

## **KIGALI DECLARATION**

*Participants at the Sixth Conference of African National Human Rights Institutions*, convening in Kigali, Rwanda, from 8 to 10 October 2007 under the theme: "*The role of National Human Rights Institutions in the Protection of Refugees, IDPs and Stateless Persons*", under the auspices of the National Human Rights Commission of Rwanda in cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Network of African National Human Rights Institutions, the United Nations High Commissioner for Refugees (UNHCR), United Nations Development Programme (UNDP), Brookings Institution-University of Bern Project on Internal Displacement, the *Organisation Internationale de la Francophonie (OIF)* and the DFID,

*Expressing deep appreciation to the Government and people of Rwanda for hosting the sixth conference of African national human rights institutions,*

*Expressing warm gratitude to the National Human Rights Commission of Rwanda for its notable organization and hosting of the Conference,*

*Expressing their appreciation for the presence at the Conference of the Chair of the International Coordinating Committee of National Institutions for the promotion and protection of human rights,*

*Noting with gratitude the continued support of the Office of the United Nations High Commissioner for Human Rights (OHCHR) towards the strengthening of the Permanent Secretariat of the Network,*

*Reaffirming their commitment to the Abuja Declaration of 10 November 2005 and their attachment to the values enshrined in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the African Charter on Human and Peoples' Rights, the International Convention relating to the status of refugees (1951) and its 1967 Protocol relating to the Status of Refugees, the Convention relating to the Status of Stateless Persons (1954), the Convention on the Reduction of Statelessness (1961), the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969),*

*Expressing with satisfaction that the Constitution of the Network has been signed,*

*Further expressing their satisfaction that the Permanent Secretariat of the Network is being established in Nairobi, Kenya,*

*Taking cognisance of the Pact on Security, Stability and Development in the Great Lakes Region,*

*Recalling* the need for all the African National Human Rights Institutions to respect and function in full conformity with the Paris Principles as adopted by the United Nations General Assembly in its resolution 48/134 of 20 December 1993,

*Recalling also* that the effective promotion of and respect for human rights and fundamental freedoms require that States ratify United Nations instruments and regional instruments concerning human rights, implement them and forward periodically, in conformity with these instruments, reports to the respective monitoring committees,

*Recalling* the right of every person to a nationality and the right not to be arbitrarily deprived of his or her nationality as provided in the Universal Declaration of Human Rights, as well as such international instruments as the Convention on the Elimination of all Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the Convention on the Elimination on All Forms of Discrimination against Women and the Convention on the Rights of the Child;

*Noting* that the rights of refugees, Internally Displaced Persons (IDPs) and Stateless persons remain a concern,

*Concerned* that, inspite of the existence of international and regional human rights instruments, refugees continue to experience inadequate protection, and further that the rights of IDPs and Stateless persons are not adequately protected at the regional and national level,

*Mindful* of the critical role of African National Human Rights Institutions in promoting and protecting the rights of Refugees, IDPs and Stateless persons,

*Concerned* about the intractable problems of Refugees, IDPs and Stateless persons in Africa,

*Affirming* the obligation of States to incorporate into domestic law, international instruments relating to Refugees, IDPs and Stateless Persons,

*Confirming* that national human rights institutions have a crucial role in the promotion, protection and monitoring of Refugees, IDPs and Stateless persons,

*Aware* of the urgent need to address the above issues concerning the rights of Refugees, IDPs and Stateless persons:

#### **a) Internally Displaced Persons - IDPs**

With regard to Internally Displaced Persons, the conference resolves:

- To recognize the importance of accurate identification and registration of IDPs in their respective countries,
- To include issues relating to internal displacement into the work plans of National Human Rights Institutions in view of a greater recognition and full protection of all their Human Rights

- To educate and sensitise the government, the CSOs and the public on issues relating to IDPs
- To evaluate and monitor the intervention mechanisms of all actors including government, humanitarian agencies and donors,
- To network with government institutions and other national institutions to address issues of IDPs,
- To ensure the establishment of a proper legal framework and policies, consistent with UN Guiding Principles and other regional instruments such as the Pact on Security, Stability and Development in the Great Lakes Region.
- To involve all stakeholders in the development of early warning mechanisms
- To support durable solutions in the resettlement or integration of IDPs to their habitual settlements or in other places in their countries in a safe and dignified manner,
- To cooperate with the Representative of the United Nations Secretary General on the Human Rights of IDPs and the Special Rapporteur of the African Commission for Human and People's Rights on refugees and displaced persons

## **b) Refugees**

With regard to refugees, intervention is required for the prevention, protection and the search for durable solutions.

### **Prevention**

The Conference resolves:

- To enhance early warning and monitoring mechanisms especially in conflict prone zones,
- To enhance the mediatory role of NIs in promoting pacific cooperation at the regional and sub-regional level in addressing refugee issues,
- To educate or to train refugees to be aware of their duties towards the host communities and their environment,
- To educate host countries to be tolerant of refugees and recognise their rights,
- To foster cordial relations between refugees and the host communities

### **Protection**

- To carry out advocacy on behalf of refugees,
- To urge the governments to ratify, domesticate and implement regional and international instruments regarding the rights of refugees,
- To partner with the UNHCR and other organisations to guarantee international principles relating to refugees such as the principle of *non-refoulement*,
- To ensure sustained livelihoods of refugees regarding health, education and other aspects,
- To work with governments to prevent military activities and all kind of violence including sexual violence in refugee camps,
- To strive to find durable solutions for refugees i.e. voluntary repatriation, local integration and resettlement in a third country

### **c) Stateless Persons**

With regard to Stateless persons, the conference resolves:

- To elaborate mechanisms to identify all stateless persons in order to understand statelessness on the continent,
- To assess the problems arising from statelessness,
- To evaluate and review existing legislations on citizenship and nationality and ensure that they do not create situations that could lead to statelessness,
- To urge their governments to establish an efficient registration mechanisms,
- To adopt measures that shall eliminate statelessness,
- To encourage and strengthen regional and international cooperation to be able to deal with the situation of statelessness

#### **Participants at the Conference:**

*Welcome* the support given to the Sixth Conference by OHCHR, UNHCR, the Brookings Institution-University of Bern project on Internal displacement, the *Organisation Internationale de la Francophonie* and other partners;

*Call* for direct contributions from the African National Human Rights Institutions and continued assistance, substantive and financial, by international and regional intergovernmental organizations and other partners

*Reaffirm* their commitment to cooperate with the African Commission on Human and Peoples' Rights in the area of promotion and protection of the rights of refugees, IDPs and stateless persons in Africa;

*Resolve* to work with international and regional organizations, including the African Union, in the promotion and protection of rights of Refugees, IDPs and Stateless persons in Africa;

*Agree* to hold their next biannual conference in Morocco, in 2009

**Adopted in Kigali, Rwanda 10 October 2007**