4TH IGAD REGIONAL CONSULTATIVE PROCESS ON MIGRATION

Theme:
REFUGEES, INTERNALLY DISPLACED PERSONS (IDPS) AND RETURNEES

26TH – 27TH NOVEMBER 2014,
HILTON HOTEL
ADDIS ABABA, ETHIOPIA

Summary   Report

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Cover Image: IDPs from Kibati village during the 2008 Nord-Kivu conflict
Photograph by Julien Harneis © 2008

ACKNOWLEDGEMENT

This summary report contains the major findings and deliberations of the 4th Meeting of the IGAD Regional Consultative Process on Migration (RCP) as convened by the IGAD secretariat in partnership with the IOM on the 26th and 27th of November 2014 at the Hilton Hotel Addis Ababa, Ethiopia.

The 2014 RCP drew a larger pool of participants with over 75 delegates in attendance compared to 51 in the previous year. The spectrum of state and non-state institutions represented in the meeting was quite broad. IGAD is particularly indebted to the assembly of governmental and civil society institutions who graced IGAD-RCP IV. In attendance were delegates from seven (7) IGAD Member States namely Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda. The delegations were constituted of senior government officials drawn from line ministries bearing responsibility in management of displaced populations *inter alia;* legal affairs, internal affairs and national security, immigration, foreign affairs, labour and social affairs. Delegates representing development partners from the foreign missions of the EU, the League of Arab States, France, Germany, India, Switzerland, Brazil, Italy and the Netherlands were in attendance. The Common Market for Eastern and Southern Africa (COMESA) was in attendance as a REC playing a complementary role to IGAD. A host of civil society organisations and non-state agencies substantially contributed to the deliberations of the consultative process among them; the Norwegian Refugee Council, Danish Refugee Council, International Committee of the Red Cross (ICRC), Hope for Children Australia, Refugee Law Project, Horn Economic and Social Policy Institute, The Internal Displacement Policy and Advocacy Centre (IDPAC) and the Refugee Consortium of Kenya.

The IGAD secretariat wishes to thank all the participants for the invaluable contribution they made to this meeting and their continued commitment to the regional consultative process as a platform where dialogue on migration matters affecting the IGAD region continues to be held on a sustainable basis. The continued commitment of member states towards realizing the ideals of improved border management, labour migration and improved migration governance in the region as provided for in the IGAD Migration Policy Framework cannot be overstated. The meeting greatly benefited from the close collaboration between representatives from the IGAD Secretariat, IOM and the government of Ethiopia who Co-Chaired the different sessions over the course of the 2-day meeting. Appreciation goes to the Government of Ethiopia for host the regional consultative process and the Swiss Confederation for funding the regional Migration governance program within which framework this RCP was held.

Mr. Phillip Gathungu, IGAD Rapporteur, prepared the summary of deliberations under the guidance of Ms. Caroline Njuki, Regional Migration & IGAD-Swiss Partnership Coordinator, IGAD, Djibouti. We gratefully acknowledge the invaluable contribution of the IGAD secretariat as headed by the IGAD Executive Secretary, Eng. Mahboub Maalim; Director of Economic Cooperation & Social Development, Mr. Elsadig Abdalla; Programme Manager for Health & Social Development, Ms. Fathia A. Alwan; Senior Political Officer, Mr. Nuur Mohamud Sheekh; Coordinator for Development Partners, Mr. Abdi Roble and Communications and Media Advisor, Mr. Brazille Musumba. Special mention also goes to the support team consisting of Mrs. Aicha Ahmed Houssein, Mr. Benson Njau, Mr. Elias Dejene and Ms. Umalkheir Hassan for the unwavering support they provided.

I.   INTRODUCTION

FRAMEWORK OF THE DELIBERATIONS

The deliberations reflected here are derived from the submissions and discourses that took place during the 4th Regional Consultative Process on Migration that was convened by IGAD on 26th-27th November 2014 in Addis Ababa, Ethiopia. The theme for the RCP was Refugees, Internally Displaced Persons (IDPs) and Returnees.

The purpose of IGAD-RCP is to convene policymakers and policy practitioners from government and international agencies to engage in consultative dialogue on migration management. The intention is to facilitate the development of a common position on migration management among IGAD Member States as provided in the AU's Migration Policy Framework and further articulated in the IGAD Regional Migration Policy Framework. The RCP framework is designed to realize these principal objectives through a three-pronged strategy that:

1. Fosters greater understanding and policy coherence in migration ;

2. Strengthens regional institutional and technical capacities to implement the Migration Policy Framework for Africa as articulated through:

   a. The African Common Position on Migration and Development
   b. The Joint Africa-EU Declaration on Migration and Development
   c. Other AU and IGAD policies on migration

3. Improves inter-state and intra-regional cooperation on migration management among countries of origin, transit and destination.

In order to achieve this, the member states and associated stakeholders identified three corresponding priority areas priority areas that would be vital to the implementation of the continental AU Strategic Framework for a Policy on Migration in Africa and its regional equivalent, the IGAD Regional Migration Policy Framework.

The identified priority areas are:

1. Technical cooperation and capacity building;

2. Information collection, dissemination and sharing;

3. Formulation and harmonization at the national and regional legislation, policies and administrative practices with regards to:

   • Management of both legal and illegal variants of labour migration
   • Border management especially as it relates to irregular migration, human trafficking and smuggling
   • The mainstreaming of migration in development planning at both national and regional levels

The 4th IGAD RCP meeting was organized as part of the continuous process of realizing the recommendations and implementation of the AU Migration Policy Framework for Africa. Furthermore, it was a demonstration of IGAD's compliance with the AU Assembly Decisions in Banjul, Gambia that urges all Member States and Regional Economic Communities (RECs) to adopt the Migration Policy Framework for Africa as a blueprint for

developing National and Regional Policy Frameworks. Deliberations in this meeting advanced from foregoing discussions in the 1st IGAD Regional Migration Coordination Committee (RMCC) that was held a day previously on 26th November 2014.

This preliminary meeting was a closed-door technical session with the departmental heads of immigration and labour from the seven IGAD member states that were present. In addition, discussions at the 4th RCP similarly progressed from the findings and recommendations made in the 3rd IGAD RCP that was held a year previously in November 2013.

Section I of this report presents the key findings and summary recommendations arising out of the 4th IGAD-RCP meeting. This section also encapsulates the actionable items, identifies crosscutting issues and lays out the conclusion to the meeting. Section II presents summaries of the expert papers presented in the meeting and subsequent deliberations and conclusions from the plenary sessions.

II. KEY FINDINGS AND RECOMMENDATIONS OF THE 4TH IGAD RCP

1. **Finding:** The existence of policy, legislative, administrative and technical gaps including funding and education on migration continues to retard the formulation and implementation of comprehensive responses to refugees, IDPs and returnees at both regional and national levels.

   Recommendation: The commitment of IGAD member states and development partners towards addressing identified gaps will be vital to the realization of shared objectives regarding the management of refugees, IDPs and returnees

2. **Finding:** Different approaches by member states to refugee, IDP and returnee management (encampment, naturalisation, local integration, re-settlement, livelihood support, re-integration, packages) has resulted in an incoherent management strategy at the regional level.

   Recommendation: An analysis of the differing national priorities and viewpoints when it comes to the management of refugees, IDPs and returnees is necessary in order to gain a greater appreciation of:

   - The relationship between national security considerations and the rights of displaced populations especially women and children
   - Discrimination in asylum choices amongst displaced populations that then result in 'destination shopping' and mismatched expectations
   - Re-configurations in gender roles and power relations amongst displaced populations, which thereby influence patterns and levels of Sexual and Gender Based Violence
   - The likelihood of re-migration as induced by the various push and pull factors among the different member states

3. **Finding:** More stringent countermeasures to illegal migration have made the facilitation of human smuggling and trafficking more lucrative. As a result, human trafficking networks in the IGAD region are becoming increasingly sophisticated and entrenched within state apparatus designed to deter the practice.

   Recommendation: No specific recommendation on this issue was made during the RCP meeting. However, the expert presentation and subsequent plenary discussions explored various responses *inter alia;* awareness creation on the dangers of illegal trafficking; imposition of stiffer penalties on both illegal immigrants and human traffickers; and capacitation and improved financial motivation of the regulatory agencies such as the border police and immigration departments.

4. **Finding:** Inter-RCP/REC engagements need to be strengthened in order to facilitate the formulation of more comprehensive responses to migration priorities at the pan-regional level.

   Recommendations:

   - The association between the different early warning (CEWARN) and situation monitoring (IOM) mechanisms in use within the IGAD region needs to be improved.

   - The need to proactively engage destination countries on the rights of migrants as well as obligations of all parties concerned in the labour migration continuum.

5. **Finding:** Capacity building of member states and development of migration profiles including the disaggregation of data by sex and age continues to be an indispensable pre-requisite to improving migration management in the region.

   Recommendations:

   - IGAD member states will have their capacity built to better collect, analyse and disseminate migration data. The improved information collection and analysis capability is expected to guide and popularise evidence-based approaches to migration management programming.

   - Migration profiles reflecting disaggregated data for all IGAD member states must be in development or finalised within a calendar year. The profiles will be essential to understanding mixed, irregular & complex migration e.g. Refugees who are then internally displaced.

6. **Finding:** The RMCC at regional level and National Consultation Committees at Member State level are going to be critical structures for the realization of RMPF objectives.

   Recommendation: National Consultation Committees (NCCs) should be constituted and operationalized in all IGAD member states. They should inform the inputs made to the RMCC, which in turn serves as the technical, and implementation agency of the RCP

SUPPLEMENTARY RECOMMENDATIONS OF THE 4TH IGAD RCP

On the IGAD-RCP *Modus Operandi*

7. Media coverage of the IGAD-RCP should be strengthened. The fundamental objective being to capture and disseminate the thematic message from the keynote speakers at the commencement and conclusion of the meeting. Specifically, an exploration of how the RCP proceedings can be reflected in the mainstream media outlets of all the member states was recommended.

8. It was observed that the scope interlocutors in the 4th IGAD RCPs still failed to include relevant actors in the private sector and academic institutions. It was recommended that efforts to enhance inclusivity be intensified.

On Upcoming IGAD-RCPs

9. The frequency of the IGAD RCP meetings was adjusted from annual to bi-annual. This means that the RCP meetings will be held every 6 months in the first (Q1) and last (Q4) quarters of every year.

10. Djibouti will host the next RCP meeting in Q1 of 2015. The theme will focus on labour migration especially between IGAD Member States and the GCC. This RCP will be a precursor to a Conference on labour migration between IGAD Member States and Gulf Cooperation Countries scheduled for Q2 of 2015. The purpose of the meeting is for IGAD member states to develop a common position on labour

standards as well as inform development and investment planning.

On Other Cross-Cutting issues

11.   Somalia will be brought up to speed on resolutions made in preceding RCPs and consulted for endorsement of the same. The restoration of a national government was welcomed as a major development that would accelerate the pace of future deliberations.

Limitations of the 4th IGAD RCP

1.   The high number of expert presentations placed a constraint on the time available for participants to internalise and effectively debate upon the diverse facets of refugee, IDP and returnee management.

2.   Conversely, some of the experts did not table structured presentations, which could be archived for future reference or subjected to further interrogation after the consultative meeting. This constrained the ability of participants to fully engage on the subject matter that was put forward.

3.   Moderation of the technical sessions was not deliberately structured to guide the plenary discussions in such a manner that clear-cut recommendations were banked at the end of each presentation.

III.   PROCEEDINGS OF THE 4TH IGAD RCP

Day 1: Wednesday, 26th November 2014

Opening Ceremony: 09:00am – 09:45am

WELCOME / OPENING REMARKS
Remarks by IGAD: Amb(Eng) Mahboub Maalim, Executive Secretary IGAD
Remarks by IOM: H.E. Mr. Josiah Ogina, Chief of Mission, Representative to the AU/IGAD/ECA, IOM Special Liaison Office, Ethiopia
Remarks by Embassy of Switzerland: H.E. Andrea Semadeni, Ambassador of the Embassy of Switzerland
Keynote Speech by IGAD Partners Forum Chairperson: H.E. Guissepe Mistretta, The Ambassador of Italy to the Federal Democratic Republic of Ethiopia
Remarks by the Host Country: Mr. Abebe Haile Adewo, Director for Employment Promotion Ministry of Labour and Social Affairs, Federal Democratic Republic of Ethiopia
Moderator: Mr. Elsadig Abdalla, Director, Economic Cooperation & Social Development Division, IGAD Secretariat

Amb(Eng) Mahboub Maalim, Executive Secretary, IGAD opened his remarks by thanking participants at the meeting for dedicating time to attend the 4th IGAD RCP. Amb. Maalim noted that traditionally, IGAD RCP meetings engage the member states and relevant partners depending on the thematic area of focus. He clarified that on occasion; non-member states can be invited to participate in IGAD RCP deliberations if they share a significant stake in the migration matters under discussion. Amb. Maalim noted that the theme for this year's meeting was Refugees, IDPs and Returnees; a theme that was a concern principally to IGAD member states. He observed that the policy responses amongst the different member states varied from country to country. Some member states enforce an encampment policy that prohibits and indeed criminalises the free movement of asylum seeking populations. In other countries however, the policy response lies at the other end of the spectrum where refugees are permitted to integrate, move and work freely among the national population. The executive secretary challenged participants to develop a common regional position and policy framework in responding with refugees in a standardised manner.

Amb. Maalim then shifted focus to address the IDP situation in the region. He noted that there is a close correlation between the factors that cause internal displacement as a result of insecurity and political instability within the affected counties. The Executive Secretary traced the socio-economic crises that arise out of internal displacement as occasioned by political instability and internal insecurity[1].

Finally, he touched on returnees whether former refugees or IDPs and the challenges they face in re-integrating into their parent societies. He reiterated that an examination of these matters must yield two outcomes; one, a common regional position on how to respond to the crises arising out of population displacement and two; a determination of the role that IGAD, the individual member states and the international community in formulating workable and innovative solutions to the causes and effects of forced population displacement. Amb. Maalim pointed to some existing initiatives from which best practices can be borrowed and adapted to suit the unique challenges facing the IGAD

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[1] These included *inter alia;* increased poverty and social vulnerability due to loss of livelihoods, poor health and education and welfare services.

region. By way of example he highlighted efforts undertaken in Addis Ababa by the UNHCR High Commissioner to keep the Somali refugee issue high on the global agenda. He also underscored efforts by the government of Italy through the Khartoum Process to examine the movement of irregular migrants from the Horn of Africa to Europe.

In formulating a coherent position on Refugees, IDPs and Returnees, Amb. Maalim stressed that due consideration be given to the factors influencing peace and security as well as developmental issues at both regional and national levels. The executive secretary noted that resilience is a key determinant to the success and sustainability of development initiatives. For instance, he noted that livelihoods in the IGAD region are particularly vulnerable to drought cycles and the effects climate change. He urged that the development agenda be structured around resilience building. With regard to peace and security he similarly urged participants to examine which peace and security responses result in the greatest reduction of forced population displacement.

H.E. Mr. Josiah Ogina, Chief of Mission, Representative to the AU/IGAD/ECA, IOM Special Liaison Office, Ethiopia recognized the consistency of member states in engaging with the IGAD RCP noting that this was a prerequisite to ensuring the continuity of the dialogue. In his remarks he noted that refugees, IDPs and returnees constitute the single largest segment of population movements in the IGAD region. Mr. Ogina referred to UNHCR estimates, which show that as of 2013, the global population of 16.7 million refugees, 2 million (12%) were to be found in the Horn of Africa. he however noted that this number has risen significantly given the political turmoil and rising insecurity that has affected South Sudan and Somalia in the interim period. Kenya and Ethiopia were identified as hosting the largest refugee populations estimated at over 500 000 for each country. Sudan and Uganda were placed at hosting over 200 000 refugees each. Mr. Ogina invited participants to look beyond the numbers and appreciate the human aspects of the tragedy that is forced displacement. He highlighted the significant loss of livelihoods and dignity as a result of dormancy in skilled labour among refugee populations. He also highlighted the plight of women and youth as the largest demographic within refugee populations.

With regard to IDPs, Mr. Ogina apprised the meeting that one-third of the global IDP population as displaced by armed conflict, generalised violence and natural disasters is to be found within 21 sub-Saharan countries.[2] Mr. Ogina noted that the AU was cognizant of the IDP crisis on the continent and begun the process of formulating a structured response by way of the 2009 (Kampala) convention on IDPs. He noted that though this convention had been signed by a majority of the IGAD member states, only Uganda had ratified it so far in order to facilitate its domestication into national regulatory frameworks. Oddly enough of the 39 states that have signed the Kampala convention, 22 have ratified it nearly all of which are outside the IGAD region.

Mr. Ogina stated that the AU has the building blocks in the RECSs such as IGAD as the principal mechanism through which to popularise uptake of the Kampala convention amongst member states that have not ratified it. Mr. Ogina posited that the timing of the 4th IGAD RCP and in particular the focus on Refugees, IDPs and Returnees came at a most opportune time considering the recent developments where there has been significant population displacement in South Sudan, large volumes of Returnees to Ethiopia and Somalia due to repatriation programmes in the gulf states.[3] Mr. Ogina commended the governments of these states for the swift response they managed to put together to

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[2] South Sudan alone hosts 1.4 Million IDPs
[3] Ethiopia received 170 000 retrunees between November 2013 and March 2014 from Saudi Arabia alone. Somalia received 44 000 returnees by June 2014 whilst Sudan received 30 000 returnees from Saudi Arabia.

reintegrate the returnees with the support of international partners. The Federal Democratic Republic of Ethiopia was singled out for special mention in how it escalated government prioritization to the level of the Prime Minister's Office where a state minister was appointed specifically to manage the reintegration process and coordinate the efforts of other related line ministries *inter alia;* Foreign Affairs, Social Services and Disaster Management. Mr. Ogina concluded by urging member states and stakeholders to find a common approach to regularising labour migration and safeguarding the human rights of refugees, IDPs and returnees.

H.E. Andrea Semadeni, Ambassador of the Embassy of Switzerland in Ethiopia commended the organisers of the meeting and recognized the role that the RCP processes is playing in identifying critical issues in migration management across the world. In particular, he lauded the contribution the IGAD RCP has made in isolating the capacity building needs of migration management agencies in the region. Amb. Semadeni outlined the rationale for the issues that Switzerland has selected to focus on linking it to the 5-year Swiss strategy for the Horn of Africa that was launched in 2012. The strategy recognizes that a regional engagement strategy is what works best especially when addressing issues of a cross-border nature such as migration. He highlighted the necessity of implementing concerted actions and crafting complementary policies to respond to the international challenges arising out of forced displacement. The ambassador indicated that migration management as an issue is currently allocated priority status in virtually all member states of the EU considering the spike in irregular immigrants and asylum seekers not only from the African continent but also from conflict affected regions such as Syria, Afghanistan and Iraq.

Amb. Semadeni recognized that in order to comprehensively address the challenges stemming from forced displacement and complex migratory movements, dialogue and joint action from the source, transit and destination countries is absolutely essential. To this end, he mentioned that the Swiss government is supporting a multi-annual programme called *"Building Regional and National Capacities for Improved Migration Governance in the IGAD Region"* which is being implemented by the IGAD secretariat. He indicated that the programme intends to improve stakeholder capacity to implement the IGAD regional migration policy framework. The Ambassador also indicated that the Swiss government is also partnering with governments of the individual member states[4].

"This [*Building Regional and National Capacities for Improved Migration Governance in the IGAD Region***] programme aims at improving migration governance and enhancing the protection of migrants" - H.E. Andrea Semadeni.**

He then turned his attention to the theme of 4th IGAD RCP where he informed the meeting that an analysis of UNHCR statistics indicated that the world is now experiencing the highest levels of population displacement since WWII with 52 million people having been forced to move by conflict or natural disasters. Swiss support to the WFP and UNHCR has been instrumental to supporting affected populations in the Horn of Africa and reducing the financial burden on host countries. Amb. Semadeni informed the meeting that the Swiss Development Agency has advanced a partnership with 2 NGOs, Swiss Contact and the Norwegian Refugee Council to implement a skills development project in Kakuma refugee camp. The project targets 500 beneficiaries (250 from the host communities and 250 refugees). This initiative is designed to address protective displacement and promote

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[4] For instance in Sudan where human trafficking is rife, the Swiss government is working in conjunction with the Government, UNHCR and IOM on a programme that seeks to curb not only human trafficking but kidnapping and smuggling of persons as well. The returns from this project are encouraging as the rights of victims of trafficking are better protected and the country is recording fewer cases of trafficking overall.

durable solutions to forced displacement has attracted significant interest from beneficiaries who wish to improve their technical skills and improve the outlook for sustainable livelihoods. The ambassador invited participants to debate on innovative approaches that engage host communities in addition to displaced populations. He concluded by reaffirming the commitment of the Swiss government to continue collaborating with IGAD and the member states to address the causes and effects of forced population displacement.

Keynote Speech

H.E. Amb. Guissepe Mistretta, The Ambassador of Italy to the Federal Democratic Republic Ethiopia declared the 4th IGAD RCP officially open. In his opening remarks Amb. Mistretta reiterated that as one of the gateways to Europe, Italy is a frontline state in the reception of migrants from Africa and the Middle East who choose to use the maritime entry points. He underlined that Italy has always had a hospitable attitude to receiving asylum seekers and pointed to the *Mare Nostrum* initiative where Italian naval ships were deployed not to detain or turn away the small vessels bearing illegal immigrants in the Mediterranean, but rather to offer them guidance protection and assistance[5]. Amb. Mistretta noted that this initiative would not be successful without the close collaboration of the AU, UNHCR and IOM and African counties that serve as the source and transit points.

"One of the things we learnt from this [*Mare Nostrum***] initiative is that we have to work closely with African Countries especially in the Horn of Africa because we [**the EU**] cannot manage this [**irregular migration**] phenomenon alone" – Amb. Guiseppe Mistretta**

He then briefed the meeting on the *Horn of Africa Migration Route Initiative* (HoAMRI), which was due to be launched in Rome immediately after the 4th IGAD RCP. This initiative is pitched at the ministerial level and brings together 6 IGAD member states in addition to Egypt and Libya as the final exit points. Amb. Mistretta expressed his faith that out of the 1st meeting of the HoAMRI, a concrete project to address the root causes of irregular migration would be formulated.

Introductory Session 1: 10:00am – 1:00pm

SETTING THE CONTEXT
Refugees, IDPs and Returnees in the IGAD Region: Ms. Caroline Njuki, Regional Migration & IGAD-Swiss Partnership Coordinator, IGAD
Country Presentations on the current state of Refugees, IDPs and Returnees in the IGAD Region: • Djibouti • Ethiopia • Kenya • Somalia • South Sudan • Sudan • Uganda
Moderator: H.E. Mr. Josiah Ogina, Chief of Mission, Representative to the AU/IGAD/ECA, IOM Special Liaison Office, Ethiopia

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[5] Through this initiative, 100 000 lives were saved

Ms. Caroline Njuki, Regional Migration & IGAD-Swiss Partnership Coordinator, IGAD begun her remarks by noting that virtually all IGAD member states have experienced forced displacement. However, efforts to address the phenomenon are at different levels. She pointed to Kenya which has resettled and re-integrated over 90% of the 500 000 IDPs who were displaced in the aftermath of post election violence in 2007/2008. However, she noted that policy gaps continue to limit the effectiveness of state and non-state responses to forced migration and re-emphasised the fact that only Uganda has ratified the Kampala convention on IDPs. other members states may have national legislation on IDPs but not anchored in the continental policy framework.

She encouraged participants to utilize the IGAD RCP as a platform to engage in exploratory and non-binding dialogue designed to arrive at a common position especially on inter-state migration management in the region. Ms. Njuki emphasised that IGAD is committed to translating the outcomes of the dialogue between member states and stakeholders into concrete policy and programmatic actions. As a result, the intention is that the IGAD RCP is to carve out an identity for itself as an *action and results oriented* RCP. She outlined the objectives of the 4th RCP as the facilitation of dialogue on Refugees, IDPs and Returnees with the intention of originating innovative solutions that go beyond the classical responses of resettlement, return and reintegration. Ms. Njuki inspired participants to consider *inter alia*; how to improve the conditions and mechanisms of return, how to facilitate optimal levels of dignity in resettlement, how to expand spaces for reintegration. By way of example, she contrasted the pros and cons of the different approaches to refugee, IDP and returnee management weighing the security benefits of encampment *vis-à-vis* the culture of dependency that inevitably develops.

Ms. Njuki reminded the meeting that management of Refugees, IDPs and Returnees is not only a migration issue but also one that touches on peace, security and development planning. As such, it is a medium to long-term problem that requires similarly structured solutions. The ultimate objective is to have better protection and assistance regimes in the region that mitigate the effects of forced displacement even as efforts are made to address the root causes. Ms. Njuki elaborated that the objective of the 4th IGAD RCP was to originate of key policy and practice recommendations on mechanisms for dealing with Refugee, IDP and returnee populations in the IGAD region to be applied by relevant state and non-state institutions.

MEMBER STATE UPDATES

The IGAD member states proceeded to provide updates on the progress they have made so far in domesticating aspects related to forced population displacement in the IGAD-MPF.

SUDAN (Oral Report)

Refugees: In their presentation, the delegation from Sudan informed participants that the country has continuously receiving refugees since independence due to endemic conflict in the greater horn, West Africa, Central Africa and Middle East regions (Syria, Palestine, Iraq). The country has 12 Refugee camps located mainly in Eastern Sudan however; it is difficult to keep track of refugee flows due to frequent fluctuations as triggered by local conflicts.

IDPs: Subsequently, the IDP problem is principally located in areas of internal conflict e.g. Blue Nile. On the immediate horizon, Sudan is preparing to repatriate 50 000 soldiers to Ethiopia.

Returnees: These are principally constituted from the diaspora community resident in the Middle East and especially Saudi Arabia. Most returnees are highly skilled. Returnees actively contribute to nation building through absorption into positions of public service.

Regulations & Responses: On the regulatory front, Sudan applies international conventions (1951, 1967 and AU-1969) and Internal Law of 1959 to regulate refugee management. In terms of multi-lateral-cooperation, Sudan has a working relationship with UNHCR and IOM in refugee management. Sudan is also a party to the Doha agreement, which has facilitated access to international support to repatriate refugees. Internally, Sudan has a Humanitarian Assistance Commission which is responsible for IDP management The delegation indicated that human trafficking and smuggling continues to be a major problem and combating the problem has been escalated to priority status by the Government.. The presenters informed that sensitization of target communities on the dangers of human smuggling and dispelling the illusion of the European utopia is being undertaken with IOM and UNODC. Similarly, amendments to the 1974 refugee law has been informed by engagements and commitments to implement the IGAD Regional Migration Policy Framework

EU-Horn of Africa Migration Route Initiative. In October 2014, an AU conference on human smuggling was held in Khartoum. This meeting dubbed the Khartoum process yielded a declaration on human trafficking and smuggling of migrants between the Horn of Africa and Europe with an accompanying Strategy & Action Plan. These three outcomes were scheduled for endorsement at a ministerial meeting in Rome slated for the 29th of November 2014.

SOUTH SUDAN (Oral Report)

Refugees: South Sudan has 5 major refugee camps located in Central Equatoria, Jonglei, Unity, Upper Nile and Western Equatoria states. The Registered refugee population is estimated at 250 000 though the addition of non-registered refugees can push this figure up to 300 000. The majority of refugees are from Sudan and DRC with smaller populations from Ethiopia. The high number of Sudanese refugees is attributable to IDP's inherited from Sudan before the split. These immediately translated into refugees upon independence.

IDPs: The IDP population has risen significantly as a result of on going conflict. It is currently estimated at over 2 million people. The main pockets of IDP populations are located in Upper Nile, Unity and Warap states. IDPs in South Sudan are facing livelihood challenges, which cause them to prefer adopting refugee status as a coping mechanism. Many IDPs in south Sudan are now operating with the dual identity of IDP & Refugee depending on the prevailing situation.

Regulations & Responses: South Sudan has a Refugee Commission to handle refugees whilst IDPs fall under the jurisdiction of the Ministry of Humanitarian affairs.

SOMALIA (Scripted Report)

Refugees & IDPs: As of November 2014, there were more than 1.1 million internally displaced Somalis and another 1 million refugees living in neighbouring countries such as Ethiopia, Kenya and Yemen.

Regulations & Responses: The Somali National Commission for Refugees and IDPs (NCRI) is the principal national institution dealing with refugees and IDPs. The NCRI has been conducting preliminary and preparatory surveys in selected camps in Mogadishu to

investigate the prevailing conditions for IDPs and returnees. The main intention is to develop durable solutions for the return of Somali refugees. At the bilateral level, Somalia has signed a tri-partite agreement with Kenya and the UN Refugee Agency (UNHCR) a Tripartite Agreement to establish a framework for supporting voluntary returns to Somalia. Towards this end, a Technical Commission was established as the main operational and implementing arm of the Tripartite Agreement. The commission has held a number of preparatory meetings and is running a Pilot Project for the spontaneous voluntary return of refugees from Kenya to selected regions of Somalia deemed to enjoy sufficient security.

At the regional level, African Ministerial Meeting in Addis Ababa in August 2014 which adopted the New Addis Ababa New Commitment for Somali Refugees. During this meeting, Ministers from across the continent pledged their solidarity with Somali refugees, ensuring their protection and support for their eventual voluntary return to Somalia in a dignified, durable and sustainable manner. The Somali delegation posited that the 4th IGAD Regional Consultative Process (RCP) on refugees, IDPs and returnees could add weight to the outcome and commitments adopted by the African Regional Ministerial Meeting. They proposed that the RCP endorses the Addis New Commitment. At the global level, Somalia fully supports the Global Initiative on Somali Refugees (GISR) launched by the High Commissioner of UNHCR in 2013. The GISR is based on two pillars: the protection of Somali refugees in host countries and their eventual return to their country of origin.

UGANDA (Scripted Report)

Refugees: As of October 2014, Uganda is hosting 393,217 Refugees. South Sudanese and Congolese form the biggest portion of the refugee population in Uganda due to persistent insecurity. Uganda also hosts refugees from a variety of other countries such as Rwanda, Burundi, Somalia, Eritrea, Kenya, Ethiopia and Pakistan.

IDPs: The main cause of internal displacement in Uganda was the 20-year conflict that affected the greater Northern Region of Uganda. Over 2 Million Ugandans were internally displaced during that time and were placed in IDP Camps. Following the ejection of the LRA and improvements in the security situation, IDP Camps were abolished in 2009/2010. Currently, natural disasters such as Floods, Earthquakes, Mudslides and eviction of illegal settlers on Government and Privately owned land has greatly contributed towards the current levels of IDPs in Uganda.

Regulations & Responses: Article 197 of the Constitution of Uganda mandates the Department of Refugees in the Office of the Prime Minister with the responsibility of managing the protection of refugees. The department has two key functions; One, Administration of all refugee matters concerning refugees in Uganda and Two; Coordinating inter-ministerial and non-Government activities and programmes relating to the welfare of refugees. The main policy approach with regard to refuges in Uganda has been local settlement and promoting self-reliance for both refugees and host communities[6]. Uganda's relatively liberal policy on refugee management permits freedom of movement as long as refugees living outside the settlements can support themselves. It also promotes local integration by providing an option of citizenship by naturalization to refugees. In spite of this, the government of Uganda continues to face challenges in

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[6] Uganda is said to have a generous asylum policy receiving and protecting refugees where asylum seekers are allowed to existing public services and facilities in addition to allocating land for refugees to use for housing and farming. This policy provides greater livelihood opportunities thereby improving socio-economic security, reducing dependency on food and other assistance and providing maximum physical security and protection.

refugee management occasioned by *inter alia;* Limited access to land, High expectations of the refugees, Donor fatigue, Spontaneous movement within and outside the country of asylum, Inadequate social services and the protracted nature of conflict in the countries of origin.

Management of IDPs in Uganda falls under the Department of Disaster Management and Relief under the Office of the Prime Minister. This department coordinates and monitors all matters related to the IDPs, advises the Government on IDP issues, lobbies for funds to improve the lives of the affected persons and designs durable solutions to the IDP problem. In response to the displacement caused by the recent mudslides, the Department of Disaster Management and Relief has proceeded to buy land in safer areas with the help of Government partners where it has relocated the affected populations. It has also continued to sensitize the people living in such prone to disaster areas on the need to vacate them.

The challenges facing the government of Uganda in IDP management include; Negative attitudes towards relocation, inadequate financial support to the districts prone to disasters, lowered levels of financial support from the international community towards resolution of root causes of internal displacement, the challenges associated with internal displacement and limited capacity by the Government to sustainably fund IDP programmes.

KENYA (Scripted Report)

Refugees: Kenya currently hosts 575 334 registered refugees and asylum seekers. The maim populations are in three main locations; 50 185 in Nairobi, 169 743 in Kakuma refugee camp and 355 406 in the Dadaab refugee camp. Until July 2014 Kenya hosted the largest number of refugees in Africa conceding this position to Ethiopia following the crisis in South Sudan. However, Dadaab is still the largest refugee camp in the world. Following the events of December 2013 Kenya has experienced an influx of asylum seekers from South Sudan. The prevailing assumption is that most of the new arrivals fulfil the criteria for recognition for refugee status according to international instruments and as a result, the government has granted *prima facie* status to South Sudanese refugees.

Regulations & Responses: Kenya is currently reviewing the 2006 Refugees Act to align it with provisions in the revised 2010 Constitution.   Specifically, the Kenya government is in the process of finalizing a national asylum policy. The Kenya government, Somalia Federal government and UNHCR signed a tripartite agreement for the voluntary repatriation of Somali refugees in November 2013. Similarly, the government of Kenya continues to issue relevant documents to facilitate the resettlement of refugees to third countries. Kenya principally applies and has chosen to enforce an encampment policy in order to streamline refugee management within the context of emerging national security threats.

IDPs. The delegation from Kenya making the presentation was dispatched from the Department of Refugee Affairs. They indicated that two non-state agencies; Refugee Council of Kenya and IDPK will be tabling supplementary reports on the status report on IDP's and returnees within the course of the meeting.

ETHIOPIA

Apologies were proffered on behalf of the official delegation from Ethiopia, which was unable to table their status report. The meeting was informed that the principal officers responsible for Refugee, IDPs and Returnee management had received emergency

summons from the Office of the Prime Minister to develop a response to a continuing crisis occasioned by returnees from Saudi Arabia as well as Refugees from South Sudan.

DJIBOUTI

Representatives from the delegation from Djibouti proffered their apologies to the meeting because the key officers charged with tabling a status report were dispatched to Yemen for urgent consultations on mechanisms to curb human trafficking.

Working Session 1: 2:00pm – 2:30pm

PLENARY ON COUNTRY PRESENTATIONS
Moderator: H.E. Mr. Josiah Ogina, Chief of Mission, Representative to the AU/IGAD/ECA, IOM Special Liaison Office, Ethiopia

- Good practices have been banked from the process of returnee management between South Sudan and Uganda. The tripartite agreement with Uganda has been successful in part due to an internal refugee management policy in Uganda that empowered refugees before they returned home.

- **Action Point:** Uganda was tasked to circulate the revised tripartite agreement in time for the next RCP

- The volatile security situation prevailing in South Sudan since December 2013 has hampered data collection on Refugees and IDPs. However, receiving countries can be called upon to provide partial figures for refugees.

- Kenya estimated to have received > 80 000 registered refugees as of October 2014. Figures were estimated at > 100 000 if non-registered refugees are to be considered. Kenya indicated that it is considering setting up an additional camp at Kakuma to cater for increased inflows of South Sudanese refugees

- Sudan provided claricfication on the status of secondary refugee movements in and around Kasala especially as it relates to the smuggling chain. Furthermore, it was elaborated that Southern Sudanese seeking sanctuary in Sudan after the December incident are catered for by various agreements including those that guarantee 'the four freedoms'.

- The government of Sudan is reluctant to encamp south Sudanese refugees many of whom lived in Sudan prior to the split.

- UNHCR and IOM working wit GoS to register South Sudanese refugees and recognize their citizenship.

- The challenge to registration and registration lies in the back-and-forth flow of refugees, the sheer numbers and the lack of national citizenship documentation from south Sudanese refugees.

- Somalia clarified that preparatory missions into major reintegration areas and resettlement packages are some of the measures in place to facilitate full reintegration of returnees in to the existing communities. The Federal government is also involved in efforts to restore and protect property rights as well as encourage non-discrimination against returnees.

- **Action Point:** The tripartite partners will be assessing the incentive package availed to returnees to determine if it is sufficient.

- An enquiry on the status of social infrastructure in Somalia where repatriated refugees are destined to be domiciled, elicited a response that the federal government is currently responding to spontaneously returning refugees who relocating mainly to urban areas where social infrastructure is in existence.

- Kenya responded to a query on response mechanisms to Somali refugees in the context of insecurity by stating that the government is facilitating resettlement and repatriation as part of a cocktail of durable solutions. As such, the delegation acknowledged that the responsibility of documentation falls upon the host government and to this end, the GoK issues refugee cards, conventional and machine-readable travel documents to *bona fide* refugees.

- Probing on if the selection of repatriation and resettlement sites a demand-driven (by refugees) or supply-driven (by government) process prompted a response that the process is demand driven where GoK and UNHCR have collected data from 3 000 voluntary returnees on preferred relocation sites. This number is expected to rise to 10 000 by January 2015. It was clarified that Somali returnees are in constantly in contact with existing communities in their preferred resettlement sites to assess the viability of return.
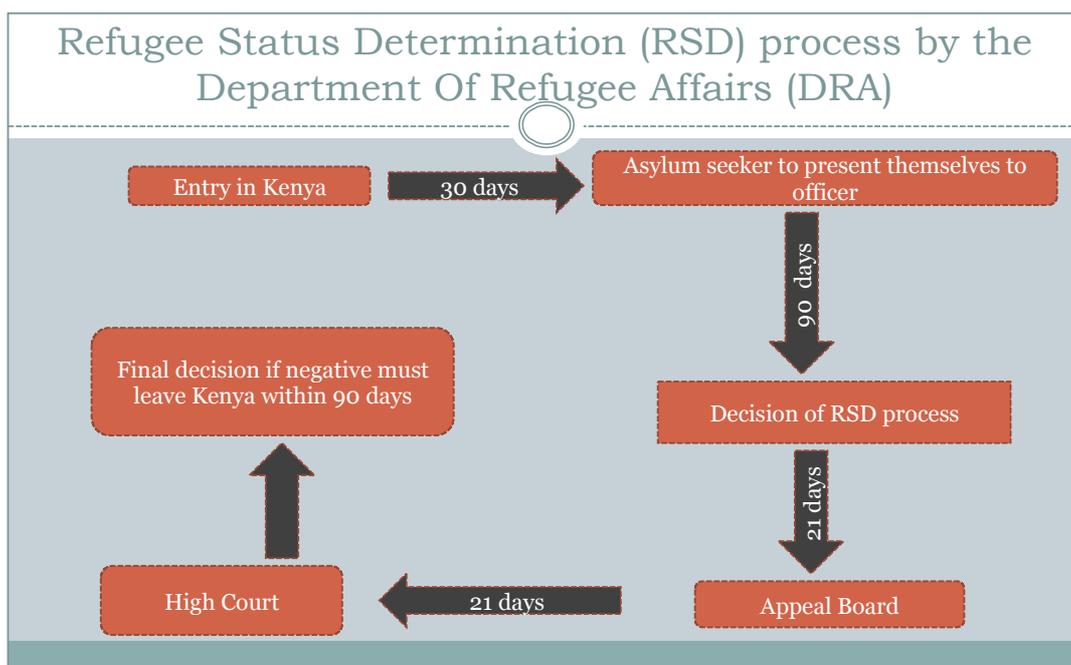
Conclusion:

The statistics on refugees, IDPs and returnees tabled by the member states provoked mixed responses and significant contestation. A majority of the member states did not possess independently collated statistics but rather relied on figures from UNHCR and IOM. The recommendation of the meeting was that member states should build their capacity to collect, analyze and share migration data.

Session 2: 2:30pm – 3:15pm

REFUGEE MANAGEMENT IN THE IGAD REGION
Case Study of Kenya – Refugee Consortium of Kenya
The Ugandan Experience - UNHCR
Moderator: Mubarak Mabuya, IGAD

The Refugee Consortium of Kenya made a presentation that traced the history of refugee management in the country since 1963. Key highlights in it were that refugee management in Kenya has undergone 3 transitions; It was exclusively a state-managed affair between 1963 and 1989 whereupon the UNHCR took over Refugee Status determination until 2007. Since then, a state-centric system that nonetheless accommodates non-state agencies under the leadership of the Directorate of Refugee Affairs has prevailed. The most notable development in the third phase has been Securitization of the asylum space due to increased terrorist attacks. In December 2012 a strict encampment policy that saw the suspension of all registration and service provision to refugees and asylum-seekers in urban areas was implemented. However, a High Court ruling that declared these practices as unconstitutional and a violation of human rights effectively reversing the policy. The presenter then outlined the current process of Refugee Status Determination as depicted below.

Refugee Status Determination (RSD) process by the Department Of Refugee Affairs (DRA)

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Entry in Kenya  --30 days-->  Asylum seeker to present themselves to officer
                                            |
                                         90 days
                                            v
Final decision if negative must          Decision of RSD process
leave Kenya within 90 days                  |
        ^                                 21 days
        |                                   v
    High Court  <--21 days--         Appeal Board
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It was clarified that asylum seekers and refugees can only reside in the designated refugee camps where they can be registered; receive shelter, food and protection. Movement passes are granted only by special exemption to selected categories. In other cases refugees and asylum seekers can apply to DRA for exemption to lawfully reside in the urban areas. The main challenges to refugee management were determined to be resource constraints and the inchoate process of distinguishing asylum seekers from other migrants. This is further complicated by the prevailing context of mixed migration and the dominance of national security considerations.

By way of recommendations, the presenter offered voluntary repatriation as a durable solution and pointed to the tripartite agreement that governs the Kenya-Somalia situation as a case in point. Similarly, on going amendments to regulations such as the review of the Refugee Act (2006) would expand the options available and create an enabling environment for the implementation of innovative solutions to refugee crises. It was proposed that continuous monitoring of refugee movements and protection missions at border points is a prerequisite to improved refugee management. Structural responses advanced by the presenter included the granting of alternative legal status for refugees, investment in resilience-building and displacement-prevention programmes as well as uptake of best practices from the Nansen initiative.

Plenary: Participants noted that in the Kenyan case, the immediate challenge is how to navigate the terrain between security and refugee management. In addition, the 30-day window prior to registration presents unique challenges to the maintenance of national security especially in the context of terrorism

Recommendations: Development of a regional durable solutions framework for refugees was proposed. This would be used to benchmark and track performance on achievement of durable solutions at the regional level

UNCHR was unavailable to present the Ugandan experience.

Session 3: 3:15pm – 4.00pm

MANAGEMENT OF INTERNALLY DISPLACED PERSONS
The Kampala Convention and IDP Management in the IGAD Region Dr. Mehari Tadele
An Example of National IDP Policy - IDPAC
Moderator: Nuur Mohamoud Sheikh, IGAD

Dr. Mehari Tadele began his presentation with a conceptualization of AU and IGAD policies emphasizing on the differentiation between Migration, Displacement and Mobility. He anchored this discussion on an analysis of the Mega-Trends in the continent and in particular the Horn of Africa with regard to IDPs. For instance, the statistic tabled showed that the IDP population in the Horn of Africa has risen from under 2 million in 1980, to over 8 Million by 2005. He subsequently outlined five (5) types of gaps conceptual, normative, institutional, accountability and capability in the protection of Internally Displaced Populations. He then demonstrated how the Kampala Convention addresses these gaps through provision of a normative, institutional and process explicitly dedicated to IDP protection at the regional level. He argued that the Kampala convention effectively transforms existing soft principles into tangible treaty provisions and consolidates the existing scattered regulations. In addition, it establishes claimable rights for victims and mechanisms for redress by imposing duties on relevant actors. Dr. Tadele concluded by provoking a discussion on the roles and responsibilities Member States, IGAD and AU have to play in realizing the intentions of the Kampala Convention. He singled out armed and non-armed interventions to stop or prevent internal displacement, capacity building of AU organs and Member States to anticipate, prevent and respond to internal displacement, coordination and resource mobilization, information sharing as well as monitoring compliance.

The Internal Displacement Policy and Advocacy Centre (IDPAC) made a presentation on the process of IDP Policy Formulation in Kenya. In it the presenter outlined the institutional framework (including thematic clusters, sub-clusters and working groups) that was created to coordinate the different stages actors and agencies involved in the origination of a national IDP policy. He took participants through the stages through which the IDP policy evolved i.e. literature review, causative factor assessments, consensus building, drafting, evaluation against national and regional legal instruments and finally approval. He demonstrated how prevention of future displacement is the heart of the policy because it focuses on addressing root causes, strengthening the resilience capability of affected populations, advocates for reconciliation efforts. He also highlighted how the policy emphasises on access to justice by providing for measures that prohibit arbitrary displacement and setting out the conditions and procedures under which evacuation shall be conducted. In addition he informed the meeting that the policy also makes provision for disaster preparedness & mitigation, provides for durable solutions and covers all IDPs regardless of the cause or location of displacement.

The presenter then outlined the challenges faced in developing the IDP policy in Kenya, which included; inconsistency engagement by stakeholders, a fluid political environment, brain drain through sectoral reconfigurations and the transfer of technocrats to other Ministries as well as the inability to settle on definitive timeframes for adoption of the policy[7]. Among the lessons learnt from the process was that adopting an Inter-Sectoral

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[7] In the duration it took to deveop the IDP policy, Kenya promulgated a New Constitution, a process to prosecute the leadership of the counry was initiated at the ICC process and Campaigns for 2013 General Elections were conducted

approach is essential to achieving a holistic draft with broad consensus such as realized through the PWG. Similarly, involvement of actual IDPs is vital to the credibility and authenticity of any IDP policy.

Plenary: Participants noted that the level of implementation of ratified protocols in the region overall is very poor. A debate on how states can make the transition from signing, to ratification and finally domestication was held considering that each member state is subject to its own national considerations and beset by a unique set of obstacles. It was observed that one of the main challenges to implementation of regional legislation is rooted in the mechanisms used to transmit the relevance of the issue to the affected populations on the ground by the implementation agencies. This results in a mismatch between pledges made and results realized.

Recommendations: Agencies charged with domesticating and translating regional intentions at the national and sub-national level need to exit from norm-setting spaces (theoretical, abstract and policy formulation spaces) and dominate norm-implementation (practical, empirical and evaluative spaces). International Organisations engaged in regional policy formulation were urged to 'drill down' to the individual member states in order to effectively support the national processes in motion to domesticate and implement international regulations. The capability of states to differentiate between bad and good mobility needs to be enhanced so that they are better equipped to calibrate their responses.

Session 4: 4:20pm – 5.00pm

GENDER AND MIGRANTS IN CRISIS
Gender, Refugees, IDPs and Returnees – Mubarak Mabuya, Program Manager, Gender Affairs; IGAD
Migrants in Countries in Crisis (MICIC) Initiative – Danila Bogdan Silviu; IOM
Moderator: Fathia A. Alwan Program Manager, Health & Social Development; IGAD

Mubarak Mabuya launched his presentation on Gender, Refugees, IDPs and Returnees by first establishing the link between gender and migration. In order to do this, he presented a series of examples to illustrate how migration influences gender relations, by either entrenching or challenging inequalities and traditional roles. Equally, he demonstrated how Gender influences, who migrates, why, and how the decision is made and the impact this has on the migrants themselves as well as the source and destination countries. In examining migration through a gender lens, the presenter noted that the binary categorization of experiences of migration as forced or voluntary, positive or negative, empowering or restrictive is not helpful because it ignores the nuances involved.

He proceeded to support this assertion with a series of examples that showed situations in which both aspects come into play. He then took participants through the spectrum of gender-intensified vulnerabilities among refugees, IDPs and returnees and highlighted increased exposure to Gender Based Violence, heightened stress disorders, de-construction of feminine and masculine identities and gender-specific limitations in access to social services. The presenter concluded with a snapshot of 16 days of activism against Gender Based Violence whose commencement coincided with the launch of the 4th IGAD RCP. Specifically he urged participants to focus on finding solutions for the 11.4 million women and girls who fall victim to illegal trafficking every year.

Danila Bogdan Silviu, IOM Senior Regional Emergency and Post-Crisis Specialist, presented the Migrants in Countries in Crisis (MICIC) Initiative to participants at the

meeting. He briefed the meeting on the operational framework of the MICIC, which is in two parts; One, the basis of the MICIC framework, which consists of the concept of the MICIC and the international legal framework that underpins it. Two, is the structure of the MICIC framework showing the operational response cycle, which determines how responses are calibrated differently for the 3 phases of a crisis (before, during and after). Next, he took participants through an elaborate matrix showing IOM's 15 Sectors of Assistance before finally outlining how linkages and coordination between IOM and the broader response system are structured among these 15 sectors. The presenter took the meeting through the process and objectives of IOMs Migration Crisis Operational Framework, which was developed in 2012 followed by a summary of the workings of the MICIC initiative. He liberally supported the material with examples of crises that the MICIC has been instrumental in coordinating an international response such as; the 2004 Asian Tsunami, the 2011 Earthquake in Japan, the on going Syrian conflict, the on going conflict in Libya, the on going conflict in South Sudan and the on going conflict in the Central African Republic (CAR). In conclusion he indicated that the MICIC is an integral part of other existing migration management initiatives and it is heavily involved in regional consultations sponsored by the EC targeting *inter alia;* Africa, the Middle East, South and Southeast Asia, Latin America, Eastern Europe and Central Asia. The MICIC is engaged on other thematic and multi-stakeholder consultations such as Regional Consultative Processes on Migration (RCPs), the Global Forum on Migration and Development (GFMD) and the World Humanitarian Summit (WHS).

Plenary: The plenary discussions and origination of recommendations were deferred to the next day of the meeting because the session overran its slot and ended at 5.30pm.

Day 2: Thursday, 27th November 2014

Session 5: 9:00am – 10.15am

RETURNEES MANAGEMENT IN THE IGAD REGION
Integration of Ethiopian Returnees – Mariamawit Tassew, Hope for Children Australia
Best Practices for Management of Returnees – IOM, ECCAS
Moderator: Mario Lito Malanca, IOM

Mariamawit Tassew, representing Hope for Children Australia briefed participants at the meeting on the situation regarding returnees to Ethiopia. In her submissions, she highlighted that women and children comprised over two-thirds (68%) of the over 160 000 returnees. This translated to approximately 109 000 people. She reiterated the fact that this was also the most vulnerable segment considering that a majority of them were victims of illegal trafficking and were subsequently abused and exploited in the destination country. She listed examples where specific individuals were deceived during recruitment about the expected wages, nature of employment, the cost of migration and the means of transportation. In other instances, the women and children were subjected to physical violence, which included torture, starvation, beatings and even burning. This was accompanied by psychological violence and even sexual violence. She then summarized the interventions being implemented by hope for children Australia under their Women & Child Livelihood program. This is 3-year programme running from 2014 to 2017 focussing on grassroots returnee communities in the Addis Ababa metropolitan area, specifically 5 districts (*Wereda's*) in Ketema sub city. The project targets 3 categories of beneficiaries

namely; Returnee women, women potentially at risk of human trafficking and Community Based Organisations working on women and child development issues.

The presenter informed that hope for children implements activities clustered around 4 objectives with a range of partners in the public and civil society sectors.[8] The outcomes of efforts made so far are that 50 women have been organized into Self Help Groups and saving on average 150 ETB (USD 7) over the 3 months since initiation or, on average 12.5 ETB (USD 0.6) per week. 50 female returnees have enrolled in vocational training and enterprise development programmes in order to broaden their skill base and set the stage for self-employment. HFC has organized for improved access to government loans among at risk women and stakeholders to for SME development. The outcome is that all 63 SHG members have committed not to use risky channels of migration and are educating the community around them on the potential hazards. She however noted that the returnees nonetheless continue to face a myriad of challenges *inter alia;* Financial difficulties, conflict with family members as well as uncertainty about their future.

The IOM Country Office for Somalia made a presentation on best practices and lessons learnt in managing returnees to the country. The presenter began by listing the 6 categories of returnees to Somalia before proceeding to elaborate on the different approaches adopted to manage their re-entry and re-integration.[9] The presenter pointed to the tripartite agreement of 2013 as being one of the innovations that has been developed and is being implemented to deal with refugee returnees in Somalia. Specifically, the agreement is structured to address longer-term reintegration issues such as preparing the actual areas of return, physical security, the impact of returnees on resident communities as well as access to justice, participation in civil, political and economic life. To contextualize the case of forced returnees, the presenter informed the meeting that forced return of Somalis from the Kingdom of Saudi Arabia has been on going for over 5 years though the average figures have stood at less than 500 per month. A sudden increase was recorded in December 2013 to over 10 000 per month and currently figures stand at forced 44 779 returnees. IOM and the Federal Government are attempting to respond to the crisis and so far, they are supporting 11 196 returnees.

The presenter then gave a brief overview of Assisted Voluntary Return and Reintegration (AVRR) as an alternative to a possible deportation or forced return by authorities of respective host countries.[10] He argued that AVRR could provide a viable and humanitarian response to migrants who have the obligation to leave their host country or asylum country. He stated that AVRR can be offered to victims of trafficking, unaccompanied migrant children and other migrants currently residing or stranded in host countries and said that IOM remains convinced that AVRR is the most desirable form of return given that it takes an individual's decision into account and allows returnees to prepare for their return while avoiding the stigma of deportation and its negative repercussions for successful reintegration. Through AVRR, migrants have more chances of receiving support for their immediate needs that can lead to their self-sufficiency and sustainable reintegration. He however clarified that IOM does not currently support AVRR to South Central Somalia but has implemented it successfully with Ethiopian migrants from Somaliland and Puntland. Another example of best practices leading to durable solutions

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[8] Creation of economic and social opportunities for 300 young women who are at risk of illegal migration & human trafficking; Improvement of the social and economic status of the target women; Reduction of psychological problems among target women through counseling and reintegration services and finally strengthening of community-based organisations in target areas to provide community based support for women at risk of risky migration and returnees
[9] These included; Refugees, IDPs, Forced returnees, Assisted Voluntary Returnees, Diaspora Returnees and Spontaneous returnees
[10] AVRR involves administrative, logistical and financial support to migrants who have seen their asylum application rejected, whose asylum application is pending or who have withdrawn their claim and who are willing to return voluntarily.

being implemented by IOM is the Migration for Development in Africa (MIDA) programme. This initiative oversees the Temporary Return of Qualified Nationals (TRQN). Through this programme, IOM facilitates diaspora returnees to find placements in the public sector where they can positively contribute to national development whist at the same time securing a sustainable livelihood upon their return. In conclusion, he highlighted some of the challenges facing returnee management for the consideration of participants at the meeting. These included lack of reliable information on number of expected returnees, funding gaps for scale up and for reintegration activities, absence of a comprehensive reintegration strategy and gaps in institutional capacity.

Plenary: Participants noted the similarities in reintegration support by both Hope for Children and IOM. Further discussions during plenary showed that the repatriation programme averaged 450-500 returnees daily and IOM stood alone in providing support to the returnees. However, even this support was officially suspended on 15 October 2014 due to funding constraints that became apparent in August.

Participants were curious as to why this was the case and yet the repatriation process is still on going. Delegates enquired as to how voluntariness guaranteed in AVR especially in the case of minors and whether re-migration has been curbed following AVRR. IOM responded that the limited scale of the AVRR project has not met threshold for justifying structured interventions to prevent re-migration. In addition, it was clarified that voluntariness of return was pre-established with returnees and in the case of minors with their parents or guardian who was returning with them. COMESA representatives wanted to know if there was a mechanism to regularize the termination of employment of forced returnees Saudi Arabia. Similar enquiries were made to determine if member states engaged with the government of Saudi Arabia to facilitate severance pay from employers. Indications were that employment for deportees was terminated abruptly and irregularly and a majority were dispossessed of personal belongings and property investments.

Recommendations: It was proposed that in light of the funding constraints facing the IOM programme, handover to the Federal Government of Somalia should be considered as an exit strategy. This would strengthen the case for the government to raise funds from both local and international sources. Overall comments supported the position that governments should take up the role of lead agency when it comes to reception of returnees. This is because it streamlines the process of coordination by establishing clear focal points for the plethora of different agencies charged with facilitating security, housing, health, education, employment and other social services.

Session 6: 10:30am – 11.30am

MIGRATION MANAGEMENT CHALLENGES
Human smuggling and Refugees, Asylum Seekers, Returnees & IDPs in the IGAD Region – Chris Horwood, RMMS
Moderator: Dr. Melissa Phillips

Chris Horwood from the Regional Mixed Migration Secretariat commenced with some sobering statistics. He stated that out of the population of 200 million people in the IGAD region, 4% (some 8 million people) are caught up in complex and mixed migratory movements. This was broken down as IDPs estimated to stand at 5.6 million people, refugees accounting for approximately 2.45 million and asylum-seekers constitute 100 000. He stated that the complexity and the fluidity of the migration flows means that the total number of people officially documented in mixed migration flows moving through the

region are be estimated as less than 200 000 annually (i.e. 0.1%) and almost all use smugglers due to restrictions in legal options.

He briefed the meeting that 3 nationalities are dominant in the smuggling chain:

1. Ethiopians claiming the status of economic migrants, asylum seekers and refugees move towards global North via Kenya, Djibouti, Egypt, Yemen, Uganda, Tanzania, Malawi, Mozambique, Zambia and Zimbabwe.

2. Somalis claiming assertive, often *prima facie* status as asylum seekers or refugees prefer destinations in the global North via Kenya, Yemen, Ethiopia, Sudan and Libya. However, some also choose to remain in the region.

3. Eritreans aspiring to gain status as asylum seekers and refugees move towards Europe and other global North countries via Ethiopia, Sudan, South Sudan, Libya and Egypt.

He then spoke on an interesting phenomenon dubbed **chameleon travellers** who switch identities between asylum seeker and economic migrant, invisibility and visibility, claiming rights and laying low. He explained that this behaviour is driven by the logic of survival amongst migrants in which status is exploited to maximize available advantages, which are then used to facilitate secondary movement.[11] Mr. Horwood mused on the possibility that secondary movements suits some States because the problem of refugees and asylum seekers resolves itself when they move to another country and even out of the continent. However, he noted that this is a short-term solution because secondary movement fuels smuggling of migrants, fuels criminality and in some cases permits trafficking. He populated that there is a nominally proportional relationship between the level of violations and the distance travelled by the migrants. He explained that the rationale driving this phenomenon is a High risk/ high calculation for migrants. In contrast, smugglers apply a low risk/ high gain model making it all part of the commoditization of the migrant. This allowed the presenter to segue into the business of illegal migration. Mr. Horwood tabled statistics indicating that human smuggling from the horn of Africa generates over USD 140 million in transfer fees alone. He showed figures suggesting that criminals in Sudan and Egypt extracted up to USD 600 million between 2007-2012 from kidnapped and tortured Eritreans. The commoditization alluded to earlier means that the currency of 'refugee status' and the noble ethos around the Refugee Convention (1951) and the AU Refugee Convention (1969) has been significantly devalued.

The presentation wrapped up with a series of scenarios going forward and a summary of the issues and challenges arising form each. In the optimistic scenario, the presenter postulated that transformation in IGAD region will outpace crisis, but economic migration will still be on the rise.[12] In the less optimistic scenario, the presenter predicted that migration would increase as drivers such as localized regional conflict, environmental stress, development inequality and governance problems are not adequately addressed. He however tempered this argument by issuing the caveat that migration is not always rooted in desperation. The pull factors are also very compelling and as long as refugee status and asylum is available in more attractive refugees will move with the migratory flows. On the issue of human smuggling, he asserted that as long as smugglers (and

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[11] These include registration, shelter in refugee camps, distribution resources, contacts & information sharing, establishing documents and financial support
[12] Migration figures in sub-saharan Africa stand at 900 million in 2014 and are expected to reach 2.1 billion by 2050 and 3.9 billion by the end of this century.

traffickers) can operate with little risk the lucrative business model would continue. He stated that we should expect a major collision between rising migration and politics of the global North and invited participants to consider a re-assessment of the Refugee Convention in response to popular reaction to increased flows of migrants in the North. Finally, he affirmed that rising mixed flows and smuggler-assisted irregular movement may very well be the new paradigm considering the difficulties in separating refugees and asylum seekers from other migrants.

Plenary: Participants nuanced the content of the presentation by adding that restrictive movement regimes in the greater horn region are also drivers of the smuggling industry. Members at the meeting debated the extent to which review and enforcement of legislation against people smuggling can contribute to reduction in this practice.

The discussions noted that there exists an etymological disconnect between the concepts of smuggling and trafficking in the region. Furthermore the legal regime in different member states provides for derisory fines for the offence, which are far lower that the fees generated and corruption often compromises prosecutorial processes. Participants agreed that the IGAD region is fortunate not to have powerful organized syndicates present in other regions that have penetrated power structures but rather individuals dominate the smuggling networks. It was established in the course of discussions that the per capita cost of illegal emigration for instance from Ethiopia to South Africa ranges between USD 2 000 to USD 4 000 depending o the number of legs in the journey. It was noted that media engagement to create public awareness and stimulate debate on migration issues has not been successful because some sections of the media propagate xenophobic messages thereby fuelling anti-migrant sentiments globally.

Session 7: 11.30am – 1:00pm

CREATIVE SOLUTIONS TO MANAGEMENT OF DISPLACED POPULATIONS IN THE HORN OF AFRICA
Internal displacement monitoring tool for IDP management – IOM
Moderator: Dr. Mehari Tadele

IOM Office, Ethiopia presented a tool they are applying to monitor internal displacement in the IGAD region. Returns from this tool indicated that over 4.6 Million people experienced internal displacement in 7 IGAD member states. Of these, 1.9 Million were newly displaced in 2013. Conflict, natural disasters and development projects by public and private agencies were the main drivers of internal displacement in the region. The presenter informed the meeting that the development and application of the displacement-monitoring tool is one of the preliminary steps in formulating effective interventions to the needs of Internally Displaced Persons (IDPs) in line with the Kampala Convention for the Protection and Assistance of IDPs. He clarified that the tool is used in joint rapid assessments by state and non-state institutions map areas of displacement in order to assess and support appropriate levels of humanitarian response. He stated that from the experiences garnered so far, a number of good practices have emerged such as joint assessments between the government of Ethiopia and humanitarian partners at the regional and federal levels using a harmonized tool. Similarly, information sharing and feedback mechanisms have been established through workshops and mailing lists where annual, quarterly and monthly reports on IDP situations are shared and evaluated

facilitate trends analysis and anticipation of disaster events. In addition to this, he said that sector wide analysis of needs, responses and gaps has ensured inclusiveness and participation of stakeholders beyond government and humanitarian actors. In closing, the presenter proposed that the IDP monitoring tool contributes to the development of durable solutions through provision of information on populations affected by disasters, intentions of return, availability of services in areas of return, local integration or resettlement.

Plenary: Participants wished to know how long the tool has been in operation and they were informed that it has been since 2012 in response to scanty IDP data. The principal users are disaster and humanitarian response agencies and it works closely with the federal administrative structures in Ethiopia.

Furthermore, the tool has been presented to the government's humanitarian country team and cluster working groups for customization and adoption. Participants noted that the tool has had limited engagement in monitoring development induced displacement and that it has no connection to the IGAD Regional Conflict Early Warning System (CEWARN). Since the tool relies on data generated by the IDMC in Geneva, some scepticism was expressed on the effectiveness of the tool given the turnaround time given the distance decay between Geneva and the greater Horn of Africa region.

Recommendations: A structural link should be established between the IDP monitoring tool and other existing early warning systems such as CEWARN. The data collection, collation, analysis and dissemination responsibilities should be relocated closer to the affected areas in order to reduce the time required to formulate a response.

Session 8: 2:00pm – 2:45pm

REPORT OF THE REGIONAL MIGRATION MANAGEMENT COMMITTEE (RMCC) AND PRESENTATION OF 2015 WORKPLAN
Rapporteur - Mr. Willy Kimani, Assistant Labour Commissioner, Ministry of Labour Kenya
Moderator: H.E. Mr. Josiah Ogina, Chief of Mission, Representative to the AU/IGAD/ECA, IOM Special Liaison Office, Ethiopia

Mr. Willy Kimani, Assistant Labour Commissioner, Ministry of Labour, Kenya in his capacity as the rapporteur for the 1st IGAD RMCC meeting presented a summary of the deliberations that took place on the 25th November 2014 in Addis Ababa, Ethiopia. Deliberations focussed on endorsing the Terms of Reference of the RMCC that were originated during a meeting held in Nairobi, Kenya that brought together the heads of immigration and labour in 2011. Mr. Kimani presented the workplan that was developed for the RMCC in 2015. The major highlights of the workplan were; regular scheduling of RMCC meetings, Origination of final TORs for National Consultative Mechanisms and A conference on labour migration between IGAD MS and Gulf states. The draft workplan for the RMCC in 2015 reflecting the substantive discussions is contained in a separate RMCC report.

Session 9: 2:45pm – 3:45pm

PROGRESS REVIEW OF RECOMMENDATIONS FROM 3RD IGAD RCP AND ADOPTION OF 4TH RCP RECOMMENDATIONS

PROGRESS REVIEW OF RECOMMENDATIONS FROM 3RD IGAD RCP AND ADOPTION OF 4TH RCP RECOMMENDATIONS

Presentation of 3rd IGAD RCP Scorecard - Mr. Phillip Gathungu, IGAD Rapporteur

Adoption of Recommendations of 4th IGAD RCP - Mr. Elsadig Abdalla, Director, Economic Cooperation & Social Development Division, IGAD Secretariat

Moderator: H.E. Mr. Josiah Ogina, Chief of Mission, Representative to the AU/IGAD/ECA, IOM Special Liaison Office, Ethiopia

Scorecard on Migration Priority Areas & Actions for the ESA Region

Recommendation	Status	Action
That identified priority areas and actions emanating from the validation workshop on migration priorities be adopted as is	Adopted	Issues identified to be integrated into the IGAD MAP
That a process of determining the chronological implementation of the validated priority actions be undertaken and reflected in the proposed IGAD action plan on migration	Effected	On going implementation of IGAD MAP
That aspects of gender and youth be integrated and mainstreamed in all foregoing interventions in migration management within the IGAD region	Partially Implemented	Improve Gender focus especially consideration for the male perspective

Scorecard on the IGAD RCP *Modus Operandi*

Recommendation	Status	Action
That a rotational model be adopted for the chairing and hosting of the I-RCP in order to distribute the financial burden and foster ownership among the member states	Adopted	4th IGAD RCP hosted in Ethiopia for contextual relevance
That the IGAD secretariat plays a supportive and facilitative role to each of the hosting governments in development of the agenda and logistical arrangements for subsequent I-RCP meetings. Delegates proposed the development of comprehensive Terms of Reference and Statements of work for future I-RCP hosing countries.	Adopted Partially Implemented	Member States select thematic focus of RCPs based on contextual relevance

That the venue of each I-RCP meeting though rotational, be predicated on the theme of the meeting to capitalize on relevance of location, the lead country in that thematic area and the comparative advantages they offer.	Adopted	4th IGAD RCP hosted in Ethiopia for contextual relevance
That member states increasingly take ownership for the I-RCP by taking up a <u>funding</u> role. Delegates from the member states are to present this recommendation to their home governments. The intent is to trigger a process of lobbying for the earmarking and ring fencing of a budget vote to underwrite the costs of hosting the I-RCP. The IGAD secretariat indicated that it would continue fundraising for the I-RCP over the next 3 years after which, a phased transition of funding responsibility would begin for member states.	Fundraising on going Member States yet to take up funding role	Member States urged to take up ownership of RCP financing
That a <u>media component</u> be included in all future I-RCP. This is to ensure that progress towards achieving a regional migration policy is documented and best practices are shared.	Partially Implemented	Improve continuous media engagement on migration issues at both regional and national levels
That the scope of interlocutors in future I-RCPs be expanded to accommodate appropriate sections of the private sector and academic institutions.	Not Effected	Implement through more inclusive invitations at upcoming RCPs

Scorecard on Upcoming RMCC/IGAD-RCPs

Recommendation	Status	Action
That Sudan to host the next Regional Migration Coordination Committee (RMCC) meeting comprising of the Directors of Immigration) in 2013/2014	Adjusted to accommodate back to back scheduling of meetings	Sudan to host RMCC addressing themes most relevant to the Member State
That Kenya to host the next RCP meeting themed "Migration and Security".	Adjusted to accommodate back to back scheduling of meetings	Kenya to Host at appropriate time
That Djibouti hosts the following RCP in 2014 themed Migration & Human trafficking	Adjusted to accommodate back to back scheduling of meetings	Djibouti to host in 2015 in accordance to work plan

That National Consultative Processes of member states adopt the I-RCP format of flexible, open yet scheduled consultations.	Adopted by Member States	Adjustments to happen during implementation of RMCC Work Plan

Scorecard on Other Cross-Cutting issues

Recommendation	Status	Action
South Sudan ought to be included and mainstreamed into all future documentation and background statistics on migration management in the I-RCPs. The IGAD MIP and other related documentation ought to be amended to reflect and respond to the new realities and changing dynamics occasioned by the birth of the Republic of South Sudan.	Effected	South Sudan to take more active role in RMPF implementation through hosting of RCPs/RMCC and implementation of resolutions

Limitations of the 3rd IGAD RCP and Status at the 4th IGAD RCP

Observation	Status at 4th RCP	Action
Somalia was not represented at the RCP and yet it is one of the principal source and transit countries of migrants in the IGAD region.	Situation Regularised Somalia Represented at 4th RCP	Continuous engagement with state delegation and non-state agencies working on migration
Discussions were inward-looking and confined to intra-IGAD considerations. Little attention was paid to the border areas of states bordering the IGAD region for instance the DRC.	Improved consideration. Presentations at 4th RCP incorporated dynamics from GLR COMESA present during 4th RCP	Improve level of engagement with GLR during RCP Inter-RCP dialogue recommended COMESA RCP QIII 2015
The high number of presentations presented a wide range of issues for discussion and consequently constrained the time available for actual consultations between member states and regional and international agencies.	Reversal of Situation Absentee presentations at 4th RCP	Improve engagement of speakers and scheduling of meetings to avoid over commitment Establish backup procedures

Mr. Elsadig Abdalla, Director, Economic Cooperation & Social Development Division, IGAD Secretariat led the meeting in summarising, refining and endorsing the recommendations of the 4th IGAD RCP. The final submissions of which are contained in section I of this report.

Session 10: 4:00pm – 4:30pm

CLOSING CEREMONY
Federal Democratic Republic of Ethiopia - Mr. Tesfaye Yetayeh, Director IGAD Affairs, Ministry of Foreign Affairs
Vote of Thanks – Ms. Josephine Janet Ekwang Ali, Commissioner, Inspection and Legal Services, Directorate of Citizenship and Immigration Control, Ministry of Internal Affairs, Uganda
Moderator - Ms. Fathia A. Alwan, Programme Manager, Health & Social Development, IGAD Secretariat

Mr. Tesfaye Yetayeh, thanked the organisers of the meeting making special mention of the IGAD secretariat and IOM. He said that the theme of the meeting was very important to the national and regional development agendas of all the member states. He thanked the experts who shared different perspectives and insights on the status and management of refugees, IDPs and returnees in the region. Finally he thanked all the delegates who participated in the meeting and stated that their invaluable contributions would help in formulating a common position on refugee, IDP and returnee policy for the region.

Ms. Josephine Janet Ekwang Ali, gave the vote of thanks on behalf of the member states. In her remarks she expressed the appreciation of the member states for the warm reception and hospitality of the Federal Government of Ethiopia. She reiterated the commitment of IGAD member states to reach a common understanding on managing migration issues of refugees, IDPs and Returnees. The robust participation of member states in the 4th IGAD RCP and the assurance to continue collaborating and sharing information through IGAD was summoned as evidence of this commitment. Ms. Ekwang Ali stated that the member states are keen to continue building regional capacity as in the areas identified in the RMCC meeting. She thanked the IGAD secretariat and international partners for organising the 4th IGAD RCP and further thanked participants for taking the time to attend and participate in the meeting

MEETING ON THE 4th IGAD REGIONAL CONSULTATIVE PROCESS (RCP) ON MIGRATION

26th & 27th November 2014 in Addis Ababa, Ethiopia

LIST OF PARTICIPANTS

DJIBOUTI

M. Hassan Houmed Ibrahim
Director of Labour
Djibouti, Republic of Djibouti
Tel: 77711341
E-mail: Hassan_houm66@yahoo.fr

Ms. Wafa Kassim Ali
Counselor of Regional Organizations
Ministry of Foreign Affairs
Djibouti, Republic of Djibouti
Tel: +253-21330180
Cell: +253-77746703
E-mail: wafakassimali@gmail.com

ETHIOPIA

Mr. Tesfaye Yetayeh
Director, IGAD Affairs
Ministry of Foreign Affairs
Addis Ababa, Ethiopia
Tel: +251-922840063
E-mail: tesfaye.yetayeh@yahoo.com

Mr. Yesuf Jemaw Seid
Director of International Cooperation on
Legal Affairs Directorate
Ministry of Justice
Addis Ababa, Ethiopia
Tel: +251 911401377
E-mail yesjemaw@yahoo.com

KENYA

Mr. Salim Ali Molla
Director of Special Programmes
Directorate of Special Programmes
Ministry of Devolution & Planning
Nairobi, Kenya
Tel: +254-722526461
E-mail: smolla58@gmail.com

Ms. Eunice Lamba Chacha
Senior Assistant Director
Kenya Immigration Service
Nairobi, Kenya
Tel: +254-713932050
E-mail: lambaeunice@yahoo.com

Mr. Willy Kimani
Assistant Labour Commissioner
Ministry of Labour, Nairobi, Kenya
Tel: +254-721418012
E-mail: wikimwa@yahoo.com

Mr. Muriithi Micheni
First Secretary
Ministry of Foreign Affairs and International
Trade, Nairobi, Kenya
Tel: +254-724062366
Email: muriithi.micheni@mfa.go.ke

Patrick Muema Musango
Senior Refugee Management Officer
Department of Refugee Affairs
Nairobi, Kenya
Tel: +254-724575233
E-mail: dra.musango@yahoo.com

Mr. Martin Macharia
State Counsel
Office of the Attorney General
Nairobi, Kenya
Tel: +254-721836271
E-mail: macwortin@yahoo.com

SOMALIA

Gen. Abdillahi Gafow Mohamed
Chief of the Immigration
Directorate and Citizenship
Mogadishu, Somalia
Tel: +252-6158881630/699987605
E-mail: gafow333@yahoo.com

Gen. Hassan Mohamed Ali
Senior Security Adviser
Ministry of National Security
Mogadishu, Somalia
Tel: +252-61272185
E-mail: hasali2013@gmail.com

Shirwa Abdullahi Ibrahim
Senior Adviser, IGAD Focal Point
Ministry of Foreign Affairs
Mogadishu, Somalia
Tel: +252-615585980
E-mail: shirwacyare11@hotmail.com
shirwacyare114@gmail.com

Mr. Ahmed Nur
Commissioner
National Commission for Refugees
& IDPs, Mogadishu, Somalia
Tel: +252616460098
E-mail: a.nur@c3r.gov.so; info@c3r.gov.so

Mr. Osman Hassan
Senior Consultant
National Commission for Refugees
& IDPs, Mogadishu, Somalia
Tel: +252616484585
E-mail: ohassanomar@yahoo.co.uk

SOUTH SUDAN

Maj. Gen. Augustino Maduot Parek
Director General
Nationality, Passport and Immigration
Directorate, Ministry of Interior
Juba, South Sudan
Tel: 211+956037850/912231937
E-mail: maduotp66@yahoo.co.uk
demiabek08@yahoo.com

Mr. James Aburi Thon
Diplomat/Head of Immigration
Embassy of South Sudan
Addis Ababa, Ethiopia
Tel: +251-937607080
E-mail: guem504@gmail.com

SUDAN

H.E Amb. Mohieldin Ibrahim
Ambassador
Ministry of Foreign Affairs
Tel: +249-9912305563
Khartoum, Sudan
Email : moheisalima@yahoo.com

Major General Yasin Mohamed Hassan
Immigration Office Director
Immigration Department
Ministry of Interior, Khartoum, Sudan
Tel: +249-912311922

Mr. Adil Shams Eldin Mohamed
Legal Counsel
Ministry of Justice
Khartoum, Sudan
Email address: adilshams@gmail.com

Mr. Yousif Abusin
National Security and Intelligence service
Khartoum, Sudan
Email address: yousifomaraabusin@yahoo.com

Ms. Najla Awad Hassan
First Secretary
Embassy of Sudan
Ministry of Foreign Affairs of Sudan
Addis Ababa, Ethiopia
Tel: +251-935409599
E-mail: najlaa2@aol.com/
Najlaawad722@gmail.com

UGANDA

Mr. Turyasiima Milton
Principal Labour Officer (Research & Statistics)
Ministry of Gender, Labour and Social
Development, Kampala, Uganda
Tel: +256-772496059
E-mail: kanyiima1966@gmail.com,
mturyasiima@mglsd.go.ug

Major Ben Rwabutara
Head of Department of Refugees Immigration
& Borders
Ministry of Security
Kampala, Uganda
Tel: +256-776023058
E-mail: benrwabu@yahoo.com

Ms. Racheal Rwomushana
State attorney
Ministry of Justice & constitutional affairs
Kampala, Uganda
Tel : +256-778238138
E-mail: rachealrt@yahoo.co.uk

Ms. Josephine Janet Ekwang Ali
Commissioner, Inspection and Legal Services,
Directorate of Citizenship & Immigration
Control, Ministry of Internal Affairs, Kampala,
Uganda
Tel : +256-772404988
E-mail: ekwangj@hotmail.com

Mr. Jogo Titus
Refugee Desk Officer/Settlement
Commandant, Office of the Prime Minister,
Kampala, Uganda
Tel: +256-392725718
E-mail: jogotitus@yahoo.co.uk

IOM

Mr. Josiah Ogina
Chief of Mission, Representative to the
AU/IGAD/ECA, IOM Special Liaison Office
International Organization for Migration (IOM)
Addis Ababa, Ethiopia
E-mail: jogina@iom.int

Mr. Mario Lito Malanca
Chief of Mission
International Organization for Migration (IOM)
Khartoum, Sudan
Tel: +249-922406655
E-mail: mmalanca@iom.int

Heidrun Salzer
Project Development Officer
IOM Somalia Coordination Office
International Organization for Migration (IOM)
Nairobi, Kenya, Tel: +254-733770533
E-mail: hsalzer@iom.int

Ms. Naomi Shiferaw
Liaison Officer to AU/IGAD/ECA
IOM Special Liaison Office
International Organization for Migration (IOM)
Addis Ababa, Ethiopia
Tel: +251-911210561
E-mail: snaomi@iom.int

Mr. Salah Osman
Senior Programme Officer
International Organization
for Migration (IOM)
Khartoum, Sudan
Tel: +249-922406663
E-mail: sosman@iom.int

Sharon Dimanche
Migration Management Programme
Coordinator
International Organisation for Migration (IOM)
Addis Ababa, Ethiopia
Tel : +251-930098527
E-mail : sdimanche@iom.int

Mr. Bogdan Danila
Senior Regional Emergency and Post Crisis
Specialist
International Organisation for Migration (IOM)
Addis Ababa, Ethiopia
Tel : +254-715857411
E-mail : bdanila@iom.int

Cornelius Weira
Programme Coordinator
Emergency and Post Crisis Specialist
International Organisation for Migration (IOM)
Addis Ababa, Ethiopia
E-mail : cweiraowa@iom.int

Sophia Aytenew
Liaison Assistant to AU/IGAD/ECA
IOM Special Liaison Office
International Organisation for Migration (IOM)
Addis Ababa, Ethiopia
Tel: +254-7158574251-91142579611
E-mail: asophia@iom.int

LEAGUE OF ARAB STATES

H.E. Amb. Saleh Sahboun
Ambassador of League of Arab States to
Ethiopia, AU and UNECA, Addis Ababa,
Ethiopia
Tel: +251-11-6635350
E-mail: sasahb2014@gmail.com

EU-AU

Mr. Simone Barenghi
Political Advisor for the Horn of Africa
EU Delegation to the Africa Union
Addis Ababa, Ethiopia
Tel: -251-929037036
E-mail: simone.barenghi@eeas.europa.eu

FRANCE

Agnes Blasselle
Political Counselor in Embassy of France
Addis Ababa, Ethiopia
Tel: +251-911516948
E-mail: agnes.blasselle@diplomatie.gov.fr

GERMANY

Fritz Zung
First Secretary
Embassy of Germany
Addis Ababa, Ethiopia
Tel: +251-931683830
E-mail: w7-1@addi.diplo.de

INDIA

H.E. Amb. Sanjay Verma
Ambassador
Embassy of India
Addis Ababa, Ethiopia
Tel: +251-911506851
E-mail: pul.addisababa@nea.gov.in

Venkatesan R.
Second Secretary
Embassy of India, Addis Ababa, Ethiopia
Tel: +251-911506851

ITALY

Mr. Giuliana Del Papa
Deputy Head of Mission
Embassy of Italy, Addis Ababa, Ethiopia
Tel: +251-911526306
E-mail: giuliana.delpapa@esteri.it

SWITZERLAND

H.E Mr. Andrea Semadeni
Ambassador of Switzerland,
Addis Ababa, Ethiopia
E-mail: add.vertretung@eda.admin.ch

Barbara Profeta
Secretary for Humanitarian and Development
Affairs, Embassy of Switzerland
Addis Ababa, Ethiopia
Tel: +251-911232496
E-mail: Barbara.profeta@eda.admin.ch

NETHERLANDS

H.E. Lidi Remmelwad
Ambassador
Embassy of the Netherlands
Addis Ababa, Ethiopia
Tel: +251-912502382

BRAZIL

Jose Joaquim Gomes Da Costa Filho
Third Secretary
Embassy of Brazil
Addis Ababa, Ethiopia
Tel: +251-929005434
E-mail: jose.joaquim@itamaraty.gov.br

NORWEGIAN REFUGEE COUNCIL (NRC)

Asbjorn Lode
Programme Director
Norwegian Refugee Council (NRC)
Addis Ababa, Ethiopia
Tel: +251-915566903
E-mail: also@nrc.no

Emebet Abdissa
Programme Officer
Norwegian Refugee Council (NRC)
Addis Ababa, Ethiopia
Mobile: +251-931668333
Email: emebet.abdissa@nrc.no

Ahmednur Abdi
Norwegian Refugee Council (NRC)
Country Director, Ethiopia
Tel: +251 (0) 116619980/1
Mobile: +251(0) 921943101
Email: ahmednur.abdi@nrc.no

COMESA

Mr. Houssein Guedi Absie
Expert on Immigration, Free Movement and
Labour, Common Market for Eastern and
Southern Africa (COMESA)
Lusaka, Zambia
Tel : +260-211-229725/32
E-mail: ghoussein@comesa.int

DANISH REFUGEE COUNCIL (DRC)

Mr. Joshua Friedman
Regional Mixed Migration, DRC
Danish Refugee Council (DRC)
Addis Ababa, Ethiopia
Tel: +251-930013409
E-mail: j.friedman@drchoa.org

Mr. Christopher Horwood
Coordinator
Regional Mixed Migration Secretariat (RMMS)
Danish Refugee Council (DRC)
Kenya, Nairobi
Tel: +254-717722341
E-mail: chris.horwood@regionalmms.org

ICRC

Mr. Thierry Meyrat
Head of Regional Delegation
International Committee of the Red Cross
(ICRC)
Nairobi, Kenya
Tel: +254-712095928

Ms. Haja Kamara
Deputy Head of ICRC Delegation to AU
ICRC Delegation to the African Union
International Committee of the Red Cross
(ICRC)
Addis Ababa, Ethiopia
Tel: +251-11-6478320/21/22
E-mail: hkamara@icrc.org,
ado_addisua@icrc.org

Ms. Natalie Klein-Kelly
Delegate, International Committee of the Red
Cross (ICRC), Addis Ababa, Ethiopia
Tel: +251-927718714
E-mail: nakleinkelly@icrc.org

HESPI

Dr. Ali Issa
Managing Director
Horn Economic and Social Policy Institute
Addis Ababa, Ethiopia
Tel: +251-11-5153262

REFUGEE CONSORTIUM OF KENYA

Ms. Leila Muriithia
Senior Programme Officer
Refugee Consortium of Kenya
Nairobi, Kenya
Tel : +254-722636045
E-mail: leila@rckkenya.org

IDPAC

Mr. Keffa Magenyi
Programs coordinator
Displacement Policy and Advocacy Centre
(IDPAC), Nairobi, Kenya
Tel: +254-720939432
E-mail: magenyi75@gmail.com

REFUGEE LAW PROJECT

Ms. Susan Alupo
Deputy Programme Manager
Refugee Law Project
Kampala, Uganda
Tel: +256-772890085
E-mail: aluposusan61@yahoo.com

HOPE FOR CHILDREN AUSTRALIA

Mariamawit Tassew Mekuria
Programme Coordinator
Hope for Children Australia
Addis Ababa, Ethiopia
Tel: +251-0911027499
E-mail: mtassew.hfc@gmail.com

Emma Moss
Country Representative
Hope for Children
Addis Ababa, Ethiopia
Tel : +251-936555238
Tel (Australia.): +61-403614908
E-mail : emma.moss@walkfree.org

RAPPORTEUR

Phillip Gathungu
Rapporteur
The Consulting House
Nairobi, Kenya
Tel: +254-735580096
E-mail: phillip.gathungu@gmail.com

CONSULTANT

Dr. Mehari Taddele Maru
Consultant
Addis Ababa, Ethiopia
Tel : +251-924116703
E-mail : mehari@post.harvard.edu

IGAD SATELITE OFFICES

Mr. Yacob Chaka
Response Coordinator
IGAD/CEWARN
Addis Ababa, Ethiopia
Tel: +251-920201851
E-mail: yacob.chaka@cewarn.org

Ms. Ayane Nuriye
Post Conflict Reconstruction & Environment
Somali Facilitation Office
Addis Ababa, Ethiopia
Tel: +251-935006225
E-mail: ayan.nuriye@igad.int

IGAD SECRETARIAT

Mr. Elsadig Abdalla
Director, Economic Cooperation &
Social Development Division
Tel: +253 21 35 92 92
Email: Elsadig.abdalla@igad.int

Ms. Fathia A. Alwan
P.M. Health & Social Development
IGAD Secretariat
E-mail: fathia.alwan@igad.int

Ms. Caroline Njuki
Regional Migration & IGAD-
Swiss Partnership Coordinator
IGAD Secretariat
E-mail: caroline.njuki@igad.int

Mr. Beson Njau
Project Accountant & Administration Officer
IGAD Swiss Partnership Migration
IGAD Secretariat
E-mail: benson.njau@igad.int

Mr. Elias Dejene
Operation Officer
IGAD Swiss Partnership Migration
IGAD Secretariat
E-mail: elias.dejene@igad.int

Mr. Nuur Mohamud Sheekh
Senior Political Officer
Peace and Security Division
IGAD Secretariat
E-mail: nuur.sheekh@igad.int

Mr. Abdi Roble
Coordinator Development Partners
IGAD Secretariat
E-mail: abdi.roble@igad.int

Mr. Brazille Musumba
Communication and Media Advisor
IGAD Secretariat
E-mail: brazille.musumba@igad.int

Mrs. Aicha Ahmed Houssein
Programme Assistant
Economic Cooperation & Social Development
Division
IGAD Secretariat
E-mail: aicha.houssein@igad.int

Ms. Umalkheir Hassan
IGAD Intern Migration
IGAD Swiss Partnership Migration
E-mail: ummihassan@hotmail.com