S A L O

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INTRODUCTION

In the spirit of the 2030 Agenda on Sustainable Development, the Southern African Liaison Office (SALO) hosted a dialogue to advocate for Goal 16 on Peaceful and Inclusive Societies and breaking down the silos of peace-building to leave no one behind, especially migrants. This multi-stakeholder dialogue took place on 16 October 2015 and it hosted a range of actors stemming from European and African diplomats, South African Security and Foreign Policy apparatus, migrants, academic institutions and civil society organisations. The diverse set of attendees assisted with the identification of key policy issues and recommendations falling within the prism of development and the intra-continental trends of African migration. The aim of the discussion was to contribute to the 21-22 October 2015 High Level Seminar for African Union (AU) and European Union (EU) diplomats, Addis Abba with the key objectives:

1. Address some of the misunderstandings when it comes to refugees and migration;
2.   Solicit views from South Africa (SA) based policy makers, diplomats, academics and Civil Society Organisations (CSOs) on how best to deal with current patterns of migration and mobility;
3. Facilitate engagement EU and SA government and stakeholder on migration and mobility, in order to draw lessons and promote knowledge exchange;
4. Explore both challenges and opportunities that intra-African and Africa-Europe migration presents.

ANALYSIS OF KEY ISSUES

The Context of Migration and Importance for Africa

Goal 16 of the 2030 Agenda calls for the promotion of peaceful and inclusive societies of sustainable development, the provision of access to justice for all and building effective, accountable institutions at all levels. Goal 16 is an opportunity to highlight the plight of migrants in policy dialogue. The current refugee crisis in Europe, characterised as the worst since World War II, has received a lot of media attention and provoked discussion to find common sustainable solutions. The protracted civil wars in Syria, Iraq and Afghanistan have pushed thousands into seeking refuge in Europe, and other migrants arrive from the Balkans. In addition, significant numbers are also coming from Africa, most notably, Nigeria, Eritrea and Somalia due to conflict, religious extremism and poverty. AU, affected African countries and the EU, have since started a dialogue process to address the challenges associated with inter-continental migration.

This dialogue was hosted in prelude to the SALO-FES High Level Seminar for EU and AU diplomats in Addis Ababa, Ethiopia and pre-empted the special summit on migration on 11 and 12 November 2015, in Malta to discuss how to strengthen cooperation. The summit aimed to tackle the full range of issues focusing on five interlinked specific areas:

1. Development benefits of migration and addressing root causes
2. Legal migration and mobility
3. International protection and asylum
4. Prevention of and the fight against migrant smuggling and trafficking in human beings
5. Cooperation on return and readmission

Despite the worsening crisis, there remain sharp division among European countries (particularly between countries of first entry, transit and ultimate destination countries) on one hand and a lack of common understanding between Europe and Africa as well as other affected countries on how to best address the current crisis and generally migration and mobility. *A key observation of the current discourse is that, due to its reactionary mode, it tends to overlook the developmental potential of migration thus misses opportunities for constructive engagement.* In addition, while Europe is mainly concerned with, reducing the incentives for irregular migration, securing external borders, implementing a strong Common European Asylum System, and establishing new policies on legal migration, the AU has hitherto been more concerned with intra-Africa migration, from the angle of labour mobility. Overall, the AU addresses migration as both a challenge and an opportunity. *While inter-continental migration requires policy attention, equally deserving of attention is the intra-continental that has thus far lagged behind*.

The Bind of Regional Policy Options for Migration

The AU's overarching approach to migration is articulated in two policy documents: The African Common Position on Migration and Development (African Common Position) and the Migration Policy Framework for Africa, both adopted by the Executive Council of the AU in 2006. Neither policy document is binding on AU member states, although both underscore AU member states' obligations to comply with legally binding migration-specific regional and international law. This includes the two AU treaties that govern involuntary migration – the Organisation of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa, and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). It also makes policy recommendations for AU member states and their regional economic communities (RECs). Without evidence-based recommendations for policy

solutions nor an African Union mechanism to measure compliance, national governments are free to interpret the frameworks. Striking is the tension at the intersection of aspirational economic values of regional integration and those of national securitisation, that juxtapose migrant rights and national security interests. The divergent value considerations on national level interpretations of AU texts have similarly promoted two different narratives on sub-regional level impeding the release of the developmental potential of migrants in the policy dialogue confusion.

Still, policies of exclusion have prevailed in varying degrees across the continent and this in conjunction with the increased phenomenon of migratory movements. Limited capacity and resources have indicated the failure of policy in the control of border posts leading to long delays, inefficiency and corruption. The lack of control is also recognised by the failure to statistically evaluate the flow of people in intra-African migration. Moreover, limitations in the normative categorisation of migrants inhibits the ability of policymakers to understand why people move, especially women and youth. In fact, migration in Africa is deeply gendered. In the colonial period, women were generally prohibited from migrating while men dominated internal and cross border labour migration.

Today women and men are differently involved in and affected by migration. Although women are increasingly part of the movement of skilled migrants in the region and out of it, and have proportionally higher educational levels than their male counterparts, they are more likely to be involved in less skilled and informal work and therefore may be more likely to be irregular migrants, with the attendant disadvantages, as it is harder for them to access legal migration channels (Crush, et al., 2005). The wives and family members of migrants (internal and cross border) may be left behind to retain access to land and housing in home areas, as well as to pursue traditional household activities. This increases the labour load of the household, and, as remittances may be intermittent can place households in a precarious position, and encourage unsafe behaviour. Regular remittances may provide inputs to the household (Crush, et al., 2005).

The African region is being increasingly integrated into transnational continental and regional trade networks, both formal and informal. Informal traders or small entrepreneurs are amongst the most enterprising and energetic of contemporary migrants and a significant proportion are female. They face major bureaucratic and other obstacles, even with the aim of free trade evocated in the region. Informal sector cross border trade is important to the transfer of goods and commodities in the region. Initial studies of cross border trade in the region suggest it is significant to the movement of food and agricultural goods in the region. It plays a role in regional food security and forms part of the development of small and medium enterprises. It is a household livelihood strategy but policy-makers have yet to engage with this trade. More needs to be known and understood about the extent of informal sector cross border trade in the region and its role in livelihood strategies and food security, as well as an income earning opportunity for women.

Like women, youth have also been side-lined in policy and little is known about the internal or cross-border migration of children as migrants or refugees. Young people may migrate in their own right, or with parents to work as child labourers, particularly in the agricultural sector (Ansell & Young, 2007). Another form of migration is educational. In this situation, the country of origin loses youth in a phenomenon called brain drain whilst foreign economies gain. Often however, the youth tend to return to their countries of origin and this is called brain circulation. In other forms of migration, many young people migrate to join kin elsewhere, when household members are sick or die from AIDS, or distant relatives need their help (Ansell & Young, 2007). The advantages to youth migration is exposure for the child to educational opportunities. Moreover, in urban environments there can be greater sexual health awareness and higher standard of living. On the other hand, young migrants are at greater risk of dropping out of school, premature sexual experiences, discrimination and exclusion from the democratic system.

Instead of recognising the nuances in migration, states and citizens have largely perceived migrants as a threat which has embittered relations not only between states but between people on the ground as well. Without clear understanding of who is migrating and why in addition to a lack of regional policy incentives to manage migration, individual countries and their communities are left to shoulder the burden as best they can with support from international agencies.

POLICY RECOMMENDATIONS

Civil society and governments grapple with the concept of migration because it is expansive and dynamic. In considering the bind governments face while managing competing political, economic and social interests; transnational civil society are recommended to use international agendas (Agenda 2063 and Agenda 2030) to direct the attention of governments away from silo approaches that are creating divergent values and policy confusion. Instead, civil society directed by international agendas will be able to use a developmental and more progressive structure to generate a favourable position on migration.

It is apparent that misunderstandings when it comes to refugees and migration still persevere, however structured, open and inclusive dialogue orientated towards African development within civil society and between civil society actors and governments will go a long way. Civil society, on the frontline of policy failure are willing to engage on migration issues and this space is open for non-governmental organisations and others to assist with. Policymakers, diplomats, CSOs and academics are aware of the competition of citizen and migrant rights playing out in localities but this is an opportunity to solidify understanding on what a democratic nation is and promote multi-cultural and religious debate towards values of tolerance and acceptance. In the context of peace-building, consensus acknowledges the potential of women and youth in leadership to bring about peace however women and to some extent youth tend to be quantified and allocated high level positions that do not necessarily produce outcomes favourable to women or youth. As such, gender equality on all levels of society is a critical element to address vulnerabilities related to poverty and conflict. Moreover, youth leadership and sensitisation on the nexus between migration and development is crucial towards creating conditions for social cohesion and access to justice.

At the moment European engagement in migration has been more rigorous and organised than African endeavours. In order to engage favourably for Africa, Africans and with that the African Union must invest in the resources to understand migration and to share and promote stories of best practise on the continent. Such a dialogue, with the assistance of civil society may find the current categorisation of migrants and refugees by the United Nations and related regional policies inaccurate for current trends on the African continent and mobilise better policy formation. Technology has pierced the socioeconomic divide between peoples all over the continent, as such African governments coping with migration can also consult at little cost with broad sectors of society to inform policy or create greater policy awareness. Since migration is entrenched in all levels of society and affects all sectors from health to economics, information on migration must be shared from high level consultation to grassroots and upwards in a constant flow of dialogue. Also, in order to break the current barriers to this conversation it is necessary that information is translated for all members of society and programmes created to assist integration for both locals and foreigners into a community.

Inevitably, with the rising population migration on the African continent will become a crisis if the problem is not addressed appropriately by African governments. Currently, African states have been characterised by a lack of will on the matter when in fact, migration and its root causes are directly related to governance and development. The crisis in Africa-Europe migration is an opportunity to reflect on unhealthy movements of people that can be better directed to building the '*Africa we want*'. Europe is moving towards policies that share the burden of migrants and Africa would be wise to do the same so as to assist individual states and

economies. Moreover, innovation in cooperation between African governments may also be a necessary route to ensure access to socioeconomic rights for all. In this regard the RECs though not stemming from the African Union, their respective migration policies require a better communication with the African Union and this is where civil society must interject. In Europe and parts of Africa, the African Diaspora remains a key stakeholder in developmental dialogue due to their formidable support of family and friends back home in weak states. The African Union together with RECs need direction in the debate on migration and it is civil society's task to organise itself and promote the '*Africa we want*'.

About the Southern African Liaison Office:

The Southern African Liaison Office (SALO) is a South African-based not-for-profit civil society organisation which, through advocacy, dialogue, policy consensus and in-depth research and analysis, influences the current thinking and debates on foreign policy especially regarding African crises and conflicts.