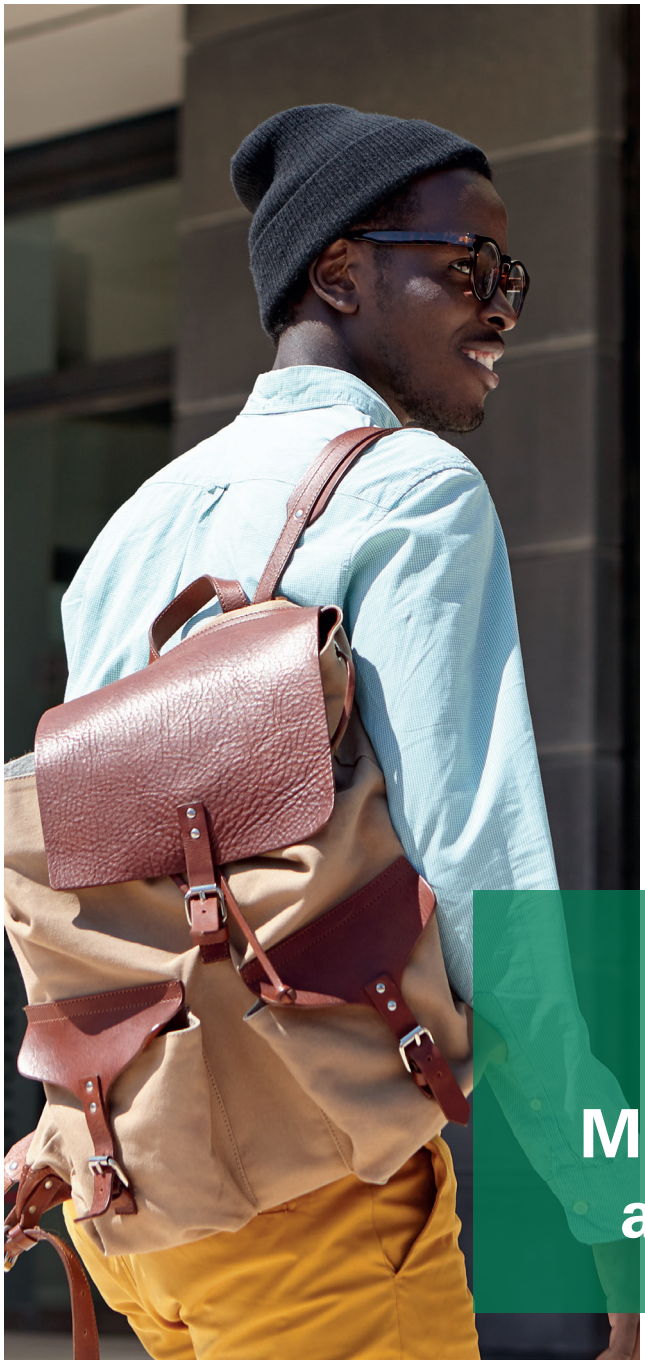
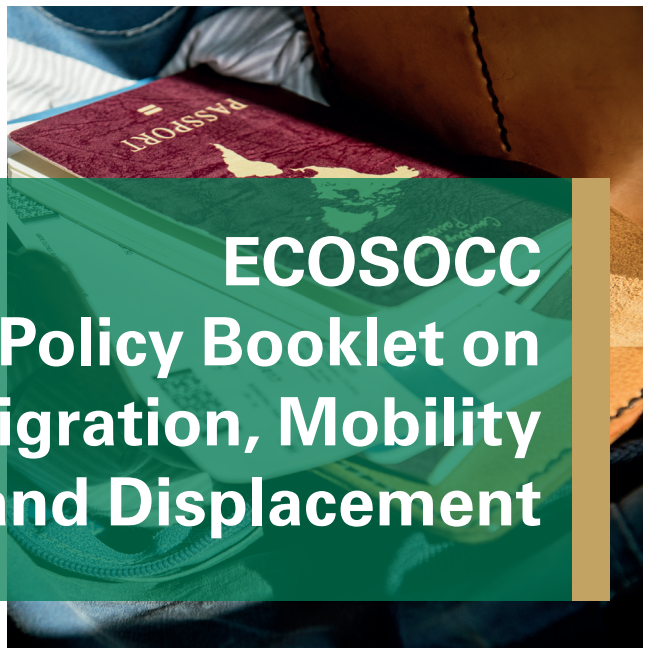
ECOSOCC
Economic Social & Cultural Council





ECOSOCC Policy Booklet on Migration, Mobility and Displacement

An Organ of the African Union

german cooperation
DEUTSCHE ZUSAMMENARBEIT

Supported by giz Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

Webinar Series on Migration Mobility and Displacement

June 2022

CONTENTS

DEFINITIONS **iv**

1. BACKGROUND **1**

2. MAIN OUTCOMES **3**

2.1 Advancing a new narrative on migration 3

2.2 Leveraging the expertise and resources of CSOs 5

2.3 Re-orienting migration policy: security vs. development 6

2.4 Promoting free trade alongside free movement 7

3. RECOMMENDATIONS **9**

3.1 Enhancing the role of CSOs in migration governance 9

3.2 Integrating migration into development policy 9

3.3 Ratification of continental frameworks on migration 10

4. ANNEXES **11**

Annex I: Session titles, dates and presenters 11

DEFINITIONS

AU	African Union
ECOSOCC	Economic Social and Cultural Council
REC	Regional Economic Community
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
UNECA	United Nations Economic Commission for Africa
MPFA	Migration Policy Framework for Africa
GCM	Global Compact on Migration
AfCFTA	African Continental Free Trade Area
CSO	Civil Society Organisation

1. BACKGROUND

Migration and human mobility are intertwined with the story of Africa. Over the course of centuries, the continent has recorded waves of migratory movements, some voluntary and others not.

Cross-border movements are a daily reality in many parts of the continent where colonial boundaries have split what had historically existed as single communities into two or more contemporary nation states.

Intra-African migration has significantly accelerated in the post-colonial era; due to a combination of pull factors such as economics, educational opportunities and trade, as well as push factors including political instability, armed conflict, and natural disasters such as famine and drought.

As the processes of globalization have taken root over the last few decades, there has also been a marked increase in migration from the continent towards other regions of the world.The increased rate of global migration fueled by globalization, including but by no means limited to migration from Africa, has engendered an evolving and more adversarial geopolitical landscape, placing migration firmly at the centre of contemporary policy-making including at the level of the African Union.

In recognition of the integral role that migration plays in African life, with particular regard to the economic, socio-cultural and political implications, the African Union has over the years established a number of frameworks to facilitate better migration management within the continent and outside its borders.

The most important of these is the Migration Policy Framework for Africa (MPFA) originally adopted in 2006 and revised in 2016, which arose out of a decision of Africa Union member states to:

Develop a strategic framework for migration policy in Africa that could contribute to addressing the challenges posed by migration and to ensure the integration of migration and related issues into the national and regional agenda for security, stability, development and co-operation;

Work towards free movement of people and to strengthen intra-regional and interregional cooperation in matters concerning migration on the basis of the established processes of migration at the regional and sub-regional levels; and

Create an environment conducive to facilitating the participation of migrants, in particular those in the diaspora in the development of their own countries.

The revised MPFA provides integrated and comprehensive policy guidelines to AU member states and Regional Economic Communities (RECs) in nine thematic areas: migration governance; labour migration and education; diaspora engagement; border governance; irregular migration; forced displacement; internal migration; migration and trade; and cross-cutting issues.

RATIONALE:

Fifteen years after the adoption of the original MPFA, and five years into the revised framework and its Plan of Action, implementation at the level of African Union member states remains significantly limited. This is in spite of a concerted program of sensitization of member state policy-makers to improve awareness of the revised MPFA and to encourage harmonization of national migration strategies with the continental framework.

The limited level of domestication of the revised MPFA is particularly problematic given the recent entry into force of two major complementary migration frameworks which both depend on the robust and coordinated implementation of the MPFA across AU member states, regional economic communities and the African Union.

On 29 January 2018, the 30th Ordinary Session of the Assembly of Heads of State and Government of the African Union held in Addis Ababa, Ethiopia, adopted the Protocol to the Treaty Establishing the African Economic Community Relating to the Free Movement of Persons, Right of Residence and Right of Establishment. Subsequently, the Global Compact on Safe, Orderly and Regular Migration (GCM) was adopted at a United Nations intergovernmental conference on international migration held on 10-11 December 2018 in Marrakech, Morocco.

Both of the above instruments reflect the core objectives of the revised MPFA and underscore the importance of a coordinated continent-wide policy framework on migration governance both within the continent and beyond.

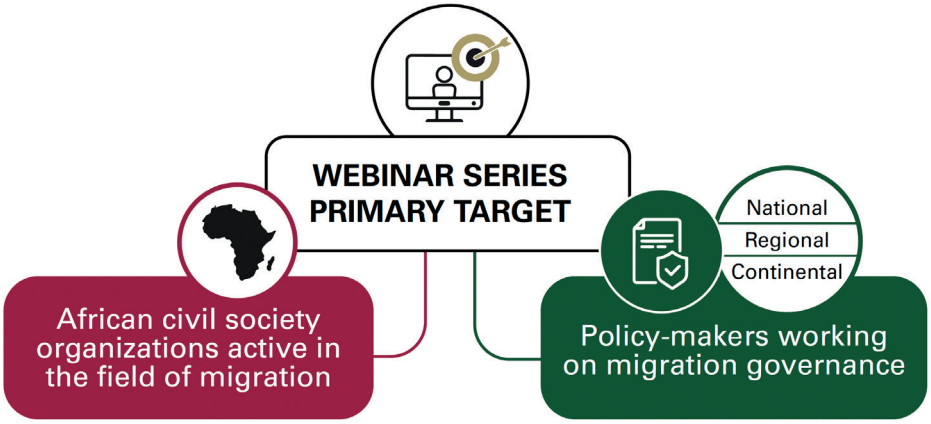
The low level of policy and legislative traction achieved by the MPFA in AU member states can partly be attributed to the limited opportunities afforded to non-state actors in the conceptualization and operationalization of the framework. As the MPFA itself acknowledges, migration is a multi-faceted phenomenon which demands the action of different stakeholders, hence the need for governments to facilitate and encourage the involvement of different stakeholders such as non-governmental organizations, community organizations, migrants (including youths, women, diasporas) in the formulation of policies and implementation of programmes on migration.

Against this background, the Economic Social and Cultural Council of the African Union (ECOSOCC), with support from the GIZ Mission to the African Union (GIZ-AU) instituted the **Webinar Series on Migration, Mobility and Displacement in Africa** to help achieve an enhanced and coordinated implementation of the revised Migration Policy Framework for Africa across AU member states, regional economic communities and the African Union.

This policy report covers a series of three webinars organized in June and July 2021 and presents the main outcomes, including best practice from internal and external contexts as well as opportunities for advocacy to enhance the contributions of civil society actors to migration governance in Africa.

Brief on AU-ECOSOCC: The Economic, Social and Cultural Council is an advisory organ of the African Union, established during the third Ordinary Session of the AU Assembly in Addis Ababa, Ethiopia in 2004 under the provisions of articles 5 (i) and 22 of the AU Constitutive Act. The organ is mandated to actively engage civil society in the processes and work of the Union, with particular regard to Africa's integration and development. ECOSOCC comprises various social, private sector and professional groups of member states of the Union and the African diaspora and functions primarily as a bridge through which the African Union can partner and engage with civil society organizations on the continent. Learn more at https:// au.int/en/about/ecosocc

2. MAIN OUTCOMES



The webinar series was primarily targeted at African civil society organizations active in the field of migration as well as to policy-makers working on migration governance at the national, regional and continental level. Its primary purpose was to popularize the revised MPFA within African civil society and formulate proposals relating to the role and contributions of non-state actors in its ongoing implementation.

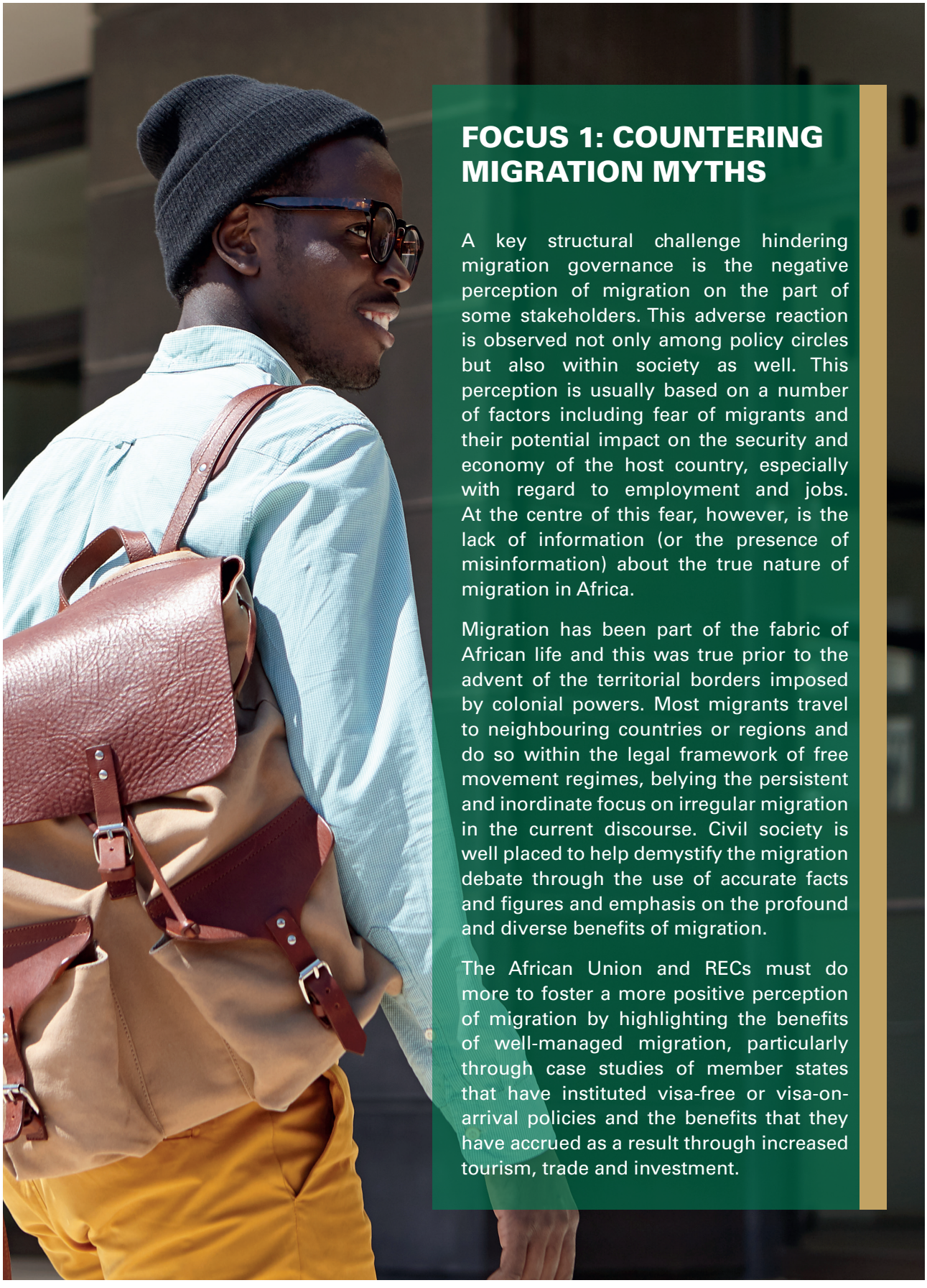
The webinar series generated a number of key outcomes for policy consideration, as highlighted below:

2.1 ADVANCING A NEW NARRATIVE ON MIGRATION

At the root of the challenges hindering the implementation of the MPFA is a set of fundamentally misleading narratives that engender negative perceptions about migration and provoke negative reactions to migrants. Firstly, the volume and velocity of international media attention on the migration debate in Africa would suggest that migration in Africa is almost entirely characterized by hordes of irregular migrants trying to escape the continent in the direction of Europe.

In reality, the vast majority of migration in Africa takes place in Africa and is conducted through regular and orderly channels.

The United Nations Economic Commission for Africa (UNECA) estimates that over 80% of African migrants go to other African countries. Moreover, the African Union highlights that most migrants tend to stay within their own sub-region, particularly in the West, East and South, and migrants who leave their sub-regions move to neighbouring ones, with, for example, migration from the Horn of Africa towards the South and from Central Africa towards the South and the West. It is important for civil society actors to take steps to get informed on the reality of migration dynamics on the continent and to counter the misleading narratives – often advanced in the international media – that seek to create a caricature of the African migrant.



FOCUS 1: COUNTERING MIGRATION MYTHS

A key structural challenge hindering migration governance is the negative perception of migration on the part of some stakeholders. This adverse reaction is observed not only among policy circles but also within society as well. This perception is usually based on a number of factors including fear of migrants and their potential impact on the security and economy of the host country, especially with regard to employment and jobs. At the centre of this fear, however, is the lack of information (or the presence of misinformation) about the true nature of migration in Africa.

Migration has been part of the fabric of African life and this was true prior to the advent of the territorial borders imposed by colonial powers. Most migrants travel to neighbouring countries or regions and do so within the legal framework of free movement regimes, belying the persistent and inordinate focus on irregular migration in the current discourse. Civil society is well placed to help demystify the migration debate through the use of accurate facts and figures and emphasis on the profound and diverse benefits of migration.

The African Union and RECs must do more to foster a more positive perception of migration by highlighting the benefits of well-managed migration, particularly through case studies of member states that have instituted visa-free or visa-on-arrival policies and the benefits that they have accrued as a result through increased tourism, trade and investment.

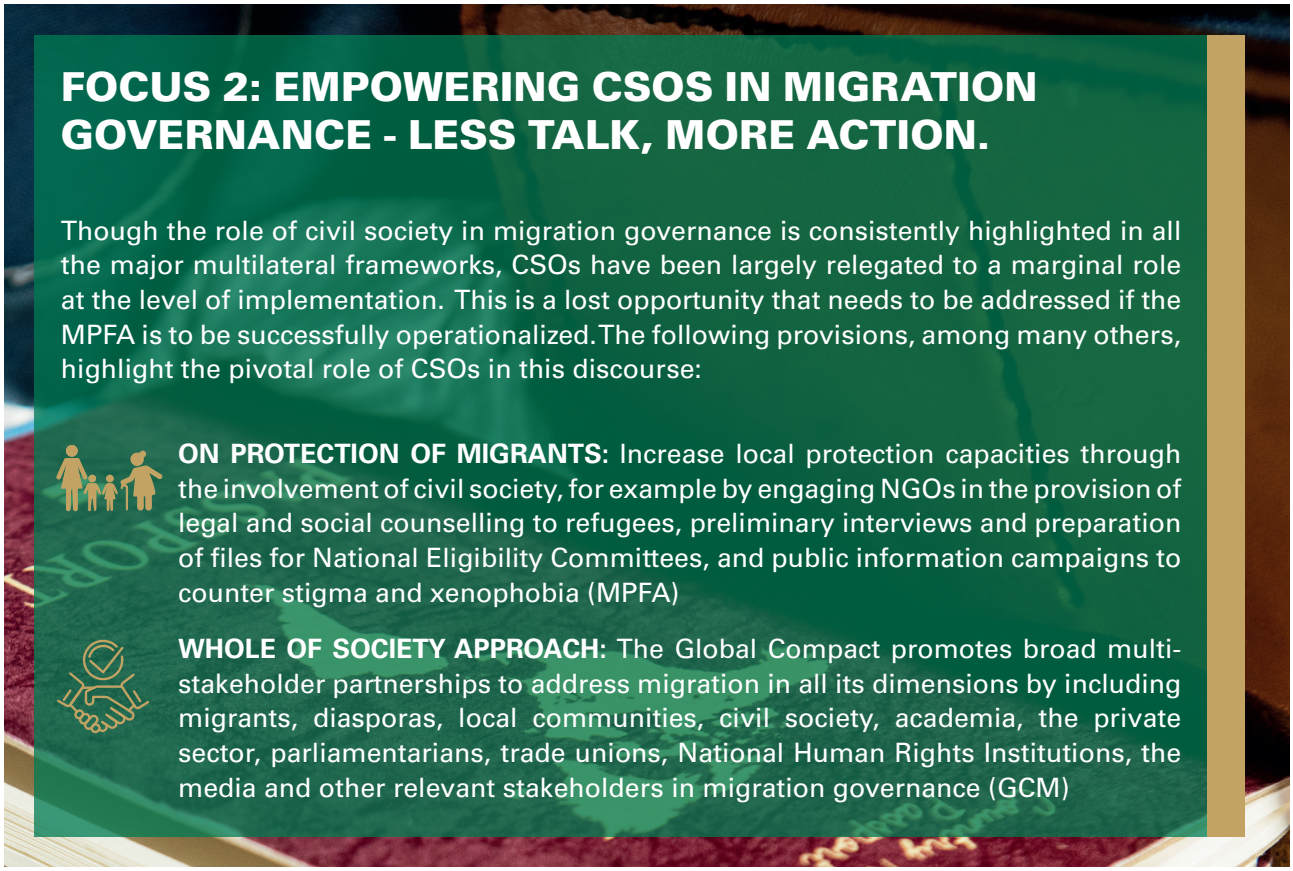
2.2 LEVERAGING THE EXPERTISE AND RESOURCES OF CSOS

Migration – especially immigration – is one of the core prerogatives of any state, and speaks directly to the sovereignty of states. As a result, migration governance, and the resources and undertakings associated with it, naturally leans predominantly towards state actors.

This state-centric approach to the migration policy discourse has acquired an even sharper focus on the African continent in the last decade following the influx of refugees – largely from Syria and Afghanistan – into Europe in 2015 and the resultant toxification of migration as a policy issue in Europe. The implementation of existing multilateral frameworks for migration governance in Africa including the Valletta Summit Action Plan and the Khartoum and Rabat Processes has veered sharply towards the securitization of migration, the enforcement of borders and the detention and repatriation of irregular migrants.

The role of civil society organizations in the management of the societal issues that trigger migration has received less attention, and has certainly not been adequately exploited within migration governance frameworks including at both the multilateral and bilateral levels.

Beyond the obvious comparative advantages associated with civil society organizations being embedded within the population and acting as first responders in many cases to adverse outcomes (smuggling, trafficking etc), CSOs are often better positioned to communicate key messages and articulate the threats and perils associated with irregular migration to would-be migrants. There is a need for a more concerted effort from policy-makers at all levels to elevate the role of civil society in migration governance and support frontline CSOs with the resources and training necessary to establish the type of outlook within society that would be required to foster a healthier approach to migration, including the minimization of irregular migration and the eradication of xenophobia.



FOCUS 2: EMPOWERING CSOS IN MIGRATION GOVERNANCE - LESS TALK, MORE ACTION.

Though the role of civil society in migration governance is consistently highlighted in all the major multilateral frameworks, CSOs have been largely relegated to a marginal role at the level of implementation. This is a lost opportunity that needs to be addressed if the MPFA is to be successfully operationalized. The following provisions, among many others, highlight the pivotal role of CSOs in this discourse:

ON PROTECTION OF MIGRANTS: Increase local protection capacities through the involvement of civil society, for example by engaging NGOs in the provision of legal and social counselling to refugees, preliminary interviews and preparation of files for National Eligibility Committees, and public information campaigns to counter stigma and xenophobia (MPFA)

WHOLE OF SOCIETY APPROACH: The Global Compact promotes broad multi-stakeholder partnerships to address migration in all its dimensions by including migrants, diasporas, local communities, civil society, academia, the private sector, parliamentarians, trade unions, National Human Rights Institutions, the media and other relevant stakeholders in migration governance (GCM)

2.3 RE-ORIENTING MIGRATION POLICY: SECURITY VS. DEVELOPMENT

The prevalent narrative on migration as a threat to the stability and security of host and transit countries, and the resultant adoption of an aggressively defensive posture towards migrants, mean that a concerted effort is required to separate fact from fiction when it comes to the dangers associated with migrants. Beyond that, however, there must be a corresponding effort to identify vulnerabilities within the migration space that may lead to exploitation by criminal and terrorist networks, and to formulate effective counter-measures in close cooperation with stakeholders in origin, transit and destination countries.

The current geopolitical landscape on the continent, including the rise of terrorist groups and criminal networks with transnational scope, means that it is no longer realistic to detach security completely from migration and there must be good-faith engagement on the part of origin country governments in this regard. On the other hand, the experience of migration in Africa suggests that free movement of people has not been accompanied by grossly adverse security outcomes to host communities. Indeed, intraregional migration – which tends to be short-term and cyclical in nature and focuses on trade and commerce – is a catalyst for economic growth at both ends of the migration spectrum. The examples of regional economic communities such as ECOWAS, which have implemented free movement regimes over decades while managing security risks relatively successfully, can serve as a template for other jurisdictions and the continent as a whole.

A shift away from treating migration as a security issue and more as a developmental one would also be instrumental in minimizing tensions within host countries that sometimes boil over into xenophobic attacks against migrants.

CSOs need to be at the forefront of the effort to help host communities understand the value and contributions that migrants bring to society, and governments must support frontline CSOs to facilitate the successful integration of migrants into host societies.

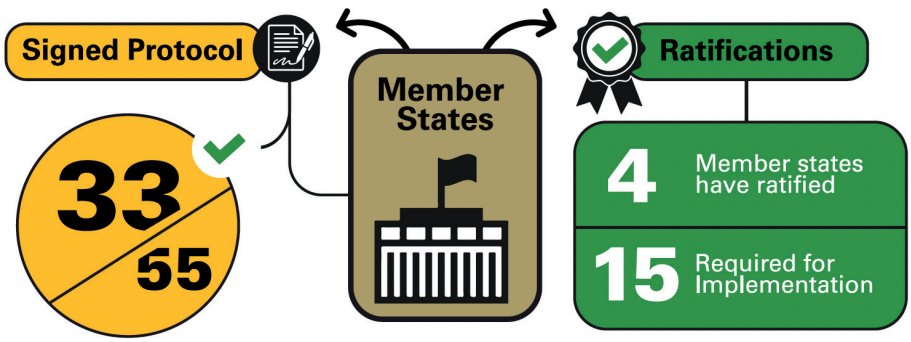
2.4 PROMOTING FREE TRADE ALONGSIDE FREE MOVEMENT

Migration – including migration for trade and commerce – is a central plank of the African Union's integration agenda. For this reason the establishment of the African Continental Free Trade Area by the member states of the Union is seminal decision, which, if effectively implemented, will be considered as one of the most important waypoints on the path to a fully integrated Africa in line with the Aspiration 2 of the AU Agenda 2063.

Beyond the expected economic benefits of a continental single market to the lives of all Africans, the successful operationalization of the AfCFTA would finally fulfill one of the central visions of our founding fathers: a united Africa realizing the full potential of its people. The political will and momentum behind the ongoing implementation of the AfCFTA send a welcome signal as to the seriousness with which AU heads of state and government attach to its vital mission.

The impetus behind the AfCFTA, as welcome as it is, can be observed in counterpoint to the lethargy and indifference with which another core framework of the AU integration agenda – the Protocol on Free Movement – has been received in member states. Adopted by the African Union Assembly of Heads of state and Government in Addis Ababa in February 2018, this Protocol (officially named the Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment) offers the framework for the operationalization the African Union vision for an integrated, people-centred and politically united continent. It articulates the commitment of the African Union to free movement of people, goods and services amongst its member states as an enduring dedication to Pan-Africanism and African integration as reflected in Aspiration 2 of the African Union Agenda 2063.

Regrettably, the Protocol has not received the same level of support from member states, even though it was expressly intended to be implemented in concert with the AfCFTA. Though 33 out of 55 member states have signed the Protocol, only 4 member states have ratified it, out of the 15 ratifications required for implementation.



There is an urgent role for civil society organizations across the continent to undertake advocacy campaigns engaging their national governments, particularly the executive and legislative branches, in order to reach the minimum number of ratifications required for the Protocol to go into effect.

Member states of the Union should be encouraged to view the ratification and implementation of the Protocol on Free Movement as a fundamental prerequisite for the success for the AfCFTA, in view of the fact that free trade cannot occur in the absence of free movement.

FOCUS 3: FREE TRADE CANNOT BE DETACHED FROM FREE MOVEMENT

While the Continental Free Movement Protocol has received less attention and less support than the African Continental Free Trade Area, the two frameworks were in reality established to function in symbiosis with each other. Indeed, the AU Assembly, in adopting the Protocol on Free Movement in January 2018, explicitly acknowledged that free movement of persons in Africa was essential for the establishment of the AfCFTA, which was signed two months later in March 2018 in Kigali, Rwanda. This inter-dependence was articulated within the text of the Protocol, which "envisgage(d) that the free movement of persons, capital, goods and services will promote integration, Pan-Africanism, enhance science, technology, education, research and foster tourism, facilitate intra-African trade and investment, increase remittances within Africa, promote mobility of labour, create employment, improve the standards of living of the people of Africa and facilitate the mobilization and utilization of the human and material resources of Africa in order to achieve self-reliance and development". In other words, the AfCFTA was intended by AU member states to be implemented in parallel with the Protocol on Free Movement, given that the two frameworks were established as mutually reinforcing mechanisms to advance African integration. In essence, therefore, free movement and free trade are two sides of the same coin.

3. RECOMMENDATIONS

3.1 ENHANCING THE ROLE OF CSOS IN MIGRATION GOVERNANCE

Given the very limited level of awareness of the Migration Policy Framework for Africa, particularly within African civil society, there is a need for the African Union Commission to invest in a sensitization campaign, in partnership with civil society organizations working in the field, to enhance awareness and understanding about the MPFA. As part of this effort, African CSOs active in the migration sector should be encouraged and capacitated to use the MPFA and its Plan of Action as tools in developing advocacy and campaigning on the issues on which they seek policy action, such as protection of migrants, smuggling and trafficking, return and reintegration of migrants and anti-migrant discrimination and xenophobia. In addition, there should be a purposeful effort at the level of the AU to identify and map CSOs on the continent working on the range of issues contained in the MPFA, and to establish modalities for their participation in the continental responses. CSOs, for their part, should collaborate with governmental and international partners in creating platforms to help demystify popular myths and negative perceptions about migration. This can be done through research and the sharing of information and case studies of well-managed migration.

3.2 INTEGRATING MIGRATION INTO DEVELOPMENT POLICY

To enhance migration governance across the continent it is imperative to promote a shift in perception of migration as a threat, and instead promote it as an opportunity to boost intra-regional and intra-continental trade and investment, employment and labour mobility. The role of migration as a net positive in economic development both for origin and host societies must be highlighted and encouraged in the migration policy discourse, and civil society can be critical partners in this regard. CSOs active in the field of migration are well positioned to craft and share case studies and impact stories based on their experience in the field.

In addition, civil society organizations should be encouraged to present reports, data, and other policy inputs to national policymakers, RECs and African Union organs in order to bring policy attention to critical issues within migration including human trafficking, protection of migrant rights, cross-border

trade, and anti-migrant discrimination. Research institutions, think tanks and the media should be engaged as key partners in shaping a development-focused narrative on migration, through evidence-based research and story-telling that demonstrate the fact that well-managed free movement is far more beneficial to both migrants and host communities than prohibitive border controls.

3.3 RATIFICATION OF CONTINENTAL FRAMEWORKS ON MIGRATION

It can be argued that a that a major structural challenge facing the African Union in terms of policy implementation is the persistent ratification deficit with regard to continental instruments. This is a challenge that needs to be addressed in the area of migration governance as well. Continental frameworks agreed by member states as critical mechanisms to foster African integration through increased mobility of people – namely the Protocol on Free Movement and the Single African Passport Scheme – have been largely sidelined due to a lack of ratification by member states.

A contributing factor to the non-ratification of these instruments is the exceedingly limited level of awareness of these protocols within the general population of member states. Absent a vibrant advocacy campaign from civil society organizations, there is limited motivation from national governments and legislatures to table these instruments for ratification and domestication.

The African Union and the Regional Economic Communities should enlist civil society organizations to champion the cause of ratification of regional and instruments on migration, and work with their international partners to provide resources and training to CSOs to enable them craft and implement effective advocacy campaigns that can generate a groundswell of popular support within member states in favour of ratification and domestication of the Protocol on Free Movement and other continental migration instruments.

4. ANNEXES

ANNEX I: SESSION TITLES, DATES AND PRESENTERS

WEBINAR SERIES ON MIGRATION, MOBILITY AND DISPLACEMENT IN AFRICA			
Session Title	**Session Date**	**Presentation Topic**	**Presenter**
SESSION 1 **Uncovering the Role of Civil Society in Migration Governance**	June 3, 2021	Migration Policy Framework for Africa. Uncovering the role of civil society in governance.	**Mr. Peter Mudungwe,** Migration Expert, African Union Commission
		Free Movement and Humanitarian Affairs.	**Ms. Rita Amukhobu**, Acting Head of AU Commission's Division of Humanitarian Affairs
SESSION 2 **The AfCFTA as a Catalyst for Free Movement of People in Africa**	June 24, 2021	Mobility, Displacement and Human Security in Africa	**Professor Tim Murithi,** Head of peacebuilding interventions programme at the Institute for Justice and Reconciliation (IJR) in Cape Town, and Professor of African Studies
		Advancing Free Movement through the AfCFTA: Lessons from COMESA	**Mr. Brian Chigawa**, Former Director of Legal Counsel, Common Market for Eastern and Southern Africa (COMESA)
		Free Movement and establishment of the African Diaspora: Opportunities within the AfCFTA	**Mr. Philip Bob Jusu**, Senior Economic and Political Officer, African Union Mission to the European Union, Brussels.
SESSION 3 **International Standards and Best practices in Migration Governance**	July 22, 2021	Policies and Practices in Migration Governance	**Mr. Peter Mudungwe,** Migration Expert, African Union Commission
		Partnership between State and Non-State Actors in Migration Governance	**Rev. Ms. Angele Wilson-Dogbe,** Regional Coordinator, All Africa Conference of Churches (AACC)
		National and Regional perspectives on Migration Governance	**Professor Mulegeta F Dinbabo,** University of the Western Cape, South Africa

ECOSOCC SECRETARIAT
Lusaka, Zambia
T +260 211 429 405
E ecosocc@africa-union.org
www.ecosocc.au.int