking and smuggling persons.

- ❖ The country is tackling the push factors through poverty reduction initiatives such as the Plan for Accelerated and Sustained Development to End Poverty (PASDEP) and creation of more local employment opportunities.

Recommendations:

- ❖ IGAD Member States should meet to further deliberate the proposals coming from this workshop.
- ❖ There is need for research studies to generate more information on irregular migrants from the country, and the traffickers and smugglers.

Kenya

- ❖ The country is a major migration route and its Ministry of Immigration and Registration of Persons has the overall responsibility to handle matters of migration.
- ❖ Bilateral arrangements for cooperation have already been made with Namibia, Lesotho and Burundi.
- ❖ Movement of irregular migrants from Ethiopia and Somalia, some using fake travel documents has been monitored and measures are in place to curb the trend.
- ❖ The country has also been used as a country of transit by irregular migrants from the neighbouring countries and from far away ones like Bangladesh, China, etc.
- ❖ Conflicts in the region have been the main producers of migrants who end up being victims of trafficking and smuggling.
- ❖ Poverty, alongside environmental and other socio-economic factors, has also pushed some of the skilled manpower to the South Africa, the Middle East, Europe and America.
- ❖ The country is reviewing its legal framework to include migration management issues and therefore needs technical assistance and support from the international community. Already, the Refugee Act was enacted in 2007.
- ❖ Kenya adopted Vision 2030 as an economic development framework to turn the country into a middle income nation by the year 2030 and minimize the push factors.

Recommendations:

- ❖ There is urgent need to create a focal point in the region to facilitate sharing of migration information, and therefore the envisaged Regional Migration Resource Centre at IGAD Secretariat should establish liaison contacts in the Member States.
- ❖ IGAD Secretariat in collaboration with other partners should also sponsor a regional study on fraudulent travel documents and other migration issues.
- ❖ A framework that gives preferential treatment for regional investors and workers should be developed to encourage investment and labour from countries of the region.

Somalia

- ❖ Following the civil war that started in Mogadishu on 30th November 1990, many nationals – young and old, men, women and children - were forced to leave the country, mostly through Kenya, Ethiopia, Yemen, etc.
- ❖ The country has been in disarray for more than 15 years, but with the support and cooperation of regional and international community through IGAD peace process, some normalcy has started to return, though still shaky.
- ❖ The country has come up with a fraud-free electronic passport and work is in progress to print a new currency [the old one has been used by scrupulous business people and smugglers to create poverty].
- ❖ Plans are also underway to conduct population census and a democratic elections at all levels as soon as calm fully returns in the country.

Recommendation:

- ❖ There is need for more support and cooperation to police the porous borders and long coastline.

Sudan

- ❖ The country is vast with long porous borders that pose a huge migration challenge and present enormous opportunity for irregular migrants.
- ❖ Raging civil wars, instability and conflicts in the country have pushed many of its nationals to migrate to neighbouring and other countries.
- ❖ Some of the positive effects include employment and economic well-being of the migrants and their families, national economic growth, racial and cultural diversity.
- ❖ The negative effects could be loss of cultural loyalty and identity, and of course skilled manpower.
- ❖ The country has developed a new electronic passport.
- ❖ A special department to take care of Sudanese Diaspora affairs has been established and has compiled a list of the nationals in the Diaspora, their whereabouts and skills.
- ❖ The government has also developed a database of irregular migrants in the country that can be shared with other countries in the region with an aim of coming up with a regional one.
- ❖ Discovery and subsequent exploration of oil has brought about other migration challenges in the country.

Recommendations:

- ❖ There is need to coordinate and harmonize border control measures, adopting the Interpol

standards to address security concerns in the region.

- ❖ A ministerial committee should be established to coordinate regional policy harmonization and cooperation.
- ❖ Initiatives that bring people of the region together, such as sports should be organized more often to address cross border concerns in the region.

Uganda

- ❖ The country has received support and assistance from various development partners, e.g. IOM [Resource Centre – computers with Internet connection, publications, etc.]
- ❖ A comprehensive border/migration manual has been developed.
- ❖ The Directorate of Immigration and Citizenship is developing a strategic plan with support from UK through IOM.
- ❖ Work is underway to computerize the information management system and improve the communication infrastructure in the country linking the borders and the headquarters in Kampala.
- ❖ Some of the best practices in the country include externalization of the labour Unit, a National Child Labour Policy and establishment of a Diaspora Department in the Ministry of Foreign Affairs and border commissions with several neighbouring countries.
- ❖ The country is hosting the IGAD Regional HIV/AIDS Partnership Program addressing the challenges of the pandemic among cross border mobile populations.
- ❖ Some of the challenges that the country is experiencing include lack of a national identification system, lack of a coherent regional policy on migration, and HIV/AIDS orphans being preyed by human traffickers posing as well wishers who want to adopt them.

Recommendations

- ❖ Inter-state cooperation between Member States is still lacking. However, with the advent of the East African Community, negotiations are ongoing on the freedom of movement of persons, labour and right to residence. This should be emulated in the IGAD region.
- ❖ There is need for a unified voice from the region against abuses of citizens in the countries of destination.
- ❖ Immigration officers should be given more specialized training to get abreast with the latest trends and challenges in migration.
- ❖ Efforts should be made for benchmarking with best practices through attachment programs and study tours.

Emerging Issues and a Summary of Discussions

- ❖ In summary, countries broadly called for capacity building and technical cooperation. Specifically, the presenters raised issues and concerns relating to:
- ❖ Irregular migration including border control – identification of fraud travel documents;
- ❖ Cross border cooperation amongst neighbouring countries to harmonize border control;
- ❖ Tracking of nationals inside and outside the countries – protection of migrant workers and review of labour laws; and
- ❖ Effective working with the Diaspora – facilitation of remittance, poverty eradication program, investment, etc.
- ❖ Brain drain management is also an important issue that needs more studies (due to lack of sufficient and accurate data) and policy harmonization.
- ❖ According to IOM, work is in progress to facilitate voluntary migration for nationals returning to different countries in Africa.
- ❖ Information of the conditions and challenges in countries of destination will be made available from IOM to AU and IGAD Secretariat for sharing in the region. This is part of the information campaign under the Eastern African Migration Route Program.

Two non-IGAD countries shared their experiences and commented on the presentations that IGAD Member States had earlier made.

Niger

- ❖ Given the geographic position of the country linking the rest of Africa with the Maghreb and Europe, it has been used as a transit state.
- ❖ Numbers of irregular migrants have increased over the years, despite the many measures taken including awareness and sensitization of potential migrants.
- ❖ The Sahelian nation had formed a special mobile unit to collect data of the movements and curb trafficking and smuggling of persons through the country.
- ❖ It was enhancing its effort to invest more in agriculture and create legal trade opportunities, and therefore seeks support and technical assistance to undertake these proposed initiatives

Egypt

- ❖ The country's unique positioning on the Mediterranean and the Red Sea connecting it to Europe, Turkey and the Middle East has made it a viable country of transit.
- ❖ Measures have been undertaken in cooperation with countries of origin and destination to

address the problems of migration, especially trafficking and smuggling in persons.

Libya

- ❖ The country is one of ten member states of the Mediterranean Regional Initiative and therefore encouraged IGAD Member States to develop a regional mechanism that would undertake initiatives to improve migration management in the region and beyond.
- ❖ There is need for more focus on inter-state and intra-regional cooperation that would be beneficial not only to IGAD, but also other regions.
- ❖ While addressing the many migration management challenges on the continent, special efforts should be made to tackle both legal and irregular migration.
- ❖ Different regions and countries should work together to develop policies and procedures to manage migration, and come up with joint working plans.

International and Regional Cooperation/ Regional Consultative Processes

By Mrs Michele Klein-Solomon

While the 1994 Cairo Conference enunciated challenges surrounding the management of international migration, there was very limited follow-up on its Programme of Action due to concerns for sovereignty and discretion, and reticence about losing flexibility.

Since the Cairo Conference, there has been increased appreciation of common challenges and complementary objectives of diverse stakeholders. Regional cooperation on migration has also outpaced multilateral efforts, as many regional economic, political and security institutions have added migration to their agendas. Some forms of informal, state-owned consultation mechanisms on migration have also been established.

These mechanisms that have come to be known as Regional Consultation Processes (RCPs) have mostly not had formal definition, but share common characteristics. These include:

- ❖ State-driven and state-owned consultations;
- ❖ Bring together representatives of governments from various ministries;
- ❖ International organizations and NGOs may be invited as observers;
- ❖ Forums for non-binding dialogue, and exchange of information, experiences and good practices;
- ❖ Geographically-based or thematically organized; and
- ❖ Focused exclusively on migration, with flexible agendas covering a full range of migration issues.

Other common characteristics are:

- ❖ Informal groups, with participation and action being voluntary;
- ❖ Operate outside of traditional institutional structures;
- ❖ Low entry and exit costs;
- ❖ Lean administration, often provided by international organizations;
- ❖ Ongoing nature, with regular meetings at different levels (both political and working levels); and
- ❖ Although informal and non-binding, they do have a real impact.

Core functions of the regional consultative process include cascading policies at regional and

national levels, integration of the policies into PRSP, MDG efforts, etc. – inclusion of human rights and protection issues, cooperation and partnership, incorporation in the peace and security strategy for CPRM, engagement with countries of transit, and taking into consideration, the changing dynamics of migration.

Discussion of the Declaration on the Establishment of the IGAD Regional Consultative Process (IGAD-RCP) on Migration

- ❖ Agencies and institutions handling migration should be equipped with state-of-the-art equipment and their staff regularly trained.
- ❖ Since migration is a cross cutting, multifaceted matter, capacity building including training should cut across all relevant ministries and authorities.
- ❖ Awareness should be raised through the mass media and workshops conducted for information exchange.
- ❖ Cooperation and exchange of experiences and best practices between states and regions should be encouraged and supported. Establishment of mobile regional centres that enhance and improve migration management would be useful to this end.
- ❖ There is need to tap and enhance the positive aspects of migration such as the Diaspora skilled expertise and financial resources.
- ❖ IOM is urged to facilitate voluntary migration and repatriation of resources to the developing countries.
- ❖ IGAD Member States were encouraged to develop mechanisms and undertake initiatives that would improve migration management in the region and enhance regional cooperation through exchange of experiences. They were also urged to develop joint working programs under AU and UN.
- ❖ A timetable should be drawn for visiting the key border posts to assess the gaps to be filled and build necessary capacity of the Member States.
- ❖ IGAD Member States were further encouraged to develop national policies that would then form the basis for the regional migration policy framework.
- ❖ They should also outline the process for adoption of the regional migration policy framework and strategy.
- ❖ Focal points should be established in the Member States to coordinate follow up of the workshop and subsequently the RCP at country level.

IGAD RCP Launching Ceremony

Facilitator: The Head of IOM Special Liaison Mission in Addis Ababa, Mr. Charles Kwenin

Closing Remarks - by Mrs. Michele Klein-Solomon, Director of Migration Policy, Research and Communication, IOM

Speaking on behalf of the DG who could not stay for the final session, she expressed his confidence that the region was on the right track in the area of migration management.

Mrs. Klein-Solomon stated that this final session was not just the climax of the three-day workshop, but a sustained effort of many years to develop an ongoing regular policy dialogue forum for the region. She added that this is something that IOM Office in Addis Ababa under Charles Kwenin with the support of the international team and secondment of Lily Sanya to IGAD Secretariat has been working on and will continue to do so.

In the migration world, the Director pointed out, there are multifaceted complex dynamics and it is impressive that the delegates and participants of the workshop had been able to identify and track priorities for cooperation. That spirit of cooperation is truly the most important one for taking the process forward, she emphasized.

Most gratified by what had been expressed by both the Member States and the development partners in the course of the workshop, she was equally impressed by the decision to bring the AU Migration Policies into effect in the region and at national level. The challenge now is to put in place mechanisms, policies, administrative structures and technical capacities needed to do so. With the adoption of the framework document, there is a good basis to move forward.

Though this is just the beginning, she said that the region now has a framework and the key would be to take it back home to all the governments to continue the hard work that had been launched, and to translate into actual action on the ground at the national and regional levels.

She thanked the donors both from the EU and the IPF who made it possible for the process to get where it is today. Her gratitude also went to several of the individual governments represented at the workshop. The Director reiterated that it was really because of their support that it was possible to have the high level of technical cooperation, dialogue and capacity building witnessed throughout the process and more specifically at the workshop. While thanking them very much, she urged them to continue with their support as the process moves forward into the implementation phase.

Finally, she thanked the IGAD Secretariat and the AU Commission for the superb collaboration from start to finish, and making the workshop possible. Having had the opportunity to participate

in these kinds of dialogues all around the world, Mrs. Klein-Solomon stated that she had rarely seen an instance where relevant organizations had come together in a true spirit of cooperation to make something like this possible. She added that this is what gives all the delegates and participants the greatest hope for success.

In conclusion, she expressed a warm note of thanks to all the delegates and the participants for their valuable inputs. On behalf of the DG and the IOM, she further expressed their commitment to continue to work with all involved.

Statement - by H.E. Franklin Espila, Ambassador of Kenya to Ethiopia, and Chair of IGAD Committee of Ambassadors

Though he had not attended any of the sessions of the workshop, he said that he had been briefed and read some aspects of the proceedings. The Ambassador particularly recalled a statement made by the IOM Director General during his opening remarks that migration patterns in the East Africa region have to be seen in the context of conflict, natural disasters and scarce resources.

In perspective, Amb Espila stated that this would be a proper analysis of the situation, adding that in a region stretching over an area of 5.2 million square kilometres, with 80 percent of it being arid and semi arid, some of the areas receiving less than 400 mm of rainfall per year, the migration patterns are bound to be seriously impacted.

Coupled with unemployment and unstable governments in some of the countries of the region, the Ambassador pointed out, the situation is further aggravated. He added that recurrent drought, natural disasters and conflicts have acted a strong push factors leading to interstate migration in the region in a scale that posed serious security, humanitarian and developmental challenges to the countries of destination such as Kenya, which currently hosts approximately 250,000 registered refugees.

Amb Espila recalled that among other issues, the IGAD Establishment Agreement envisaged an organization in which Member States shall act to preserve peace, security and stability that are essential prerequisites for economic development and social progress. He gave rejoinder that IGAD had tried to achieve these aspirations, but due to unexplainable circumstances, not all that the regional organization set out do has been achieved. The career diplomat however reassured the delegates and participants that there is hope.

From the foregoing, the Ambassador therefore concluded that it is evident that migration is a crucial factor that has to be addressed urgently and comprehensively if the objectives of IGAD are to be realized. Furthermore, he said that cooperation in the area of migration management is critical.

At the workshop, Amb Espila noted that the participants have been sensitized on how countries

worldwide are working together to address migration management. The Colombo Process and other initiatives, he cited, are paradigms of how concerted regional approaches and policies could effectively be implemented to address migration management and also effectively champion the rights of migrants both within and outside the region.

He asserted that poorly managed migration does not only pose a challenge to countries of transit and destination, but could easily deter development in the countries of origin due to exodus of skilled personnel and professionals in search of greener pastures. The Ambassador said that arguments have been advanced about the value of remittances, but these should be weighed against other negative aspects. He further called for more research on these issues.

The launching of the IGAD RCP, Amb Esipila said, is a clear indication of the commitment of the countries of the Horn of Africa to reach out to one another in the management of migration. He added that the launch also marked the first step towards the opening up of dialogue between IGAD Member States and other RCPs, pointing out that this will not only serve better management of migration, but in the long term will lead to the tapping of migration for optimal benefits.

While thanking all that contributed to the success of the workshop, the Kenyan Envoy stressed that the follow up activities are of crucial importance as there will be need to put in place sustainable programs to ensure that countries build necessary capacities to deal with migration management. He particularly expressed his gratitude to the IOM Director General, the AU Commissioner for Social Affairs and other partners.

Amb Esipila paid special tribute to Dr Attalla Bashir, the IGAD Executive Secretary who over the years had worked tirelessly to bring IGAD to where it is now. The Ambassador singled out his efforts in developing and formulating new projects, studies and strategies towards the harmonization of policies in the region. These, he affirmed, will remain memorable in the onus of IGAD for many years to come.

Statement - by H.E. Mr. Raffaele de Lutio, Ambassador of Italy to Ethiopia, and Chairman of IGAD Partners Forum

Expressing his confidence that the conclusions and recommendations that came out of the three-day workshop were very positive, the Italian Envoy said that they will certainly have desirable impact at various levels. These, he pointed out, include bilateral levels between his country and IGAD, the Member States, the AU and the countries of transit. He further promised that there will also be following up at the level of IPF and EU as part of the common strategy established during the AU/EU Summit in Lisbon last year.

Amb Lutio shared his country's experience in matters of migration saying that Italy was a country of double nature. He stated that it started as a country of origin, but today it is both a country of destination and transit capitalizing on its positive migration policies. For example, Italy signed

an agreement with Belgium in the 1950s that allowed workers from the former to work in the latter under condition of non-exploitation.

Though migration is a complex phenomenon as it entails human travel, the Ambassador said there is need to point out the many advantages that come out. An immigrant looks forward to securing a good job and better life in a country of destination, he cited adding that when this occurs, financial resources are remitted to the country of origin.

The IPF Chairman called for conditions that migrant workers operate and their human rights have to be safeguarded by host countries. He mentioned that regional organizations like IGAD have an important role to play as they are closer to inhabitants and the people who are involved in migration management.

In addition, he appealed to AU, EU, and IOM, regional and national organizations to cooperate and collaborate in the development of frameworks that would address challenges brought about by migration. The frameworks, he warned, have to be rational taking into account the various components and seeking a balance between migration and development.

The Ambassador pointed out that, under the EU-Africa Strategic Partnership, migration is an important area of cooperation and a theme that calls for strong action because it involves everyone and different aspects of human life. At the level of IPF, the Chairman promised that members take the challenge as partners of IGAD to support the decisions and recommendations from the workshop.

He congratulated Dr Attalla Bashir for his eight-year tenure at IGAD adding that during that period the Executive Secretary was an extraordinary partner, colleague and friend. Together, the diplomat said, they were able to do great work together as Dr Attalla was always very clear and open on all the problems they discussed. Wishing him all the best in his future endeavours, Amb Lutio praised his professionalism that enabled the development partners to understand the concerns of IGAD and therefore have concrete dialogue.

Launch of IGAD RCP by H.E. Adv. Bience Gawanas, AU Commissioner for Social Affairs and H.E. Dr. Attalla Bashir, Executive Secretary of IGAD

Declaration on the Establishment of the IGAD Regional Consultative Process on Migration

WE, representatives from Ministries with mandates on migration and related issues in the IGAD Member States; Djibouti, Ethiopia, Kenya, Somalia, Sudan, and Uganda, meeting at the AU Headquarters in Addis Ababa on the 14th day of May 2008:

- ❖ RECALLING the AU Decisions adopted in Banjul in 2006: EX.CL/Dec.304 (IX) which ADOPTED the Migration Policy Framework for Africa as a basic guideline and reference document for all Member States and Regional Economic Communities to utilize as a basis for developing their National and Regional Policy Frameworks; and Assembly/AU/Dec.125(VII) which endorsed the African Common Position on Migration and Development as a broad African consensus on issues of migration and development;
- ❖ MINDFUL of Decisions EX.CL/Dec.323 (X) and EX.CL/Dec.324 (X) adopted in Addis Ababa in January 2007 CALLING UPON the African Union Commission in collaboration with the International Organization for Migration (IOM) and other partners to advocate for the implementation of the Africa-EU Joint Declaration on Migration and Development, Africa-EU Strategic Partnership and the Ouagadougou Plan of Action to Combat Trafficking in Human Beings Especially Women and Children;
- ❖ RECOGNIZING the challenges brought about by migration of various types for the IGAD Member States and other States in Africa constituting countries of origin, transit and destination or all simultaneously, and therefore the need to cooperate in addressing these challenges;
- ❖ AWARE of the specific development challenges posed by migration as well as its benefits to Member States;
- ❖ RECOGNIZING that migration within and from the IGAD Region is linked to poverty and underdevelopment, demographic and economic disparities, inequitable terms of global trade, conflicts, humanitarian disasters, environmental factors, and weak governance structures;
- ❖ UNDERSCORING the importance of the Joint EU-Africa Strategic Partnership on selected priority actions in areas of common interest, which includes migration, mobility and employment and the various African development initiatives such as AU's NEPAD programmes which contribute to addressing many of the underlying dynamics of migration and promoting socio-economic development (human resource development including managing the brain drain), good governance and the Ouagadougou Extra-ordinary Summit Declaration and Plan of Action on Employment and Poverty Alleviation;

HEREBY:

- ❖ Recommend that IGAD establish a Regional Consultative Process (IGAD-RCP) on migration, in accordance with relevant AU Decisions, with a core function of promoting the common

position of the IGAD Member States and African Union as provided in the Migration Policy Framework and to facilitate regional dialogue and cooperation on migration policy issues amongst the IGAD Member States. The overall objective of the IGAD-RCP is to facilitate dialogue and regional co-operation in migration management amongst IGAD Member States by fostering greater understanding and policy coherence in migration as well as strengthening regional institutional and technical capacities to implement the Migration Policy Framework for Africa and other AU and IGAD policies on migration.

The IGAD-RCP aims to achieve the following specific goals:

- ❖ To establish a mechanism for continuous dialogue and co-operation among IGAD Member States on migration and related issues, enhancing their capacity to manage migration within a regional context, consistent with the Migration Policy Framework for Africa;
- ❖ To enhance knowledge and foster a common understanding by policy-makers, other officials and stakeholders of the causes, dimensions, patterns, future trends and impacts of migration in the IGAD Region;
- ❖ To help develop and strengthen regional institutional and governmental capacities to address the challenges of migration management in a cooperative and knowledge-based manner;
- ❖ To focus on the priority areas identified by the IGAD Member States, namely technical cooperation and capacity building, information collection, dissemination and sharing, and progress toward formulation and harmonization at the national and IGAD level of legislation, policies and practices in (1) legal/labour migration management so as to better plan and prepare for a productive migration experience, (2) irregular migration, trafficking and smuggling and border management, consistent with humanitarian obligations to refugees and others eligible for protection; and (3) migration and development matters, including Diaspora outreach and investment, facilitation of remittance flows, reduction of brain drain particularly in the health and education sectors, and integrating migration in national development plans and poverty reduction strategies;
- ❖ To provide technical assistance and training programmes to help build capacity in the multifaceted aspects of migration management; and
- ❖ To develop and enhance dialogue and cooperation between the IGAD Member States and countries members of other regions as regards the different dimensions of migration and migrants in to and out of IGAD countries.

The IGAD Secretariat, in collaboration with the AU Commission and the International Organization for Migration (IOM), and other partners to address the needs identified by States for greater inter-state dialogue and cooperation on migration issues.

The IGAD-RCP will be responsible for:

- ❖ Promoting a continuous migration dialogue for the East Africa Region which brings together representatives of IGAD Member States and other stakeholders including countries

of transit and destination and information exchange on migration and related issues of common interest and concern such as:

- ❑ Migration and development,
 - ❑ Labour migration,
 - ❑ Social integration of migrants,
 - ❑ Protection of migrants' rights,
 - ❑ Smuggling and trafficking in persons,
 - ❑ Migration data and research,
 - ❑ Migration and health,
 - ❑ Migration and trade,
 - ❑ Migration and environment,
 - ❑ Migration and security,
 - ❑ Voluntary return of migrants,
 - ❑ Mixed migratory flows and protection of refugees,
 - ❑ Movement of pastoralist communities,
 - ❑ Brain drain and unethical recruitment, as well as
 - ❑ Other issues identified by the IGAD Member States;
- ❖ Building capacity and facilitating implementation of the Migration Policy Framework for Africa, the African Common Position on Migration and Development; the Joint EU – Africa Declaration on Migration and Development and the Ouagadougou Plan of Action to Combat Trafficking in Human Beings Especially Women and Children and Africa-EU Strategic Partnership;
 - ❖ Encouraging and assisting Member States to integrate migration issues into their national development plans including Poverty Reduction Strategy Papers (PRSPs) in order to contribute to the achievement of the Millennium Development Goals (MDGs);
 - ❖ Encouraging potential donors including the AU, IGAD Partners Forum as well as relevant international organizations and institutions to provide the necessary financial support and technical assistance to IGAD and its Member States for the development and implementation of national and regional migration policies and mechanisms in line with the Migration Policy Framework for Africa;
 - ❖ Developing strategies and programmes for implementation of relevant AU and regional recommendations on migration, including those emanating from the IGAD-RCP; and
 - ❖ Establishing a follow-up mechanism as well as ensuring regular reporting on implementation of the Migration Policy Framework for Africa and related activities, in collaboration with IGAD Member States and partners.

We, representatives from ministries and authorities with mandates on migration and related issues in the IGAD Member States, request the Executive Secretary of IGAD to present the outcomes and specific recommendations of this declaration to the IGAD Council of Ministers for consideration endorsement and implementation.

Done on the 14th day of May of the year 2008 in Addis Ababa, Ethiopia

