Republic of Zambia

NATIONAL MIGRATION POLICY

July, 2022

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FOREWORD

In an era of unprecedented human mobility, migration has become a critical policy area at global, regional and national levels. It is imperative to leverage the socio-economic opportunities whilst minimizing the adverse impact associated with migration. There is increasing recognition that migration, if well managed, brings profound benefits to the migrants, countries of origin, transit and destination.

In view of the foregoing, the Government realizes that in order to achieve the Agenda 2030 for Sustainable Development and National Vision 2030 which is aimed at attaining a prosperous middle-income status, the country needs to comprehensively include migrants in the development agenda. The development of the National Migration Policy demonstrates Government's commitment to well-managed migration which contributes to improved national security and socio-economic development.

The challenges related to migration in Zambia include mixed migration flows, human trafficking, smuggling of persons, long porous borders, irregular migration, forced displacement, inadequate disaggregated migration data, strain on urban and social amenities, smuggling of goods, untapped development potential of labor migration and remittances. The situation has been compounded by the absence of a coherent and comprehensive migration policy framework. In view of the challenges, the Government has developed this Policy in order to deliver a well-coordinated framework that enhances the positive contributions of the migrants to national development. The National Migration Policy provides the basis for mainstreaming migration in national development plans, improved comprehensive and coherent migration management, harnessing the migration – development relationship, enhancing national security and strengthening the protection of migrants. The National Migration Policy will also contribute towards poverty alleviation, improved remittance flows, data collection, analysis, utilization and dissemination.

I am therefore, confident that this National Migration Policy will be used to inform national strategies, laws and programmes that are responsive to the contributions and needs of migrants aimed at accelerating socio-economic development. In the same vein, I call upon all stakeholders to take keen interest in the implementation of this National Migration Policy through a multi-sectoral approach.

Hon. Jack J. Mwiimbu, MP.

MINISTER OF HOME AFFAIRS AND INTERNAL SECURITY

ACKNOWLEDGEMENT

This National Migration Policy is a product of contributions and consultations with various stakeholders engaged by the Ministry of Home Affairs and Internal Security. Therefore, commendations go to all stakeholders who effectively participated in the formulation of the Policy.

Special gratitude goes to the International Organization for Migration (IOM) for the technical and financial support. Further appreciation goes to the National Technical Committee for their commitment and tireless effort demonstrated during the consultations, drafting, refinement and finalization of this Policy.

Dickson Matembo (Mr.)

Permanent Secretary - CRIAR

MINISTRY OF HOME AFFAIRS AND INTERNAL SECURITY

WORKING DEFINITIONS

For the purpose of this Policy, the following shall apply:

Asylum Seeker:	A foreign national who is seeking protection and whose refugee claim has not been determined
Border Governance:	Legislation, policies, and plans related to the entry and exit of persons, goods and services from the country
Child:	A person who is 18 years and below
Control Zone:	Part of the territory of an adjoining State or Zambia within which officers are empowered to effect border controls
Detention:	Deprivation of liberty or confinement in a closed place in which a migrant is not permitted to leave at will, including, though not limited to, correctional facilities or purpose-built detention, closed referral or holding centres or facilities
Diaspora:	People who have dispersed or spread from their original country
Forced migration:	A migratory movement which, although the drivers can be diverse, involves force, compulsion or cohesion
Formal sector:	All production units that are registered with a tax and or a licensing authority
Holding facilities:	Centres designated for the temporary retention of migrants who have committed non-custodial offences, victims of trafficking and smuggled persons
Human smuggling:	The procurement, in order to obtain, directly or indirectly a financial or other material benefit of the irregular entry of a person into a state party of which a person is not a national or permanent resident
Human trafficking:	The recruitment, transportation, transfer, harbouring or receipt of persons for the purpose of exploitation
Informal sector:	All production units that are not registered with a tax or a licensing authority
Internal migration:	Movement of persons across administrative boundaries within the country

Internally Displaced Persons (IDPs):	Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence within Zambia
Irregular Migration:	The movement of persons that takes place without the necessary authorisation or documents required under immigration regulations
Migrant Stock:	The number of migrants present in a given country at a particular point in time
Migrant:	A person who moves away from their usual place of residence, within a country or across an international border for a variety of reasons
Migration Governance:	The traditions and institutions by which authority on migration, mobility and nationality are exercised
Migration:	The movement of a person or a group of persons, either across an international border, or within a State
Mixed Migration:	Migratory population movements that may include refugees, asylum-seekers, economic migrants and other migrants moving in groups that generally takes place in an irregular manner using same routes and means of transport for different reasons
National Referral Mechanism (NRM):	A mechanism that provides guidance on the assistance to vulnerable migrants requiring protection and promotes coordination of national stakeholders using a human rights-based approach in line with national legal frameworks and international best practices
Port of Entry:	A point or area gazetted through which goods and persons may enter or exit the country
Pull Factors:	Positive aspects that attract people to move to a place
Push Factors:	Negative aspects that compel people to leave their usual place of residence
Refugee:	A person who owing to:

	a) a well-founded fear of being persecuted for reasons of race, religious beliefs, nationality, membership of a particular social group or political opinion is outside the country of nationality and is unable, or owing to that fear is unwilling, to be protected by that country;
	b) not having a nationality and being outside the country of that person's former habitual residence is;
	c) external aggression, occupation, foreign domination or serious disturbance of public order in part or the whole of that person's country of origin or nationality, is compelled to leave that person's place of habitual residence in order to seek refuge in a place outside that person's country of origin or nationality; or
	d) internal conflict, generalised violence, massive violation of human rights or other circumstances that have seriously disturbed public order in that person's country of origin, that person's life, safety or freedom has been threatened
	i) unable to return to that country; or
	ii) unwilling to return to that country due to a well-founded fear of being persecuted for reasons of race, religion, membership of a particular social group or political opinion
Reintegration:	The process of reuniting a person with their community or country of origin
Remittances:	Money or material resources transferred by migrants back to their country of origin
Separated Children:	Children who have been separated from both parents or from their previous legal or customary care giver but not necessarily from other relatives
Stateless Person:	A person who is not considered as a national by any State under the operations of the law
Unaccompanied Children:	Children who have been separated from both parents, other relatives and not being cared for by an adult who by law or custom is responsible for doing so; and
Youth:	A person who has attained the age of 19 years but is below the age of 35 years

ACRONYMS

7NDP ---------Seventh National Development Plan

AU-------------African Union

AUMPF-------African Union Migration Policy Framework

AVRR ---------Assisted Voluntary Return and Reintegration

COMESA -----Common Market for Eastern and Southern Africa

COVID-19 ----Corona Virus Disease – 2019

CSOs----------Civil Society Organisations

GCM ----------Global Compact for Safe, Orderly and Regular Migration

GFMD --------Global Forum for Migration and Development

IBM -----------Integrated Border Management

IDP------------Internally Displaced Person

IMS------------Information Management System

IOM ----------International Organization for Migration

LMIS ----------Labour Market Information System

MGI -----------Migration Governance Indicators

MIDCOM-----Migration Dialogue for Common Market for Eastern and Southern Africa

MIDSA--------Migration Dialogue for Southern Africa

PAFOM-------Pan African Forum for Migration

RECs ----------Regional Economic Communities

SADC ---------Southern African Development Community

SARS----------Severe Acute Respiratory Syndrome

ZQF -----------Zambia Qualification Framework

1.0   INTRODUCTION

Migration has become topical at the global, continental and regional levels due to its scope, scale and complexity. Migration yields significant benefits for both origin and destination countries. In countries of destination, the benefits of migration include filling critical skills gaps, improved productivity, increased output, and cultural diversity. In countries of origin, on the other hand, migration is beneficial in terms of remittances by migrants, diaspora investment, knowledge, technology and skills transfer from return migrants. Migration contributes to economic growth and improves food security and rural livelihoods. Orderly, safe and regular migration underpins the achievement of the Agenda 2030 for sustainable development including poverty alleviation, hunger and decent work among others. Migration has both positive and negative impacts on culture, identity, societal norms and values. If not well managed, migration presents security and socio–economic challenges for origin, transit and destination countries.

The challenges related to migration in Zambia include mixed migration flows, human trafficking, smuggling of persons, long porous borders, irregular migration, forced displacement, inadequate disaggregated migration data, strain on urban and social amenities, smuggling of goods, untapped development potential of labour migration and remittances. The situation has been compounded by the absence of a coherent and comprehensive migration policy framework. The Government prioritized the development of a national migration policy in line with the 7th National Development Plan (7NDP). Following the development and launch of the National Migration profile and the Migration Governance Indicators (MGI) assessment report, a decision was taken to develop a national migration policy underpinned by the Global Compact for Safe, Orderly and Regular Migration (GCM) and the African Union (AU) and Southern African Development Community (SADC) model frameworks.

This Policy identifies and prioritizes the following thematic areas;

- a) Migration Governance;
- b) Labour Migration and Education;
- c) Diaspora Engagement;
- d) Migration and Trade;
- e) Border Governance;
- f) Irregular Migration;
- g) Forced Displacement;
- h) Internal Migration;
- i) Migration and Health;

j)   Cross cutting issues

Migration Data;

Migration and Gender, Disability and Vulnerability and;

International Cooperation.

The Policy provides specific objectives and measures for each of the thematic areas. The Policy has five sections namely: the Introduction; Situation Analysis; Vision, Rationale and Guiding Principles; Objectives and Measures; and Implementation Framework.

2.0   SITUATION ANALYSIS

Background

International migration has grown in scale, scope and complexity. The increased globalization and interconnectedness of national states have accelerated the flow of goods, services, ideas and mobility of people beyond national borders. Globally, there are an estimated 258 million people living in a country other than their country of birth indicating an increase of 49 percent since 2000. About 90 percent of migrants are voluntary or economic migrants, while 10 percent are refugees or asylum seekers. Almost one-third (79.6 million) of the world's migrants, have moved from one developing country to another.

International migrant stock has grown in Africa with a total estimate of 14.8 million in 2000 to 24.6 million in 2017. There has been an increase in the number of female migrants accounting for 47.1 percent of the international migrant stock in 2017.

According to the Economic Development in Africa Report 2018, Africa's population is projected to increase from 1.2 billion in 2017 to 2.5 billion by 2050. Africa has a relatively young population. The age group of 15 to 24 years is projected to almost double in size, from 231 million in 2015 to 461 million by 2050. The rate of urbanization in Africa is projected to increase from 40 percent in 2015 to 56 percent by 2050. This population growth has implications on migration and economic development of Africa.

Globally, the number of international migrants was estimated to have reached 272 million in 2019 compared to 221 million in 2010. International migrants comprise of 3.5 percent of the global population. In the same year, 38 million international migrants, equivalent to 14 per cent of global migrant population, were under 20 years of age. In 2018, the total global stock of people internally displaced was estimated at 41.3 million. Migration in Africa, is predominantly continental, meaning that most of the migrants are originating from Africa and living within Africa. The stock of migrants grew consistently from 12.5 million in 2000 to 19.4 million in 2017. The propensity to migrate outside the continent is higher in North Africa than in Sub-Saharan Africa. Sub-Saharan Africa hosted 27 percent of young persons, the highest proportion among all international migrants.

In Zambia, there was a total of 43,867 migrant stock who accounted for 0.4 percent of the total population in 2010while internal migration was at 16.8 percent. The country is also a host to asylum seekers and refugees. There were 3,719 asylum seekers, 68,383 refugees and 24,315 former refugees as of 28th February, 2021. Further, tourism is one of the sectors that contributes to the migration flows in the country with the majority coming from the African continent.

2.1   Migration Governance

Zambia has experienced unique and complex migration challenges characterized by mixed migration flows, irregular migration, human trafficking, smuggling of persons, forced displacements, untapped development potential of migration and remittances. Consequently, there have been sectoral based management and mitigation responses towards addressing the impact of migration, albeit with limited coordination across line ministries and government agencies. The Government has since prioritized effective migration governance in the national development plans in order to harness the benefits of migration and countering its negative effects.

The country has ratified and domesticated a number of international and regional instruments and conventions which form the basis for migration governance. There are a number of sector specific coordination mechanisms aimed at addressing migration issues, these include an inter-ministerial committee on human trafficking, national trade facilitation committee, technical working group on migration data and diaspora coordination mechanism. There is, however, no overarching coordination framework which brings together the different sectoral interventions. The situation has created duplication of efforts and working in isolation, without a coordinated whole of government approach to effective migration management.

2.2   Labour Migration and Education

Zambia has a long history of labour migration as a migrant sending and receiving country. Labour migration to and from Zambia is influenced by a combination of push and pull factors. The main push factor is unemployment while the pull factors include higher salaries, better career prospects, skills development opportunities and higher standard of living in other countries. In 2018, the informal sector had the highest proportion of employed population at 45.4 percent, while 31.1 percent of the employed population were in the formal sector. Despite the high unemployment levels and increasing recognition of the development potential of labour migration, Zambia does not have a deliberate labour export policy. Whilst there are no official statistics, some nationals, including women and youths, are emigrating for employment purposes and other economic opportunities. The country is not fully harnessing the development potential of labour migration including migrant remittances, although there is a good share of labour migrants abroad.

Further, some of the challenges experienced by different categories of migrants, in particular women, youth and children include sexual exploitation, human trafficking, forced sex work, gender-based violence, limited opportunities for portability of social security benefits and unfair labour practices such as long working hours, meagre earnings below the minimum wage.

Zambia has lately become a labour migrant receiving country amidst a constrained labour migration governance framework. The situation is

compounded by non-operationalization of the Labour Market Information System (LMIS) to facilitate evidence-based decision and policy making. Zambia has not yet ratified some of the international agreements on labour migration.

The National Policy on Education, "Educating Our Future", guarantees access to basic education for all regardless of status. Access to basic education for migrant children, however, is constrained by legal status, language barriers, social economic background of the parents, among others. In addition, Zambia's education and labour market sectors experience challenges with an inherent gap between the skills churned out by the training institutions and those required by industry. The situation is made worse by the adverse impact of brain drain especially in the health and education sectors. Some nationals emigrating to other countries also experience challenges due to non-recognition of their qualifications. The Zambia Qualification Framework (ZQF) is not aligned to other international frameworks. As a result, some of the qualified migrant professionals end up working in dirty, difficult and dangerous jobs in the host countries due to non-recognition of their qualifications and restrictions on entry by migrant workers into certain job sectors. There is an emerging trend where foreign students especially from neighbouring countries are enrolling at local institutions of higher learning. If properly harnessed, this trend has a potential to contribute to socio-economic development of the country. On the other hand, some nationals leave the country to study abroad.

2.3   Diaspora Engagement

Government recognises the value of the diaspora as partners for national development. The Diaspora Policy of 2019 provides a framework for the mobilization and engagement of the diaspora with the aim of identifying and implementing mechanisms for harnessing their developmental potential. The implementation of the Policy facilitates the diaspora's participation in national development processes through skills transfer, philanthropy, remittances, portability of social security, trade, investment and tourism amongst others. The Diaspora Policy presents an opportunity to promote a comprehensive and multi-sectoral approach to diaspora engagement. The Policy also provides options for addressing diaspora related challenges and leveraging on the opportunities that the engagement of the diaspora could present.

2.4   Migration, Trade and Tourism

There is an inherent inter-relationship between migration, trade, tourism, investment and economic development. Cross border migration, tourism and international trade account for a large part of yearly mobility of people and goods. A well-managed migration is an enabler of national economic development as it facilitates tourism, trade in goods and services, employment creation, food security, poverty reduction and improved livelihood for less privileged people especially women, youths and the differently abled.

Zambia is strategically positioned for international commercial, small-scale cross border trade and tourism. Cross border trade is largely informal, therefore, not fully contributing to the socio-economic development of the country. The situation is as a result of perceived barriers such as lack of information regarding clearance processes, trade agreements and their preferential benefits and other trade facilitation incentives. Zambia is one of the front-line countries in introducing electronic visa application processes, which serves to stimulate the tourism sector.

2.5   Border Governance

Zambia has 58 designated Ports of Entry. The challenges associated with border governance include: a long and porous international borderline; inadequate human resource, social amenities, infrastructure, information management systems; and weak coordination and collaboration among border agencies regarding operations and modernization within Zambia and its neighbouring countries. Further, the screening process lacks efficiency especially at Ports of Entry where electronic information management systems have not been rolled out.

The Control Zones are characterised by unregistered agents and unauthorised traders who interfere with border clearance procedures. The situation results in loss of revenue, compromised law enforcement and non-adherence to laid down procedures by travellers leading to irregular migration, importation of diseases, smuggling of goods and counterfeit products. Further, there are no holding facilities as an alternative to detention for migrants who have committed non-custodial migration-related offences who as a result end up in correctional facilities, a situation which is against international best practices.

2.6   Irregular Migration

Zambia experiences movements of persons that take place outside the national laws and regulations governing entry, exit and stay. The movements include human trafficking and smuggling, unlawful border crossing and stay among others. The push factors related to irregular migration are poverty, gender discrimination, unemployment, job insecurity, gender-based violence, orphan hood, fractured family structures, natural disasters and climate change. The pull factors include improved standards of living, perceived better life, demand for cheap labour, and the low risk and high profit for traffickers and smugglers. The existing push and pull factors coupled with some barriers to migration foster an increase in irregular migration exposing migrants especially women, unaccompanied and separated children and other vulnerable groups to exploitative working conditions and denying them access to legal and social protection.

The other challenges related to irregular migration include lack of holding facilities for irregular migrants, huge cost of deportation, removals, repatriation, increased public health risks, and inconsistencies in migration

related legislation. In terms of human trafficking and smuggling, capacity to support prevention, protection, prosecution and partnerships is inadequate. In addition, the National Referral Mechanism (NRM) is not fully implemented as it is not supported by law. There are also inherent gaps in procedures for fully addressing issues of vulnerable returnees. Further, there is also limited public awareness on irregular migration risks and consequences.

Government recognises the need to address statelessness in migration management. In this regard, Zambia is a party to the 1954 Convention relating to the status of stateless persons but has not domesticated the convention. The country further pledged to be party to the 1961 Convention on the reduction of statelessness.

2.7   Forced Displacement

The country experiences natural and human made hazards including climate change which led to internal displacement of 4,616 persons in 2020. Further, Zambia hosts refugees and asylum seekers from countries within the continent many of whom are fleeing conflict. As of 28th February, 2021, Zambia was host to 68,383 refugees, 3,719 asylum seekers and 24,315 former refugees. Forced migration has led to loss of life and property, food insecurity and damage to the environment causing disruption of livelihoods in communities. It also compromises the socio-economic development of the migrants, host communities, and the nation. Forced migrants are at risk of discrimination, exclusion from social and economic amenities and services, human trafficking, labour and sexual exploitation, gender-based violence and health related issues.

In 2013, Government introduced guidelines on compensation and resettlement of displaced persons. Teething challenges have been faced in the implementation of these guidelines such as issues on compensation are scattered in various pieces of legislation and lack of standards in dealing with implementation of certain aspects of the resettlement action plan.

2.8   Internal Migration

According to the 2010 Census, 16.8% of the Zambian born population were enumerated in districts other than the ones in which they were born. Internal migration flows were as follows; urban to urban movement (38.7%), rural to urban (30.0%), rural to rural (17.2%) and urban to rural (14.2%). The internal migratory trends were due to climate change, environmental deterioration often impacting on agricultural productivity and a search for socio economic opportunities among others. In the 2019/2020 rain season, 1,241,032 people were affected by floods.

Urban to urban and rural to urban migration have contributed to increased urbanization. The situation has resulted in urban poverty and a strain on existing urban infrastructure, social amenities and the environment.

2.9   Migration and Health

Migration has been one of the drivers for epidemics due to the vulnerability of migrant groups particularly the transmission of infectious diseases. Public health risks such as malaria, tuberculosis, HIV and viral hemorrhagic infections are among the major threats driven by migration. In Zambia, migrants are affected by the high levels of communicable and non-communicable diseases, and conditions arising from nutrition, maternal and child health, sexual and reproductive health.

Health hazards are increasing across national borders and the spread of these diseases cannot be adequately addressed in isolation and hence require a coordinated approach from different players. For example, in recent times, the SARS-CoV-2 (COVID-19) pandemic, the Avian influenza of 2005, and the SARS epidemic of 2003, have highlighted the role of migration in the rapid spread of diseases across the borders and the need for coordination in the provision of services.

The challenges of migration and health include the strain on health care provision and access to adequate health care services. With the call under the Sustainable Development Goal of "leaving no one behind", Government recognizes the need for equitable access to health services for all people living in the country regardless of their nationality. Further, the Government recognizes the importance of promoting regional medical tourism.

2.10   Cross Cutting Issues

a) Migration Data
Effective migration management, policy and cooperation requires accurate and reliable data, yet data and knowledge of the scale and characteristics of migration remain limited in Zambia. Population censuses and surveys do not contain adequate data on international migration flows, migrant profiles, labour migration, remittances, irregular migration and displacement among others. Largely, there is inadequate capacity by institutions in collecting quality and usable migration data.

b) Migration and Gender, Disability and Vulnerability
Gender issues are indispensable to migration because they affect women, men, boys, girls, persons living with disabilities and other vulnerable groups differently. Socialization positions these groups differently in society in terms of their experiences, roles, needs and interests. Further, they have different capacities to contribute and benefit from development.

There has been an increase in the number of women, children and other vulnerable groups migrating for economic reasons, education, professional development, marriage and protection among others. According to the 2017 Labour Migration report, 51.2 percent of migrant workers were male, while females accounted for 48.8 percent. These migratory flows are in part influenced

by the lack of employment opportunities in countries of origin, and an increase in the demand for female labour in destination countries, particularly domestic and care work, nursing, teaching, and sex work. However, many of these women relative to men face gross violations of their rights as they are exposed to higher risks of sexual and gender-based violence, psychosocial stress and trauma, health complications, physical harm, injury, and other forms of abuse and exploitation with limited or no access to effective legal protection.

c) International Cooperation

The fast-growing number of migrants and the dynamic complexity of migratory movements underscore the need for regional, continental and global approaches to managing migration. The scale, scope, complexity, and transnational nature of migration, requires synergized efforts to formulate clear objectives, creating platforms for exchange of experiences, views and best practices, and working towards the coordinated implementation of policies and programmes.

Zambia actively participates in a number of bilateral, regional, and other international migration dialogue processes including the Migration Dialogue for Southern Africa (MIDSA), Migration Dialogue for COMESA (MIDCOM), Pan African Forum on Migration (PAFOM) and the Global Forum for Migration and Development (GFMD). As a State Party to various international agreements, the country is required to uphold the tenets of the instruments.

3.0   VISION, RATIONALE AND GUIDING PRINCIPLES

3.1   Vision

"A well-managed migration for sustainable national development"

3.2   Rationale

When migration is well-managed, benefits to the country include; productive labour migrants filling the skills gap in the labour market, alleviation of poverty, migrant remittances, diaspora investments, wealth and skills transfer, and cultural diversity. If not well managed, migration can create insecurity, migrant smuggling, human trafficking, social unrest or tension and discrimination.

The Government, therefore, has prioritized the development of the Migration Policy to create a conducive governance environment for a diversified economy as outlined in the 7NDP. The Policy seeks to domesticate the African Union Migration Policy Framework (AUMPF) which guides the African Union Member States and Regional Economic Communities (RECs) in the management of migration. Further, the development of the Policy seeks to address migration related challenges through a multi-sectoral and coordinated approach. The Policy, therefore, provides a broader perspective to migration and its overall contribution to national development while minimizing the risks and threats.

3.3   Guiding Principles

The Policy is guided by the following principles:

a) **Human rights and dignity, equality, social justice and non-discrimination:** This Policy will promote human rights and dignity, equality, social justice and non-discrimination of migrants regardless of status as enshrined in the Republican Constitution;

b) **Coherence:** In an effort to effectively manage migration and address its challenges, the Policy strictly adheres to the Constitution of Zambia (Amendment) Act No.2 of 2016 and migration related legislation. It complies with the adopted and ratified national, sub regional, regional and international standards and conventions. The Policy further gives allegiance to all legal frameworks related to State security, sovereignty, peace and coexistence;

c) ***Inclusivity and Multi-Sectoral Approach:*** The Policy recognises that migration has multifaceted relationships with different governance sectors, thus, a "whole-of-government" and "whole-of-society" approach is critical to addressing migration related issues;

d) ***National Security and Development:*** This Policy prioritises national security while promoting migration as a vehicle for socio-economic development;

e) ***Evidence-based:*** The Policy recognizes the need for accurate, reliable and disaggregated migration data to promote balanced and evidence-based narratives to inform decision making;

f) ***Cultural diversity and national identity****:* The Policy acknowledges the positive impacts of migration while upholding distinct Zambian cultural values and identity.

g) ***Transparency and accountability:*** The Policy shall ensure that the implementation of the programmes is undertaken in a transparent and accountable manner.

4.0   OBJECTIVES AND MEASURES

4.1   Objectives

1. To strengthen coordination, regulation and management of migration in the country;

2. To strengthen mechanisms and governance frameworks to maximize the development potential of labour migration;

3. To promote access to basic education, skills retention, transfer and mutual recognition of qualifications of migrants in order to enhance participation and inclusion in the labour markets;

4. To enhance cross border trade and tourism in order to fully contribute to national socio-economic development;

5. To enhance border governance for national security, safe human mobility, and movement of goods and services across borders;

6. To promote safe, orderly and regular migration for socio-economic development;

7. To strengthen national mechanisms for preparedness, resilience and response to forced migration;

8. To effectively manage internal migration for socio-economic development;

9. To facilitate migrants' access to equitable health care services and;

10. To enhance migration data management

4.2   Measures

Objective 1:   To strengthen coordination, regulation and management of migration in the country.

Measures:

      a)   Strengthen and harmonize national migration laws and policies in compliance with international standards and laws; and

      b)   Strengthen coordination mechanisms for effective migration management.

Objective 2:   To strengthen mechanisms and governance frameworks to maximize the development potential of labour migration.

Measures:

      a)   Operationalize and enhance the LMIS to provide evidence for

decision making in regulating labour migration;

b) Develop guidelines to safeguard Zambian nationals from unfair competition; and

c) Promote export of labour to harness development potential.

d) Promote potability of social security benefits for labour migrants.

Objective 3: To promote basic education, skills retention, transfer and mutual recognition of qualifications of migrants in order to enhance participation and inclusion in the labour markets.

Measures:

a) Promote portability of qualifications and inclusion of mutual recognition agreements;

b) Promote programmes that facilitate student and academic mobility including collaborating with other countries on scholarships;

c) Facilitate the integration of migrants especially women and youth in the labour, education and training sectors; and

d) Facilitate skills and competence mobility.

Objective 4: To enhance cross border trade and tourism in order to fully contribute to national socio-economic development.

Measures:

a) Enhance coordination among all relevant departments and agencies to streamline administrative procedures and documentation required for cross border trade and tourism; and,

b) Enhance awareness on legal requirements related to, trade facilitation mechanisms and tourism

Objective 5: To enhance border governance for national security, safe human mobility, and movement of goods and services across borders.

Measures:

a) Promote Integrated Border Management (IBM);

b) Promote alternatives to detention for irregular migrants;

c) Promote trade, tourism and human mobility across borders; and

d) Strengthen security in border areas.

Objective 6: To promote safe, orderly and regular migration for socio-economic development.

Measures:

    a) Strengthen Assisted Voluntary Return and, Reintegration for vulnerable returnees;

    b) Strengthen re-admission mechanisms for irregular migrants;

    c) Strengthen coordination structures and mechanisms for the protection of vulnerable migrants;

    d) Strengthen the prevention, protection, timely prosecution and effective partnerships on human trafficking;

    e) Provide durable solutions to stateless persons;and

    f) Enhance access to justice for migrants.

Objective 7: To strengthen national mechanisms for preparedness, resilience and response to forced migration.

Measures:

    a) Strengthen coordination and capacity of institutions to better address forced migration; and

    b) Promote socio-economic rights of forced migrants.

Objective 8: To effectively manage internal migration for socio-economic development.

Measures:

    a) Promote institutional coordination on internal migration;

    b) Mainstream internal migration governance into national and sub-national development plans; and

    c) Strengthen the capacity of local authorities to respond to internal migration.

Objective 9: To facilitate migrants' access to equitable health care services.

Measures:

    a) Strengthen the capacity of the health sector in responding to migration and health challenges and the provision of health care services;

    b) Strengthen the coordination among stakeholders to ensure health care services are provided to vulnerable migrants; and

    c) Establish and enhance the provision of integrated port health services.

Objective 10: To enhance migration data management.

Measure: Strengthen institutional capacity to generate, use and share accurate, reliable and disaggregated migration data.

5.0 IMPLEMENTATION FRAMEWORK

5.1 Institutional Arrangements

Migration is a cross-cutting phenomenon which requires "whole-of-government" and "whole-of-society" approach that leaves no one behind. Therefore, effective coordination is critical in implementing this Policy as it is a prerequisite for monitoring and evaluation mechanism. In this regard, the ministry responsible for home affairs and internal security will be charged with the overall responsibility of coordinating the implementation of the Policy.

The Ministry will:

a) Promote the "whole of Government" and "Whole of Society" approach to migration management;

b) Issue and renew national documents, visas and permits for entry, exit and stay in the country;

c) Coordinate and implement national response to trafficking in persons and human smuggling;

d) Provide an enabling environment to enhance national security and protection of migrants; and

e) Assimilate and integrate former refugees and other vulnerable migrants.

Office of the Vice President

The Office will be responsible for coordinating the mitigation of national disasters as they affect migration.

Ministry responsible for labour and social security

The Ministry will:

a) Coordinate effective governance of labour migration in the country;

b) Provide information on labour market and employment opportunities in the country and abroad; and

c) Facilitate portability of earned rights on social security benefits.

Ministry responsible for community development and social services

The Ministry will:

a) Promote well-being and protection of different categories of migrants; and

b) Facilitate assisted voluntary return and reintegration (AVRR) for vulnerable returnees.

Ministry responsible for education

The Ministry will:

a) Promote access to basic education for all;

b) Promote programmes to address brain drain and brain gain;

c) Facilitate student exchange programmes and scholarships; and

d) Facilitate the review of the ZQF for skills and competence mobility.

Ministry responsible for commerce, trade and industry

The Ministry will:

a) Provide information on business and trade opportunities to migrants; and

b) Provide a conducive environment for migrants to trade.

Ministry responsible for health

The Ministry will:

a) Promote public health measures at Ports of Entry;

b) Provide adequate and equitable health care services to all migrants; and

c) Promote medical tourism.

Ministry responsible for foreign affairs and international cooperation

The Ministry will:

a) Promote and protect the welfare and interests of Zambian nationals abroad;

b) Engage and mobilize the diaspora nationals to support the national development goals; and

c) Monitor the implementation of international migration-related instruments signed or ratified by Zambia.

Ministry responsible for local government

The Ministry will:

a) Promote orderly human settlement development in rural and urban areas; and

b) Promote the provision of adequate and safe trading areas for migrants.

Ministry responsible for finance and national planning

The Ministry will:

a) Facilitate creation of an enabling environment to harness diaspora remittances; and

a) Provide financial resources for the implementation of the policy.

b) Coordinate the collection, analysis, dissemination and management of disaggregated migration data; and

c) Mainstream migration related issues in the National Development Plans.

Ministry responsible for justice

The Ministry will:

a) Provide a conducive legal framework for policy consistence and coherence;

b) Facilitate prosecution of perpetrators of migration related offences; and

c) Ensure that the fundamental rights of migrants are upheld.

Ministry responsible for information and media

The Ministry will:

a) Promote awareness on safe, orderly and regular migration; and

b) Promote the dissemination of quality and accurate information on migration benefits and risks.

The Ministry responsible for youth, sport and arts:

The Ministry shall;

a) Promote skills training for migrant youth in youth resource centres;

b) and youth resettlement schemes; and

c) Promote healthy living among migrants through sport.

The Ministry responsible for tourism

The Ministry shall promote tourism within the broad context of the Migration policy

Other line Ministries: Shall play a vital role in the implementation of the National

Migration Policy in line with their respective mandates.

Other Partners (Cooperating Partners, International Organizations, NGOs, Civil Society Organizations, Private Sector and Diaspora Associations):

May be requested to provide technical, financial and logistical support for the implementation, monitoring and evaluation of the National Migration Policy.

5.2   Legal Framework

Government will facilitate for the creation of a favourable legal framework in order to realize the objectives set out in this policy. To achieve this, there is need to review the relevant pieces of legislation that are informed by the Policy and enact new laws as the need may arise.

The implementation of the Policy will be complemented by the following pieces of legislation:

a)   The Constitution of Zambia Act No. 2 of 2016 of the Laws of Zambia;

b)   The Adoption Act Chapter 54 of the Laws of Zambia;

c)   The Anti-Human Trafficking Act No. 11 of 2008 of the Laws of Zambia;

d)   The Border Management and Trade Facilitation Act No. 12 of 2018 of the Laws of Zambia;

e)   The Citizenship Act No. 33 of 2016 of the Laws of Zambia;

f)   The Employment Code Act No. 3 of 2019 of the Laws of Zambia;

g)   The Environmental Management Act No. 12 of 2011 of the Laws of Zambia;

h)   The Immigration and Deportation Act No. 18 of 2010 of the Laws of Zambia;

i)   The Juveniles Act Chapter 53 of 1956 of the Laws of Zambia;

j)   The National Registration Act Chapter 126 of the Laws of Zambia;

k)   The National Youth Development Council Act (No. 7 of 1986), as amended by Act No. 13 of 1994 of the Laws of Zambia;

l)   The National Pensions Scheme Act No. 7 of 2015 of the Laws of Zambia;

m)   The Passport Act No. 28 of 2016 of the Laws of Zambia;

n)   The Prisons Act, Chapter 97 of the Laws of Zambia;

o)   The Refugees Act No. 1 of 2017 of the Laws of Zambia;

p)   The Statistics Act No. 13 of 2018 of the Laws of Zambia;

q)   The Education Act Chapter No. 23 of 2011 of the Laws of Zambia;

r)   The Gender Equity and Equality Act No. 22 of 2015 of the Laws of Zambia;

s)   The Human Rights Commission Act Chapter 48 of the Laws of Zambia;

t)   The Urban and Regional Planning Act No. 3 of 2015 of the Laws of Zambia;

u)   Zambia Development Agency Act No. 11 of 2006 of the Laws of Zambia;

v)   Zambia Police Act Chapter 107 of 1966 of the Laws of Zambia;

w)   The Public Health Act Chapter 295 of the Laws of Zambia;

x)   The Customs and Excise Act Chapter 322 of the Laws of Zambia;

y)   The National Health Insurance Act No. 2 of 2018 Laws of Zambia;

z)   The Anti-Terrorism Act No. 6 of 2018 Laws of Zambia;

aa) The National Disaster Management Act No. 13 of 2010 of the Laws of Zambia;

bb) The Local Government Act No. 2 of 2019 of the Laws of Zambia;

cc) The Persons with Disabilities Act No.6 of 2012 of the Laws of Zambia; and

dd) The Anti-GBV Act No.1 of 2011 of the Laws of Zambia.

5.3   Resource Mobilization and Financing

The National Migration Policy requires sustainable financing to successfully achieve its desired objectives. The Policy will mainly be financed within Government budgetary provisions and allocations.

The Government may mobilize additional resources from the following:

a)   Cooperating Partners;

b)   International organizations and CSOs participating in migration management;

c)   Private Sector finance;

d)   Contributions through Regional Economic Communities (RECs) and Community Participation; and

e)   Any other credible alternative funding sources

5.4   Monitoring and Evaluation

The Ministry of Home Affairs and Internal Security in collaboration with key stakeholders shall be responsible for the implementation, monitoring and evaluation of this Policy. Performance reviews will be undertaken on an annual basis to measure progress on implementation of the policy using established monitoring mechanisms. The key performance indicators defined in the Implementation Plan of this policy will be reviewed through Mid-term and End-term evaluations.