

Migration patterns and complexities: Selected perspectives from SADC (Southern African Development Community) and Africa

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Professor Marius Olivier, Director: ISLP; Extra-ordinary Professor: Faculty of Law, Northwest University, South Africa



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Trends, tendencies and complexities: global perspectives

- ▶ South–South (S–S) migration equals South–North migration – one–third of 232 million migrants world–wide (WMR 2013)
 - What is meant by the “global South”?
- ▶ Sub–Saharan Africa (SSA): S–S migration accounts for 69% of migration from SSA
- ▶ Notable increase in N–S flows to Lusophone countries due to GFC and economic opportunities
- ▶ Economic growth fuels migration to resource–rich countries, such as Angola, Equatorial–Guinea and Gabon
- ▶ Tendency: migration within same geographical region



Trends, tendencies and complexities: global perspectives

- ▶ High number of S–S return migration, prompted by GFC, freedom of movement regimes –
 - This poses a challenge to erstwhile countries of destination, which are now increasingly also countries of origin and of transit
- ▶ Labour migration constitutes a significant share of international migration, requiring close stakeholder collaboration
 - Ethical recruitment practices and regulatory frameworks?
- ▶ Importance of remittances, in particular for LDCs
- ▶ Some indication of high development impact of increasing diaspora engagement in the South



Trends, tendencies and complexities: global perspectives

- ▶ Increase in irregular migration, smuggling and human trafficking – security reasons, poverty, economic disparities
 - Blurred dividing lines – part of mixed flows exposure to similar forms of exploitation/abuse
- ▶ Environmental change – direct (sudden-onset disasters) and indirect impact (on migration drivers)
 - Internal and intra-regional impact and responses
- ▶ Multi-stakeholder approaches needed to address complex scenarios
- ▶ Well-being of migrants? Negative self-perception

Trends, tendencies and complexities: SADC and African perspectives

- ▶ Intra-regional migration: 63% of movements in Africa
- ▶ 30 million Africans living outside their countries of origin, contributing \$60 million to 25 million households
 - Remittances have quadrupled in 20 years (1990–2010), but mostly informal, due to high transaction costs within Africa
- ▶ Median age of migrants: 30 years; 30% of migrants: below 20 years of age
- ▶ Forced migration caused by conflict and environmental degradation/climate change
 - Refugees, asylum-seekers and stateless persons – limited responses though
 - In 2012 an estimated 8.2 million fled as a result of sudden-onset natural disasters across the African continent



Trends, tendencies and complexities: SADC and African perspectives

- ▶ Key African Union (Commission) (AUC) responses: normative and leading role vis-à-vis the RECs and AU Member States
 - AU Migration Policy Framework (AUMPF) (2006) is the guiding framework
 - Instruments adopted in relation to Internally Displaced Persons (Kampala Convention) and Border Management (Niamey Convention); instruments as regards stateless persons and freedom of movement of persons foreseen
 - Strategic and operational frameworks, e.g., in relation to human trafficking (AU.Commit), remittances (establishment of the African Institute for Remittances (AIR))
 - Consultation and joint action with the RECs (see below)
 - Regional (economic) integration a key consideration – e.g. the Abuja Treaty (1991) – establishment of the Africa Economic Community (AEC)
- ▶ Various responses at the level of the RECs in some of these areas – instruments, policies, strategic frameworks; but limited capacity

Trends, tendencies and complexities: SADC and African perspectives

- ▶ Inter-RECs responses: In particular, envisaged Tripartite Free Trade Area, involving SADC and two other RECs – EAC (East African Community) and COMESA (Common Market for Eastern and Southern Africa)
 - Gives effect to regional economic integration agenda foreseen in the Abuja Treaty
 - Increased market access
 - Harmonisation of economic integration agendas
 - Promotion of deeper integration
 - Movement of businesspersons foreseen (under Trade in Services component)

Trends, tendencies and complexities: SADC and African perspectives

- ▶ SADC: 15 Member States, one of 8 RECs in Africa; 276 million residents
- ▶ Various Directorates and (sub-)sectors within SADC deal with different elements of migration, a cross-cutting issue
- ▶ Major migration drivers include poverty (45% survive on below US1 per day) and unemployment (overall 24.9%) and impact on, and is impacted by HIVAIDS (one-third of world's HIV/AIDS sufferers live in SADC)
- ▶ Traditionally a strong focus on labour migration in SADC, due to economic opportunities in South Africa, Botswana, Zambia and now also Angola – industrial development dependent on migrant labour



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Trends, tendencies and complexities: SADC and African perspectives

- ▶ Intra-SADC migration (i.e. migration within SADC) is the prevailing characteristic of migration from SADC countries
- ▶ Intra-SADC labour migration is deeply entrenched & generations long, often within the same households
- ▶ Some circular migration; mostly of “permanent” nature
 - For many, migration has become a career
 - Majority of those who migrate within SADC are men, household heads, older & married
 - Primary reason: livelihood support and economic improvement
- ▶ SADC institutional responses: Dedicated tripartite structures to guide SADC on labour migration matters

Trends, tendencies and complexities: SADC and African perspectives

- ▶ SADC instrumental responses
 - Overarching: Regional Indicative Strategic Development Plan (RISDP) – economic and social priorities; Strategic Indicative Plan for the (SADC) Organ (SIPO) (political and security)
 - Relevant (binding) Protocols and other non-binding instruments – e.g., in relation to Freedom of Movement of Persons (2005); Trade (1996); Trade in Services (2012); Employment and Labour (expected: 2014); Charter of Fundamental Social Rights (2003); Code on Social Security (2007)

- ▶ SADC policy, strategic and consultative responses
 - Labour Migration Action Plan – a Labour Migration Policy (ILO) foreseen
 - Migration and Development Policy (ACP) and Migration Policy (IOM) envisaged
 - Regional Strategy on the prevention of illegal migration, smuggling and human trafficking (as well as a Strategic Plan of Action); Labour Market Information System (2012)
 - Tripartite consultation; Regional Consultative Process (MIDSA)

Strengthening the protection of labour migrants

- ▶ Free movement regimes:
 - 2005 Protocol not yet in force, due to low number of ratifications and political resistance – labour market impact and security fears; while Protocol makes residence and establishment subject to national laws
 - Free Trade Protocol foresees harmonisation of laws and regulations; and liberalisation of services sector
 - However, Trade in Services Protocol does not envisage harmonisation, and allows national legal systems to restrict market access – movement of business people nevertheless envisaged
 - **Thus:** as is the case in several other RECs, labour migration is not sufficiently supported by free movement regimes
- ▶ MOU on the facilitation of the movement of business people and professionals in five SADC countries (Malawi, Mauritius, Mozambique, Seychelles and Zambia) is being considered, on the basis of an Accelerated Program for Economic Integration

(APEI)

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Strengthening the protection of labour migrants

- ▶ Employment protection – Bilateral Labour Agreements (BLAs)
 - ▶ Discrimination in laws and practice – e.g., as regards labour market access and treatment
 - ▶ BLAs are important, as they regulate labour migration flows and extend employment rights, and remove or minimise restrictions
 - ▶ Limited use of BLAs in SADC, except for decades–old but inadequate labour agreements between South Africa and certain neighbouring countries
 - ▶ The Mauritian circular agreements with some developed countries could serve as an important model (prompted by among others rising unemployment; sharp cuts in world–wide sugar price)



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Strengthening the protection of labour migrants

- ▶ Social security protection – Unilateral, bilateral and multilateral arrangements
 - Migrant workers often not covered by social security system of home or host country
 - Portability arrangements barely provided for in SADC
 - Bilateral (and multilateral) social security agreements world-wide regarded as the core intervention for extending social security protection to migrant workers
 - Limited use of such agreements in SADC, to the detriment of workers
 - Structural differences between different types of schemes in SADC complicate matters

Strengthening the protection of labour migrants

- ▶ Social security protection – Unilateral, bilateral and multilateral arrangements
 - Many developing countries (e.g. Philippines; Mozambique) have unilaterally extended country of origin social security protection to their migrant workers if they are not covered by the system of the country of destination
 - Multilateral agreements set standards and principles at the regional level informing bilateral and unilateral arrangements, and serve as an expression of regional integration
 - World-wide examples include the EU; and the New ECOWAS General Social Security Convention of 2013 (West Africa)
 - SADC still has to develop a framework for this

Strengthening the protection of labour migrants

- ▶ Skills training, recognition and matching; and recruitment:
 - Skills training, recognition and matching frameworks are underdeveloped areas in African regions, including SADC, despite some development in the area of Labour Market Information Systems (LMIS)
 - A partnership approach is required to build capacity and help develop appropriate frameworks
 - Attention should in particular be paid to these matters in relation to vocational training, as some progress has been made as regards higher education
 - Better regulation of recruitment requirements and processes, and of recruitment agencies calls for inter-state collaboration

Conclusions

- ▶ There is need to address the lack of coherence and coordination as regards migration matters at national, cross-country, RECs and inter-RECs levels
- ▶ There have been some recent attempts to develop coordinated structures and frameworks – for example:
 - The SADC-EAC-COMESA tripartite Free Trade Area (see above)
 - AU-RECs Joint Programme on Labour Migration – supported by IOM, ILO and UNECA (United Nations Economic Commission for Africa)
- ▶ Equally important are supportive consultative structures – e.g.
 - IOM-supported MIDSA consultative process
 - Dialogue involving the AUC, RECs, some member States within the framework of the Migration and Mobility partnership of the Joint Africa-EU Strategy (JAES)

Conclusions

- ▶ There is need to address the underlying drivers of migration, as comprehensive and holistic approaches in partnership fashion may be called for – e.g., in relation to youth unemployment
- ▶ The large-scale exclusion of significant categories of migrant workers similarly requires comprehensive and holistic approaches – in particular in the case of informal workers and cross-border traders
- ▶ The protection of migrant workers implies multi-faceted and collaborative responses as indicated above
- ▶ Sound return and reintegration regimes also need to be established in partnership with interested stakeholders



Conclusions

- ▶ International, continental and sub-regional instruments and frameworks play an important regulatory and protective role as regards migration
 - Yet, implementation is weak, while laws and policies at the national level need to be aligned with these instruments and frameworks
 - Capacity-building is therefore required
- ▶ Capacity-building and technical assistance may also be required to address serious data, research and documentary evidence-base shortcomings
- ▶ The overall importance of eventual regional economic integration should inform migration interventions – in terms of AU and RECs foundational documents the RECS are regarded as building blocks, while the AUC takes the lead

Conclusions

- ▶ Migration interventions would rely for their effectiveness on the mainstreaming of migration into national development plans
- ▶ There is scope and need for an enhanced role for worker and employer representatives, and the private sector, as regards labour migration