

Southern African Migration Project

International Migration and Good Governance in the Southern African Region

Migration Policy Brief No. 17

2006

Jonathan Crush

Sally Peberdy

Vincent Williams

Note: This paper was first prepared for and submitted to the Global Commission on International Migration (GCIM)

Contents

1.0 Introduction	2
2.0 The Origins of Cross-Border Migration in Southern Africa.....	3
3.0 Contemporary Migration: Continuities and Change.....	7
4.0 Migration and Development.....	20
5.0 Regional Migration Policies.....	27
6.0 Conclusion.....	32
References.....	40
Notes.....	46

International Migration and Good Governance in the Southern African Region

1.0 Introduction

- 1.1 Southern Africa has a long history of intra-regional migration, dating back to the mid-nineteenth century. Migration was probably the single most important factor tying together all of the various colonies and countries of the sub-continent into a single regional labour market during the twentieth century. However, entrenched patterns of migration have undergone major restructuring in the last two decades. Southern Africa is now a region on the move (McDonald 2000). Several broader changes underly this shift towards greater and greater intra-regional mobility.
- 1.2 First, the end of apartheid, a system designed to control movement and exclude outsiders, produced new opportunities for internal and cross-border mobility and new incentives for moving. The ensuing integration of South Africa with the SADC region brought a major increase in legal and undocumented cross-border flows and new forms of mobility. Second, the region's reconnection with the global economy has opened it up to forms of migration commonly associated with globalization (Crush and McDonald 2002). Third, growing rural and urban poverty and unemployment have pushed more people out of households in search of a livelihood. One aspect of this has been a significant gender reconfiguration of migration streams (Dodson 1998). Fourth, HIV/AIDS has also impacted considerably on migration. Not only is the rapid diffusion of the epidemic inexplicable without reference to human mobility but new forms of migration are emerging in response (Williams et al. 2003; IOM 2003a). Finally, the countries of the SADC are still dealing with the legacy of mass displacement and forced migration. The impact of the Mozambican and Angolan civil wars continue to reverberate. Recurrent civil strife in the rest of Africa has generated mass refugee movements and new kinds of asylum seeker to and within the region. The cessation of hostilities and threat has confronted countries of asylum with issues of repatriation and integration.
- 1.3 Policy responses as the local, national, regional and continental scale must take into account the extraordinary dynamism and instability of migration forms and patterns in the region. Governments wedded to legal frameworks of control and exclusion are finding it increasingly difficult to cope. The fundamental policy challenge is to move the states of Southern Africa to a regionally-harmonized and consistent set of policies that emphasize good governance, sound management and client-centred service delivery (Klaaren and Rutinwa 2004). In addition, because migration is a cross-cutting phenomenon, it needs to be integrated into all facets of state policy-making and planning, including programs and strategies to alleviate poverty and reduce inequality. For this to happen, migration's key role needs to be documented by researchers and recognized by policy-makers.

2.0 The Origins of Cross-Border Migration in Southern Africa

2.1 The Southern African Migration Project has conducted nationally representative migration surveys in Botswana, Lesotho, Mozambique, Namibia and Zimbabwe to assess the labour migration experience of the current generation of adults in each country. Respondents were asked about the migration work history of their families (Table 1). Although there are differences between countries, many adults have parents or grandparents who have worked in South Africa in the past. In every case, nearly a quarter or more people have grandparents who had worked in South Africa (ranging from 23% of Namibians to 72% of Basotho). About a quarter of the people in Namibia and Zimbabwe have parents who had worked in South Africa. So did 41% of Batswana, 54% of Mozambicans and 83% of Basotho. This data provides no detailed employment information but simply confirms that labour migration for employment in other countries is nothing new within SADC.

	Botswana	Lesotho	Mozambique	Namibia
Has personally visited SA	40	81	29	38
Parents worked in SA	41	83	54	26
Grandparents worked in SA	26	72	38	23
<i>Source: McDonald 2000.</i>				

2.2 In fact, cross-border migration for employment within SADC was prevalent long before the drawing of colonial boundaries, dating back at least 150 years. The countries of Southern Africa have been sending and receiving migrants since the mid-nineteenth century when labour migrants came to work on the Kimberley diamond mines, including from modern-day Lesotho, Zimbabwe and Mozambique. The discovery of gold on the Witwatersrand changed the entire pattern of labour migration in the sub-continent. Initially most migrants came independently. Male labour migration to the mines (South Africa, Zambia, Zimbabwe) and commercial farms and plantations (South Africa, Zimbabwe, Swaziland) is the most enduring form of legal cross-border labour migration within the region (Crush et al. 1992; Crush and James 1995; Jeeves and Crush 1997). Mine migration was the most highly regulated, through systems of recruitment under a single agency, the Employment Bureau of Africa (TEBA).

2.3 By 1970, there were over 260,000 male labour migrants on the South African mines. Migrants came from as far north as Tanzania. Other mining centers in Zambia, Zimbabwe, Namibia and Tanzania also became magnets for labour migrants from other countries. The other major employer of migrants in South Africa, Zimbabwe, Namibia, Swaziland, Mauritius and Tanzania were commercial farms and plantations. Migrants also worked in the colonial period in urban centres in construction, domestic service and industry.

2.4 Table 2 shows that the South African mining industry recruited migrants from almost every other country in the region. After independence, most governments reassessed the question of labour migration to other countries. Some, such as Tanzania, Malawi and Zambia tried to prevent it. Tanzania and Zambia withdrew their workers from the South African mines after independence. Malawi withdrew all its workers in 1972. A renegotiated agreement in the late 1970s saw about 20% return to the mines. Employment remained at this level until 1987, when the Malawian government withdrew the workers after a dispute with the apartheid government over HIV testing. In the 1980s, the supplier states formed the Southern African Labour Commission in an effort to form a common policy on labour migration to South Africa. The SALC was unsuccessful in its efforts to develop a policy of phased withdrawal, primarily because countries such as Lesotho and Mozambique were unable to dispense with contract labour migration.

Year	Angola	Bots.	Lesotho	Malawi	Mozam.	Swaz.	Tanz.	Zam.	Zim.	Other	Total
1920	0	2,112	10,439	354	77,921	3,449	0	12	179	5,484	99,950
1925	0	2,547	14,256	136	73,210	3,999	0	4	68	14	94,234
1930	0	3,151	22,306	0	77,828	4,345	183	0	44	5	99,355
1935	0	7,505	34,788	49	62,576	6,865	109	570	27	9	112,498
1940	698	14,427	52,044	8,037	74,693	7,152	0	2,725	8,112	70	168,058
1945	8,711	10,102	36,414	4,973	78,588	5,688	1,461	27	8,301	4,732	158,967
1950	9,767	12,390	34,467	7,831	86,246	6,619	5,495	3,102	2,073	4,826	172,816
1955	8,801	14,195	36,332	12,407	99,449	6,682	8,758	3,849	162	2,299	192,934
1960	12,364	21,404	48,842	21,934	101,733	6,623	14,025	5,292	747	844	233,808
1965	11,169	23,630	54,819	38,580	89,191	5,580	404	5,898	653	2,686	232,610
1970	4,125	20,461	63,988	78,492	93,203	6,269	0	0	3	972	265,143
1975	3,431	20,291	78,114	27,904	97,216	8,391	0	0	2,485	12	220,293
1980	5	17,763	96,309	13,569	39,539	8,090	0	0	5,770	1,404	182,449
1985		18,079	97,639	16,849	50,126	12,365	0	0	0	4	196,068
1990	0	15,720	108,780	72	50,104	17,816	0	0	2	0	192,044

Source: TEBA

2.5 Mining was not the only sector that employed labour migrants. Commercial farms, factories, domestic service, transportation and construction also hired migrants (although the exact numbers are unknown). The best source of information is SA census data, although this data does not specify whether a person was working or not (Table 3). The numbers peaked at around 600,000 just as the Nationalist Government came to power. They dropped significantly thereafter.

	1911	1921	1936	1946	1951	1960	1970	1980	1985
Angola			28	6,716	6,322	68	3,859	589	392
Botswana	5,020	11,959	4,048	38,559	51,017	21,658	49,469	33,366	26,015
Lesotho	75,132	111,733	163,838	199,327	219,065	73,639	157,499	172,879	135,563
Malawi	4,573	2,2122	17,657	61,005	63,655	23,608	110,777	36,087	28,712
Mozambique	114,976	110,245	98,031	141,417	161,240	35,857	142,512	64,813	63,561
Namibia	2,230	2,926	1,879	4,990	4,129	1,073	2,518	10,342	9,210
Swaziland	21,662	29,177	31,092	33,738	42,914	17,836	29,167	31,981	30,722
Tanzania			118	2,937	7,127	225	288	145	887
Zambia	2,158		12,189	13,515	13,544	2,996	2,194	1,495	926
Zimbabwe	2,526		2,167	32,034	32,697	11,805	13,392	20,552	7,019
Other	930	5,146	2,730	22,569	4,282	857	4,369	4,234	14,003
TOTAL	229,207	279,819	333,777	556,807	605,992	189,622	516,044	376,483	317,010

Note: Figures include mineworkers except in 1960.

2.6 Colonial census data for other countries does provide sectoral employment data. For example, Zimbabwean data from 1911-1951 shows a dramatic increase over the 40-year period in the number of male labour migrants from neighbouring countries (from 48,000 in 1911 to nearly 250,000 in 1951) (Table 4a). Table 4b shows that in 1956, there were as many as 286,633 male and 15,180 female labour migrants in Zimbabwe from Zambia, Malawi and Mozambique (Table 4). The men worked mainly on farms, in mining and construction. Most of the women worked on farms.

	1911	1921	1931	1941	1951
Zambia	17,012	31,201	35,542	48,163	48,514
Malawi	12,281	44,702	49,487	71,505	86,287
Mozambique	13,588	17,198	14,896	45,970	101,618
Other	5,341	1,524	2,983	2,468	10,353
Total	48,222	94,625	102,908	168,106	246,772

Source: Census reports

	Zambia		Malawi		Mozambique	
	M	F	M	F	M	F
Zimbabwe						
Mining	9,718	63	15,976	91	11,579	44
Commercial agriculture	12,218	1,027	57,226	4,315	54,896	8,441
Manufacturing	5,762	154	14,694	326	13,050	201
Construction	4,478	2	10,435	12	14,870	7
Services	704	0	1,694	0	1,411	2
Commerce	1,380	17	4,567	17	3,599	7

Transport	1,801	0	3,316	13	2,517	2
Domestic work	4,847	127	19,534	284	16,281	28
Total	40,908	1,390	127,442	5,058	118,203	8,732

Census data from other SADC states could be collected and analysed in this manner to build up a regional picture of labour migration within SADC in the past.

- 2.7 The main employers of labour migrants in most SADC countries were the mines and farms, often because locals refused to work in these sectors. The contract labour system developed on the South African mines was therefore exported to other countries of the region, including Botswana, Namibia, Swaziland, Zambia, and Zimbabwe. In Zimbabwe, the mines recruited workers for the gold, coal and asbestos mines from Mozambique, Malawi and Zambia. In 1935, for example, 150,000 labour migrants left Malawi to work in Zimbabwe (75,000), South Africa (27,000), Tanzania (7,000) and Zambia (4,000). After WW2, the government established an agency to recruit for the mines until 1976. The peak year was 16,000 in 1965. The Malawi government banned formal recruiting of Malawians in 1974.
- 2.8 In colonial Namibia, the contract labour system was used to recruit migrants from the northern parts of the country, as well as outside the country. Before 1943, labour was recruited for Namibian mines and farms from Ovamboland, South Africa, Lesotho, Angola and Botswana. The total on the diamond mines in 1925 was 7,000 (3,000 from South Africa, 2,000 from Ovamboland, 1,350 from Botswana and 250 from Lesotho). In 1943, a recruiting organization (SWANLA) was established to recruit for mines and farms. At first it recruited mainly for the farms. By the mid-1950s, it recruited 25,000 migrants per year (about two-thirds for the diamond mines).
- 2.9 In colonial Zambia, labour migrants left the country to work on mines in Katanga, Zimbabwe, Tanzania and South Africa until the 1960s. In 1930, more than 50,000 worked on mines outside the country. The copper mines of Zambia also used migrant workers from outside Zambia, including Zimbabwe and Malawi. The mines were often short of workers and turned away from the migrant labour system in the 1930s, encouraging miners to settle with their families in Copperbelt towns. In colonial Swaziland, labour migrants from Malawi and Mozambique worked on the Havelock asbestos mines from the 1930s. Migrants from Mozambique were also hired by the country's sugar companies to work on the lowveld sugar estates.
- 2.10 Informal movement of people across borders also has a long history in Southern Africa. There are a number of well-documented reasons for this:
- Many colonial boundaries severed societies and cut communities in half. In many parts of the sub-continent members of the same family or lineage live on opposite of the border. Cross-border social interaction continued unabated.

- International borders are long in the region and have never been well-policed. Before the 1960s, there were no border controls between many SADC states. Many migrants found it easy to move to other countries to find work.
- The regional mining industry was the only sector to establish a formal contract labour system. Other employers hiring migrants did not have access to this labour and often hired migrants outside the law, *e.g.* commercial agriculture and domestic service.
- Colonial regulations and the formal contract system for labour migrants were gender-biased. Female migrants could not migrate legally across borders for work. They therefore had to migrate illegally, which many did.

2.11 By definition, informal labour migration is extremely difficult to measure. No records were kept by employers or governments. There are thus no reliable numbers other than census data which does not distinguish legal from undocumented migrants.

2.12 The relevance of the history of labour migration for current policy making is as follows:

- Legal labour migration across international boundaries for employment is a longstanding feature of the Southern African labour market, dating back to the mid-nineteenth century. Southern Africa is a “global leader” in this respect;
- Systems of labour migration are deeply entrenched in Southern Africa. Governments can and have tried to do away with the system. However, there are always unintended consequences. Stopping legal migration leads to increased illegal migration, for example. In other words, unless governments also provide incentives at home, people will find a way to migrate;
- The industrial development of some countries in the region was only made possible by the use of labour from other countries. This fact is not usually acknowledged by governments calling for an end to labour migration. There needs to be an analysis of exactly what the costs and benefits have been to source and destination countries. States wishing to stop labour migration might be asked to pay reparations;
- During the colonial period migrants were subject to very poor working and living conditions and their families could not accompany them to work. Steps may need to be taken to make the system consistent with constitutional obligations and international labour instruments.

3.0 Contemporary Migration: Continuities and Change

The states of Southern Africa can be divided into migrant-sending (Mozambique, Malawi, Lesotho) and migrant-receiving states (South Africa, Namibia). A few, such as Botswana and Swaziland, fall into both categories. Others, such as Tanzania and Zambia, have experienced major refugee influxes in the last decade but do not tend to send or receive large numbers of labour migrants. Several migration streams can be identified. These include:

- Growth in the volume and complexity of cross-border movements
- Restructuring of traditional contract labour systems
- Declining levels of legal migration to and within the region
- Expansion of undocumented migration and trafficking
- Increase in skills brain drain from the region
- Resettlement and reintegration of mass refugee movements
- Feminization of cross-border migration
- Growth in intra-regional informal cross-border trade
- Rapid urbanization and reconfiguration of rural-urban linkages

3.1 Cross-Border Movement

- 3.1.1 The numbers of people legally crossing borders throughout the Southern African region has exploded in the last decade. In South Africa, for example, the annual number of visitors from other SADC countries has increased from around 1 million in the early 1990s to over 5 million at the present time. Border posts throughout the region have experienced similar increases in the volume of human traffic. The pressure on limited border control resources has been enormous with long delays and inefficiency experienced at many border posts. Corruption has become endemic at many posts as travellers seek to jump queues and gain unlawful entry. In addition, the region has experienced a major influx of Africans from other parts of the country as well as significant growth in tourism arrivals from overseas. Intra-regional tourism has also grown to significant levels.
- 3.1.2 South African stated-purpose-of-entry data is available by country from Statistics South Africa on a monthly basis. Although limited to designated categories (holiday, business, study, work, immigration), the numbers do not suggest that the majority of people enter for work or work-seeking. This is confirmed by SAMP research which reveals a multiplicity of motives for cross-border movement (McDonald 2000, p. 32).

Table 5: Reasons for Entry to South Africa					
Reason for Entry	Botswana	Lesotho	Mozambique	Namibia	Zimbabwe
Employment related					
Work	7	17	45	11	15
Look for work	3	8	22	2	14
Business related					
Business	6	2	2	8	7
Buy and sell goods	2	3	2	2	21
Shopping	24	19	4	1	21
Other reasons					
Visit family	23	34	12	13	39
Medical	5	6	4	4	2
Holiday	14	2	5	19	3
Study	3	1	1	3	2
Other	12	8	2	12	3
<i>Source: SAMP database</i>					

3.1.1 Cumulatively, in 6 SADC countries less than 25% of international migrants to South Africa move to work or look for work. However, there is considerable inter-country variation: Mozambique (67%), Zimbabwe (29%), Lesotho (25%), Namibia (13%) and Swaziland (9%). Other major reasons include visiting/tourism: Namibia and Swaziland (58%), Lesotho (36%), Mozambique (17%), and Zimbabwe (16%); and trading and shopping: Zimbabwe (42%), Lesotho (22%); Swaziland (12%), Mozambique (6%), and Namibia (3%). Relatively minor reasons included study, business, and medical treatment. Available data from other SADC countries shows a marked increase in inward and outward legal border crossing in most other states (Oucho 2000; Frayne and Pendleton 2002; Tevera and Zinyama 2002; Sechaba Consultants 2002; Crush and Simelane 2004). Studies also show similar variety in stated reasons for entry. Again, the primary stated reason is not to work but for visiting, tourism and trade and business.

3.2 Contract Migration

3.2.1 By the 1990s only the South African gold and platinum mines continued to employ large numbers of domestic and foreign migrants; other mining sectors in South Africa (such as coal mining) and elsewhere in the region (Zambia, Zimbabwe) had moved to a local and/or stabilized workforces before the 1990s (Crush and James 1995). During the 1990s, the South African mines experienced major downsizing and retrenchments creating considerable social disruption and increased poverty in supplier areas. Interestingly, the mines laid off local workers at a much faster rate than foreign workers. As a result, the proportion of foreign workers rose from 40% in the late 1980s to close to 60% today (Table 6). This “externalization” of the workforce was particularly beneficial to Mozambique.

Mozambicans now make up 25% of the mine workforce, up from 10% a decade ago (Table 7).

- 3.2.2 Remittance levels have remained stable in Mozambique but fell during the 1990s to many areas, especially Lesotho, Swaziland and the Eastern Cape. This has presented a major challenge for households formerly reliant on mine remittances. Poverty levels have increased as have domestic and family tensions. Other family members have begun to migrate in response. Various efforts have been made to soften the impacts of retrenchments. These include the community development programmes of the Mineworkers Development Agency, the CARE program adopted by Placer Dome, the rural development programmes of TEBA and an IOM project on retrenched miners in Lesotho (Philip 2001; Barton [no date]; NUM 2000; Placer Dome Western Areas [no date]; TEBA [no date]). The overall impact of these interventions has yet to be systematically assessed but initial signs are not that encouraging.

Year	South Africa	Botswana	Lesotho	Mozambique	Swaziland	% Foreign	Total
1990	199,810	14,609	99,707	44,590	17,757	47	376,473
1991	182,226	14,028	93,897	47,105	17,393	49	354,649
1992	166,261	12,781	93,519	50,651	16,273	51	339,485
1993	149,148	11,904	89,940	50,311	16,153	53	317,456
1994	142,839	11,099	89,237	56,197	15,892	55	315,264
1995	122,562	10,961	87,935	55,140	15,304	58	291,902
1996	122,104	10,477	81,357	55,741	14,371	58	284,050
1997	108,163	9,385	76,361	55,879	12,960	59	262,748
1998	97,620	7,752	60,450	51,913	10,336	57	228,071
1999	99,387	6,413	52,188	46,537	9,307	54	213,832
2000	99,575	6,494	58,224	57,034	9,360	57	230,687

Source: TEBA

Year	Mozambique	Total	% Mozambique
1990	44,590	376,473	11.8
1991	47,105	354,649	13.3
1992	50,651	339,485	14.9
1993	50,311	317,456	15.8
1994	56,197	315,264	17.8
1995	55,140	291,902	18.9
1996	55,741	284,050	19.6
1997	55,879	262,748	21.3
1998	51,913	228,071	22.8
1999	46,537	213,832	21.8
2000	57,034	230,687	24.7
<i>Source: TEBA</i>			

3.3 Legal Immigration

- 3.3.1 SAMP research shows that the majority of cross-border migrants in Southern Africa remain circular migrants. In other words, although many stay for longer than initially intended their visits are generally seen as temporary. Across a whole range of indices, migrants tend to prefer living in their own countries. The major migrant-receiving countries (South Africa, Botswana) are seen as superior only in terms of employment and economic opportunity and perhaps health facilities. In every other respect – personal and family safety, educational opportunities, access to land, national culture – home countries are viewed as preferable. The obvious conclusion is that economic stability and growth at home is the single most important factor in slowing labour migration across borders. The only major exception to the tendency of impermanence is in the case of Mozambicans who came to South Africa during the civil war of the 1980s and have stayed rather than return.
- 3.3.2 Most countries of the region tend to see in-migration more as a threat than an opportunity. Migrants are viewed as carriers of disease, takers of jobs and perpetrators of crime. Policy has tended to focus, as a result, on control and exclusion. Perhaps unfortunately, this general mentality extends to legal immigration. Few, if any, of the SADC states have pro-active immigration policies. Rights of permanent residence and settlement are extremely difficult to obtain in most countries. Until the 1990s, South Africa was the only country with a pro-active immigration policy (in that case to recruit white immigrants to boost the economy and shore up white rule). After 1994, the policy tide turned against immigration and skills import (Tables 8 and 9).

Year	Legal Immigrants	African Immigrants
1990	14,499	1,628
1991	12,379	2,065
1992	8,686	1,266
1993	9,824	1,701
1994	6,398	1,628
1995	5,064	1,343
1996	5,407	1,601
1997	4,102	1,281
1998	4,371	1,169
1999	3,669	980

Source: DHA annual reports

Year	New Work Permits	Renewals	Total
1990	7,657	30,915	38,571
1991	4,117	32,763	36,880
1992	5,581	33,318	38,899
1993	5,741	30,810	36,551
1994	8,714	29,352	38,066
1995	11,053	32,838	43,891
1996	19,498	33,206	52,704
1997	11,361	17,129	28,490
1998	10,828	11,207	22,035
1999	13,163	10,136	23,299
2000	6,643	9,191	15,834

Source: DHA annual reports

3.3.3 In contrast, Botswana adopted the most open skills migration policy within SADC by facilitating the temporary employment of skilled personnel from other countries. The legal foreign African population grew from 8,733 in 1981 to 18,339 in 1991. The Asian population increased from 946 to 4,193 between 1981 and 1991. Central Statistical Office Data shows that the number of work permits issued increased by 50% between 1995 and 1999 from 9,348 to 14,137 (Table 10). The major source areas for skills include South Africa, Zimbabwe, the UK and the rest of Africa. Botswana now issues almost as many temporary work permits each year as South Africa, and there are more South African skilled workers in Botswana than vice-versa. With the decline in Botswana employment on South African mines, it is considerably easier for a South African to work in Botswana than it is for a Botswana to work in South Africa.

3.3.4 Table 11 shows that the majority of non-citizens work in the private and parastatal sector (80%) especially wholesale and retail trade, construction, manufacturing and education. The remaining 20% work in central and local government (including education).

Nationality	1995	1996	1997	1998	1999
South Africa	2,457	3,084	3,437	3,408	3,539
Zimbabwe	1,920	2,717	2,627	2,384	2,575
Zambia	423	609	635	608	637
Malawi	189	262	266	266	269
Ghana	125	293	293	347	208
Other Africa	453	555	588	598	1,591
British	1,403	1,771	1,672	1,422	1,039
Other Europe	680	863	831	727	1,058
Indian-Sub Continent	1,097	1,578	1,846	1,866	1,290
China	234	445	548	689	799
Other Asia	91	120	145	160	833
Not Stated	276	412	447	386	299
Total	9,348	12,709	13,335	12,861	14,137

Industry	Non-citizens		
	Male	Female	Total
Agriculture	373	242	615
Mining and quarrying	364	22	386
Manufacturing	923	185	1,108
Water and electricity	52	14	66
Construction	1,640	75	1,715
Wholesale and retail trade	1,920	310	2,230
Hotels and restaurants	242	113	355
Transport and communications	510	61	571
Finance	199	46	245
Real estate and business activities	638	237	875
Education	808	577	1,385
Health and social work	117	434	551
Other community activities	67	37	104
Private and Parastatal	7,853	2,353	10,206
Private	7,302	2,275	9,577
Parastatal	551	78	629
Central Government	1,429	677	2,106
Education	735	353	1,088
Other	694	324	1,018

Local Government	99	92	191
All Sectors	9,381	3,122	12,503

- 3.3.5 A 1999 SAMP survey of the skilled foreign population of Botswana showed a great deal of commitment to the country and to remaining there for extended periods, if possible (Oucho et al. 2000). As many as 21% expressed a strong desire to become permanent residents, with 12% wishing to become citizens. In other words, a third wanted to remain in the country more or less permanently. Of the rest, 7% planned to stay for a year, 42% for 1-5 years, and the remainder were undecided. The survey also revealed very positive perceptions of the country with 81% saying that it was easy/very easy to get a work permit.
- 3.3.6 Clearly, pervasive anti-immigrationist policies in SADC are at odds with the realities of globalization and global skills markets as well as local economic development needs. SADC (with the obvious exception of Botswana and perhaps South Africa in the future) is in significant danger of becoming a seller but never a buyer in this marketplace, to its own detriment. Events, such as the decimation of workforces by HIV-AIDS, may force a rethink but for now it appears that most countries are more prepared to try and prevent the exodus of skilled nationals than adopt pro-active immigration policies to attract economic immigrants from other jurisdictions in order to stimulate growth and employment.

3.4 Undocumented Migration

- 3.4.1 The migrant stream that attracts most public and official attention is “undocumented” or “illegal” or “unauthorized” migration. The first point to emphasize is that clandestine border crossing in Southern Africa is nothing new. Second, while the volume has undoubtedly increased in the last two decades, it hardly warrants the aquatic imagery that is generally applied to the phenomenon (“floods”, “tidal waves” etc.). Third, undocumented migration tends to be driven by economic circumstances and, in some cases, desperation. Finally, enforcement in all countries tends to focus on identifying and deporting violators with the minimum of due process. In terms of sheer volume, South Africa is the regional leader, having deported over one million people since 1990. Significantly, the vast majority of deportees (upwards of 80%) are sent home to only two countries: Mozambique and Zimbabwe. Tensions between these countries have simmered below the surface on this issue for some time. Bilateral commissions have done little to stop the flow of migrants or produce viable solutions.
- 3.4.2 There has been a vigorous debate in South Africa about the numbers of undocumented migrants in the country. Estimates of the numbers of undocumented migrants in South Africa have grown from the barely plausible to the outrageous; in the 1-2 million range in the early 1990s to 8-10 million at the present time (SAMP 2002). Recent newspaper reports claim there are 3 million Zimbabweans in South Africa, figures without any basis in fact. One study claims that there are 500,000 Mozambican migrant workers, mostly in South

Africa (de Vletter 2000). Another suggested in 2001 that a total of 400,000 Zimbabweans were in South Africa, most for work (Zinyama 2000). Official estimates, based on a methodologically-dubious study by the HSRC suggest numbers in the 4-8 million range. Despite the withdrawal of the study by the HSRC, some officials continued to cite these figures as “methodologically scientific.” Other studies have pointed out that the category of “undocumented migrant” needs to be disaggregated into at least three streams: lawful entrants/unlawful stayers, unlawful entrants/lawful stayers; unlawful entrants/unlawful stayers (Crush 1999). This, and other studies, point out that the “unauthorized” population is a floating one, that it decreased by over 250,000 as a result of immigration amnesties between 1996-2000; and that the majority of migrants enter the country through legal means. South Africans believe that 25% of the population is foreign. The figure is probably closer to 3-5% with around 500,000 undocumented migrants. Popular and official estimates contrast sharply with census data. The 2001 Census showed the total foreign born population of South Africa as 1,025,072 including 687,678 from the SADC region, 228,318 from Europe and only 41,817 from the rest of Africa.¹ These figures are sharply at odds with other estimates.

- 3.4.3 Studies of sectors where undocumented migrants are employed in the region have revealed consistent violation of labour standards, sub-minimum wages, rampant economic and sexual exploitation, and great instability and fear among migrants. These sectors include commercial agriculture, construction and secondary industry (Rogerson 1999; Crush et al. 2000). A systematic regional investigation of undocumented migration and irregular employment has yet to be undertaken (Crush 1999).
- 3.4.4 The fundamental contradiction facing most countries is this: enhanced regional integration means greater mobility in the factors of production (including labour) but nationalist sentiments cast foreigners as a threat to the job security of citizens. As long as migration is viewed as a threat not an opportunity, for sending and receiving states, the legal drawbridge will remain up. Without legal means to sell their labour or pursue economic livelihood strategies across borders, migrants will turn to clandestine methods. Already, the predictable result has been a massive “trade” in forged documentation, police corruption as migrants buy the right to stay, an increase in trafficking and the disintegration of sound and professional management practices.

3.5 Forced Migration: Refugees and IDPs

- 3.5.1 3.5.1 In terms of forced migration, both Mozambique and latterly Angola have experienced major outflows of refugees to neighbouring countries and significant internal displacement. In Mozambique, for example, the civil war is estimated to have produced 4 million IDPs and a further 1.5 million refugees (McGregor 1998). In the 1990s, the majority of refugees to Malawi, Swaziland and Zimbabwe returned home but not without considerable uncertainty and hardship.

- Not so the 350,000 refugees who fled from southern Mozambique to South Africa, many of whom remained.
- 3.5.2 In the 1990s, there has been a new and steady southward flow of forced migrants, undocumented migrants and students. South Africa now boasts sizable Francophone African and Nigerian urban communities (Morris 1999; Morris and Bouillon 2001). Between 1994 and 2001, 64,000 applications were made for refugee status in South Africa. Foremost amongst these were applicants from Zaire/DRC (7,700), Angola (6,900), Somalia (5,900), Nigeria (5,300), Senegal (4,500), Ethiopia (3,200) and Burundi (2,000) from Africa and India (6,400), Pakistan (5,300) and Bangladesh (1,300) from Asia.
- 3.5.3 Refugee determination is heavily influenced by national origin, as reflected in acceptance rates. Somali applicants had a 90% success rate, Angolans (65%), Zaire/DRC (64%), and Burundi (46%). On the other hand, Indian applicants have an 88% rejection rate, closely followed by Nigeria (82%), Senegal (82%), and Bangladesh (72%). Traffickers have latched on to this movement and sought to profit by it (South African Law Commission 2004). Other organizations have suggested that intra-regional trafficking for sexual exploitation is a growing cause for concern (Songololo 2000; IOM 2003b).
- 3.5.4 SADC does not have a coordinated regional response to the challenge of internal and external refugee movements. Individual countries are left to shoulder the burden as best they can with support from international agencies. All are signatories to the major refugee conventions but few have advanced or adequate systems of refugee determination in place. Regional burden sharing is a key concept that SADC could easily turn into a reality.
- 3.6 Feminization of Migration
- 3.6.1 Migration in Southern Africa is deeply gendered. In the colonial period, women were generally prohibited from migrating. As the primary reasons for migration in the region have been for labour, men have dominated internal and cross border 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 male migrants, 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 (Dodson 1998).
- 3.6.2 Differences in motivation between male and female migrants are stark (Table 12) (Dodson 2000; Datta 1998). A recent study found that male respondents were more likely to have been to South Africa than female (Mozambique: 41% of men and 9% of women; Zimbabwe: 25% and 20%; Lesotho: 86% and 76%) (Dodson 1998, p. 124). Women are migrants in their own right, as well as partners of

migrant male spouses Traditional areas of employment for women migrants (internal and cross border) have been agriculture (particularly seasonal work), domestic work, the service sector and trade. Men are more likely to have formal employment, particularly in the industrial (especially mining), agricultural and construction sectors. Asked about the reason for their last visit to South Africa, 40% of men and only 10% of women in neighbouring SADC countries said they had gone to work or to look for work (Table 12).

Table 12: Gender Differences in Migration to South Africa		
Purpose of Most Recent Visit to SA	Males	Females
Work	33	7
Look for work	17	3
Business	3	3
Buy and sell goods	4	10
Shopping	13	23
Visit family/friends	17	38
Holiday	3	3
Medical	2	8
Other	8	5
Worked in SA at some point	63	16
<i>Source: SAMP database</i>		

- 3.6.3 Women migrants were more likely to be disadvantaged by the migration experience than their male counterparts. They are more likely to be single or widowed, but less likely to be in formal sector employment, to own property than their male counterparts (Dodson 1998; Dodson 2001). Migration is a significant livelihood strategy for women and women-headed households (Dodson 1998, p. 126). Although women constitute a significant part of cross border and internal migratory movement, they are also left behind as employment and earning opportunities favour men.
- 3.6.4 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 home household, and, as remittances may be intermittent can place households in a precarious position, and encourage unsafe sexual behaviour. On the other hand, regular remittances may provide inputs to the household.
- 3.6.5 Little is known about the internal or cross border migration of children as migrants or refugees. However, they may migrate in their own right, or with parents to work as child labourers, particularly in the agricultural sector. SAMP research suggests that cross border migrants prefer to leave children behind. A study by Save the Children Fund South Africa, found an increase in the number of

unaccompanied Zimbabwean children entering South Africa in 2003 for work in the northern border areas as a result of economic crisis and drought (Save the Children Fund 2003). Census 2001 suggests that, in South Africa at least, internal migrants are likely to travel with their children (Census 2001). This may be to enable access to better schooling.

- 3.6.6 While some attempts have been made to better understand the gender and dimensions of migration, the area remains unexplored. Given changing roles for women, employment opportunities, household structure as well as HIV/AIDS, further research into the impact of migration on gender as well as household formation and livelihood strategies could assist policy makers in the development of effective strategies. Furthermore, more needs to be known about the impact of migration on the lives of children, their education, their health, and their access to health services.

3.7 Informal Cross-Border Trade

- 3.7.1 The Southern African region is being increasingly integrated into transnational continental and regional trade networks, both formal and informal (Peberdy and Rogerson 2000). Informal traders or small entrepreneurs are amongst the most enterprising and energetic of contemporary migrants. They face major bureaucratic and other obstacles, even with the region aiming for free trade by 2008. Trading is a key means of livelihood for many households in some countries and needs to be better understood and, wherever possible, facilitated by policy changes governing entrance, exit and customs duties. Work could also be done with traders and traders associations to build capacity, provide micro-finance and maximize the development spin-offs of informal trade.

- 3.7.2 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
- plays a role in regional food security
- plays a part in the development of small and medium enterprises
- is a household livelihood strategy
- engages a significant number of women
- constitutes a significant proportion of cross border traffic in the region.
- policy makers have yet to engage with this trade (Peberdy and Rogerson 2003; Peberdy and Crush 2001; Peberdy 2000a and 2000b; Muzvidziwa 1998; Macamo 1998; Minde Nakhumwa 1997).

Cross border traders are also involved in other entrepreneurial activities in the region. Initial research in South Africa suggests they bring skills, and employment opportunities for nationals (Rogerson 1997).

- 3.7.3 However, 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. Further research is required to better understand the relationship between these entrepreneurs their businesses, poverty alleviation, agricultural commodity and consumption chains and food security. This research could inform the development of migration, trade, and investment policies which include these entrepreneurs and that could promote the positive aspects of this sector and ameliorate the negative. Furthermore, it could inform the development of training programs for participants to enable them to develop their businesses as well as in the development of facilitating financial systems.

- 3.7.4 Existing research suggests that cross border trading provides a significant income earning opportunity for women who constitute a significant proportion of informal sector cross border traders. However, neither migration legislation, nor regional and national trade policies, accommodate the activities of cross border traders (Peberdy and Rogerson 2003; Peberdy and Crush 2001; Peberdy 2000a and 2000b).

3.8 Internal Migration

- 3.8.1 All of the countries of SADC have experienced rapid post-independence urbanization which, with few exceptions, has shown few signs of slowing. The primary evidence for rapid urbanization lies in census data. Unfortunately, with the exception of South Africa, national data is generally a decade or more old. However, as the results of the 2002 round of censuses become available, a relatively up-dated picture will emerge. Case study evidence has shown that:

- The lifting of colonial and apartheid restrictions on internal movement made a significant difference to many poor households who were freer to pursue livelihood strategies away from the rural areas.
- Rapid urbanization is largely a function of rural poverty. Environmental shocks, such as drought and flooding, have accelerated this process, as has the failure of the rural development industry and state agricultural policies to stabilize populations in the countryside
- The displacement of poverty from the countryside to the town has led to new forms of survival strategy such as a greatly enlarged informal sector in most cities and the growth of urban agriculture. Both of these processes and the enabling policy responses they have provoked have been examined in considerable depth in many SADC countries.
- Rural-urban migration is not a one-time, all-inclusive process. The emergence and spread of the “geographically split household” is one of the major defining features of post-independence internal migration. Research in Namibia has demonstrated that new forms of rural-urban reciprocity have been underwritten by circulatory migration. Urban food security for the poor is predicated on the flow of remittances to the countryside and foodstuffs to the city.

- Most first-generation city-dwellers maintain strong rural linkages. However, there is growing evidence that the ties become much weaker with second and third-generation in-migrants. The South African and Zambian cases suggest that such ties may eventually be severed altogether.
- The clear implication of this seems to be that much greater attention should be focused on urban poverty and food security than happens at present and rather less on “rural development” as traditionally conceived.
- Urban poverty in some cities is prompting some reverse migration (de-urbanization) in countries such as Zambia. The viability and desirability of this as a livelihoods strategy is uncertain but depends critically on the viability of rural production and access to productive resources. In many countries of SADC, this trend could therefore accelerate in the future. In countries like South Africa and Lesotho it is highly unlikely.

4.0 Migration and Development

4.1 Migration, Livelihoods and Remittances

- 4.1.1 Cross border and internal migration constitute significant livelihood strategies for Southern Africans across all skill levels. Internal and cross border migration are integral to regional labour markets, and therefore, regional livelihood strategies. Migration has a strong relationship to poverty, social exclusion, as well as poverty alleviation (Peberdy 2003; Peberdy and Oucho 2002; Parnell and Wooldridge 2001). Yet, there is little evidence of acknowledgement of these relationships (let alone migration itself) in national, donor, and international pro-poor policies.
- 4.1.2 Cross border and internal migration takes many forms. Studies of cross border migration show that circular migratory patterns are prevalent (McDonald 2000; McDonald *et al.* 2004; Oucho *et al.* 2000; Tevera and Zimyama 2002; Sechaba Consultants 2000). Thus, migrants may leave family members in their home country maintaining access to land and housing in rural and urban areas. Studies by SAMP indicate that regional cross border migrants to South Africa say they have better access to land, housing and services in their home countries and that they are travelling for work and trading opportunities. Migration is, therefore, a way to amass capital and income. Maintaining two homes may be expensive, but it enables migrants to retain access to land and housing.
- 4.1.3 For similar reasons, circular migration is also a feature of internal migration. In South Africa, apartheid restrictions on movement and settlement enforced the development of circular migration. Studies indicate that the most common form of internal migrancy in the region has been rural-urban. Rural-urban migration of individuals and families reflects opportunities available in urban areas and pressure on land in rural areas.
- 4.1.4 Surprisingly, given levels of migration, data on the remittance behaviour of internal and cross border migrants and receiving households is limited. Similarly, little information is available on their impact on national economies, economic

development, alleviating inequalities, and on financial systems in the region is limited (Frayne 2002). Furthermore, remittances in the form of goods are not recorded. And, little is known about any differences in the remittance behaviour of male and female migrants. SAMP is currently undertaking an 8 country study on remittance behaviour and household livelihoods.

4.1.5 Data on cash remittances is hard to gather as foreign exchange regulations, weak financial infrastructures and high transfer costs in formal systems encourage the use of informal channels for transferring money. This is because:

- Formal banking systems can be difficult and expensive to access.
- Getting a bank account is hard for low income earners and semi-literate people.
- Transfer costs in formal banking systems can be higher than in informal systems, especially for small amounts.
- Many areas (particularly rural) are not serviced by formal banking systems (Genesis 2003).ⁱⁱ
- Irregular cross border migrants often cannot access formal transfer systems.
- Foreign exchange regulations and differential exchange rates may inhibit the use of formal systems, e.g., Zimbabwean cross border migrants are unlikely to use formal channels as official exchange rates are far below black market exchange rates (Genesis 2003; Sander 2003; DFID and The World Bank 2003).

4.1.6 National level data on cross border and internal remittances are largely unavailable. However, in 2001 in Lesotho, remittances were estimated to contribute as much as 26.5% of GDP (Sander 2003, p. 15). A significant proportion of this comes from mineworkers. To encourage remittances, under bilateral agreements, Lesotho and Mozambican mineworkers receive part of their pay as deferred pay. A portion of their pay is compulsorily sent to their home country where it is collected. Mozambican mineworkers can also take advantage of reduced tariffs on goods ordered and sent home by a specific company. Other than these schemes, there is no evidence of government policies to encourage remittance transfer. Non-national mineworkers on the South African mines can use a bank run by the main recruiting company TEBA bank to transfer funds. There are efforts underway to expand its activities to South African sending areas.

4.1.7 For national economies, cross border remittances are a source of foreign exchange and taxes, contribute to the balance of payments, and provide capital for enterprises and valuable household incomes (DFID and The World Bank 2003, p. 7).ⁱⁱⁱ Global research on remittance flows shows that in developing countries they are exceeded only by foreign direct investment, and exceed donor and capital market flows, and are more stable (DFID and The World Bank p. 5). Given the high rates of migrancy in the region, it is possible that the same holds true in Southern Africa. Furthermore, remittances go directly to households.

- Remittances from internal migrants spatially redistribute income, and relieve some income distribution inequalities.
- 4.1.8 Remittances to home areas contribute to household livelihoods. Remittances may be in goods or cash. Remittances can play a key role in the livelihoods of migrant households allowing for social, or human capital investment in education, health and housing and food. They may also be used as capital to invest in income earning household inputs as well as to capitalise entrepreneurial activities. It is commonly held that remittances flow from migrants in urban areas to rural households. However, research from Namibia on internal migration suggests that remittances promoting food security may be a two way flow (Frayne 2002). Further research is required in this area.
- 4.1.9 To enable migrant households to make the most of their earnings, it appears there is a need for affordable, accessible banking systems available in rural and urban areas and which can handle international transfers. Further research is required to understand the needs of migrants for channels to remit money and goods effectively so best use can be made of remittances once they are received. Assistance with the development of effective, safe banking systems and foreign exchange regulations which can accommodate low income earners and which meet international requirements (e.g. FATF) are required.
- 4.2 Skills Loss and the Brain Drain
- 4.2.1 Despite the poor quality of the data, there can be little doubt that the “brain drain” has accelerated from the SADC region since 1990, particularly from South Africa and Zimbabwe. Domestically, economic and political circumstances have conspired to create a large pool of potential emigrants. New global job opportunities in many sectors have contributed to the outflow.
- 4.2.2 Some care is required in interpreting data and making policy recommendations for the following reasons:
- Uncertainty over the numbers involved. In the case of South Africa, there is evidence that official statistics undercount the numbers by as much as two-thirds. Studies of other countries in the region show statistics that are either non-existent or very badly outdated. In the vacuum, highly-inflated guesstimates are extremely common in the media.
 - Most projections about future trends are based on faulty methodological assumptions that tend to exaggerate the likelihood of emigration.
 - There is a common notion that emigration means departure for good. Many who depart do not intend to stay away permanently. And, consistent with the concept of “transnationalism”, those that leave retain strong backward linkages (Crush and McDonald 2002).
 - A distinction must be made between a sizable intra-regional brain drain and emigration from the region. Some countries are disadvantaged by both

(Zimbabwe). Some may gain what others lose (South Africa, Botswana). For the region as a whole, within-SADC brain drain means no net loss.

- There is little concrete evidence about the actual economic and social impact of the brain drain, even in sectors hardest hit.
- The reality that most countries in the region have not pursued “brain grain” strategies in the form of proactive immigration policies and search for replacement skills. The impact of the brain drain of citizens is exacerbated as a result (Crush 2002).

Clearly, all governments would benefit from an improved baseline capacity to document and monitor the extent of skills emigration. A systematic data base of the numbers and skills profile of diaspora Southern Africans worldwide using host country census, immigration and survey data would also be an extremely useful exercise.

- 4.2.3 In the absence of reliable statistics, prediction of future trends is also a hazardous exercise. SAMP developed a methodology in the late 1990s to assess the real emigration potential of the skilled population. At one end of the spectrum was Botswana with low rates of emigration and low emigration potential. At the other was South Africa and Zimbabwe. In the case of South Africa, an Emigration Potential Index was developed which showed 2% of the skilled population with very high emigration potential (32,000 individuals), a further 10% (192,000) with high potential, and 25% with moderate potential. SAMP has also implemented a six-country study of skills-in-training – the PSBS or Potential Skills Base Survey -- to assess the emigration intentions and potential of tomorrow’s labour force.
- 4.2.4 The “brain drain” issue is a recurrent theme in the Southern African media with a great deal of scaremongering. The brain drain is increasingly cited as the cause of a growing skills crisis in individual countries and the region as a whole (Bhorat *et al.* 2002). In South Africa, the idea of a brain drain-induced “skills crisis” was the single most significant reason for the recent rethink of government policy towards skills immigration. Is there a “skills crisis” brought on by a combination of skills emigration and restrictive immigration policy?
- 4.2.5 The brain drain in the health sector is clearly the most problematical for countries within the region. Aggressive recruiting of health professionals by Europe and North America is denuding the region of scarce skills, at a time when they can ill afford to lose them. Working conditions emerge as the single most important predisposing factor for health professional emigration (Xaba and Phillips 2001). As Padarath *et al.* (2003) argue “personnel scarcities have become a critical limiting factor in health interventions” for the public health sector and the poorest populations. Health systems in Southern Africa face a variety of problems, including “an overall lack of personnel in key areas of the health sector; an inequitable distribution of those health personnel who are available (public v private, urban v rural); and a significant attrition of trained personnel from the health sector and from the region.” The capacity of the public health sector to

deliver services is being compromised by the brain drain at precisely the time at which the HIV/AIDS epidemic is seriously increasing the burden on the system.

- 4.2.6 There are no adequate statistics to measure the existing stock of health professionals and the extent and trends in health personnel flows from and within the region or individual countries (Padarath *et al.* 2003; OECD 2003). In the case of the health sector, two additional factors complicate any attempt to assess the stock of health professionals from local health council data. First, many who leave maintain local registration with the councils. Second, some who register no longer practice or practice on a part-time basis. In general, policy responses to the brain drain have been control-oriented in character and not informed by research on the actual perceptions and intentions of the skilled (Smith 2004).
- 4.2.7 Various initiatives have sought to encourage the return of diasporic citizens by offering incentives and job-matching programs. The IOM's Return and Reintegration of Qualified African Nationals (RQAN) Program (which included Angola, Mozambique and Zimbabwe within SADC) assisted the return of a rather insignificant total of 2,009 professionals to Africa as a whole over a 17 year period. On the evidence of RQAN, these kinds of programmes will be ineffectual at best. Recently, the IOM has initiated a more flexible skills transfer program called MIDA (Migration for Development in Africa) with the IOM acting as a kind of "go-between." While this program seems, in principle, to have a higher likelihood of success, its effectiveness has yet to be tested. In general, it seems likely that formalized skills return or linkage schemes coordinated by international organizations are not going to have a major impact in reversing or ameliorating the effects of the brain drain.
- 4.2.8 Although increasing attention has been given to the brain drain in Southern Africa, the field is notable for the lack of sound information on which to base policies that might impact positively on the poor. A more systematic and comprehensive effort needs to be made to:
- document the extent of the brain drain by examining data in the region and in major host countries;
 - inventory the overseas skills base and, through survey work, determine the potential for return and the nature of backward linkages (financial and social);
 - systematically assess the economic impact and resource implications of the brain drain by sector (with particular emphasis on health implications for the poor); and
 - work with government and private industry to develop retention, replacement, brain train and attraction strategies to mitigate the impact of skills loss on development prospects.

4.3 HIV-AIDS, Migration and Poverty

- 4.3.1 Links between HIV/AIDS, migration and poverty are close and complex.^{iv} The current geography of the epidemic is also the clue to its link with mobility. The highest incidence is not in Africa's poorest countries, but in Southern African countries such as South Africa and Botswana which have good transport infrastructure, relatively high levels of economic development, and considerable internal and cross-border migration. Understanding this region can therefore help in the prediction – and thus prevention – of the spread of HIV elsewhere on the African continent.
- 4.3.2 There are four key ways in which migration is tied to the rapid spread and high prevalence of HIV/AIDS:
- There is a higher rate of infection in 'migrant communities', which are often socially, economically and politically marginalized.
 - Migrants' multi-local social networks create opportunity for mobile sexual networking
 - Mobility *per se* can encourage or make people vulnerable to high-risk sexual behaviour.
 - Mobility makes people more difficult to reach through interventions, whether for preventive education, condom provision, HIV testing, or post-infection treatment and care.
- 4.3.3 There is abundant empirical evidence of a link between HIV/AIDS and mobility. The incidence of HIV has been found to be higher near roads, and amongst people who either have personal migration experience or have sexual partners who are migrants. In Southern Africa, migrant workers (and their sexual partners) have a higher level of infection than the general population. Itinerant traders display high infection rates and the infection rate is spectacularly high amongst truck drivers and migrant sex workers. Refugees and internally displaced persons have also been found to be especially vulnerable to HIV infection. Different forms of migration lead to different social and geographical forms of migrant 'community,' and thus to different risk.
- 4.3.4 Looking at the relationship from the other direction, it is apparent that HIV/AIDS will become an increasingly important factor influencing migration and mobility and household sustainability in Africa.
- People with AIDS commonly return to live with family members to obtain care. This might entail moving from an urban back to a rural area or from one country to another. Others migrate in order to provide care to family members living elsewhere.
 - Loss of a household's income through death or debilitation of a former migrant worker encourages migration by other household members to seek income-earning opportunities. As most migrants today are still male, this could lead to an increase in female migration.

- Death or debilitation of household or community members can lead to a decline in rural productivity and food security, thus contributing to pressure for out-migration by remaining members.
- High rates of death or debilitation in particular labour sectors creates the need to replace workforce with new migrant workers. (This is one factor that may explain the ‘Mozambicanization’ of the South African mine labour force, as employers seek out labour from areas known to have lower HIV infection rates.)
- People diagnosed HIV positive or displaying physical evidence of disease may migrate to avoid stigmatisation by their community.
- People with AIDS-related opportunistic infections migrate to obtain health care. This could involve cross-border movements to a country perceived to have better health care facilities.
- The HIV/AIDS death toll disproportionately affects the most economically productive strata of society in some countries. Skills gaps and shortages could lead countries to seek replacement skills from other African countries. The result would be an increase in brain drain within Africa. AIDS orphans (who may themselves be HIV positive) migrate to live with relatives or to seek their own income-earning opportunities.
- New widows or widowers (also themselves often HIV positive) may migrate upon the death of their partner. Women or men may choose to move after the death of a spouse, perhaps to rejoin biological family elsewhere. The death of a husband can lead to wife losing access to land and thus livelihood, forcing her to move elsewhere to seek a living.
- HIV/AIDS is placing an increasing burden on rural communities, not only in terms of care of returning migrants but also in declining agricultural production and productivity.

4.3.5 HIV/AIDS may also impede certain forms of migration. For example, parents dying today means that there will be no grandparents for the next generation of children, and grandparents have traditionally been important in caring for children while parents migrated in search of employment. HIV/AIDS creates new motives for migrating while making some established forms of migration more difficult to sustain.

4.3.6 Migration is the means by which many African individuals and households seek income and livelihood security. Yet the means by which Africans secure their livelihoods should not also have to be the means by which they secure their ‘deathlihoods.’ Migration is a critical factor in understanding the epidemiology of HIV/AIDS including the incidence and prevalence of the epidemic. Migration has also emerged as a critical incidental and strategic response to coping with the consequences of the disease. However, to recognize the existence of these connections is insufficient. More knowledge, based on sound research, is needed to identify the links and their implications for migration policy and the effective management of HIV/AIDS.

5.0 Regional Migration Policies

Migration policy is formulated at various inter-locking scales from the continental (NEPAD) to the local (city government). A major challenge is how to get these different levels of governance to interface with one another to develop an integrated approach to policy development and migration management. A second challenge is to understand the institutional mechanisms and constraints operating on the development and implementation of policy.

5.1 NEPAD and SADC

5.1.1 At the continental level, NEPAD's attitude to the migration issue is emblematic. Freer movement of people across the continent is cited as a key long-term objective of the AU. At the regional level, the Southern African Development Community (SADC) aims to promote regional development through cooperation and integration. Protocols pursuing these aims have been developed. In 2000, the SADC Free Trade Protocol was ratified. Attempts to move towards the free movement of people within the SADC have not been successful. Increasingly, regional realities demand that national governments consider whether or not to soften their borders and/or move towards a harmonized approach to migration management. The first attempt to craft a SADC-wide protocol on free movement was strongly opposed by South Africa, Botswana and Namibia (Oucho and Crush 2001). In 1997, it was replaced by the more cautious Draft Protocol on the Facilitation of Movement of People. This Protocol was shelved in 2000 by the SADC Council of Ministers (Oucho and Crush 2001).

5.1.2 In 2003, the SADC Secretariat revived discussion on the Facilitation Protocol which is currently being considered and debated by all governments. Whether the protocol will suffer a different fate second time round remains to be seen. However, the reality is that this Protocol would have major positive implications for the poor of the region, freeing up obstacles to cross-border movement and the search for a livelihood through migration.

5.1.3 In sum, unlike in other areas such as trade, education and transportation, there has been considerable reluctance to move forward on developing a SADC-wide policy on the movement of people.^v Cross border migration in the region is, therefore, governed by national migration and refugee legislation.

5.2 COMESA

5.2.1 COMESA, to which a number of SADC states belong, has been more positive about the concept of freer movement of persons within the borders of the grouping. There seems to be less opposition to the idea within COMESA, whose founding Treaty advocates the free movement of persons within the area. Acceptance of the principle was probably facilitated by the fact that South Africa is not a member. How this will be operationalized is unclear.

5.3 MIDSA

5.3.1 In the aftermath of the collapse of the Protocol, SAMP and the IOM combined to establish the Migration Dialogue for Southern Africa (MIDSA) in partnership with all SADC states. MIDSA has become an established and well-recognized forum for training and policy debate on a variety of issues pertaining to migration management in the region. During 2003, the major development was the preparation by SAMP of a report on migration policy harmonization within the SADC region. This report was presented and discussed at the November 2004 MIDSA Forum in Maseru, Lesotho. During 2004, MIDSA held a forum on migration and development which foregrounded the role of migration in poverty reduction for senior officials and policy-makers in the region. A Minister's Forum will be convened thereafter, as the two organizations involved seek to move the migration issue even more firmly onto government agendas throughout the region.

5.4 National Migration Policy

5.4.1 In terms of national immigration policy, the focus of most legal instruments is enforcement, control and exclusion. The particulars vary from country to country but the overall intent is similar (Klaaren and Rutinwa 2004). No country, with the possible exception of Botswana, has migrant or immigrant-friendly legislation on the books (Klaaren and Rutinwa 2004). Most policies were devised in the immediate post-colonial period. The imperatives of new nation-building and Africanization did not encourage the idea of immigration as a tool of social and economic development. Indeed, outsiders were generally viewed as a threat to citizens. Legal stays were time-limited and goal-directed. Permanent immigration is extremely difficult from one country to another within the SADC and into the region from outside. Tanzania and Zambia are currently undergoing a process of immigration policy reform.

5.4.2 All countries within SADC are adopting an increasingly forceful line on enforcement. In South Africa, human rights organizations, including the South African Human Rights Commission, have argued that many enforcement tactics are strongly reminiscent of an earlier era (Klaaren and Ramji 2001). A corruption industry has sprung up as the enforcers are paid off for the right to remain (Klaaren and Ramji 2001). There has been a major increase in deportations in South Africa since the end of apartheid. Other countries are beginning to follow suit; particularly Botswana in regard to undocumented Zimbabweans in the country.

5.4.3 At the national level, Mozambique, Namibia, South Africa and Zimbabwe have all made significant changes to migration laws in the past ten years and Lesotho, Tanzania and Malawi are currently revising their legislation (Klaaren and Rutinwa 2004). Only the immigration legislation of South Africa and Mozambique makes any reference to complying with international conventions,

- multi-and bi-lateral accords (Klaaren and Rutinway 2004). Arrest, detention and repatriation procedures do not always protect irregular (and regular) migrants from abuse (South African Human Rights Commission 2000). Furthermore, they have the potential to cause conflict between neighbouring countries.
- 5.4.4 The legislation and migration policy of the region hampers the recruitment of skilled professionals to replace those who are being lost. Bi-lateral agreements and legislation allow the South African mining and agricultural sectors to employ contract migrant workers from neighbouring countries (Klaaren and Rutinwa 2004; Crush and Tshitereke 2001). A number of other agreements exist at bi-lateral levels between countries in the region to facilitate or hamper movement. As noted above, bi-lateral agreements exist around skilled migration. For instance, the United Kingdom has agreed that it will not directly recruit medical professionals and teachers.^{vi} There is little evidence that such measures are effective.
- 5.4.5 Associated with the liberation struggle, and civil war in Mozambique, forced migration has long been a feature of the region. All countries under discussion have ratified or comply with the 1951 Convention Relating to the Status of Refugees and the more inclusive 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (Klaaren and Rutinwa 2004). The refugee Acts of Mozambique, Namibia, South Africa and Zimbabwe incorporate both definitions of refugees (Klaaren and Rutinwa 2004). The Botswana refugee Act restricts its definition to that under the 1951 Convention (Klaaren and Rutinwa 2004). Swaziland's and Zambia's refugee legislation gives the Minister the power to define a refugee, but in practice they are guided by the 1951 and 1969 Conventions. Botswana is said to reject asylum claims from people from outside the region (Klaaren and Rutinwa 2004).
- 5.4.6 The refugee Acts of Lesotho, Malawi, Mozambique, Namibia, South Africa and Zimbabwe protect asylum seekers from *non-refoulement*, do not require them to meet immigration legislation requirements for entry, and give recognised refugees the right to remain in the country (Klaaren and Rutinwa 2004). Although not protected by legislation these principles are largely upheld in practice by Swaziland and Zambia. Ministers of Lesotho, Malawi, South Africa, Swaziland, Zambia and Zimbabwe can declare a class of persons to be refugees. Individual status determination procedures are found in all the countries under discussion.
- 5.4.7 With the exception of South Africa, by law and in practice, countries in the region require refugees and asylum seekers to live in designated areas (usually some form of camp), and Zambia allows some exceptions to this rule (Klaaren and Rutinwa 2004). With the exception of Mozambique and South Africa, refugees and asylum seekers are required to apply for work permits before they can work (Klaaren and Rutinwa 2004).^{vii} Refugees in Mozambique, South Africa, Swaziland, Zambia and Zimbabwe are entitled to ID some form of identity and travel documents. As support to refugees and asylum seekers is limited in the

- region, the rights to freedom of movement and work are important. Differences in refugee and asylum policies are significant and harmonisation of policy could establish minimum standards. More needs to be known about how refugees and asylum seekers survive, as well as their actual potential contributions and costs to receiving countries.
- 5.4.8 No country in the region has specific legislation regarding trafficking, and existing legislation makes no provisions for the protection of trafficked persons. However, South Africa is currently considering anti-trafficking legislation (South African Law Reform Commission 2004). Given the lack of attention paid to trafficking it is unclear how prevalent the problem is in the region. However, evidence suggests that women and children are trafficked, for sexual purposes (Martens *et al.* 2003). There is also anecdotal evidence that irregular migrants pay couriers to facilitate and guide entry, particularly across land borders, but that these migrants are not trafficked.
- 5.4.9 All countries in Southern Africa have ratified the Convention on the Rights of the Child. Botswana, Lesotho, Malawi, Namibia and South Africa have signed the associated Protocol on the Rights of the Child in Armed Conflict. And, Botswana, Malawi, Mozambique, Namibia and South Africa have all signed the associated Protocol on the sale of children, child prostitution, and child pornography. While most countries have legislation that outlaws child labour and protects children from exploitation, their ability to enforce such legislation is doubtful.
- 5.4.10 The UNHCR and UNICEF operate in all countries in the region. Other international agencies tasked with the protection of vulnerable groups also operate in the region, for instance, the Save the Children Fund. These agencies do not have a specific mandate to protect migrants or promote migrant rights.^{viii} Perhaps reflecting the migration environment, it seems it is only in South Africa that NGOs and church based organisations specifically attempt to protect migrants, but focus on refugees and asylum seekers.^{ix} Trade Unions and other professional organisations may also protect the rights of legal migrant workers.
- 5.5 Key Issues and Policy Gaps
- 5.5.1 The principle of freer movement within the SADC region is critically important. So too is the idea that policies should be harmonized. Existing national migration frameworks are not integrated into poverty reduction strategies. For migration to become a lever of social and economic upliftment for the poor, the migration issue has to be confronted at both national and regional levels.
- 5.5.2 The failure to craft a regionally-coordinated approach to migration in the 1990s is attributable to the concerns of migrant-receiving countries. It is inevitable that SADC will be forced to confront the issue again. The scale of unrecorded migration and the exploitation of migrants requires a coordinated response.

- Freeing up flows of goods and capital while simultaneously trying to shut down the movement of people makes limited economic sense. And if nothing else makes countries reconsider their need to import labour from their neighbours, the HIV/AIDS epidemic will eventually do it for them.
- 5.5.3 Without the adoption of a formal Protocol, regional dialogue is essential. MIDSA is the only high-level, inter-governmental forum designed to catalyze policy discussion and debate on the desirability and obstacles of a regional approach to migration management. MIDSA forums and technical workshops are attended by representatives from all 14 SADC states and provide an important venue for identifying national obstacles and opportunities for a regionally-coordinated approach. The hope is that MIDSA will eventually be absorbed into SADC and that the forum will have very direct impacts on the harmonization of national immigration laws and data collection systems.
- 5.5.4 Assistance with harmonising migration legislation and data collection could promote more effective management of migration in the region. To promote effective implementation of legislation and to curtail corruption, further research is required on the training needs of Departments of Immigration, and with training of officials. Further research is also needed on the effectiveness of arrest and detention procedures across the region and their impact on regional relationships.
- 5.5.5 In terms of improved service delivery to the poor (citizens and non-citizens) there is an urgent need to professionalize the activities of Departments of Home Affairs and Immigration throughout the region.
- 5.5.6 Migration has not been systematically factored into national poverty reduction strategies throughout the region. Nor has immigration policy been integrated systematically with pro-poor policies. Most immigration and migration policy frameworks were developed before the contemporary focus on poverty reduction began to frame policy. On the other hand, it is apparent that few poverty reduction strategies (as evidenced by PRSP's etc.) have made any serious attempt to integrate migration realities into strategizing and planning. Hence there is a profound disjuncture between immigration policies and poverty reduction strategies in most countries of the Southern African region.
- 5.5.7 Xenophobia and hostility to migrants is common in the region, and in some countries (e.g., South Africa) can involve physical attacks on non-nationals. A SAMP study suggests that nationals of Botswana, Namibia, and South Africa are particularly intolerant of non-nationals, and especially African non-nationals (Pendleton and Crush 2004). These attitudes are reflected in the media and often in government policies and the rhetoric of politicians. The new South African Immigration Act commits the government to challenge xenophobia.
- 5.5.8 High levels of xenophobia are of concern not just because they make individual migrants lives uncomfortable. Xenophobia allows the exclusion of non-nationals

from vital services that they may be entitled to, for instance, health and education and further marginalizes and excludes vulnerable communities increasing inequalities – even for non-nationals who are in the country legally (Community Agency for Social Enquiry [CASE] 2003; Peberdy and Majodina 2000). Furthermore, while the regulatory regime looks relatively protective of migrants, immigrants, refugees and asylum seekers, most governments (including wealthier countries like South Africa) lack the resources to effectively enforce legislation.

- 5.5.9 More also needs to be known about the access and exclusion of migrants, adults and children, to services to which they may be entitled. Combined with research on xenophobia, this could assist in curriculum development for schools and training programs which could be used to educate people and service providers on the rights and entitlements of different categories of migrants.

6.0 Conclusion

- 6.1 This brief has highlighted the importance of migration to the Southern African region. It has identified the limited national and regional policies which have had an impact on migration. However, overwhelmingly, it shows that despite the importance of both cross border and internal migration to the region, pro-poor policies of governments, the region and continent, as well as donor agencies and countries that include migrants are lacking.
- 6.2 Internal and cross border migrants appear to be operating in a policy environment which largely excludes them, although they may, in some cases, be affected by these policies. Regional migration policies, legislation and practice are fragmented along national lines, and at times do not appear to meet the objectives of contemporary regional and continental policies of the SADC, COMESA, or NEPAD. And, they often seem to omit the needs of migrants and possibilities for developing managed migration regimes, whether regional or nationally based, that could allow migrants, and national economies, to maximise the possibilities of regional migration and minimise the negative impacts.
- 6.3 Throughout the continent, migration is a feature of African livelihoods, and provides opportunities for development, as well as potential for conflict between African countries, which could undermine the principles of NEPAD. Understanding the role of migration across, through and from the continent could assist in the development of NEPAD policies, and in the stated intention to foster African cooperation, unity, interaction and development.
- 6.4 On a regional level, the SADC is intent on fostering regional integration and cooperation for development and the alleviation of poverty. The Regional Indicative Strategic Development Plan (RISDP) does not, however, explicitly identify migration as a key area for intervention. A close reading of the RISDP reveals that migration is a significant cross-cutting in all priority areas. The RISDP identifies numerous migration-related policy issues and concerns that the community will confront including the brain drain, informal trade, mobility of the

‘factors of production’, tourism, and so on. Hence there is every reason to suppose that SADC does recognize the significance of migration in poverty reduction and region policy integration. Migration has also reappeared on the agenda of the SADC in the form of renewed attention to the Draft Protocol on the Facilitation of Movement of People.

- 6.5 As this brief indicates migration (internal and cross border) is a key feature of the regional labour market and livelihood strategies of Southern Africans. A key pillar of the SADC, the Free Trade Protocol, did not take this into account. SME’s and small entrepreneurs are a key feature of regional trade. Their movement and income-generating possibilities are often constrained by national migration policies (even if unintentionally).
- 6.6 The Millenium Development Goals, PRSPs, and CAPs increasingly structure donor agency interventions in the region. To the extent that migration is sidelined or ignored in policy thinking, so pro-poor policy frameworks will fall short in their attempts to alleviate poverty and minimise inequalities in the region. Yet, they have the potential to make a significant difference to the lives of migrants and non-migrants. However, there are increasing signs that donor agencies are beginning to recognize the significance of migration as a development issue. Donor support for the Southern African Migration Project and PHAMSA is a case in point.
- 6.7 It is finally worth reviewing the role of migration in key areas of intervention. Migration has an impact on the following areas of policy formation and interventions to alleviate poverty, reduce inequality and to promote good governance:
- 6.7.1 *Support to regional organisations e.g. SADC, COMESA.* If migration is key to the region, and an unspoken part of regional cooperation and integration, efforts need to be made to integrate and mainstream migration when providing assistance to regional organisations in the development of policies, protocols and initiatives to reduce poverty, reduce inequalities and encourage development.
- 6.7.2 *PRSP support models and some aspects of CAPs.* Where these are pursued, the links to migration can seem tenuous. Yet, if the PRSP is to be effective, should the role of migration in the country’s economy and poverty alleviation policies not be considered? Providing support to governments in the preparation and implementation of budgets may seem rather remote from migration and other PRSP support activities. But consideration needs to be given to:
- Understanding the role of migration in a country’s fiscus
 - Quantifying remittances as part of GNP
 - Identifying the role of remittances at national, regional/provincial, local and household levels
 - Identifying the role (and its potential role) of migrant incomes in tax regimes.

- Identifying the role of migration in key areas of budgetary activity, e.g., health, education, infrastructure, agriculture, to ensure spending is appropriate (see also below).
- Identifying the impact of migration on service delivery (see also below).
- Identifying the impact of skilled emigration on service provision and staffing and training demands.
- Identifying the impact of migration on demand for services (which may change according to seasonal patterns of migration (e.g. agricultural labour) or to changes in employment opportunities elsewhere (e.g., retrenchments in South African mines).
- Identifying where migrant populations are particularly vulnerable, or alleviate poverty to target spending appropriately.
- Identify the role of migration and income through migration in taxation.

6.7.3 *Governance.* Governance programmes include minimising corruption in administrations. The SADC and NEPAD show the commitment of most governments in the region to developing good governance. Territorial integrity and security are key to most nation states. Migration (and associated customs and excise issues) is an area of concern for both security, and corruption.

- Anti-corruption initiatives to include Departments of Immigration/Home Affairs, Trade and Industry, Customs and Excise as well as security services to ensure not only territorial integrity, but integrity in the implementation of migration and customs and excise legislation.
- Ensure that governance in these areas promotes good management of migration, and does disadvantage (even if unintentionally) the positive poverty alleviating aspects of migration.
- Need for further research into governance aspects of migration including: developing appropriate anti-corruption programmes; service delivery; security.

6.7.4 *Financial services.* Part of support to PRSPs, and development of governance policies includes assistance with the growth of secure accessible financial services, which for some countries includes compliance with FTF. The role of remittances in development in the region, at national, regional and household levels is significant, and, as noted above, in some countries exceeds FDI. The use of informal banking and money transfer systems may have the potential to undermine efforts under FTF, and the growth of formal banking systems.

- When developing assistance programmes to financial services, small investors, and individuals who wish to bank or accumulate relatively small amounts of money be accommodated.
- Efforts need to be made to ensure that cross border and internal transfers of relatively small amounts of money can be made with low transfer costs, to ensure the safe transfer of remittances while addressing security needs.

- Development of other financial transfer systems which meet FTF requirements but are accessible to rural areas.
- Need for further research in the development of appropriate, accessible and affordable financial systems, including credit at regional and national levels which promote pro-poor investment and the transfer and positive use of remittances and can accommodate internal and cross border migrants.

6.7.5 *Livelihoods approach.* Internal and cross border migration plays a key role in livelihoods strategies of households in the region. When considering policies to enable Southern Africans to maximise their household livelihoods there is a need to:

- Identify the role of migration in urban and rural livelihood strategies.
- Identify how policies to manage migration may affect urban and rural livelihoods
- Identify how other policies and economic changes may affect the livelihoods of migrant households
- Need for further research on the role of migration in household livelihood strategies to facilitate households maximising opportunities, as well as the role of remittances as part of livelihoods at regional, national, and local levels.

6.7.6 *Rural development.* Internal and cross border migrants constitute a significant proportion of the workforce in the commercial agricultural sector. Migration may affect smallholder agricultural production at a household level. Internal and cross border trade, which involve short term migration, and for cross border traders negotiation of migration controls, play an important role in the distribution of agricultural goods in the region, and in the livelihoods of producers. There is therefore a need to:

- Identify the role of migrant labour in the viability of commercial agriculture, including the conditions and terms of employment of migrant labourers.
- Identify how changes in the commercial agricultural sector may affect demands for labour, patterns of migrancy, and therefore the livelihoods of migrant households.
- Identify the role of remittances in agricultural inputs for smallholder producers, and therefore the impact of policies which may cause changes in patterns of migrancy.
- Need for further research on: migrancy, labour and commercial agriculture; role of remittances in small holder agriculture; chains of commodity and consumption for agricultural goods in the region, including SME cross border and internal trade; impact of direct and indirect barriers to trade; impact of changing employment opportunities on patterns of migrancy and agricultural production at a household level, and therefore poverty.

6.7.7 *Food security.* As a livelihood strategy, migration obviously plays a role in food security. Changing patterns of migrancy may affect food security in some areas,

e.g., large scale retrenchments in sectors employing migrant labour may affect food security in previously sending areas. Policies affecting patterns of trade and the movement of small entrepreneurs may have an impact on food security strategies. There is therefore a need to:

- Identify the role of migration in food security strategies at a household level.
- Identify how policies and economic changes which impact on migration may affect food security.
- Identify the role of trade and SME traders in food security.
- Need for further research on: the role of migration in food security in urban and rural areas at household level; the role of SME cross border trade in their region in promoting or negatively impacting food security; the impact of food security programmes on migration.

6.7.8 *Infrastructure development.* Programmes concerned with the development of infrastructure may seem a long way from migration. However, who is the infrastructure being developed for? How does migration affect the demand for services (e.g. seasonally) and demographics of an area? Furthermore, infrastructure programmes may (e.g. roads) use migrant labour. Therefore to be effective, these programmes need to:

- Account for migration and changing population distribution (including seasonal) when developing where and how much infrastructural development is required.
- Identify where and how remittances may act as contributor to fees for the use of infrastructure or the tax base to pay for infrastructural development.
- Identify the impact and implications of using migrant labour in the development of infrastructural programs
- Transport programmes to account for their use by migrants and SME traders.

6.7.9 *Trade and customs and excise.* Trade ostensibly stands outside migration. Yet, a significant proportion of regional cross border trade (and the majority across some borders), is undertaken by small entrepreneurs who migrate for short periods of time. They, therefore, have to negotiate the migratory legislative framework as well as customs and excise policies. Trade policies need to:

- Account for the activities of SME, or informal sector, traders and their role in cross border trade
- Promote SME trade as it has a direct impact on household livelihoods, the alleviation of poverty, and women's economic empowerment.
- Encourage the positive aspects of informal sector cross border trade and ameliorate the negative.
- Identify the impact of migration, trade and customs and excise policies and legislation on SME traders.
- Need for further research on: the role of informal and SME cross border trade in regional trade; role of SME trade and the economic empowerment of

women; role of the SME trade in entrepreneurial development; role of SME cross border trade in household livelihoods; role of SME cross border trade in agricultural commodity and consumption chains; role of SME cross border trade in food security; role of migration regimes in encouraging or discouraging trade.

6.7.10 *Service provision.* Migration has an impact on service delivery as the emigration of skilled professionals and others who deliver services affects investments in education (particularly at tertiary level), staffing levels, and training needs. It also affects the demand for services, gendered demand for services, and the kinds of services that might be required. For effective delivery of services therefore there is a need to:

- Identify levels of skilled migration to plan for future staffing needs and therefore demands for education, i.e. on service delivery and planning for future service delivery.
- Identify the demand for services, and which services, by new in-migrants, internal and cross border migrants.
- Identify the impact of migration patterns on demand for services, by numbers, age, gender, and type of services
- Identify how patterns of migration affect demographics of an area and therefore demand for services in that location.
- Conduct further research on: the impact of migration on the use of services; if and how available services may act as a pull factor for migrants; whether migrants are excluded from access to essential services.

6.7.11 *Education:* Education is central to the alleviation of poverty and development. Migration plays a role in the delivery and use of education. The emigration of teaching professionals in the region may affect the ability of government to effectively provide schooling. Migrant children (internal and cross border) may change the spatial demand for educational services. Migrant children may be excluded from education. Therefore consideration needs to be given to:

- Tracking and understanding the migration of teaching professionals within and outside the region to understand staffing needs.
- Including retention and recruitment programmes for teachers in education budgets.
- Accounting for the use of education services by migrant children
- Planning for recruitment and investment in tertiary education to ameliorate the loss of skills through emigration
- Further research into: migration of education professionals; the development of tertiary education; the use of education facilities by migrant children; the possible exclusion from education of migrant children; the use of remittances for education of children in migrant households.

6.7.12 *Health*: Health is a key development indicator and poor health and health services a barrier to the alleviation of poverty. The emigration of health professionals, from nurses to surgeons, within and out of the region, is of great concern to regional governments in the region. It affects the ability of governments to effectively deliver health services. People may migrate to take advantage of health services available in another place, or another country. There is a need to:

- Track and understand the migration of health professionals and include in identifying staffing needs.
- Include retention, recruitment and training programmes in health budgets.
- Account for the use of health services by migrants.
- Identify how new health policies may affect migration patterns.
- Conduct further research including: quantification and understanding of the scope of emigration in the region; identifying what is pushing health professionals to migrate and what would assist in their retention; impact of emigration on service delivery in rural and urban areas; the role of health services in migration; the use of health services by migrants; the exclusion of migrants from health services; role of remittances in accessing health services for migrant households.

6.7.13 *HIV/AIDS*: As discussed above, migration is a key feature of the epidemic in Southern Africa. It has played a role in the spread of HIV, and now the epidemic has a hold on the region, may affect migration patterns. So, effective HIV/AIDS education, prevention and treatment programmes need to:

- Identify the role of migration in the epidemic in the country concerned.
- Identify the impact of HIV/AIDS on current and future patterns of migration.
- Ensure programmes can accommodate the movements and needs of migrants, including basics such as developing evaluation mechanisms that can incorporate migrant populations.
- Ensure education and prevention programmes are accessible to migrants.
- Conduct further research on HIV/AIDS and specific migrant populations, in specific countries; impact of HIV/AIDS on household livelihood strategies and consequently migration patterns; access to education, prevention and treatment programmes of migrants; impact of introduction of ARV programmes on migration patterns and therefore households.

6.7.14 *Gender mainstreaming*: Migration is a gendered process. Evidence suggests that women constitute an increasing proportion of the migrant flow in Southern Africa, at all skill levels. It also suggests women may experience migration differently. Gender sensitive policies which are considering migration, and which may have an impact on migration need:

- To identify how legislation (including migration legislation) may have a different impact on male and female migrants.

- To identify the role of migration in women’s economic and social empowerment – or disempowerment.
 - To foster research on the migration of women across the region, including: legislative and other barriers; cross border traders; role of migration and remittances in the livelihoods of women “left behind”; the role of migration in the empowerment or disempowerment of women, and particularly women headed households.
- 6.8 The above discussion identifies the role that migration plays in key areas of development policy in the region and makes recommendations for considering migration when developing these policies. The existing policy frameworks of NEPAD, the SADC, national governments and donor agencies, including the MDGs, PRSPs, and CAPs provide opportunities to mainstream and retrofit migration.. This paper suggests there is a need to review these policies and initiatives to incorporate migration to enable them to more effectively intervene to reduce poverty and encourage development in the region. Notwithstanding the evidence of the role of migration in the lives of Southern Africans presented here, this paper also identifies gaps in knowledge which require further research to better enable policy makers to make and deliver effective poverty alleviation interventions

References

- Barton, S. [no date]. *Mineworkers Development Agency: internal assessment*. Available from: <http://www.enterprise-impact.org.uk/pdf/MDACaseNotes.pdf>.
- Bhorat, H. Meyer, J-B. and Mlatsheni, C. 2002. *Skilled labour migration from developing countries: study on South and Southern Africa*. International Labour Organization International Migration Papers No. 52. Geneva: ILO.
- Community Agency for Social Enquiry. 2003. *National refugee baseline survey: final report*. Report for JICA and the UNHCR. Johannesburg: CASE.
- Crush, J. 1999. The discourse and dimensions of irregularity in post-Apartheid South Africa. *International migration* 37, 125-49.
- Crush, J. 2002. The global raiders: nationalism, globalization and the South African brain drain. *Journal of International Affairs* 56, 147-72.
- Crush, J., Jeeves, A. and Yudelman, D. 1992. *South Africa's labor empire: a history of black migrancy to the gold mines*. Cape Town and Boulder: David Philip and Westview Press.
- Crush, J. and James, W., eds. 1995. *Crossing boundaries: mine migrancy in a democratic South Africa*. Cape Town: Idasa Publishing.
- Crush, J., Mather, C., Mathebula, F. and Lincoln, D. 2000. *Borderline farming: foreign migrants in South African commercial agriculture*. Southern African Migration Project, *Migration policy series*, No. 16. Cape Town: SAMP.
- Crush, J. and Tshitereke, C. 2001. Contesting migrancy: the foreign labor debate in post-1994 South Africa. *Africa today* 48, 49-70.
- Crush, J. and McDonald, D., eds. 2002. *Transnationalism and new African immigration to South Africa*. Cape Town and Toronto: SAMP and CAAS.
- DFID and The World Bank. 2003. Report and conclusions: International Conference on Migrant Remittances: Development Impact, Opportunities for the Financial Sector and Future Prospects. Unpublished paper.
- Datta, K. 1998. Gender, labour markets and female migration in and from Botswana. In: D. Simon, ed. *South Africa in Southern Africa: reconfiguring the region*. Oxford: James Currey, 206-221
- de Vletter, F. 2000. Labour migration to South Africa: the lifeblood for southern Mozambique. In B. Dodson, ed. *Women on the move: gender and cross-border migration to South Africa*. Southern African Migration Project, *Migration policy series*, No. 9. Cape Town: SAMP, 46-70.

- Dodson, B. 2000. Women on the move: gender and cross-border migration to South Africa from Lesotho, Mozambique and Zimbabwe. In: D. McDonald, ed. *On borders: perspectives on international migration in Southern Africa*. Cape Town and New York: SAMP and St Martin's Press, 199-250.
- Dodson, B. 2001. Discrimination by default? Gender concerns in South African immigration policy. *Africa today* 48(3), 72-89.
- Frayne, B. 2002. Migrants, remittances and the Southern African economy: terms of reference. Unpublished paper for the Southern African Migration Project.
- Frayne, B. and Pendleton, W. 2002. *Mobile Namibia: migration trends and attitudes*. Southern African Migration Project, *Migration policy series*, No. 27. Cape Town: SAMP.
- Genesis. 2003. African families, African money: bridging the money transfer divide. A Study on the South African money transfer environment for Finmark Trust. Unpublished report.
- Gwebu, T. 2004. Internal Migration in Botswana. Unpublished paper for the University of Botswana.
- International Organization for Migration. 2003a. *Mobile populations and HIV/AIDS in the Southern African region*. Pretoria: IOM and UNAIDS.
- International Organization for Migration. 2003b. *Trafficking in women and children for sexual exploitation in Southern Africa*. Pretoria: IOM.
- Jeeves, A. and Crush, J., eds. 1997. *White farms, black labour: the state and agrarian change in Southern Africa*. New York, London and Pietermaritzburg: Heinemann, James Currey and University of Natal Press.
- Klaaren, J. and Ramji, J. 2001. Inside illegality: migration policing in South Africa after Apartheid. *Africa today* 48(3), 35-48.
- Klaaren, J. and Rutinwa, B. 2004. *The harmonization of immigration and migration policy in Southern Africa*. MIDS Policy Paper No. 1. Cape Town: SAMP.
- Macamo, JL. 1998. *Estimates of unrecorded cross-border trade between Mozambique and her neighbors: implications for food security (final report)*. Unpublished paper for the Regional Economic Development Support Office for Eastern and Southern Africa, USAID.
- Martens, J., Pieczkowski, M. and van Vuuren-Smyth, B. 2003. Seduction, sale and slavery: trafficking in women and children for sexual exploitation in Southern Africa. IOM: Pretoria.

- McDonald, D., ed. 2000. *On borders: perspectives on international migration in Southern Africa*. Cape Town and New York: SAMP and St Martin's Press.
- McDonald, D., Mashike, L. and Golden, C. 1999. *The lives and times of African migrants and immigrants in post-Apartheid South Africa*. Southern African Migration Project, *Migration policy series*, No. 13. Cape Town: SAMP.
- McGregor, J. 1998. Violence and social change in a border economy: war in the Maputo hinterland, 1984-1992. *Journal of Southern African studies* 24(1), 37-60.
- Minde, IJ. and Nakhumwa, TO. 1997. Informal cross-border trade between Malawi and her neighbouring countries. Unpublished paper for the Regional Economic Development Support Office for Eastern and Southern Africa, USAID.
- Morris, A. 1999. *Bleakness and light: inner-city transition in Hillbrow, Johannesburg*. Johannesburg: Wits University Press.
- Morris, A. and Bouillon, A., eds. 2001. *African immigration to South Africa: francophone migration of the 1990s*. Pretoria: Protea and IFAS.
- Muzvidziwa, V.N. 1998. Cross-border trade: a strategy for climbing out of poverty in Masvingo, Zimbabwe. *Zambezia* 25, 29-58.
- NUM. 2000. Mineworkers Development Agency: an overview of the programme. 10th NUM Congress, April 2000.
- OECD, 2003. *Trends in international migration, Part III: The international mobility of health professionals: an evaluation and analysis based on the case of South Africa*. Paris: OECD.
- Oucho, J., Campbell, E. and Mukamaambo, E. 2000. *Botswana: migration perspectives and prospects*. Southern African Migration Project, *Migration policy series*, No. 19. Cape Town: SAMP.
- Oucho, J. and Crush, J. 2001. Contra free movement: South Africa and SADC migration protocols. *Africa today* 48(3), 139-158.
- Padarath, A., Chamberlain, C., McCoy, D., Ntuli, A., Rowson, M. and Loewenson, R. 2003. *Health personnel in Southern Africa: confronting maldistribution and brain drain*. Equinet Discussion Paper No. 3. Harare: Equinet.
- Parnell, S. and Wooldridge, D., eds. 2001. Social capital and social inclusion in the City of Johannesburg and the implications for urban government. Unpublished paper for the City of Johannesburg.
- Peberdy, S. 2000a. Mobile entrepreneurship: informal cross-border trade and street trade in South Africa. *Development Southern Africa* 17, 201-219.

- Peberdy, S. 2000b. Border crossings: small entrepreneurs and informal sector cross-border trade between South Africa and Mozambique. *Tjidschrift voor economische en sociale geographie* 91(4), 361-378.
- Peberdy, S. 2003. Migration and poverty. Unpublished paper for the South African Department of Social Development.
- Peberdy, S. and Majodina, Z. 2000. Finding a new home? A report on the lives of Somali refugees in Johannesburg. Unpublished report.
- Peberdy, S. and Rogerson, C. 2000. Transnationalism and non-South African entrepreneurs in South Africa's small, medium and micro-enterprise (SMME) economy. *Canadian journal of African studies* 34, 20-40.
- Peberdy, S. and Crush, J. 2001. Invisible travellers, invisible trade? Informal sector cross-border trade and the Maputo Corridor Spatial Development Initiative. *South African geographical journal* 83(2), 115-123.
- Peberdy, S. and Oucho, J. 2002. Migration and poverty. Unpublished paper for the ACP-EU Parliamentary Committee, Cape Town.
- Peberdy, S. and Rogerson, C. 2003. Creating new spaces? Immigrant entrepreneurship in South Africa's SMME economy. In: R. Kloosterman and J. Rath, eds. *Immigrant entrepreneurs: venturing abroad in the age of globalization*. Berg: Oxford, 79-100.
- Pendleton, W. and Crush, J. 2004. *Regionalizing xenophobia? Attitudes to immigrants and refugees in SADC*. Southern African Migration Project, *Migration policy series*, No 30.
- Philip, K. 2001. Job creation through rural enterprise support: a case study of the Mineworkers Development Agency. Paper presented at the Role of Adult Education in Sustainable Development Conference. Available at: www.projectliteracy.org.za/tmpl/programme.htm.
- Placer Dome Western Areas. [no date]. *CARE project: helping retrenched miners, families and communities throughout Southern Africa*.
- Rogerson, C. 1997. *International migration, immigrant entrepreneurs and South Africa's small enterprise economy*. Southern African Migration Project *Migration policy series*, No. 3. Cape Town and Kingston: SAMP.
- Rogerson, C. 1999. *Building skills: cross-border migrants and the South African construction industry*. Southern African Migration Project *Migration policy series*, No. 11. Cape Town: SAMP.
- Southern African Migration Project (SAMP). 2002. Making up the numbers: measuring "Illegal immigration" to South Africa. SAMP Migration Policy Brief No. 3.

- Sander, C. 2003. Migrant remittances to developing countries. A scoping study: overview and introduction. Unpublished paper for the Department of International Development.
- Save the Children Fund. 2003. [Interview]. October.
- Sechaba Consultants. 2000. *Poverty and livelihoods in Lesotho, 2000*. Sechaba: Maseru.
- Sechaba Consultants. 2002. *The border within: the future of the Lesotho-South African international boundary*. Southern African Migration Project *Migration policy series*, No. 26. Cape Town: SAMP.
- Simelane, H. and Crush, J. 2004. *Mobile Swazis: patterns and perceptions of migration in Swaziland*. Southern African Migration Project *Migration policy series*, No. 32. Cape Town: SAMP.
- Smith, Shaun-Allen (Department of Health). 2004. [Interview]. 31 January.
- Songololo, M. 2000. *The trafficking of children for purposes of sexual exploitation – South Africa*. Cape Town: Creda.
- South African Human Rights Commission. 2000. Lindela at the crossroads for detention and repatriation: an assessment of the conditions of detention. Johannesburg: South African Human Rights Commission.
- South African Law Commission. 2004. *Trafficking in persons*. Issue Paper No. 25. Johannesburg: South African Law Commission.
- Statistics South Africa. 2001. *Census 2001*. Available from: www.statssa.gov.za.
- TEBA. [no date]. Report on TEBA rural development services. Available at: http://www.teba.co.za/products_rdev.html.
- Tevera, D. and Zinyama, L. 2002. *Zimbabweans who move: perspectives on international migration in Zimbabwe*. Southern African Migration Project *Migration policy series*, No. 25. Cape Town: SAMP.
- Williams, B., Lurie, M., Gouws, E. and Crush, J. 2002. *Spaces of vulnerability: migration and HIV/AIDS in South Africa*. Southern African Migration Project *Migration policy series*, No. 24. Cape Town: SAMP.
- Xaba, J. and Phillips, G. 2001. Understanding nurse emigration: final report. Research Report for the Democratic Nursing Organisation of South Africa. Pretoria: Democratic Nursing Organisation of South Africa.
- Zinyama, L. 2000. Who, what, when and why: cross-border movement from Zimbabwe to South Africa. In: D. McDonald, ed. *On borders: perspectives on migration in*

Southern Africa. Cape Town and New York: SAMP and St Martin's Press, 71-85.

Notes

- ⁱ Further analysis of the Census is in progress. The figures for “Rest of Africa” are almost certainly an undercount. More general undercounting may have resulted from undocumented migrants not wishing to disclose their country of origin.
- ⁱⁱ For instance, in Zambia only one bank provides banking services in rural areas (Interview, DFID, Zambia. February 2004).
- ⁱⁱⁱ See also Richard Adams, “International Migration, Remittances, and the Brain Drain,” unpublished paper for the World Bank, June 2003.
- ^{iv} This section of the paper draws heavily on Belinda Dodson and Jonathan Crush, “Mobile Deathlihoods: Migration and HIV/AIDS in Africa” (SAMP 2002); see also Williams et al, Spaces of Vulnerability; IOM, Mobile Populations and HIV/AIDS.
- ^v However, the SADC Protocol on Education and Training has the objective of working towards the free movement of students and educators for educational purposes (see also, Mamphela Ramphela, “Immigration and Education: International Students at South African Universities and Technikons,” SAMP Migration Policy Series, No. 12, SAMP: Kingston and Cape Town. And, progress is being made on the development of a Univisa to encourage overseas tourists, to develop regional tourism.
- ^{vi} However, private recruitment agencies used by the government, may recruit in South Africa.
- ^{vii} Under South African legislation, asylum seekers were excluded from work, study or self-employment, but court challenges have lifted this ban.
- ^{viii} However, Save the Children Fund has just completed a study of Zimbabwean child labourers in South Africa following the collapse of the Zimbabwean economy.
- ^{ix} For instance, Lawyers for Human Rights, Jesuit Refugee Services, South African Council of Churches.