



Regional Protection and Solutions Dialogue for the East and Horn of Africa

Statements of Good Practices and Recommendations

6 - 7 December 2021

Safari Park Hotel, Nairobi, Kenya

1. The Regional Protection and Solutions Dialogue for the East and Horn of Africa was held at the Safari Park Hotel in Nairobi, Kenya on 6th and 7th of December 2021. The Dialogue was co-convened by UNHCR's Regional Bureau for the East, Horn, and the Great Lakes, the East African Community (EAC) and the Intergovernmental Authority on Development (IGAD).
2. Representatives of 10 member and Partner States of the EAC and IGAD were in attendance: Burundi, Djibouti, Ethiopia, Kenya, Rwanda, Sudan, South Sudan, Somalia, Tanzania, and Uganda. Participants included Ministers, Refugee Commissioners and national and international refugee protection and solution experts. The African Union Commission (AUC) and the International Conference of the Great Lakes Region (ICGLR) were also represented.
3. The Dialogue facilitated the exchange of good practices on refugee management and operationalization of solutions among IGAD and EAC Member and Partner States respectively. The Dialogue showcased the emergence of regional frameworks for protection and solutions, underpinned by EAC and IGAD community laws. The Dialogue was structured around five main themes: access to asylum, refugee inclusion into national systems, with a focus on access to labour markets; protecting refugee women children and youth; solutions; and preparedness and mitigation of environmental impact on refugee settings.
4. States shared progress on implementation of their 2019 Global Refugee Forum (GRF) pledges to inform preparations for the High-Level Officials Meeting (HLoM) to be held on the 14-15 December 2021. The Dialogue called for the development of refugee management policies operationalizing Global Refugee Forum pledges made by member states to enhance protection and solutions for refugees and eradicate statelessness.
5. Thematic plenary sessions concluded with a side event for the pre-launch of a study on statelessness in the Horn of Africa.

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Access to Asylum Procedures, Registration and Documentation

1. The Dialogue commended the EAC for developing a refugee management policy with a multi-sectoral scope which *inter-alia* includes access to territorial asylum through fair and efficient refugee status determination procedures, enhancement of border management systems, registration, documentation, and inclusion of refugees including in national COVID-19 prevention and response plans. The EAC has developed a Child Policy which includes refugees and can serve as a regional model.
2. The Dialogue reaffirmed refugee management policies of the EAC and IGAD must be anchored on upholding the non-derogable principle of *non-refoulement*. Safeguarding access to documentation and freedom of movement of refugees were defined as a win-win approach to refugee protection. The Dialogue identified the opportunity for States to request support through the Asylum Capacity Support Group (ACSG).
3. The Dialogue observed the importance of ensuring capacity building of States through training of border and immigration officials by supporting the establishment of protection sensitive screening and referral mechanisms to ensure States meet their obligations.
4. The Dialogue recommended States as far as possible ensure that all asylum-seekers and refugees that are born in the country of asylum, irrespective of their age and place of birth, have access, without discrimination and immediately after birth, to the birth registration and certification, including for late birth registration consistent with national laws.
5. The Dialogue underscored the statement issued on 2 August 2021 by the African Union Commission which explicitly condemned Denmark's Aliens Act, which effectively externalizes and exports the asylum process beyond the borders of Denmark and sets a dangerous precedent. It was noted that externalization transfers applications for international protection outside EU borders, which amounts to responsibility shifting.
6. The Dialogue emphasised the need to ensure the stance of the RECs and recommendations on externalization are consistent with the continental rejection of this refugee management practice. It encouraged all Member States globally to remain true to the spirit and letter of the Global Compact on Refugees.

Socio-Economic Inclusion

7. The Dialogue recommended that refugee management policies draw from EAC and IGAD regional protocols establishing common markets, enshrining the rights to freedom of movement and establishment as community citizens, creating opportunities for progressive self-reliance.
8. The Dialogue acknowledged the IGAD Nairobi Declaration and its integrated sectoral responses in the areas of refugee education, health, and livelihoods, return and reintegration comprising the Kampala Declaration on Jobs and Livelihoods and its accompanying Action Plan, the Djibouti Declaration on Education for Refugees, Returnees

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and Host Communities, and the IGAD Plan of Action for Refugee Health, Returnees and Host Communities.

9. The Dialogue observed there was evidence to demonstrate that progressive policies, which enhance market access for refugees and host communities improve livelihoods prospects for both these populations. Area-based development plans were identified as a good practice to improve economic opportunities for all communities in refugee-hosting areas. Member states highlighted the importance of expanded partnerships and sustainable financing by multilateral financial institutions to support refugee hosting areas.
10. The Dialogue highlighted that operationalization of the GCR in the EAC and IGAD region provided a blue-print for enhanced economic and financial inclusion of refugees by promoting the humanitarian-development nexus.

Refugee Led Organizations, Women, Children and Youth

11. The Dialogue recommended that refugee led organizations be operationalized in EAC and IGAD member states to have a positive impact on self-reliance and social cohesion on youth and other vulnerable categories in line with national laws as well protection against gender based violence and sexual exploitation and abuse.
12. The Dialogue underscored that IGAD and EAC member and partner states respectively have important lessons learned in addressing the needs of refugee, children, women, youth, and persons with special needs that need be optimized.

Solutions

13. The Dialogue called on UNHCR, EAC and IGAD member and partner states to redouble efforts to create conditions conducive to safe, dignified, and voluntary returns as well as to support sustainable reintegration. Good practices of local integration and naturalization were also shared.
14. The Dialogue acknowledged that ongoing refugee repatriation and reintegration operations were severely underfunded in the region. More secure predictable and adequate financing for repatriation and reintegration was requested. Scaling up support for countries of origin ensures they are able to absorb returning populations and to preempt the risks of secondary movements, contributing to a cycle of displacement.
15. The Dialogue noted that durable solutions should be contextualized and adapted to the needs of displaced populations. When developing and implementing solutions strategies, we must recognize that "one size does not fit all".
16. The Dialogue recognised that solutions should be developed through a consultative process that involves multiple stakeholders and ensures the meaningful engagement of refugees. It was noted that in post-conflict societies, the operationalization of peace agreements is an important pre-condition to address the root causes of displacement and

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create conditions conducive to returns, as highlighted by Sudan. This process can be taken forward by regional actors, like IGAD and the EAC, which have the capacity to convene member and partner states and galvanize political will for regional cooperation in support of solutions.

Emergency Preparedness and Mitigation of Climate Change in Refugee Settings

17. The Dialogue recognized refugee settings in the region are at heightened vulnerability to climate shocks. IGAD and EAC member and partner states have developed sound legal frameworks and are urged to identify tangible projects to preserve and rehabilitate environmental and mitigate environmental degradation in refugee settings.
18. The Dialogue called on States to design programmes for impacted refugee, host, and return areas for environmental sustainability. States, RECs, UN actors and non-state actors – including refugee led organizations were encouraged to work jointly to develop national innovative partnerships on climate actions to mitigate further displacement.
19. UNHCR committed to support states to scale up preparedness and advocate to secure sustainable financing to address this phenomenon, including by catalysing support from other actors. States underscored the need to develop a regional comprehensive plan of action for countries where refugee settings are affected by climate change.

Coordination, Monitoring and Evaluation Mechanism

20. The Dialogue recommended that modalities be adopted for an annual multistakeholder exchange of good practices among EAC and IGAD member and partner States. This would facilitate a better response to the new emergencies and protracted refugee situations. The establishment of a database to facilitate the exchange of good asylum and solutions practices among EAC and IGAD States would assist States, UNHCR and RECs and other actors such as the private sector to bridge the gap between policy making and practice in regional refugee responses.

Done in Nairobi, 7th December 2021

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