



SOUTHERN AFRICAN
MIGRATION PROJECT

M I D S A

Migration Dialogue for Southern
Africa



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FOR MIGRATION

Report and Recommendations of the MIDSAs Workshop on:

Building Capacity to Manage Migration

19-22 July 2005

Centurion, Republic of South Africa

Countries, Presenters and Observers

The MIDSAs Workshop on Building Capacity to Manage Migration was held in Johannesburg, Republic of South Africa on 19-22 July 2005. The governments of Angola, Botswana, the Democratic Republic of the Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, South Africa, Seychelles, Swaziland, Tanzania, Zambia and Zimbabwe participated. The African Union (AU), the UN High Commissioner for Refugees (UNHCR), the UN Office on Drugs and Crime (UNODC), the Australian and British High Commissions, the United States Embassy, the European Commission, the Swiss Federal Office for Migration (FOM), the International Institute for Security Studies (ISS), IOM and SAMP were also represented.

The agenda and list of participants are annexed hereto

Summary of Proceedings

Opening Session

Her Excellency, the Hon. Minister of Home Affairs of South Africa, Ms. **Nosiviwe Mapisa-Nqakula**, opened the MIDSAs workshop, which brought together senior policy makers from the Southern African Development Community (SADC), and observers from diplomatic missions, United Nations agencies and the African Union. The more than 60 participants, included senior officials of ministries of home affairs, foreign affairs and justice of the SADC member states.

In her keynote address, the Minister underscored the cross cutting nature of migration and the importance of building the capacity and knowledge of all agencies in government who have a bearing on the movement of people and goods. "Due to its significance, migration management should simultaneously address the multitude of interdependent challenges of development, security and the human rights of migrants. It

is our responsibility as Africans to ensure that these challenges we are faced with are located and remain at the top end of our domestic, regional and international agenda.” The Minister urged MIDSA and IOM to constructively engage with countries of the region on these issues as genuinely and as sensitively as possible. “This we should do in a way that will allow the region and the continent to make their own contributions to global dialogue informed by the objective pressures faced by our people.”

Mr Hans-Petter Boe, IOM Regional Representative for Southern Africa, and **Dr Sally Peberdy**, representing the Southern African Migration Project (SAMP) also welcomed participants and presenters, and expressed the gratitude of the organisers to the Hon. Minister and the Government of South Africa for supporting the workshop. They also thanked the donor, the Swiss Federal Office for Migration (FOM) for its support.

Ms Anne Grethe Nielsen, Director, International Affairs, FOM , explained the rationale behind the “Berne Initiative”, a global collaborative process – and its outcome, the “International Agenda for Migration Management” (IAMM). Switzerland, which is not a member of the EU, felt it had the possibility to launch this process more rapidly than EU states. The IAMM, a collection of ‘best practices’ in migration management, now needed to be disseminated, and, hopefully implemented, in an increasingly complex world of migration. This MIDSA workshop was the first such regional event arranged around the IAMM, and Switzerland was most pleased to support it.

Global Developments in International Migration

Ms Michele Klein Solomon, Deputy Director of IOM’s Migration Policy Research and Communications Department, offered a presentation on international developments in the area of migration management, highlighted the Berne Initiative and its output, the International Agenda for Migration Management, as well as the findings of a joint meeting organized by the Global Commission on International Migration and IOM on *Regional Consultative Processes* (Geneva, April, 2005). These findings underscored the special value that Regional Consultative Processes such as MIDSA have in fostering international collaboration on migration management. Ms. Klein Solomon also brought the participants up to date on other migration consultative processes, including IOM’s *International Dialogue on Migration* and its series of Inter-sessional Workshops.

New Capacity Building Tools and Programs on Migration Management

Ms Phyllis Coven, IOM’s Senior Policy Advisor, Migration Policy Research and Communications Department, gave an orientation to new capacity building tools that IOM developed for migration management, called the Essentials on Migration Management (EMM) This is a comprehensive training package consisting of 32 modules, covering most kinds of migration and migration management scenarios. EMM would be introduced to participants in breakout groups.

The **Southern African Migration Project (SAMP)** provided a briefing on its Services Quality Survey of the South African Department of Home Affairs and its implications for capacity building. SAMP also gave an update on the International Migration Policy and Management Certificated Course that is offered in conjunction with P & DM at

Witwatersrand University, which has been attended by more than 100 participants from across the SADC region.

Regional Technical Cooperation on Migration Management

Mr Boe, IOM Regional Representative for Southern Africa, presented the results of a recent Border Management Assessment survey undertaken by IOM in Southern Africa in 2004. The aim of the small survey was to map the extent to which enhancements have taken place in terms of border/migration management in the region since 2001. The premise was that migration management weaknesses in the Sub-region have made the region susceptible to exploitation by organised criminal and other elements that are involved in clandestine movements of people. Nine out of fourteen countries had responded to the survey and responses revealed a couple of trends:

- SADC countries identify serious gaps in their migration management capacity, largely related to limited funding and human resources;
- Most SADC countries do not have an automated watch list that could be deployed to border points;
- Several countries have initiated programs to establish machine-readable passports and computerize their border posts; the most common barrier reported was lack of funding;
- All but two SADC countries (Zimbabwe and Zambia) have signed the OAU Convention on the Prevention and Combating of Terrorism,

- All SADC countries have either signed or begun preparing the instruments acceding to the Palermo Protocols on People Smuggling and Trafficking in Persons.

Mr Charles Harns, Head of Technical Cooperation Services, IOM Geneva, outlined a framework for enhanced technical cooperation in the region and announced that the placement in the region of a specialist as a field-based arm of the Technical Cooperation Service that will enable IOM to expand its services to many African States. He reiterated that IOM is committed to providing the full range of services to Africa. As examples of effective capacity building and technical cooperation exercises, presentations were made by representatives of IOM and Governments of Zambia and Tanzania concerning ongoing capacity building projects in their states as well as those in Eastern Africa.

Wednesday 20 July

Capacity building for Migration Management: Identifying Priorities in the Region

The 'Tour de Table' held on the second day of the workshop permitted each participant country to describe current trends and migration management challenges, and outline its priority concerns for capacity building.. In comprehensive presentations, states lamented continuing trends in human trafficking and smuggling, the 'brain drain', fraudulent investor migrants, inadequate legislation, and infrequent information sharing. They identified key capacity building challenges including the development of new and compatible border technologies, training curriculum for on-line officers, and reviews of legislative and administrative structures. Delegations also emphasized the cross-cutting nature of migration management and the need to enhance inter departmental collaboration at both national and regional levels.

Training Sessions on the International Agenda for Migration Management (IAMM) and the Essentials of Migration Management (EMM)

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Attendees participated in three separate interactive workshop sessions on the themes of International Migration Law, International Cooperation, and Border Management/Passports and Visas. Using the new EMM training tools as a framework for discussion, the breakout groups provided an opportunity for participants to exchange ideas, share experiences and discuss key issues and approaches to migration capacity building.

Participants recognized the following:

- Informal dialogue and exchanges of experiences is a valuable means to enhance understanding of migration issues and to find cooperative means to address migration.
- As migration management is a cross cutting issue, effective migration management requires the development of governmental capacity in immigration as well as other departments.
- States efforts to effectively manage migration are frequently hindered by limited technological and other resources as well as human resources training; several participants requested further assistance from IOM and SAMP.
- States welcome the prospect of enhanced technical cooperation and capacity building on migration management in the region and opportunities to work collaboratively ..
- Migration and Human Rights was a topic of growing concern and interest, and MIDSA should put this on its programme.
- Cross-fertilization between RCPs, within the same region or between regions, was also highlighted as a useful means of expanding common understandings and harmonised approaches on migration management issues.

22 July Friday

H.E. Ambassador YJ Duarte, Deputy Director General for the Africa Multilateral Branch, Department of Foreign Affairs of South Africa, opened the session focussing on migration in the global, regional, and sub-regional context, and the future of the MDSA process.

The Ambassador confirmed that SADC member states, like many other countries, are grappling with the challenges of modern day migration's many turns and forms. She emphasized the need to adopt a holistic approach when addressing its many and interdependent challenges of development, including security and human rights.

It was underlined that SADC remains the main regional organization in Southern African dealing with the issue of free movement of people¹ and that processes within SADC should be closely aligned with continental approaches. In accordance with the Protocol on the facilitation of free movement of persons, member states are bound to promote legislative, judicial, administrative and other measures for implementation and achievement of the objectives of the protocol.

In concluding, the Ambassador referred to the meeting of the Global Commission for International Migration in Cape Town earlier this year, during which it was concluded that regional consultative processes should form the basic building blocks from which a global dispensation for migration management could be constructed. Against this background the Ambassador welcomed the integration of MDSA into the SADC agenda. She underscored that MDSA's aim to facilitate regional dialogue and cooperation on migration policy issues amongst the SADC member states should provide a positive impetus to the current SADC process and further strengthen the regional organization to achieve its objectives.

“MDSA FORUM”: *Integrating MDSA into the SADC Agenda*

Messrs Boe (IOM) and Williams (SAMP) reflected on the development of the MDSA process over the past 5 years, including its support structures and governmental participation in the planning of activities. It was explained that a programme was envisaged for the biennium 2006-2007 that would have an average of three workshop events per year. Ideally there would also be an Annual Regional Ministerial Consultation on Migration under the aegis of MDSA. The issue of a secretariat was also raised, as IOM and SAMP did not presently have resource capacity dedicated to follow up more closely on workshop recommendations. However, funding support would be critical to achieve these ambitious goals. Finally, participants were asked to suggest a new mechanism of leadership in the MDSA process that would involve participating countries more closely.

Ms. Klein-Solomon made a brief presentation of steering mechanisms in other Regional Consultative Processes (RCP) around the world, some of which, such as the “Puebla” process in the Americas, involved annual meetings of Ministers, and a revolving chair among participating states, while still maintaining their essential informal characteristics. -Important elements in these RCPs, which could be considered also for the MDSA process, include:

- working toward three levels of participation, i.e. (i) annual (or periodic) ministerial/deputy ministerial meetings to ensure political commitment, (ii) regular policy level meetings (i.e.

¹ Article 5.2d of the SADC treaty refers

DG's/heads of sections of relevant ministries), plus (iii) technical level theme-specific workshops;

- to ensure continuity and follow up, having a regular informal tour de table at the beginning of each MIDSA meeting for each government to report on its follow up to/implementation of any recommendations from previous meetings as well as to report on any significant developments in its migration policy/management – as suggested by a number of delegations; and
- establishing annual rotating governmental chairs to (1) work with the Steering Committee to determine the annual MIDSA agenda and (2) to help lead discussions. The past, current and future chairs could all serve on the Steering Committee to ensure that one government's interests do not dominate, and chairs could move from larger to smaller governments and from one sub-region to another, to ensure balanced representation.

These measures could be adopted without compromising the fundamentally informal and collegial character of MIDSA while at the same time helping provide the needed continuity and stability of the process to make MIDSA as valuable a tool as possible for the participating states.

In the discussion that followed, various suggestions were made on how to strengthen and sustain the MIDSA process. The consensus was that MIDSA should not change in character, that is, remain an informal and non-binding dialogue mechanism. Therefore governments preferred that formality in the structure should also be avoided. However there was consensus that, as a first step, each country should be invited to designate a MIDSA focal point within Government. This would provide an early platform for building greater official involvement in the planning process of MIDSA. It was suggested that the focal point could assist with the following tasks:

- Serving as the focal point for correspondence from the Steering Committee
- Helping to identify the participants for each workshop
- Coordinating the preparation of country reports on specific themes
- Coordinating discussions within the country on particular issues and directions.

With these minor innovations, it would be possible to keep MIDSA participants regularly informed of developments in migration policy and practice in the region and globally, identify more concretely common issues of concern and joint work opportunities, and even begin a system of regular information gathering and exchange of the sort that takes place in Puebla and some of the other RCPs.

The MIDSA organizers were invited to send a circular letter to all participating states regarding the designation of a MIDSA Focal Point.

The organizers were also requested to write to the Executive Secretary of the SADC Secretariat, inviting him to ensure Secretariat participation in all MIDSA events.

Closing Session

Mr. Boe and Mr. Williams, on behalf of the organisers, thanked everyone including participants, presenters, observers and the staff who had made this a successful event and one of the biggest in MIDSA history. They also expressed the wish that the Swiss Government would agree that the objectives of the workshop had been met, if not exceeded. They urged participants to remain in contact with each other as well as with IOM and SAMP on their capacity building needs.

Anne-Grethe Nielsen (FOM) voiced her congratulations for a very active and participatory MIDSA workshop. She believed the response to the IAMM and the EMM materials had been very encouraging. She was happy that the Swiss Government had been able to support it, and her government would work with IOM to replicate it in other subregions.

Mr. Burton Joseph, Chief Director, National Immigration Branch, Department of Home Affairs of South Africa expressed his satisfaction with the workshop and formally closed it.