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THE REVISED MIGRATION POLICY FRAMEWORK FOR AFRICA

AND

PLAN OF ACTION (2018 – 2027)

DRAFT

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I. INTRODUCTION

1. Background to the AU Migration Policy Framework for Africa

In an era of rapid globalisation, human migration has reached unprecedented levels and is a defining feature of our times. Throughout its history, Africa has experienced migratory movements, both voluntary and forced, which have contributed to its contemporary demographic landscape. In many parts of the continent, communities are spread across two or three nation-States, and movement is often not limited by political boundaries. Cross-border migration in Africa is an important livelihood and coping strategy during times of ecological and economic downturn, and is key to understanding, as well as forecasting, the onset and evolution of humanitarian disasters. Over the last decades, deteriorating political, socio-economic and environmental conditions, as well as armed conflict, insecurity, environmental degradation and poverty, have been significant root causes of mass migration and forced displacement in Africa. The globalisation process has also facilitated the movement of people across the various regions of Africa, and to other regions outside the continent, as the number of migrants continues to increase. Due to these trends, migration is a major issue in the 21st Century, and poses social, economic and political challenges for policy makers engaged in the management of migration for the betterment of the continent.

In light of the challenges posed by migration and its ramifications (socio-economic, political etc), the OAU Council of Ministers adopted Decision CM / Dec 614 (LXXIV) during the 74th Ordinary Session in Lusaka, Zambia in July 2001, which called for the development of a Migration Policy Framework, and mandated the following:

- To develop a strategic framework for migration policy in Africa that could contribute to addressing the challenges posed by migration and to ensure the integration of migration and related issues into the national and regional agenda for security, stability, development and cooperation (5);
- To work towards the free movement of people and to strengthen intra-regional and inter-regional cooperation in matters concerning migration, on the basis of the established processes of migration at the regional and sub-regional levels; (6) and
- To create an environment conducive to facilitating the participation of migrants, in particular those in the Diaspora, in the development of their own countries (7).

This culminated in the AU Migration Policy Framework (MPFA) which was adopted in Banjul, The Gambia in 2006. The 2006 MPFA provided comprehensive and integrated policy guidelines to AU Member States and RECs, which they were encouraged to take into consideration in their endeavours to promote migration and development and address migration challenges on the continent. It provided policy guidelines in nine thematic areas, namely: Labour Migration; Border Management; Irregular Migration; Forced Displacement; Human Rights of Migrants; Internal Migration; Migration Data Management; Migration and Development; and Inter-State co-operation and partnerships.

In 2016 the AU Commission conducted an evaluation of the MPFA, to determine the extent to which it had effectively guided Member States and RECs in managing migration, the challenges faced in its implementation, the opportunities that remained to

be seized, its continued relevance, and whether there was a need to revise it. Following the completion of the evaluation, AU Member States and RECs met in Zanzibar in November 2016 to discuss, contribute to and validate the report of the *Evaluation of the African Union Migration Policy Framework for Africa*. The Member States and RECs acknowledged the dynamic nature of migration, and the changing migration trends and patterns on the continent, over the past ten years. Thus, the meeting recommended that the AU Commission updates the MPFA, and formulates a 10-year action plan for its implementation.

The revised MPFA reflects current migration dynamics in Africa, and offers a revised strategic framework to guide Member States and RECs in migration management.

2. Migration Realities in Africa and the Global Context

The global geo-political prominence of migration has greatly increased in recent times, as the world sees larger numbers of migrants than at any other time in history. The number of international migrants reached 244 million in 2015, a 41 per cent increase on the 2000 figure, whilst the number of international migrants from Africa reached 34 million, with nearly half of them being women.¹ Moreover, more people have been forcibly displaced than during, or any time since World War II, with figures reaching over 65 million by the end of 2015.² These trends take shape against the backdrop of the growing securitisation of migration, the externalisation of border control and increasingly restrictive migration policies, which have contributed to irregular migration.

Global inequality, the lack of decent work, poverty, conflict, gender inequalities and discrimination, terrorism and climatic pressure continue to drive people to search for a better life abroad. Mixed flows, consisting of different types of migrants and asylum seekers that use the same migration routes and means, have been on the rise. As legal pathways for migration have diminished, migrants are falling prey to smugglers and human traffickers. Consequently the lack of legal pathways for migration has contributed to record numbers of deaths in the Mediterranean Sea, with more than 5,000 people losing their lives in 2016 alone.³ Reliable data on migrant deaths on other routes remain scanty, which means that even more people may be dying crossing the Red Sea and the Sahara Desert.⁴ These dynamics have strained and called into question the world's refugee system, which is struggling to provide adequate protection to more than 21 million refugees. In addition, the notion of a growing migration "crisis" and international terrorism have led to policies that seek to deter migration and jeopardise the protection of the rights of migrant women and men.

Consequently, the UN Summit on Refugees and Migrants took place in September 2016, and issued the New York Declaration for Refugees and Migrants, in which UN Member States committed to negotiating the Global Compact on Safe, Orderly and Regular Migration and the Global Compact on Refugees, over two years. These initiatives represent another step in a series of efforts, over more than a decade, to enhance the effectiveness, and shared responsibility, of the global governance of migration. Discussions on global migration governance have been shaped by two

¹<http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/migration-regions-infographics.pdf>

²<http://www.unhcr.org/afr/news/latest/2016/6/5763b65a4/global-forced-displacement-hits-record-high.html>

³<http://www.aljazeera.com/news/2016/12/mediterranean-migrant-deaths-2016-pass-5000-161223130357172.html>

⁴<http://www.reuters.com/article/us-europe-migrants-sahara-idUSKCN0ZV22C>

predominant narratives, namely the protection of refugee and migrants' rights, and the perceived economic, political and security interests of states, which lean towards the closing of borders and the screening of migrants and asylum seekers far from their shores. While some States are striving to achieve a balance between these two view points in their responses to international migration, the global trend towards the securitisation of migration, is threatening to jeopardise the protection and rights of migrants.

As a result of these global dynamics, donor funding for migration initiatives in Africa has multiplied, as States are encouraged to control migration and stem the flow of migrants. Consequently, activities and funding for migration have largely focused on West, North and East Africa, from where migration routes to Europe, via the Mediterranean, originate, and other routes, such as the southern route towards South Africa, have received insufficient attention. In this context, it is essential for Africa to chart and drive its own migration objectives and policy that address its migration realities and support its development goals. The majority of migration takes place in Africa, and the contribution that migrants make to inclusive growth and development across the continent, must be recognised and fostered. Equally, the protection of migrants' rights, in all regions of Africa, must be prioritised.

3. Migration Trends and Patterns in Africa

Historically, migration in Africa is generally categorised into three main periods: migration during pre-colonial, during colonial and post-colonial times. Colonisation and post-independence links with former colonial powers greatly shaped the migration patterns observed today, and will continue to influence future trends^{5,6}. The driving forces, dynamics and patterns of migration vary across Africa's regions. However, over the last 15 years migration has increased in all of Africa's regions, and is characterised by a largely young migrant population, that is under the age of 30, and diverse migratory flows. These flows include increasing numbers of migrant women, rural to urban migration, labour migration, and a rise in irregular migration and large numbers of refugees, asylum seekers and internally displaced persons (IDPs).

The root causes of migration in Africa are numerous and inter-related. The push-pull framework provides insight into this complex web of factors. Lack of socio-economic opportunities and the rule of law, poor governance, patronage and corruption, political instability, conflict, terrorism and civil strife are major push factors. Pull factors include the real or perceived opportunities for a better life, higher income, improved security, and superior education and health care in countries of destination. The push-pull dynamic is intensified by a number of other factors that facilitate migration. These include the lower costs of migration; improved communication, especially social media and the internet; greater information availability; and the need to join relatives, families and friends. The movement of people - voluntary or forced, legal or undocumented, within or across borders - is a complex process that affects policy making in a wide range of areas.

In 2015 there were an estimated 21 million migrants in Africa, of which 18 million originated from Africa and the rest largely originated from Europe, Asia and North

⁵ Appleyard, Reginald. *Emigration dynamics in developing countries. Volume I: Sub-Saharan Africa*. England, 1998: pp 1-16

⁶ Adepoju, Aderanti. *Emigration dynamics in Sub-Saharan Africa*. In 'Emigration dynamics in developing countries. Volume I: Sub-Saharan Africa'. England, 1998: pp 17-34

America.⁷ Moreover, South-South migration to Africa has increased, primarily through flows of Chinese and Asian migrants, with over one million Chinese estimated to have entered Africa within the last decade alone⁸.

Despite the international focus on migration flows to Europe, more than 80% of African migration takes place in Africa, and is both intra-regional (mainly within West, East and southern African regions) and inter-regional (from West Africa to Southern Africa, from East/Horn of Africa to Southern Africa and from Central Africa to Southern Africa and West Africa)⁹. Migration routes in Africa are constantly evolving and changing. In recent years the eastern route (Gulf of Aden migration route) has witnessed increased numbers of migrants, particularly from the Horn of Africa, moving to the Gulf countries and beyond. Similarly, there has been an increase in movement on the northern route, which is traversed by migrants from mainly West and the Horn of Africa en route to Europe, via the Sahara Desert and the Mediterranean Sea. It is noteworthy, that although migration on the northern route is small in comparison to migration on the continent, especially on the southern route from East/Horn of Africa to southern Africa, a lot of resources are being channelled towards migration management on the northern route. This may be due to the political attention that migration received in Europe. There is less data on irregular migration on the southern route, an issue that needs to be addressed if countries in the southern Africa region and the continent are to manage migration effectively. Furthermore, the lack of data properly disaggregated by sex, age and other factors continue to hinder comprehensive responses to the plight of migrants

Over the last decade, a salient trend in African migration has been the rise in irregular migration. Migrants use increasingly precarious routes, which render them vulnerable to abuse by smugglers and traffickers. Women and girls are particularly vulnerable to human trafficking, sexual and gender-based violence, and other risks. Moreover, States often view irregular migration through the prism of national security, which may lead to a generalisation that all refugees and migrants are a potential security threat. This has contributed to the securitisation of migration, including the reinforcement of border control, without due respect for migrants' human rights. Furthermore, corruption and harassment at borders in Africa remain a challenge, even in regions that are implementing free movement of persons regimes, and this too undermines the human rights of migrants. Migration management policies and practices should uphold the human rights of all migrants, while awareness raising on the rights and obligations of migrants should be provided, as well as migrant-friendly reporting and accountability mechanisms, that address abuse and the exploitation of migrants by security and law-enforcement officials.

Another major challenge in Africa is displaced populations, inter alia triggered by conflict, terrorism, and climatic pressure. Africa hosts the majority of the world's refugees. African countries (Democratic Republic of Congo, Chad Ethiopia, Kenya and Uganda) which are in the top 10 refugee hosting countries in the world, account for 21% of the world's refugees.¹⁰ Africa's displaced population stands at approximately 18.5 million, of which over 27% are refugees, and 67% are IDPs. These displaced populations require substantial resources to manage, provide for, and integrate into host communities. Situations of protracted displacement have emerged, whereby

⁷ UNDESA Population Division, 2016.

⁸ UNECA, 2016, Issue Paper, *New Directions and Trends in African Migration*, p.1.

⁹ AU, 2016, *Evaluation Report of the AU Migration Policy Framework*, p.9.

¹⁰<http://www.aljazeera.com/news/2016/10/ten-countries-host-world-refugees-report-161004042014076.html>

refugees or IDPs are displaced for prolonged periods of time, without immediate prospects for durable solutions, which would allow them to return to their homes, integrate fully into host communities, or settle elsewhere. In recent times calls for developing durable solutions for displaced populations in Africa have increased.

Significant internal migratory movements, such as rural-urban migration, add to the complexity of Africa's migration landscape. African cities have experienced rapid urban growth. As the fastest urbanising continent, its rate of urbanisation has soared, rising from 15% in 1960 to 40% in 2010, with Africa's urban population forecast to triple over the next 50 years.¹¹¹² This massive population shift will transform the region, creating profound opportunities and challenges for regional, national and local policy makers. Industrialisation and urbanisation are considered mutually reinforcing processes, which is of particular relevance to Agenda 2063 and Agenda 2030, both of which recognise urbanisation as a critical factor for sustainable development.

While urbanisation is a natural consequence of development, the rapid growth of urban populations can strain existing urban infrastructure, services, the environment and the social fabric of cities. It is also important to keep in mind that international migration in Africa takes place mainly to cities, whether as part of a process of step migration, or as a final destination. The integration of refugees and migrants into host communities is challenged by concerns among urban dwellers that the new population will usurp jobs, lower wages, strain social systems and change national identities and cultural values. Therefore, local authorities need to be equipped with the necessary resources to manage their increasingly complex societies, facilitate the social integration of migrants and protection of their rights, including against xenophobia, and sexual and gender based violence, and harness the development contribution that migrants can make to urban centres. Thus the local dimension of migration policies and strategies need to be strengthened. This will involve incorporating the role of cities into national migration strategies, mainstreaming migration management into national urban policies, integrating migration into local development planning, and deepening understanding of the diverse local political economies that interplay with local policy implementation.

Furthermore, emigration from Africa has increased substantially in the last decades in absolute terms, but the proportion of emigrants to total population is currently one of the lowest in the world, though with variations across countries.¹³ However, demographic imbalances between different parts of the world is expected to intensify, with Africa's young population expected to count 2.4 billion people by 2050, and Europe's ageing population projected to lose about 30 million of its total of 738 million people by 2050.¹⁴ Migration flows to Europe and other developed countries can therefore be expected increase, which can yield development benefits for Africa, if properly managed, through, inter alia, skills development, remittances and investment in countries of origin.

It is evident that well-managed migration has the potential to yield significant benefits for both origin and destination countries. For instance labour migration has played an important role in filling labour needs in agriculture, construction and other sectors, thus

¹¹ <https://unhabitat.org/urban-initiatives/initiatives-programmes/africa-urban-agenda-programme/>

¹² While rural-urban migration is an important factor in urbanisation, it plays a less significant role in urban growth, which is typically dominated by natural population growth.

¹³ AU, 2016, *Evaluation Report of the AU Migration Policy Framework*, p.13.

¹⁴ UN (2017) *Report of the Special Representative of the Secretary-General on Migration*, p.12.

contributing to the economic development of many African countries of destination. Moreover, the beneficial feed-back effects of migration, such as remittances, knowledge and skills transfer, and return migration, have in some cases made major contributions to economies of origin countries. However, mismanaged or unmanaged migration can have serious negative consequences for States' and migrants' well-being, including potential destabilising effects on national and regional security. Mismanaged migration can also lead to tensions between host communities and migrants, and can give rise to xenophobia, discrimination and other social pathologies. Many African countries have faced challenges in managing migration, due to a lack of sufficient data and the effective use of data, capacity, and policy coherence, among other factors. This has resulted in jeopardised inter-state relations; brain drain/brawn drain; increased irregular migration (human trafficking and migrant smuggling); increased tensions between host and migrant communities; threatened national and regional security; and dilapidated social services.

The realities of migration in Africa, including its increasing importance and untapped potential, underscore the need for States to develop comprehensive policies on migration. Growing regional integration and the free movement of persons presents significant opportunities to enhance the development benefits of migration. However, they also require increased inter-State cooperation and enhanced data and security mechanisms that protect the rights of migrants and address transnational crime. Such efforts will require enhanced dialogue at sub-regional, regional and pan-African levels. Given that the number of migrants is rising, and that this trend is likely to persist, the management of migration is one of the most critical challenges for States this century, and will require well planned migration policies, which are developed and implemented through a whole of government approach, as well as deepened cooperation with destination countries.

4. Global and Continental Efforts to Manage Migration

Globally, and in Africa, the significant and multifaceted contribution that migration can make to development has gained greater recognition. With the adoption of the Sustainable Development Goals (SDGs) in 2015, and explicit references to migration in six of its 17 goals, migration was mainstreamed into global development policy. The same year, the AU launched Africa's development strategy for the next half century, with the adoption of Agenda 2063, which aspires to an *integrated* and *politically united* Africa, and calls for the free movement of people, capital, goods and services. Continental economic integration, which builds on the work of the RECs, and the implementation of their free movement of persons protocols, should be consolidated through the implementation of the AU Free Movement of Persons Protocol and the Continental Free Trade Area.

Economic integration is a key pathway to development and demands labour mobility and other forms of economic engagement that necessitate the movement of persons. The drive for the continental free movement of persons originates from the Organisation for African (OAU) Unity Lagos Plan of Action for the Economic Development of Africa, 1980-2000, which calls for the establishment of an African Common Market, which by definition allows for the free movement of factors of production, including labour. The Abuja Treaty set out a path for the achievement of the African Economic Community (AEC) through successive stages that would harmonise and integrate existing and future RECs that constitute the building blocks of the AEC. During the fifth stage an African common market would be established, which would provide for the free movement of persons, and the rights of residence and establishment. The gradual

removal of the obstacles to the free of movement of persons among Member States is listed in Article 4 of the Treaty as important for achieving the objectives of the Community, which include economic development and the integration of African economies.

Agenda 2063 advocates for the free movement of people as part of the continental integration agenda. Free movement is expected to contribute to significant increases in trade and investment among African countries, which would in turn strengthen Africa's position in global trade. Globally, and in Africa, States need to cooperate to harness the development benefits which migration brings, and to control who enters and stays on their territory. The growing trend towards the securitisation of migration and the closing of legal channels of migration forces migration underground, endangers the rights of migrants and boosts transnational crime. The free movement of persons in Africa, effective migration governance and strengthened interstate cooperation on migration should aid Africa's development and security.

In support of these continental priorities, the AU Heads of State and Government issued the **Declaration on Migration, Doc. Assembly/AU/18(XXV)** in June 2015, at the 25th Ordinary Session of the AU Assembly in Johannesburg, and committed to the following actions: strengthening efforts to combat human trafficking and the smuggling of migrants; speeding up the implementation of continent-wide visa free regimes, including the issuance of visas at ports of entry for Africans and based on the principle of reciprocity; and expediting the operationalisation of the African Passport, to be issued by Member States, that would facilitate free movement of persons on the continent.

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II. THE STRATEGIC FRAMEWORK FOR MANAGING MIGRATION

In the context of the foregoing migration trends, the 2006 MPFA has been revised to respond to current migration realities and aptly guide AU Member States and RECs in the management of migration. To this end, the revised MPFA identifies eight key pillars with sub-themes and makes policy recommendations for consideration by AU Member States and RECs. It provides comprehensive policy guidelines on the following thematic issues and respective sub-themes:

- 1. Migration Governance;**
- 2. Labour migration and Education;**
 - i) National Labour Migration Policies, Structures and Legislation
 - ii) Regional Co-operation and Harmonisation of Labour Migration Policies
 - iii) Brain Drain
 - iv) Remittances
- 3. Diaspora Engagement;**
- 4. Border Governance;**
- 5. Irregular Migration;**
 - i) Migrant Smuggling
 - ii) Human Trafficking
 - iii) Return, Re-Admission and Re-integration
 - iv) National and International Security and Stability
- 6. Forced Displacement;**
 - i) Refugees and Asylum-Seekers
 - ii) Internally Displaced Persons
 - iii) Protracted Displacement
 - iv) Crisis Prevention, Management and Conflict Resolution
 - v) Principles of Non-Discrimination
 - vi) Integration and Re-integration
 - vii) Stateless Persons
- 7. Internal Migration; and**
- 8. Migration and Trade.**

It also highlights cross-cutting issues, including the following

1. Migration and Development
2. Migration Data and Research
3. Human Rights of Migrants
4. Migration, Poverty and Conflict
5. Migration and Health;
6. Migration and Environment
7. Migration and Gender
8. Migration, Children, Adolescent and Youth
9. Migration and the Elderly
10. Inter-State and Inter-Regional Cooperation

The MPFA is a non-binding, reference document and does not impose any obligations on Member States. It provides guidelines and principles to assist governments and RECs in the formulation and implementation of their own national and regional migration policies, in accordance with their priorities and resources. Since migration flows, patterns, volumes and dynamics vary among States and regions, the MPFA does not provide resource mobilisation mechanisms for implementation or monitoring and evaluation of the recommended actions, as these would be determined by States or

regions, on the basis of their migration strategies and policies, and the migration dynamics which have shaped them. However, relevant UN Agencies and International Organisations, NGOs, CSOs and specialised agencies and institutions, with migration expertise and competencies, could support governments and RECs with the necessary resource mobilisation.

1. MIGRATION GOVERNANCE

Effective migration governance harnesses the multiple benefits of migration, and counters the negative affects it may entail. Migration governance can be defined as *the traditions and institutions by which authority on migration, mobility and nationality in a country are exercised, including the capacity of the government to effectively formulate and implement sound policies in these areas*¹⁵. Agenda 2030 calls for effective migration governance in Sustainable Development Goal (SDG) 10, which urges countries to *reduce inequality within and among countries* by facilitating *orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies*.

Better migration governance is the overarching objective of the MPFA, which provides guidance on migration governance in different thematic areas. This section highlights key tenets of global migration governance, which is the foundation for effective migration policy development and implementation. The IOM 2015 Migration Governance Framework sets out a vision for comprehensive migration governance which benefits migrants and society. It is based on the following principles: complying with international standards and law and securing migrants' rights; developing evidence-based policies through a whole-of government approach; and engaging with partners to address migration and related issues. In adhering to these principles, a state should aim to achieve the following objectives through its migration and related policies, law and practice: aid the socioeconomic well-being of migrants and society; effectively address the migration aspects of crises, and facilitate safe, orderly and dignified migration. The prioritisation of these elements will depend on the migration dynamics of each state.

Migration is inevitable, and needs to be better governed in an integrated manner through comprehensive, human-rights based and gender-responsive national migration strategies and policies. These instruments need to incorporate the myriad of areas that migration intersects with, and engage all the national authorities and agencies involved in these areas, through a whole of government approach and national coordinating mechanisms. RECs, CSOs, International Organisations and the business community also contribute to migration governance and need to be engaged in the planning, implementation, and monitoring and evaluation phases of migration governance. The RECs' role in migration governance lies in the regional coordination and harmonisation of migration-related standards, policies, initiatives and laws, among their Member States. Moreover, they are well placed to identify regional trends and enhance regional cooperation through regional policies, dialogue processes, capacity building and programmes. CSOs have a role to play through their grassroot initiatives and direct contact with communities. Their access to communities can be used to gather important information on the impact of migration policies and initiatives, and how they can be improved. International Organisations aid migration governance through the technical

¹⁵ IOM (2015): Migration Governance Framework

expertise and capacity building which they provide to the actors engaged in the migration governance process, including government agencies and RECs. The business community benefits from labour migration, and can contribute to migration and development in a number of ways, such as encouraging labour mobility through international work opportunities; attracting investments from the Diaspora through business. It is therefore important to involve them in migration governance processes, to ensure that they meet the necessary standards in their provision of services to migrants, and to learn from their experiences on how migration policies can be improved in order to facilitate migration management and development.

Recommended Strategies:

i) Comply with international standards and law and secure migrants' rights

- Respect, protect and meet the rights of all persons, regardless of their migration status, nationality, gender, race or ethnic origin, including through countering xenophobia, racism and discrimination, securing their access to protection, and criminalising and prosecuting smugglers and traffickers.
- Provide all migrants with access to justice and legal redress.
- Identify and assist vulnerable migrants and displaced persons through child-oriented, gender-sensitive and culturally appropriate approaches.
- Provide protection to forced migrants in accordance with humanitarian law and human rights principles.
- Uphold the human right of every person to leave any country, including their own country, and to return to their own country at any time.

ii) Develop evidence-based policies through a “whole-of government” approach

- Develop migration and related policies on the basis of the analysis of accurate data, including on migration trends, demographics, labour markets, education, health, environmental degradation, climate change and crises.
- Monitor the implementation of policies and update them over time to ensure that they reflect and address current migration dynamics and development objectives.
- Engage all ministries related to migration issues in migration policy development and implementation through national coordinating mechanisms on migration.

iii) Engage with partners to address migration and related issues

- Build and sustain partnerships to enjoy a comprehensive understanding of migration and deploy effective strategies and actions, including with subnational governments, local authorities, cities and municipalities; non-governmental actors, such as employers, unions, Diasporas, migrant associations, civil society, local community groups, religious organisations and academia; partner states, especially countries of origin, transit and destination for nationals and incoming migrants; and International and regional organisations that work on migration and related issues.

- Share best practices on migration governance, and current migration trends and realities (to ensure that migration frameworks and processes are in tune with current realities) within regional consultative processes, such as the Africa-Arab Technical Coordination Committee on Migration; the Migration Dialogue for West Africa (MIDWA); Migration Dialogue for the Common Market for Eastern and Southern African Member States (MIDCOM); Migration Dialogue for Southern Africa (MIDSA); and the Intergovernmental Authority on Development (IGAD) Regional Consultative Process on Migration.

iv) Employ migration governance to aid the socioeconomic well-being of migrants and society

- Engender stability and resilience, spur education, health and employment opportunities, and counter the drivers of forced migration, including by promoting resilience, thereby enabling individuals to make the choice between staying or migrating.
- To meet labour market needs, develop tailored labour migration opportunities, including permanent, temporary and circular migration for diverse skill levels, and aid the integration of migrants into their hosting communities and ensure that they have the same access as citizens to health care, psychosocial support, social services, education, basic public services and housing.
- Facilitate student mobility and family reunification;
- Provide reintegration assistance to returning migrants and displaced persons, including access to legal recourse for land and property claims;
- Ensure the portability of social security;
- Promote low-cost remittances transfers and opportunities for investment in home communities;
- Regulate recruiters and employers and ensure fair labour conditions.

v) Address the migration aspects of crises

- Put in place early warning systems to prevent and prepare for crisis; and assist migrants, displaced persons, refugees and communities affected by crises in accordance with humanitarian principles; and promote durable solutions to end displacement.
- Provide access for humanitarian aid and workers and ensure consular services and evacuation assistance for migrants caught in crises.

vi) Facilitate safe, orderly and dignified migration

- Provide opportunities for regular migration, long-term residency and citizenship and efficient and affordable migration services.
- Implement sound civil registry systems, including birth registration, identity

documents and travel documents.

- Counter health and security risks, such as the spread of diseases, through the necessary cross-border health checks and public health strategies.
- Detect and prevent irregular migration, including transnational crime, such as smuggling and trafficking, by ensuring the necessary cooperation between border agencies and national and international justice and security agencies and the sharing of information.
- Harmonise migration laws and policies across the regions to ensure effective migration governance.

2. LABOUR MIGRATION AND EDUCATION

2.1. National Labour Migration Policies, Structures and Legislation

Labour migration is a current and historical reality in Africa impacting directly on the economies and societies of African States in important ways. Establishing regular, transparent, comprehensive and gender-responsive labour migration policies, legislation and structures at national and regional levels, can result in significant benefits for States of origin and destination. For States of origin, for example, remittances, and skills and technology transfers can support overall development objectives. For States of destination, labour migration may satisfy important labour market needs. *SDG 10 Reduce inequality within and among countries states in Target 10.7 Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.* Labour migration policies and legislation that incorporate appropriate labour standards also benefit labour migrants, members of their families, and can have a positive impact on society generally. *SDG 8 Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all stipulates in Target 8.8 (p)rotect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.*

In 2015, the AU adopted the Joint Labour Migration Programme (JLMP), which promotes critical areas of facilitating the free movement of workers as a means of advancing regional integration and development. Key activity areas of the JLMP include skills portability and the mutual recognition of qualifications, and the development of an African Qualifications Framework. Most Sub-Saharan African countries face labour and skills shortages in specific sectors, while at the same time battling with unemployment and a growing youth bulge. Regional skills pooling enabled through mobility can help to address this challenge and allocate labour where it is most productive and needed. For Africa's large and growing youthful population to be a driver for the structural transformation of Africa and constitute a demographic dividend, they need to be presented with the right opportunities and capacitated to work in the necessary economic sectors.

Agenda 2063 states that the eradication of poverty will be achieved, inter alia, through *investing in the productive capacities (skills and assets) of our people.* It also calls for strengthening *technical and vocational education and training through scaled up investments, establishment of a pool of high-quality TVET centres across Africa,*

foster(ing) greater links with industry and alignment to labour markets, with a view to improve the skills profile, employability and entrepreneurship of especially youth and women, and closing the skills gap across the continent; and building and expanding an African knowledge society through transformation and investments in universities, science, technology, research and innovation; and through the harmonization of education standards and mutual recognition of academic and professional qualifications. An African Accreditation Agency needs to be established, which will develop and monitor educational quality standards, with a view to expanding student and academic mobility across the continent. Student and labour mobility can defuse the pressure of the youth bulge and result in “brain gain” and “brain circulation” if the youth can gain new skills through education and labour mobility. SDG 4 Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all supports student mobility and stipulates in Target 4.b to by 2020, substantially expand globally the number of scholarships available to... African countries, for enrolment in higher education, including vocational training and information and communications technology, technical, engineering and scientific programmes, in developed countries and other developing countries.

The AU Free Movement of Persons Protocol and the African passport are flagship projects of Agenda 2063, which also calls for the abolishment of visa requirements for all African citizens in all African countries by 2018, and should spur student and labour mobility. The Free Movement Protocol will dovetail with the 2014 Revised Arusha Convention’s aim to promote academic mobility through the mutual recognition of higher education, as well as the AU’s 2007 framework for the harmonisation of higher education, the African Quality Rating Mechanism, which aims to strengthen African higher education institutions and ensure that they are globally competitive, and the Nyerere Programme, which grants scholarships to facilitate exchanges between African universities.

To aid labour mobility the JLMP is also working on Labour Market Information Systems, skills forecasting and labour migration statistics which collectively support market driven skills development and skills pooling across the continent. SDG 17, *Strengthen the means of implementation and revitalize the global partnership for sustainable development* demand in Target 17.18 to by 2020, *enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high- quality, timely and reliable data, disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts.*

Recommended Strategies:

- i) Domesticate all the International Labour Organisation (ILO) Conventions on Labour Migration as appropriate to each Member State and harmonise national laws and regulations with international labour standards.
- ii) Create transparent (open) and accountable labour recruitment and admission systems, based on clear legislative categories and immigration policies that are harmonised with labour laws.
- iii) Provide access to accurate information on labour migration at pre-departure and post-arrival stages, including terms and conditions of work, remedies and access to legal advice in the event of violations.

- iv) Align national laws, policies and regulations; bilateral and multilateral agreements; and voluntary codes of conduct with the ILO *General principles and operational guidelines for fair recruitment*.
- v) Ensure that national laws, including constitutional, administrative and civil law and labour codes, provide women migrant workers, in particular domestic workers, with the same rights and protection that are extended to all workers.
- vi) Monitor and enforce compliance with recruitment regulations, including standardised contracts of employment which are free, fair, fully consented to, transparent and enforceable.
- vii) Promote consolidation and professionalisation in the recruitment industry, reigning in the maze of subagents that are often involved, with the aim of turning (public and private) recruiters into comprehensive “one-stop shops” for employers and migrants, offering comprehensive services, including training and skills certification, job placement and travel arrangements.
- viii) Strengthen or make provision for adequate supervision of working conditions for all migrants by the competent labour market authorities or duly authorised bodies.
- ix) Establish effective complaint mechanisms and ensure that migrants, especially migrant women, have recourse to enforce, timely and affordable remedies. Ensure that migrant workers are able to make complaints against their employees or others, including on grounds of sexual harassment in the workplace, and have access to remedies including for unpaid wages and compensation for violations of labour rights, without fear of reprisals and expulsion.
- x) Build national capacity to manage labour migration by developing national labour migration policies and legislation consistent with overall population policy, and government structures to manage labour migration. The latter should include the creation of focal points within relevant ministries to handle labour migration issues, and establish institutional mechanisms for enhanced cooperation between government authorities, worker organisations and employer associations.
- xi) Promote the standardisation of bilateral labour agreements to ensure the protection of migrant workers and facilitate remittance transfers.
- xii) Ensure coherence at the national level between bilateral and regional agreements pertaining to the movement of workers, national labour market policies, migration policies and other relevant policy areas, such as health or agriculture, in line with international human rights law, norms and standards. Key stakeholders, including civil society, social partners, employers, trade unions, women’s rights organisations, training institutions and migrants, must be

consulted in developing labour migration related strategies.

- xiii) Domesticating the RECs' free movement of persons protocols and provisions.
- xiv) Promote equality of opportunity and the protection of the rights of migrant women by ensuring that labour migration policies and practice are gender-sensitive and non-discriminatory, in recognition of the increasing feminisation of labour migration.
- xv) Promote respect for, and protection of, the rights of labour migrants including combating discrimination and xenophobia through, inter alia civic education and awareness-raising activities.
- xvi) Incorporate mechanisms that monitor and evaluate the provision of decent work for all migrants and enable them to access legal provisions for social protection.
- xvii) Promote HIV/AIDS awareness raising and prevention campaigns targeted towards labour migrants, with participation of social partners, in order to combat the spread of HIV/AIDS within the labour force.
- xviii) Facilitate technical cooperation activities with international agencies, including ILO, the International Organisation for Migration (IOM), the World Health Organisation (WHO), the Joint United Nations Programme on HIV/AIDS (UNAIDS) and other concerned entities, in order to enhance the developmental effects of labour migration.
- xix) Enhance national and regional labour migration data collection, analysis and exchange to document the conditions and needs of migrant women and men workers and their families.
- xx) Facilitate the integration of all migrants, women and men, in the labour market including in the education and training sector, removing gender-based barriers that restrict women from being recruited, as well as the right to join trade unions, to form community organisations; to associate and collectively bargain.
- xxi) Set up national and sub-regional social dialogue mechanisms to address migrant labour issues, including the challenges faced by women migrant workers.
- xxii) Provide social protection and social security benefits, particularly unemployment insurance, compensation for employment injury, long-term illness, death benefits, disability, parental leave, supplementary insurance schemes, and old age pension for all labour migrants, including women migrant workers, while working abroad and/or upon their return.
- xxiii) Provide social protection and social security benefits, particularly unemployment insurance, compensation for employment injury and old age pension for labour migrants while working abroad and/or upon their return.
- xxiv) Incorporate the laws and rules of host countries when recruiting non-national migrant labour for employment, while contracts of employment must be supervised and retained by the governments of the host and sending States.

- xxv) The incorporation of 'good practice' strategies in managing migration recognises the vulnerability of migrant labour to unemployment, at times when national economies experience a reduction in the requirement of labour. Consequently, States which have made arrangements to recruit migrant labour are urged to ensure labour migrants experiencing job losses are adequately provided for, or receive financial assistance for return to their states of origin.
- xxvi) Ensure that indigent regular migrants who may lose their job are not returned to their State of origin, unless there is an interstate agreement to this effect and s/he shall not have her/his right of residence and work permit withdrawn. These migrants should receive equality of treatment regarding security of employment, alternative employment, relief work and return.
- xxvii) Incorporate equality of opportunity measures that ensure equal access for labour migrants and nationals in the areas of employment, occupation, working conditions, remuneration, social security, education and geographical mobility.
- xxviii) To aid the portability of qualifications, encourage the conclusion of mutual recognition agreements and ratify the 2014 Addis Convention on the Recognition of Studies, Certificates, Diplomas, Degrees and Other Academic Qualifications in Higher Education in African States and establish bodies and procedures in compliance with the Agreement.
- xxix) Implement the AU Higher Education Harmonisation Strategy for Africa (2016-2025) and the Continental Education Strategy for Africa (2016-2025).
- xxx) Develop National Qualification Frameworks to facilitate the portability of qualifications and the development of a Continental Qualifications Framework.
- xxxi) Implement policies and processes that facilitate student and academic mobility.
- xxxii) Develop and apply TVET Quality Assurance standards in order to facilitate skills and competencies mobility within RECs and at continental level.
- xxxiii) Domesticate the Implementation Plan on Ouagadougou+10 and the Labour Market Information System.
- xxxiv) Domesticate the AU Social Protection Policy and Informal Economy Framework.

2.2 Regional Cooperation and Harmonisation of Labour Migration Policies

Bilateral and multilateral efforts that aim to strengthen labour migration cooperation can serve to foster regular labour migration; meet the supply and demand needs of domestic and foreign labour markets; promote enforcement of labour standards; and reduce recourse to irregular migration. RECs can contribute to these efforts, by fostering labour mobility at the regional level.

Recommended Strategies:

- i) Provide visas on arrival for all African citizens.

- ii) Enhance cooperation and coordination amongst States in sub-regions and regions with a view to facilitating free movement at bilateral, sub-regional and regional levels.
- iii) Maintain open and continued contact and communication between States of origin and destination in order to ensure fair working conditions for nationals working abroad.
- iv) Develop technical implementation frameworks and administrative processes for labour mobility agreements by engaging all the relevant actors, such as trade and immigration authorities, the private sector and professional boards, and include coordination mechanisms and instruments between the relevant agencies and actors.
- v) Harmonise and strengthen implementation of REC free movement provisions related to residence and establishment, in order to aid labour mobility.
- vi) Monitor and evaluate the implementation of Free Movement of Persons protocols and provisions, and identify activities and policies which can enhance their implementation.
- vii) Undertake research which highlights the economic gains increased mobility will bring, including labour market analysis to identify imbalances in labour markets and opportunities for skills matching, and use the findings to promote the implementation of free movement regimes.
- viii) Undertake skills gaps analyses and skills forecasting to determine the skills that will be necessary in the short, medium and long term for the economic development of the regions and support Member States in adapting their education systems and training courses toward qualifications that will be needed across the region.
- ix) Enhance the AU Labour Migration Advisory Committee to support regional economic integration and development

2.3 Brain Drain

“Brain drain” occurs when significant numbers of highly skilled nationals leave their State of origin to seek livelihoods abroad. This phenomenon can have detrimental effects on the economies of States of origin countries by hampering the growth and development of industries and service sectors where highly skilled nationals are needed. An estimated 70,000 skilled professionals emigrate from Africa each year. The New Partnership for Africa's Development (NEPAD) specifically recognises the reversal of “brain drain” as a sectoral priority. Countering “brain drain” and mitigating its effects on national economies are therefore important policy objectives for African countries.

Recommended Strategies:

- i) Counter the exodus of skilled nationals, particularly health professionals, by promoting the NEPAD strategy for retention of Africa's human capacities and generating gender-responsive economic development programmes to provide

gainful employment, professional development and educational opportunities to qualified nationals in their home countries.

- ii) Counter the effects of “brain drain” by encouraging nationals abroad to contribute to the development of their State of origin, through financial and human capital transfers, such as short and long term return migration; the transfer of skills, knowledge and technology, including in the context of programmes such as the IOM MIDA (Migration in Development for Africa) Programme, and activities of ILO, WHO and other relevant agencies.
- iii) Establish policies for the replacement of qualified persons who have left the State of origin, including strategies to attract the Diaspora, and retention policies.
- iv) Implement brain gain strategies that encourage:
 - a) The development of skills of migrant workers through international education and work opportunities, and their return to their countries or origin;
 - b) The temporary return of qualified nationals in the Diaspora to alleviate skill shortages in their countries of origin;
 - c) The contribution of human resources on the continent by facilitating regional and continental mobility of skilled professionals.

2.4 Remittances

The total global volume of remittances transfers to developing countries far exceeds Official Development Assistance (ODA), and has important macro-economic effects, by increasing the total purchasing power of receiving economies. Importantly, women migrant workers account for half of the estimated \$601 billion in global remittances.¹⁶ International remittances has become a major source of foreign currencies for most African countries and have been found to be more stable, dependable and countercyclical than other forms of foreign currency inflows, such as Foreign Direct Investment (FDI) and ODA, thus sustaining consumption and investment during recessions. In 2015, African economies received - both from overseas and Intra-African corridors – officially recorded remittances amounting to US\$ 66 billion.

Remittances are used by migrants’ families to meet daily subsistence needs, health and education, but are also invested in land, homes, entrepreneurial activities, et cetera. Identifying ways to maximise the developmental effects of remittances, and improving remittance transfer mechanisms, are therefore topics of growing importance to Africa.

The African Institute for Remittances (AIR) was established as a Specialised Technical Office of the AU and became operational in 2015. It works on harnessing remittances for development in Africa, by reducing the cost of remitting money to and within Africa, and improving the regulatory and policy frameworks within which remittances transfers take place, including remittances data measurement, compiling and reporting systems.

The development contribution of remittances is recognised by SDG 10 *Reduce inequality within and among countries*, which also notes the persistent issue of high transfer costs. It requests in Target 10.c to, by 2030, *reduce to less than 3 per cent the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5 per cent*. Remittances have a critical role to play in achieving the first Goal of the 2030 Agenda: *End poverty in all its forms everywhere*. Remittances can improve

¹⁶ World Bank, [Migration and Remittances Factbook 2016](#)

poor people's resilience to shocks and even offer a pathway out of poverty with investments in education, health and income-generating activities. However, currently, small and fragile States that tend to be the most dependent on remittance flows have some of the highest remittance fees.¹⁷

Moreover, policies, strategies and programmes on remittances are often gender neutral, even though gender affects the amount and frequency of remittances which migrants send home, as well as how the money is used. Migrants' remitting behaviour is influenced by several factors, including, but not limited to, gender, age, education, marital status, and position in the family, as well as opportunities in the destination country. It is important to recognise that women tend to send smaller amounts, but higher percentages of their incomes more frequently, and therefore are facing higher transfer costs. Furthermore, women are often not included in formal financial systems due to financial illiteracy and are lacking the benefits and security of those financial institutions. Therefore, reducing transfer fees and making different transfer options accessible to women would benefit these women and maximise the positive impact of remittances on their families and communities.

Recommended Strategies:

- i) Reduce the cost of transferring remittances by fostering competition in remittances markets.
- ii) Encourage the transfer of remittances by adopting sound macro-economic policies conducive to investment and growth and appropriate financial sector policy that encourage financial institutions and their outreach, such as post office networks, supporting credit unions, and rural financial service providers.
- iii) Strengthen collaboration with AIR, relevant stakeholders in civil society, the donor community and financial sector to create incentive strategies and investment opportunities for remitters in commercial, entrepreneurial and other productive activities.
- iv) Improve the quality of data reporting on remittance and migration statistics and generate qualitative evidence, including on the gender dimensions of remittance flows, to create a solid basis for future gender-responsive policy action on remittances. Data should be disaggregated by sex, age, and other relevant factors of migration.
- v) Promote the effective mobilisation and utilisation of the Diaspora funds for investment and development of the public and private sector, which in the long term will improve the macro-economic environment and reduce outflows or emmigration of African professionals.
- vi) Make it easier for migrants and their families to access financial services, including by extending financial literacy training to remittance senders and receivers
- vii) Boost the use of technology, such as mobile money, for cross-border remittances.

¹⁷ UN (2017) *Report of the Special Representative of the Secretary-General on Migration*, p.23.

3. DIASPORA ENGAGEMENT

Agenda 2030 recognises the positive contribution that migrants make to inclusive growth and sustainable development. Migrants often maintain a web of connections with their home States, creating beneficial feedback effects such as the transfer of remittances, knowledge, skills and technology, as well as joint business ventures, and short and long-term return migration. Strengthening these feedback effects by enhancing collaboration with the African Diasporas is a key aspect of fostering the migration-development nexus, and was identified by NEPAD as a sectoral priority within its Human Resource Development Initiative.

Agenda 2063 aspires to a dynamic and mutually beneficial links with her Diaspora. In 2005, the AU declared the Diaspora the structure's sixth region, with one of the AU's objectives being to *invite and encourage the full participation of the African Diaspora as an important part of our continent, in the building of the African Union*. It requests in Agenda 2063 first 10 Year Implementation Plan that Member States ratify the protocol on the amendments to the Constitutive Act to enable the Diaspora to participate in the AU by 2023. 20 Seats have been allocated to the African Diaspora in the AU Economic, Social, and Cultural Council; and the AUC Citizens and Diaspora Directorate (CIDO) was established in 2001 to address issues related to Diasporas and homeland governments.

In 2012, the first Global African Diaspora Summit was held in South Africa, at which a key Declaration and five "legacy projects" were adopted: the production of a Skills Database of African Professionals in the Diaspora; b) the establishment of the African Diaspora Volunteers Corps; c) the African Diaspora Investment Fund; d) a programme on the Development Marketplace for the Diaspora, as a framework for facilitating innovation and entrepreneurship among African and Diaspora; and e) the African Institute for Remittances. Agenda 2063's first 10 Year Implementation Plan states that all legacy projects should be functional and contributing to the growth of the continent by 2023. Member States should also have in place a dual citizenship programme for the Diaspora and focal points or national agencies for Diaspora affairs. It also calls on Member States to leverage Diaspora remittances and savings for the implementation of the first 10 Year Implementation Plan.

Despite these initiatives, there are still major limitations to the inclusion of Diasporas in development policy and practice. First, there is a need to build trust among public institutions that deal with Diaspora, with a particular focus on diplomatic missions and targeted outreach programmes. Second, Member States face challenges in maintaining reliable data on individuals and organisations within the Diaspora, as well as on remittances, often lacking the capacity to map and record the Diaspora. Third, there is a dearth of national policies and strategic plans on Diaspora engagement, with existing policies rarely harmonised within regional and continental frameworks. In addition to these challenges, the younger second and third generation Diaspora remains a relatively untapped resource for origin communities.

Recommended Strategies:

- i) Establish Diaspora focal points or agencies to manage Diaspora affairs and dual citizenship programmes.

- ii) Encourage entities such as the European Union (EU) /European Commission (EC), AU, ILO and IOM, and other organisations and their respective projects, to assist African States and their Diaspora agencies or focal points to develop effective Diaspora engagement policies and actions.
- iii) Implement training on whole of government approach to engaging the Diaspora, starting with the mapping of the Diaspora (skills, needs, concerns etc.) and engaging different ministries of government in strategising about how to reach out to the Diaspora, build trust and develop programmes for mutual engagement and benefit.
- iv) Undertake research on second and later-generation migrants whose relationships with the origin country are different to those of first-generation migrants, and develop appropriate policy responses to engage them in the development of their countries of origin.
- v) Pass law on dual citizenship for the Diaspora or implement other mechanisms to facilitate the participation of the Diaspora in their countries of origin.
- vi) Implement the relevant aspects of the Declaration of the Global African Diaspora Summit.
- vii) Facilitate the ratification of the protocol on the amendments to the Constitutive Act to enable the Diaspora to participate in the AU.
- viii) Create the necessary political, social and economic conditions such as an enabling policy environment, democracy and good governance to serve as incentive to attract Diaspora.
- ix) Create conducive conditions for a higher rate of permanent return, conduct systematic reviews of return programmes to achieve a better understanding of the experiences of Diaspora returnees who participated in these programmes, including the key factors which inspired their decisions to make their return either temporary or permanent, and use the findings to develop a more favourable policy environment.
- x) Boost financial investment by the Diaspora, by providing better investment protection, including insurance.
- xi) Establish a reliable database on the Diaspora, both to determine their size, location and skills, and promote networking and collaboration between experts in the State of origin and those in the Diaspora.
- xii) Facilitate the return of qualified nationals resident in developed States, through appropriate resettlement incentives. Create appropriate institutional mechanisms within relevant ministries to manage relations with nationals abroad and to facilitate the transfer of scientific knowledge and encourage trade and investment.
- xiii) Expand South-South and North-South dialogue and partnerships to foster sharing of human resources, skills, technology, and knowledge in Africa, as well as best practices on Diaspora engagement.

4. BORDER GOVERNANCE

Agenda 2063 aspires to *a continent of seamless borders, and management of cross-border resources through dialogue*, which necessitates effective border governance. Borders in Africa do not merely need better management, they require effective governance. While the idea of *border governance* refers to a system of norms, institutions and the collaboration of states, society and non-state actors, the concept of *border management* relates to the implementation of parts of this system, through government agencies, and comprises the rules, techniques and procedures for regulating the movement of people and goods across borders. Cooperative Border Management (CBM) refers to a cohesive government response to the challenges of border management, through the cooperation of public authorities across sectoral and international boundaries toward a shared goal: to balance the easy and legal movement of humans and goods and the prevention of illegal activities, human and national insecurity through effective and efficient joint arrangements.

Effective CBM is a key element in any national migration system. The strategic goals of border security are to control: i) the movement of prohibitive and restrictive goods including drugs, weapons etc. ii) the appropriate use of import and export permits, quotas, exchange controls etc., iii) the movement of persons to eliminate illegal border crossings, human trafficking and smuggling; iv) the illegal smuggling of goods.

An important component of CBM is the provision of international standard travel documents through well-structured registration and issuance systems that facilitate regular migration. Moreover, women should have equal and independent access to travel documents. Travel documents include passports, visas, and temporary travel documents, such as emergency passports and laissez-passers, and in some cases identification cards that can be used to cross borders on the basis of specific bilateral agreements. It is important to modernise official documents, such as birth certificates, that are used as supporting documents to obtain travel documents, and often falsified.

Border management is strongly affected by security concerns. In Africa, as in other parts of the world, border management systems are coming under increasing pressure from large flows of persons, including irregular and mixed flows. Specific challenges to border management mechanisms and personnel include building capacities to distinguish between persons having legitimate versus non-legitimate reasons for entry and/or stay. Some regions in the world have been subject to attacks linked with international terrorist networks. It is important that States meet their humanitarian obligations to refugees and others eligible for protection, and facilitate cross border trade and mobility, while maintaining the security of their borders. Consequently, the strengthening of border management systems in terms of technology, infrastructure, processes for the inspection of travellers, and training of staff, are key.

The Declarations of the African Union Border Programme and its Implementation Modalities, adopted by the Conference of African Ministers in Charge of Border Issues (2007, 2010 and 2012), stress *the need to put in place a new form of pragmatic border management aimed at promoting peace, security and stability, but also at facilitating the integration process and sustainable development in Africa* (2007 para. 3) and *the need, given the current challenges of integrated border management, to tackle, in a holistic way, development and security challenges in the border areas* (2012).

As many border areas in Africa are porous and as limited resources combined with corruption is a major challenge, community led policing and border management based on intelligence is required to strengthen border management. Through risk profiling and analysed information, border officials can use their limited resources for targeted actions, as controlling all the border areas effectively is often impossible. To support such actions, systemised ways to gather, analyse and share information between countries in Africa and among various law enforcement officers working at the borders (e.g. immigration, customs, police, specialized law enforcement agents etc.) need to be put in place.

The AU Border Programme was launched in 2007 and assists Member States with the delimitation, demarcation and management of their borders, and promotes cross-border cooperation initiatives and the development of cross-border areas. The AU Convention on Cross Border Cooperation (Niamey Convention, 2012) aims to *ensure efficient and effective integrated border management* (Article 2(5)) and stipulates the principle and instrument of cross-border cooperation (CBC), defined as: *any act or policy aimed at promoting and strengthening good-neighbourly relations between border populations, territorial communities and administrations or other stakeholders within the jurisdiction of two or more states, including the conclusion of agreement useful for this purpose.*

Member States need to cooperate in the delimitation and demarcation of borders, as well as in the development of cross-border procedures and initiatives which facilitate cross-border trade, mobility and development, in order to achieve Agenda 2063' vision of an integrated Africa. The implementation of the Continental Free Trade Area (CFTA) and the AU Free Movement of Persons Protocol will require close transnational cooperation, including data and information sharing, between the various authorities engaged in integrated border management, as well as the harmonisation of procedures and laws to facilitate cross-border migration and trade, whilst effectively addressing transnational crimes and security risks. The trend towards the securitisation of migration and borders should not engender the closing of borders and hamper integration efforts in Africa. Rather, cooperation in security, immigration and development need to be intensified to allow for the effective governance of our borders and stimulate economic integration.

Recommended Strategies:

- i) Ratify and implement the Niamey Convention on Cross Border Cooperation.
- ii) Affirm and implement the Recommended Principles and Guidelines on Human Rights at International Border from the Office of the High Commissioner for Human Rights.
- iii) Intensify transnational cooperation between national authorities engaged in border governance to facilitate migration, trade and integration and effectively address security threats.
- iv) Standardise the criteria required for integrated border management systems at the regional level, to ensure that the same information is collected, analysed and stored and shared across States, and linked to each other's databases, as well as international databases, such as that of INTERPOL, in order to build a regional and continental picture of migration and trans-border crime and address it effectively.

- v) Strengthen national laws that regulate migration, including through the creation of clear, transparent categories for admission/expulsion and clear eligibility criteria for protection.
- vi) Improve the capacities of border management mechanisms and personnel by optimising new border management technologies (improving the security of travel documents, computerisation, in conformity with international norms, upgrading inspection, data collection and communication systems) and providing technical training for those involved in border management and migration policy, including training on how to deal with vulnerable groups, such as trafficked persons.
- vii) Ensure adequate early warning mechanisms and disaster preparedness at border posts.
- viii) Provide adequate and gender-responsive information about the requirements, gender diverse challenges and opportunities of migration.
- ix) Strengthen cooperation and coordination at the national level between law enforcement officials, immigration and customs services to ensure a more efficient and effective approach to managing the flow of goods and people across borders.
- x) Promote the establishment of One-Stop Border Posts to facilitate the movement of goods and persons across borders.
- xi) Establish and maintain adequate, gender-responsive systems for effective search and rescue at sea, ensuring that search and rescue operations operate under a broad understanding of distress and ensure that these measures are in accordance with international laws, with the primary objective of saving lives.
- xii) Strengthen co-operation between States' sub-regional/regional agencies, and the international community, in particular in the area of law enforcement, sharing migration-related data and information, training and sustained dialogue.
- xiii) Enhance the role of the AU, as well as other sub-regional/regional agencies, in mobilising financial/technical resources, harmonising policies and programmes of action, and coordinating activities of Member States for effective border management.

5. IRREGULAR MIGRATION

5.1 Migrant Smuggling

A growing proportion of migrants are moving irregularly, due to a number of factors, including the need for international protection and increased barriers to regular migration. Migrant smuggling is closely tied to other forms of international organised crime, including human trafficking, and can adversely affect national and international stability and security. However, migrants who resort to smugglers are often extremely vulnerable - they pay large sums of money to undertake perilous voyages in order to seek protection or a better life, and are sometimes trafficked in the process. Consequently, government responses and policies to smuggling should at all stages

take account of migrants' human rights, and to the extent possible, seek to respond to the motivations behind this form of irregular migration.

Moreover, there is an urgent need to look at the interlinkages between various forms of transnational organised crime, especially smuggling of migrants and human trafficking, with other forms of transnational organised crime, terrorism and corruption. Across Africa, the networks engaged in organised crime change their modus operandi fairly easily in order to increase their profits, and in certain areas, routes used by smugglers and traffickers cross through areas controlled by extremist groups / groups engaged in terrorism. Regional approaches and strengthening regional capacities are needed to respond to quickly changing circumstances and routes and modus operandi of smuggling and trafficking networks. Efforts purely concentrated on current smuggling hubs can divert the routes to other areas and change the routes to be more dangerous to migrants. There is also a need to enhance regional and international collaboration between countries in Africa and Europe – both informal and formal collaboration (joint investigations, changing of operational information, mutual legal assistance, extradition etc.) including through existing regional networks of law enforcement and magistrates, such as the Network of West African Central Authorities and Prosecutors against Organized Crime.

Recommended Strategies:

i) Strengthen the Legal Framework:

- Ratify the Smuggling of Migrants Protocol, and incorporate its provisions in domestic law.
- Adopt appropriate sanctions for the offence of the smuggling of migrants, commensurate with the nature and gravity of the offence.
- Develop migrant smuggling policies in consultation with relevant stakeholders, including international organisations, as well as civil society actors.

ii) Enhance Investigation and Prosecution of Migrant Smugglers:

- Build or strengthen the professional skills of relevant law-enforcement and criminal justice actors to detect, investigate, prosecute and adjudicate cases of migrant smuggling.
- Strengthen capacity to carry out financial investigations by creating financial intelligence units, building investigators' skills, and establishing regional networks to intercept financial flows and trace the proceeds of crime in migrant smuggling cases.

iii) Protect the rights of smuggled migrants

- Adopt appropriate measures, including legislation, if necessary, to protect smuggled migrants from violence, discrimination, torture or other cruel, inhuman or degrading treatment or punishment, as well as violation of their rights.
- Take appropriate measures to provide smuggled migrants with protection and assistance to guarantee their safety and well-being, including through the provision

of physical security, access to food, shelter and medical care, access to consular services as well as legal advice. In particular, States should address the special needs of vulnerable categories of smuggled migrants, including pregnant women, women with children and unaccompanied minors.

- Make sure that smuggled children have access to primary education and, to the extent possible, to other educational levels, by facilitating their attendance to regular schools or by providing proper educational arrangements.
- Establish appropriate standards of conduct for officials who deal with migrant smuggling situations and implement standard operating procedures in providing assistance to migrants whose lives and safety are in danger.
- Provide smuggled migrants, who have been victims of other crimes, with effective access to justice and to legal assistance.
- Involve civil society in the response to migrant smuggling, in particular by enabling their contribution to protection and assistance measures, as well as in providing assistance to smuggled migrants.
- Establish national human rights institution/ombudsman or, where such an entity exists, expand its mandate to report on issues of migrant smuggling.
- Implement mechanisms for noncustodial alternatives to detention and consider abolishing administrative detention of migrants.
- Promote voluntary return in preference to forced return, by encouraging and assisting those who do not qualify for humanitarian protection, to return to their country of origin in humane and safe conditions.

iv) Prevent migrant smuggling

- Expand pathways for legal entry, both for migrants fleeing crisis situations and for those seeking work abroad, as well as ensuring that would-be migrants have access to adequate, understandable and gender-sensitive information about the opportunities available to them and the regulations governing regular migration.
- Tackle the root causes leading people to leave their countries.
- Develop community based solutions and livelihood opportunities to prevent the youth from falling prey to smugglers and raise awareness on the real experiences of migrants during their journey and once they reach their destination.
- Assess the impact of migration on the communities that are left behind and develop appropriate, gender-responsive development interventions, as some communities are obliged to sell their assets, and are possibly impoverished, to pay hefty sums to smugglers who threaten to harm their smuggled family members, while in addition losing their working population. These factors may cause further irregular migration.
- Carry out information campaigns to provide media outlets with accurate, objective and balanced information about migrant smuggling.

- Develop public information campaigns, involving for example schools, the media and social networks, in order to raise awareness about the adverse effects of migrant smuggling and to warn persons vulnerable to being smuggled, especially young people and their families, about the dangers involved.
- Strengthen the knowledge base through enhanced research and data collection efforts, aimed at bettering analysis of the nature and extent of smuggling of migrants along various routes, the structure and assets of the criminal networks and links with other forms of organised crime, corruption and terrorism.

v) Transnational cooperation in the fight against migrant smuggling

- Strengthen or create networks of criminal justice officials, and other relevant actors, in order to strengthen border control, conduct joint investigations, and exchange operational information and intelligence informally.
- Use the Organized Crime Convention as a legal basis for international cooperation, in particular in the form of mutual legal assistance and extradition, to combat the smuggling of migrants.
- Carry out joint capacity-building activities and exchange of expertise, in particular in the areas of processing intelligence and other information and handling sensitive information, in order to prevent, detect and respond to the smuggling of migrants.
- Encourage cooperation among Member States and RECs to tackle smuggling, through the development and use of appropriate mechanisms, such as the IGAD 2009 Mutual Legal Assistance and Extradition Agreement, which is in force and can be used by Member States to facilitate the prosecution of smugglers and traffickers across the region.

5.2 Human Trafficking

As the world moves towards more restrictive migration policies, irregular migration is on the rise, which involves human trafficking and the criminal networks associated with it. The protection of migrants, especially women and children, from human trafficking is vital in the promotion of migrant's human rights, regular migration and security.

The core element of trafficking is the fact that the victim is deprived of her/his will and is forced into slavery-like conditions or involuntary servitude. It is thus imperative to improve the identification of trafficked persons and grant them protection and assistance (including, inter alia, privacy; information on proceedings; physical and psychological recovery; provisions for safety; measures to avoid immediate deportation; and safe repatriation). Child trafficking presents particular challenges in Africa, and special requirements should be considered to ensure protection of and assistance to child victims of trafficking.

The 2006 Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children, provides Member States with comprehensive guidance in addressing human trafficking and developing comprehensive counter trafficking strategies, that are based on prevention, protection, prosecution and partnership. The African Union Commission Initiative Against Trafficking (AU.COMMIT)

raised awareness on the Ouagadougou Action Plan and propelled its implementation. The AU Horn of Africa Initiative, which was launched in 2014, builds on these efforts and drives dialogue and concrete initiatives that address human trafficking, smuggling and irregular migration, within and from the Horn of Africa region. Moreover, Agenda 2063's First 10 Year Implementation Plan calls for the empowerment of women, youth and children and to end child labour exploitation, marriages, trafficking and soldiering by 2023.

The SDGs strive to reinforce global efforts to combat human trafficking, which are explicitly referred to in three of its 17 goals. SDG Goal 5 *Achieve gender equality and empower all women and girls* calls in Target 5.2 for the *Elimination of all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation*. SDG Goal 8 *Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all* demands in Target 8.7 *immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms*. SDG 16 *Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels* requests in Target 16.2 to *end abuse, exploitation, trafficking and all forms of violence and torture against children*.

Recommended Strategies:

i) Legislation and Counter Trafficking Strategies

- Member States that have not yet done so, should ratify or accede to the United Nations Convention against Transnational Organized Crime (UNTOC) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons (TIP), Especially Women and Children.
- Member States should bring their national laws in line with the requirements of UNTOC and the TIP Protocol, including by capturing definitions of TIP that are fully in line with the definition provided in the TIP Protocol and establish legally prescribed and adequate sanctions for human trafficking offences; ensure that the national legal framework clearly defines the constituent elements of TIP, and that the criminalisation of the offence also applies to trafficking attempts and when committed as an accomplice.
- Member States should ensure that trafficked persons, in accordance with national legislation, are entitled to protection and assistance in line with the Protocol.
- Member States should develop and implement comprehensive counter trafficking strategies that are based on prevention, protection, prosecution and partnership and informed by the TIP Protocol, the Convention 182 of the ILO on the Worst Forms of Child Labour, the 2006 Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children, and work towards achieving the objectives of the SDGs, and Agenda 2063.

ii) Prevention

- Raise information among the public on what human trafficking is, where victims of trafficking and vulnerable migrants can seek assistance, and what their rights are.
- Educate border agencies and non-state actors on human trafficking.
- Develop awareness raising and information campaigns with a focus on certain types of trafficking that are specifically relevant to their particular State and/or campaigns aimed at specific groups deemed vulnerable to trafficking.
- Prevent the exploitation of women and girls in line with international human rights law, norms and standards, recognising the increased risk of trafficking that women and girls face due to economic factors, conflict, post-conflict contexts and natural disasters, and when they lack nationality and identity documents.
- Enhance research and data collection efforts aimed at enhancing analysis of the nature and extent of trafficking in persons within different States and regions.
- Explore opportunities to put special procedures in place for citizens working overseas, including limiting recruitment fees; introducing licensing requirements, contract registration and review/ approval mechanisms that only allow businesses to send workers abroad once a contract is approved by the authorities; putting in place measures to better secure the rights of workers, including frequent labour inspections, due payment of wages, banning deductions from wages for accommodation, and introducing severe ban periods and fines for employers who violate labour requirements.

iii) Protection

- Put specific mechanisms in place to identify and respond to groups that are particularly vulnerable to or at risk of being trafficked, including for children.
- Have national referral mechanisms in place, and establish national networks of specialised centres in order to identify, refer and provide gender-responsive and culturally appropriate services to trafficked persons, which could include stakeholders from government, civil society and international organisations.
- Provide assistance and protection to trafficked persons, including medical care, psychological assistance, reflection and recovery periods, employment, education, reintegration and/or resettlement programmes, paying for travel expenses, legal assistance, access to compensation and remedies and accommodation.
- Develop national protocols or standard operating procedures on victim identification, assistance, and protection, including victims who have special vulnerabilities or needs.
- Member States must prioritise the best interest of the child and provide a continuum of care and support for all unaccompanied and separated migrant children, including trafficked children, to ensure they have access to key services including education, family tracing and well-functioning, professional guardianship systems.

- Provide training for various actors on identification and referral of trafficked persons, including to criminal justice practitioners, immigration officials, border guards, labour inspectors, social workers.

iv) **Prosecution and Investigation**

- Develop policies and guidelines on how to investigate and prosecute trafficking in persons, and provide training to relevant criminal justice officials such as police officers, prosecutors and judges.
- Establish specialised multi-disciplinary counter-trafficking law enforcement units or specialised prosecutors' offices to effectively investigate and prosecute trafficking cases.
- Increase prosecution of traffickers and others involved in such activities, including through greater transnational cooperation, such as mutual legal assistance, and extend witness protection to trafficked persons who want to testify against traffickers.

v) **Partnership**

- Increase the use of international cooperation when investigating and prosecuting cases of trafficking.
- Sign bilateral cooperation agreements in the fight against trafficking in persons supported by memoranda of understanding between States.
- Encourage cooperation among Member States and RECs to tackle human trafficking through the development and use of appropriate mechanisms, such as the Economic Community of West African States (ECOWAS) Model Bilateral Agreement on cooperation and mutual legal assistance in protecting children from trans-border trafficking.

5.3 **Return, Readmission and Reintegration**

A fundamental element of State sovereignty is the right of a State to decide who and under what conditions persons enter and stay in its territory. Return refers to the process of going back to a State, and can take place in different ways. Voluntary return can be assisted or independent, and takes place on the basis of the free will of the returnee. Readmission refers to forced return and occurs when an individual has been found to illegally enter or stay in a state. On the other hand, repatriation refers to the right of a refugee or a prisoner of war to return to his/her country of nationality under specific conditions laid down in international law (*Geneva Conventions, 1949 and Protocols, 1977, the Regulations Respecting the Laws and Customs of War on Land, Annexed to the Fourth Hague Convention, 1907*, the human rights instruments as well as in customary international law).¹⁸

Irregular migrants, especially those without documents, who need to return to their States, are often a source of inter-State contention, which can be due to the fact that it may be difficult to identify their State of origin. The process of effective and sustainable

¹⁸ IOM, 2004. *Glossary on Migration*

return and readmission of irregular migrants requires cooperation and mutual understanding between States of origin and destination. Enhanced dialogue between States, particularly in the context of North-South relations, is critical in implementing effective, safe, humane policies and mechanisms for return and readmission.

Reintegration refers to the process of reincorporating a person into their community or State of origin, and may, inter alia, involve socio-economic assistance and cooperation with the community the person is returning to. Engaging the community in the reintegration process is highly recommended and may be essential to ensure successful reintegration. The reintegration process should be tailored to the unique circumstances of the individual and the community the person will be reintegrated into. Reintegration can be important strategy to prevent further irregular migration.

Recommended Strategies:

- i) Create standards and procedures, based on law and policy, for the return, re-admission and reintegration of excludable migrants in line with relevant International legal instruments: (a) other States shall accept the return of and readmission of any of its nationals who are illegally present on the territory of an African State, at that State's request; (b) each of the African States shall accept the return of and readmission of any of its nationals who are illegally present on the territory of other States, at that Member State's request. The Member States will provide their nationals with appropriate identity documents for such purposes.
- ii) States should acknowledge a duty and responsibility in preventing their citizens from irregularly migrating to other states via the establishment of inter-State and intra-regional procedures, based on law and policy for the return, readmission and reintegration of migrants.
- iii) Identify, to the maximum extent possible, measures to encourage and facilitate voluntary departure and return.
- iv) Enhance international and regional cooperation in the area of return and readmission, including through the signing of return and readmission agreements to ensure that returns are undertaken in a humane, gender-responsive and orderly manner.
- v) Ensure that the human rights and interests of irregular migrants are not violated in the case of mandatory return.
- vi) Ensure that involuntary return, deportation, removal and readmission are ordered only in the event that all judicial options have been exhausted and that each case is treated individually, with due process and access to justice in accordance with international law, and in consideration of the gender-related circumstances, the situation as it relates to family unity and the risks of human rights violations in the country of origin, transit and destination.
- vii) Strengthen national border management capacities through enhanced capacity building measures, such as training and technical co-operation with, inter alia, IOM, the United Nations Office on Drugs and Crime (UNODC), ILO and with the United Nations High Commission for Refugees (UNHCR) as pertains to refugee matters at the border.

- viii) Establish re-admission Committees to assist and integrate returnees.
- ix) Implement reintegration programmes and align them with national and local development strategies and the needs of the communities to which migrants return.
- x) Raise awareness on the real experiences of migrants within their communities, so as to prevent undue pressure on returnees, due to expectations from their communities, which may push them to irregularly migrate again upon their return.
- xi) Provide comprehensive socio-economic, psychological, legal, and orientation services to returning women and girls, before, during and after the returning process, with the aim of facilitating their reintegration. Provide access to complaints/ reporting mechanisms that protect women against reprisals, identify and address coercion and abuse and ensure safe and sustainable reintegration, including services to recognise and certify the skills and competences of returning women.

5.4 National and International Security and Stability

Agenda 2063 aspires to a peaceful and secure Africa. Large spontaneous and unregulated flows can have a significant impact on national and international stability and security, including by hindering States' ability to exercise effective control over their borders, and creating tensions between States of origin and destination, as well as within local host communities. Recent international terrorist activity has also turned the focus on individual migrants and the potential for public order to be compromised by individuals whose intent is to undermine the security and stability of States and societies. Addressing irregular migration and establishing comprehensive migration management systems can contribute to enhancing national and international security and stability. However, it remains paramount to uphold the rights of all migrants, asylum seekers and refugees during all stages of the migration process, and enhanced security measures should serve to uphold these rights.

Recommended Strategies:

- i) Strengthen national and inter-State efforts to prevent persons from moving across boundaries for illegal purposes.
- ii) Implement regional and continental agreements in the context of APSA.
- iii) Provide African CSOs with avenues to address conflict prevention and peace building at local, national and continental levels.
- iv) Ensure well-equipped, competent national security structures/ mechanisms to participate in continental peace-keeping assignments.
- v) Strengthen diplomatic initiatives to prevent and diffuse volatile situations before they lead to conflict and displacement, and enhance intra-regional and international co-operation in order to further the capacity of African States to

respond in a timely and efficient manner to large, spontaneous migration and refugee flows, including by establishing early warning mechanisms.

- vi) Negotiate bilateral agreements that enable nationals of Member States that do not have embassies in destination countries where they find themselves in distress to be assisted by the embassies of other Member States that have a presence in those destination countries.

6. FORCED DISPLACEMENT

6.1 Refugees and Asylum-Seekers

Refugee protection is a central aspect of international, regional, and national efforts to protect persons fleeing persecution. African States have a long tradition of hospitality towards refugees and have developed legal frameworks governing aspects of refugee protection specific to Africa. Nevertheless, the large numbers of refugees displaced by conflict and other factors pose serious challenges to States. States should enhance national efforts to fulfil international protection obligations, provide durable solutions to refugees, and address the root causes of refugee movements, including conflict and political instability, in collaboration with UNHCR and other national and international partners.

Recommended Strategies:

- i) Identify and address the root causes of forced migration.
- ii) Adopt and incorporate into national policies the international instruments pertaining to the protection of refugees, including the 1951 Convention on the Status of Refugees and its 1967 Protocol, and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.
- iii) Establish in-country processing for resettlement or humanitarian visa programmes, allowing those who face an immediate threat to be resettled without the need for taking dangerous routes to flee their country.
- iv) Establish focal points within relevant ministries and devise national contingency plans, in order to enhance capacities to address situations of mass displacement, as well as mass return, in a timely, efficient and appropriate manner.
- v) Strengthen intra-regional co-operation in order to respond in a timely and effective manner to “mass influx” situations, including through the development of regional contingency plans, in concert with UNHCR and other international and regional partners.
- vi) Implement protection obligations arising out of the relevant treaties, including the principle of non-refoulement, registration and issuance of identity documents, access to work and education opportunities, and treatment according to minimum humanitarian standards.
- vii) Establish effective and fair procedures for individualised refugee status determination, including granting refugees meaningful access to such procedures,

which should entail accessible, gender-responsive and culturally appropriate services and information. National eligibility committees should refrain from turning status determination interviews into courtrooms and align themselves with the principle of inclusion before exclusion.

- viii) Ensure that refugees and asylum-seekers are registered and issued with appropriate identity documents, so that their status can be easily identified in their dealings with public authorities and private institutions such as banks, employer organisations, housing/ estate agencies and other institutions that require identification.
- ix) Train relevant law enforcement officials who have first contact with refugees (immigration officers, customs, police, etc.) in the obligations set forth in relevant international instruments, to enable appropriate and humane screening of asylum-seekers at borders and referral to the competent authorities.
- x) Safeguard the human security and gender-differentiated needs of refugees (physical, material, legal and health), especially in the context of refugee camps and with particular attention to the needs of vulnerable groups (women, children, disabled, and the elderly), while at the same time ensuring that refugees are aware of national laws, regulations and their obligations to abide by these.
- xi) Strengthen water and sanitation infrastructure within refugee camps to improve the living conditions of refugees.
- xii) Provide technical training to the staff employed in refugee camps, including police, to respond to the needs of vulnerable groups; for instance to adopt measure to prevent gender based violence.
- xiii) Increase local protection capacities through the involvement of civil society, for example by engaging NGOs in the provision of legal and social counselling to refugees, preliminary interviews and preparation of files for National Eligibility Committees, and public information campaigns to counter xenophobia.
- xiv) Provide public information and awareness campaigns on the plight and rights of refugees, including the contribution refugees can make to the development of host communities, in order to counter increasing xenophobic tendencies and foster tolerance and understanding.
- xv) Develop mechanisms to ensure easy and timely access to refugee hosting areas, including through the (advance) designation of refugee residence areas, and calling upon the international community to assist with the rehabilitation of affected areas after refugee populations have departed.
- xvi) Implement measures to support communities that are hosting refugees and ease tensions that may emerge, including as a result of hosting communities resources being put under pressure and their humanitarian needs not being addressed to the same extent as those of refugees.
- xvii) Support international efforts to find durable solutions to mass displacement by promoting the objectives of UNHCR's Agenda for Protection and the

Comprehensive Implementation Plan for Protection Activities in Africa (CIP), inter alia through local capacity building and more equitable international burden sharing, including consideration of bilateral and multilateral frameworks for co-operation in line with UNHCR's Convention Plus initiative, and the possibilities of targeted development assistance and debt relief to major refugee hosting countries.

- xviii) Provide durable solutions to refugees that offer opportunities for voluntary repatriation, local integration and resettlement.
- xix) Strengthen bilateral cooperation between States with regard to the treatment and status of refugees.
- xx) Encourage countries to give priority to family tracing and reunification for separated and unaccompanied refugee children. Where tracing is unsuccessful, mechanisms should be devised to allow for the adoption of refugee children where possible. Where children are allowed to be adopted by citizens, they should be given the opportunity to choose their nationality upon attaining majority in accordance with national law.
- xxi) African refugees should be given equal treatment with others from other parts of the world in line with international law, norms and standards.

6.2 Internally Displaced Persons

Today the IDP population in Africa outnumbers the refugee population by a wide margin, thereby creating the need for comprehensive and concerted efforts to address the issue of internal displacement, including through early warning systems, to implement timely measures to prevent displacement. Displacement of populations within a country may occur as a result of terrorism, conflict, natural disasters or climatic conditions, and may require transnational cooperation to prevent or address. Member States adopted the Kampala Convention for the Protection and Assistance of Internally Displaced Persons in Africa in 2009, to comprehensively address the plight of IDPs. It recognises that the primary responsibility to prevent internal displacement, as well as protect and assist IDPs, lies with national authorities.

Recommended Strategies:

- i) Implement the Kampala Convention for the Protection and Assistance of Internally Displaced Persons in Africa and its Action Plan (2017- 2025).
- ii) Governments should prevent conditions on their territory that may lead to displacement, including by protecting human rights and international humanitarian law, as well as developing early warning and rapid response mechanisms to protect populations under threat.
- iii) States are encouraged to incorporate into national legislative and policy frameworks, measures pertaining to the protection of civilians in armed conflict, as defined in the four Geneva Conventions of 1949, their two Additional Protocols of 1977 and, the tenets of the UN Guiding Principles on Internal Displacement.

- iv) Enable relief consignments of a humanitarian and impartial nature to reach civilian populations in need and safeguard the security of aid agency personnel.
- v) Ensure access to IDPs in highly insecure areas, for example by means of humanitarian corridors.
- vi) Protection measures, including the provision of services, need to be gender-responsive and culturally appropriate, including in relation to hygiene and sanitation and livelihood strategies. Women and girls are at particular high risk of sexual and gender-based violence, abuse and exploitation.
- vii) Promote livelihoods and resilience activities for IDPs.
- viii) Introduce alternatives to the encampment of IDPs in order to promote their active participation and integration into their host communities.

6.3 Protracted Displacement

Protracted displacement situations present particular challenges for African States which host large numbers of refugees and other displaced persons who have been unable to return to their home countries for long periods of time. Situations of displacement become protracted when the causes of displacement are not addressed or remain unresolved, for instance in conflict situations where continuing conditions of insecurity prevent refugees from returning home. Protracted displacement situations have adverse consequences for the lives of refugees and IDPs who are at risk of suffering material, social and cultural deprivation in camp settings for prolonged periods of time. A persisting problem in this context is the vulnerability of refugees to harassment and/or recruitment by armed elements. Women and girls are at particular high risk of sexual and gender-based violence, abuse and exploitations. Moreover, the protracted presence of large numbers of displaced persons can lead to tensions with local host communities, competition for scarce resources, environmental degradation, xenophobia, and ultimately constitute a source of conflict itself. Recent efforts to address protracted displacement situations reflected in UNHCR's Agenda for Protection and elsewhere have emphasised the notion that durable solutions necessitate more equitable burden sharing among States, such as for instance the linkage of refugee issues to national, regional and multilateral development assistance initiatives.

Recommended Strategies:

- i) Adopt measures to enhance the self-sufficiency of refugees and IDPs residing in camps, including, inter alia, granting rights to employment, access to land, freedom of movement and other socio-economic rights when possible, without gender-based discrimination.
- ii) Ensure that all refugees and IDPs have access to education and skills training in order to facilitate their eventual integration or reintegration into host and/or home communities.
- iii) Ensure that all refugees and IDPs have access to comprehensive health care including sexual and reproductive health services.

- iv) Adopt measures to preserve the civilian and humanitarian character of refugee camps by ensuring the physical safety of refugees and IDPs and the security of camps, including, where necessary, establishing civilian camp police forces, and separating combatants and other armed elements from refugee populations. Take specific measures to protect the rights and safety of women and girls.
- v) Establish confidential gender-based violence prevention and protection services for refugees and IDPs.
- vi) Use voluntary repatriation, local integration and resettlement to address protracted displacement situations, through a comprehensive and integrated approach based on international solidarity and burden sharing.
- vii) Counter environmental degradation caused by the protracted presence of displaced persons by implementing relevant and targeted environmental protection programmes, and calling upon UNHCR and countries of first asylum to identify areas for resettlement.

6.4 Crisis Prevention, Management and Conflict Resolution

Conflict is a root cause of forced displacement. Displacement caused by conflict has destabilising effects on national and regional security, with adverse consequences for the ability of host nations to provide protection to refugees and security to their own nationals. Since forced displacement is closely linked to conflict, both as a consequence and as a potential cause of further conflict, it should be addressed through national, regional and continental dialogue and cooperation, with a view to prevent and manage conflict.

Recommended Strategies:

- i) Strengthen diplomatic initiatives to defuse volatile situations before they lead to conflict, and enhance intra-regional and international co-operation in order to further the capacity of African States to respond to large, spontaneous migration and refugee flows, in a timely and efficient manner.
- ii) Implement the African Peace and Security Architecture.
- iii) Introduce post conflict and gender-responsive recovery measures geared at improving economic conditions, rebuilding infrastructure and reversing the environmental impact of conflict.
- iv) Adopt early warning mechanisms in order to prevent conflict, displacement, health environmental and other disasters and better manage migratory flows and safeguard national and regional stability.
- v) Enhance the demobilisation, rehabilitation and reintegration of ex-combatants, inter alia, by establishing an information system, and gender-responsive counselling and referral services.

6.5 Integration and Re-integration

Migrants' successful integration into host communities and reintegration into home communities contribute to social stability and cohesion, mutual respect, and cultural acceptance. Integration requires that regular migrants be granted access to basic social services, such as education, health and employment. Reintegration of returning nationals may also require special measures to ensure their successful reinsertion into home communities.

Recommended Strategies:

- i) Encourage the integration of the children of long-term migrants by providing them with education, training and economic opportunities equal to those of nationals, and facilitating their naturalisation and promoting family reunification policies as recommended in Article 10 of the Convention on the Rights of the Child and other relevant universally recognised international human rights instruments.
- ii) Implement measures for the integration and reintegration of migrant workers in order to encourage mutual cultural and social acceptance, and to ensure that the rights of migrants and members of their families are respected and protected.
- iii) Ensure that integration and reintegration policies are gender sensitive and accommodate returning women migrants, and their children and spouses.
- iv) Provide comprehensive socio-economic, psychological, legal, and orientation services to returning women and girls, before, during and after the returning process, with the aim of facilitating their reintegration. Provide access to complaints/ reporting mechanisms that protect women against reprisals, identify and address coercion and abuse and ensure safe and sustainable reintegration, including services to recognise and certify the skills and competences of returning women.

6.6 Stateless Persons

The right to a nationality is a fundamental right recognised under international law. Nevertheless forcibly displaced persons are affected disproportionately by the problem of statelessness, especially women and children. Persons may become stateless as a result of inter-State conflict and the consequent redrawing of political boundaries, or as a result of extended stays abroad and changes in civil status while abroad. Stateless persons are unable to avail themselves of the protection of citizenship and are consequently vulnerable to the deprivation of their rights. SDG 16, under target 16.9, commits States, by 2030, *to provide legal identity to all, including birth registration*.

Recommended Strategies:

- i) Incorporate key guidelines into national legal frameworks and policies as recommended in the AU Protocol on Stateless Persons and the 1954 and 1961 Statelessness Conventions.
- ii) Recognise the vulnerabilities of women and girls rendered stateless through changes to national borders, definitions of citizenship, laws that do not extend citizenship to migrants or children born to women with an irregular status, among other factors.

- iii) Ensure the protection of stateless children and observe the best interests of the child.
- iv) Develop national legislative and policy frameworks to counter statelessness, particularly in the case of long-term residents, by reforming citizenship legislation and/or granting rights similar to those enjoyed by foreigners residing in the State.
- v) Enhance birth registration to address statelessness.
- vi) Ensure that everyone, including migrants, are able to acquire, change, retain and confer their nationality on an equal basis and that such a right is reflected in nationality laws.

7. INTERNAL MIGRATION

Internal migration is impacting population distribution in Africa in important ways. The most significant feature of internal migration is the process of urbanisation, which African countries are experiencing at an especially high rate compared to other regions of the world, as the fastest urbanising continent. The consensus on the development potential of urbanisation was expressed at the Third United Nations Conference on Housing and Sustainable Urban Development (Habitat III) in Quito, Ecuador in October 2016, at which African policy makers, through the Common African Position on Habitat III, clearly recognised urbanisation as an engine of structural transformation for inclusive and sustainable growth. However, while rural-urban migration is an important factor in urbanisation, it plays a less significant role in urban growth, which is typically dominated by natural population growth. As a result, policies of exclusion developed in an attempt to reduce rural-urban migration may not only be ineffective, but can also be damaging to the interests of those living in poverty, regardless of their migrant status.

While urbanisation is an integral aspect of economic and social development, if not effectively managed it can have adverse consequences for migrating and urban populations by straining the existing urban infrastructure and services and resulting in higher rates of urban poverty, lack of access to adequate housing, health care, education and other services, and environmental problems. Promoting sustainable urbanisation should therefore be a priority for African governments. The Agenda 2063 vision foresees a continent where *cities and other settlements are hubs of cultural and economic activities, with modernized infrastructure, and people have access to all the basic necessities of life including shelter, water, sanitation, energy, public transport and ICT; economies are structurally transformed to create shared growth, decent jobs and economic opportunities for all.*

Furthermore, SDG 11 calls on actors to *make cities and human settlements inclusive, safe, resilient, and sustainable.* The UN Secretary-General's report on international migration and development of August 2016 stated that *local governments play a critical role in implementing migration policies.* While the migration narrative and policy responses are often formulated at the national level, migrants often end up in urban areas. To leverage the development opportunity that urbanisation represents, Member States need to strengthen the local dimension of migration policies and strategies.

Recommended Strategies:

- i) Incorporate the role of cities into national migration strategies.
- ii) Mainstream migration management into national urban policies and local development planning.
- iii) Empower cities with the necessary resources and capacities to harness the skills of migrants and effectively plan for and manage rural to urban migration.
- iv) Undertake research on rural-urban migration in order to deepen understanding regarding the unique issues faced by rural-urban migrants, especially migrant women, the main push and pull factors of rural-urban migration, links with international migration, gender dimensions of the phenomenon and recommended policy responses. Ensure to incorporate a gender perspective in all steps undertaken.
- v) Take steps to ensure that all persons migrating internally have adequate and gender-responsive access to basic services such as education, healthcare and employment, especially in urban centres with rapidly growing populations of migrants from rural areas.
- vi) Strengthen data gathering and research on factors, trends and characteristics of internal migration and geographical distribution of population and formulate more effective policies relating to population distribution and migration.
- vii) Promote the establishment and consolidation of democracy in African countries based on transparent, regular and participatory processes, respect for human rights and the rule of law.
- viii) Implement comprehensive macro-economic and sectoral policies, in concert with donor agencies and other partners, to reduce poverty, generate employment and investments opportunities in Africa.
- ix) Provide adequate information to prospective migrants on the opportunities and prospects of different destinations so that they can make informed decisions.

8. MIGRATION AND TRADE

Countering poverty through economic development works towards alleviating an important migration pressure since nationals are no longer compelled to go abroad in search of economic opportunities. The relationship between economic development, trade and migration is an important one. In addition, due to multilateral negotiations taking place within the framework of the World Trade Organization (WTO), the issue of the movement of persons for trade in services is becoming a subject of increasing relevance within international trade agreements.

The implementation of the Continental Free Trade Area and the AU Free Movement of Persons Protocol should aid trade, continental integration and development. The Free movement of persons is a key pillar of regional trade and economic integration, as it facilitates trade in goods and services and industrialisation, thereby contributing to socio-economic development and poverty reduction. Traders and service providers can deliver products on site and customers can visit suppliers abroad by accessing larger

markets, while companies in countries with small and fragmented domestic markets are able to achieve economies of scale and compete internationally. Only 10 to 12% of African trade takes place within the continent. Africa's industrialisation and structural transformation is hampered by the low volume of trade that takes place within Africa, and the free movement of persons is one of the factors that can spur an increase in Intra African Trade.

Informal Trade and Migration.

The majority of cross border trade in Africa is believed to be informal. A study by the Organisation for Economic Cooperation and Development (OECD) estimates that informal cross border trade can reach as high as 43% of official gross domestic product (GDP) in most African countries. (OECD, 2009). Informal trade in Africa mostly takes three forms, firstly, that which is completely unregistered and entirely outside the formal economy, secondly where registered firms and traders partially evade trade regulations by resorting to illegal practices (e.g. under declarations and under invoicing) and thirdly where registered and unregistered firms and traders completely evade trade regulations (use of unchartered routes and other forms of smuggling). Despite its many negative connotations, informal trade plays a significant socio-economic role in Africa. For instance, it provides a steady source of livelihood especially for women and youth, as well as employment opportunities and, over time, serves as business incubators, especially as some informal players graduate to the formal sector. Informal trade in Africa is largely commodity-based, ranging from agro-foods to manufactured products, however, it is also associated with prohibited or illicit products such as arms, ammunition, drugs and prohibited food products.

Migration, especially temporary/short term migration is a prominent factor in informal trade. Temporary migrants usually have a strong affinity and links to their countries of origin and are likely to engage in the export of services, if they are skilled, and in the export of goods, if they are unskilled. Migrants are more likely to be involved in informal trade given that barriers to entry in their new destinations are usually stacked against them. This trend can be clearly seen in destinations, such as South Africa, Côte d'Ivoire, Nigeria, Ghana, and Kenya, where informal trade forms an important part of the economy.

Recommended Strategies:

- i) Promote economic growth, by fostering trade, productive investment and employment, as well as gender-responsive economic and social policies, in order to reduce migratory push factors in countries of origin.
- ii) Regional/bilateral trade agreements should take into account the growing relevance of short-term migration and the movement of persons in the context of trade, both in goods and services.
- iii) Strengthen inter-REC cooperation and coordination on migration and trade, with a view to synergise programmes and activities.
- iv) Member States that are party to the General Agreement on Trade in Services should put in place mechanisms that specifically deal with the temporary movement of persons and the promotion of trade in services.

- v) Enhance coordination and dialogue between all government agencies dealing with migration, trade and labour issues, in order to facilitate the temporary movement of persons supplying goods and services.
- vi) Develop and implement national and regional strategies, policies and programmes that facilitate the activities of cross-border traders, especially women and the youth. RECs and CSOs should be engaged in the development and implementation of such programmes, such as Simplified Trade Regimes, that support the business of small scale traders.

9. CROSS CUTTING ISSUES

9.1 Migration and Development

The growth in international migration has presented challenges and opportunities alike for both migrant sending and host countries, and the migrants concerned. There is now ample evidence of the complex linkages between migration and development, and a growing understanding of these linkages.

With respect to migrant sending countries, some of the potential negatives associated with migration include: (a) the loss of skilled workers (brain drain) and resultant negative impact on the quality of service delivery in essential services and reduced growth (b) the potential for inflation in the local economy due to remittances. On the other hand, the opportunities presented by migration include the inflow of remittances which are a major source of foreign currency and have potential for international balance of payments support, alleviating unemployment in sending countries, investments from Diasporas, increased potential for trade flows between sending and host countries and philanthropic activities of individuals in the Diaspora and/or home town associations that can assist in relief and development.

For migrant receiving countries, the most obvious benefits include brain gain, without incurring the costs of education and training. Xenophobia can be a problem in migrant receiving countries, which in some cases can involve physical attacks on non-nationals. This not only impacts negatively on the social integration of migrants, but also regional integration and inter-State relations.

Therefore, given the impact of migration on the socio-economic landscape in both migrant sending and receiving countries, it is incumbent upon States (and RECs) to minimise the adverse impact of migration while maximising its benefits through the deliberate and conscious mainstreaming of migration issues in development frameworks.

Mainstreaming migration in economic development planning entails assessing the implications of migration on the goals, objectives and activities of national/ regional development plans, with a view to improving overall development outcomes. It requires integrating migration concerns at all stages of development planning, including design, implementation, monitoring and evaluation. This ensures that migration is viewed as an issue that affects all aspects of human development, and is entrenched in the broader development strategy and therefore fosters a coherent approach rather than piecemeal,

uncoordinated actions. This process, in essence, constitutes migration and development.

Recommended Strategies:

- i) Assess the positive and negative impacts of migration on local/ national/ regional development outcomes.
- ii) Develop systematised registration mechanisms at embassies or consulates to record the number of nationals living abroad in order to provide them with the necessary assistance.
- iii) Ensure that migration and development is integrated into local/ national/ regional development frameworks, with a view to contribute to the achievement of the SDGs.

9.2 Migration Data and Research

9.2.1 Collection and Analysis of Migration Data

Migration data is key to mainstreaming migration into policy and planning frameworks and development initiatives, and essential for developing effective, evidence based migration policies and programmes. The lack of reliable sex-disaggregated migration data is one of the principal obstacles to effective migration management, policy and cooperation. As in most parts of the world, the continuing need for systematic and comprehensive migration data gathering, analysis and exchange on all aspects of migration remains a critical challenge, both within and between African States. Investments in technology and related capacities for accurate and timely retrieval, analysis and dissemination; the need for compatible definitions of migrant categories; and the political will to engage in exchange of migration-related information are some of the components of effective migration information systems.

Migration data can provide a solid basis for the development of national and regional migration management regimes. Data collected through a national migration data information system should be used to develop (and update) a national migration profile, which is used to shape a national migration policy. A regional migration profile can be developed on the basis of national migration profiles, and should inform evidence based regional migration policy formulation and programming. Comparable data, including harmonised definitions of migration variables and data collection methods, is needed for this process.

SDG 17 urges the need to.....*Strengthen the means of implementation and revitalize the global partnership for sustainable development* and requests in Target 17.18 to *by 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high quality, timely and reliable data, disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts.*

Recommended Strategies:

- i. Establish/ strengthen national/ regional/ continental arrangements/ capacities for migration research, data collection, analysis and sharing, as well as the exchange of best practices in these areas.
- ii. Conduct robust gender-responsive research and enhance data collection, acquisition, analysis and accountability measures at all stages of migration, including at borders and upon return, in order to highlight the contributions made by women in migration, the gendered drivers of migration, and the situation and realities of migrant women in every phase of the migration process, including violations of migrant women's rights, exploitation and trafficking. Data must be disaggregated by sex, age, and migration status (and intersection factors including race, ethnicity, and nationality where possible) in order to enhance gender-responsive and evidence based policies, inform advocacy, challenge negative perceptions and prevent abuses and exploitation.
- iii. Engender coordination and collaboration between national/ regional ministries/ agencies responsible for migration and research institutions gathering migration data, including the establishment/ strengthening of national/ regional migration statistics units in charge of coordinating the gathering of migration statistics.
- iv. Harmonise the collection of migration data, including definitions of migration variables (such as those in the UN Recommendations on Statistics of International Migration), data collection tools, methods, intervals, etc.) at continental and regional levels so that data are comparable across countries and regions.
- v. Support the implementation of the NEPAD Initiative, especially its work on Information and Communication Technology (ICT), to facilitate the collection and exchange of data.

9.3 Human Rights of Migrants

Ensuring the effective protection of the human rights of migrants is a fundamental component of comprehensive and balanced migration management systems. Historically, migrants have often been deprived of their rights and subjected to discriminatory and racist actions and policies including xenophobia, exploitation, mass expulsion, persecution and other abuses. Safeguarding the human rights of migrants implies the effective application of norms enshrined in human rights instruments of general applicability, as well as the ratification and enforcement of instruments specifically relevant to the treatment of migrants.

Recommended Strategies:

- i) Reinforce national policies and legal frameworks to ensure that migrants' rights are protected, by incorporating key legal instruments on migrants rights and human rights, including the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights, 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention on the Rights of the Child, Convention on the Elimination of All Forms of Discrimination against Women, the Convention Against Torture,

ILO Conventions 97 and 143, and relevant regional human rights instruments including the African Charter on Human and People's Rights.

- ii) Ensure that migrants who are detained by public authorities, are treated humanely and fairly regardless of their immigration status, nationality, gender, ethnicity, race, or others, and are afforded all applicable legal protection, including where appropriate the assistance of counsel, competent, and gender-responsive interpreter services, access to their consulates, and protection against arbitrary detention, in accordance with international law, norms and standards.
- iii) End the detention of migrant children and their families for reasons of their migration status, and establish alternatives to detention that are in the best interests of the child.
- iv) Develop standards for the treatment of unaccompanied and separated minors.
 - v) Implement the [Protocol to the African charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa](#) and ensure the protection of the rights of persons with disabilities, including those being affected by mental health disabilities.
- vi) Ensure that all migrants have access to the courts, lawyers, judicial system, and relevant government agencies, including the opportunity to contest repatriation/expulsion procedures in a manner consistent with international law, standards and norms. Humane policies include the non-forcible return of a migrant or his/her family to their State of origin due to illness or injury sustained subsequent to entry.
- vii) Create an enabling environment for the fulfilment of migrants' rights, including by allowing migrants to defend their rights through forming migrant associations.
- viii) Provide migrants with adequate and free administrative support with regard to government services and national laws in a language they understand.
- ix) Provide all migrants access to basic health care, including reproductive health, anti-retrovirals for HIV, medication for non-chronic diseases and other services.

9.4 Principles of Non-Discrimination

A growing concern for States is the rise in discrimination and xenophobia against migrants. Discrimination against migrants creates social tensions in both origin and destination countries; hinders the successful integration of migrants into host societies; and prevents the fulfilment of migrants' human rights. Combating racism and xenophobia is consequently an essential element of a comprehensive national migration policy.

Recommended Strategies:

- i) Implementation the Programme of Action of the World Conference Against Racism and Xenophobia, which was held in Durban in 2001, through the adoption of national legislative and policy frameworks, including measures to ensure the fair and non-discriminatory treatment of migrants, regardless of their status, with particular attention to preventing discrimination against women, children, the elderly and members of minority groups.

- ii) Encourage States to develop/ promote anti-racist and gender-sensitive human rights training for public officials, including personnel in the administration of justice, particularly law enforcement, correctional and security careers, as well as among health-care providers, schools and migration authorities.
- iii) Promote the integration of migrants into host societies, including through public information and education campaigns, in order to prevent xenophobia, foster mutual cultural acceptance and ensure that the rights of migrants are respected and protected.
- iv) Ensure that migrants themselves abide by the laws of the land and also respect and treat members of the host community in a non-discriminatory fashion.
- v) Encourage international agencies dealing with migration and human rights issues to exchange information and coordinate activities aimed at tackling racism, racial and gender-based discrimination, xenophobia, and related intolerance against migrants, including migrant workers, women, children and the elderly.
- vi) Member States who welcome the return of migrants to their States of origin must establish reception committees composed of psychologists, officers of ministries of labour and national education and others, in order to ensure adequate reception, follow-up and guidance.

9.5 Migration, Poverty and Conflict

Current international, regional and national dialogues on migration management reflect a consensus that comprehensive migration management policies need to address the root causes of forced migration. Conflict, insecurity, environmental degradation and poverty are significant root causes of mass migration and forced displacement in Africa. Activities aimed at preventing and managing conflict, promoting good governance and the rule of law, eradicating poverty and addressing environmental concerns are therefore critical to ensuring the future success of national, regional and pan-African migration management policies. SDG Goal 1 calls for..... *End(ing) poverty in all its forms everywhere*, and Target 1.5 aims to....*build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters...by 2030.*

Recommended Strategies:

- i) Put in place gender and youth responsive strategies aimed at reducing poverty, improving living and working conditions, creating employment opportunities and developing skills that can contribute to addressing the root causes of migration.
- ii) Include migration in the formulation of continental, regional and national development frameworks with the purpose of supporting the economic and social development of the regions (rural and urban) from which migrants originate in order to address the root causes of migration and to reduce poverty.
- iii) Draw up reliable policies for the protection of the environment in order to avoid natural disasters, the encroachment of the desert and soil degradation which are major sources of displacement of people from their natural environment.

- iv) Promote the establishment and consolidation of democracy in African countries based on transparent, regular and participatory processes, respect for human rights and the rule of law and support pan-African institutions and initiatives reflecting these objectives including promoting the activities of the NEPAD African Peer Review Mechanism (APRM) .
- v) Reinforce pan-African and regional mechanisms for conflict prevention, management and resolution through, inter alia, the promotion of the AU's Peace and Security Council and other pan-African and regional security enhancing mechanisms and early warning systems.
- vi) Support programmes for disarmament, demobilisation, detoxification and reintegration of former and demobilised combatants with particular attention to the predicament of child soldiers.
- vii) Support the involvement of women in conflict prevention and peace building by including a gender perspective in these activities and facilitating the active participation of women in peace negotiations and other diplomatic initiatives.

9.6 Migration and Health

The linkages between migration and health concerns have recently been brought to the fore in the international discourse on migration, notably in the context of the spread of communicable diseases such as, inter alia, pandemic avian flu, HIV and AIDS, tuberculosis and Ebola. Migrants are especially susceptible to health risks because of their pronounced conditions of vulnerability, including their restricted access to health services, both during and after periods of mobility. Because of the complex nature of the relationship between migration and health, the elaboration of comprehensive strategies addressing health matters will necessarily require further research on the underlying health problems and vulnerabilities of migrant populations, and considerations of access and entitlement to basic health services.

It is noteworthy that xenophobia marginalises already vulnerable migrant communities and exacerbates the socio-economic conditions that could contribute to migrants' exclusion in access to health services, which may aggravate the spread of communicable diseases in both migration sending and host communities.

Recommended Strategies:

- i) Conduct situation analyses and needs assessments of the health of migrants for planning purposes, with involvement and participation of the most vulnerable, including women and girls.
- ii) Ensure that migrants have adequate access to health care services by granting access to national healthcare systems and programmes ensuring that cultural and/or linguistic barriers do not prevent migrants from seeking and/or obtaining care, especially in relation to pregnancies, communicable diseases such as Sexually Transmitted Infections (STIs), tuberculosis and HIV and hepatitis.
- iii) Ensure the minimal healthcare service package for refugees and displaced persons, including prevention, treatment and health education, with special regard

for the needs of vulnerable groups, and mobilise resources needed, by inter alia enhancing collaboration with UNHCR, IOM, WHO, ICRC, IFRC, UNFPA, UNAIDS, and other relevant agencies.

- iv) Strengthen research and data collection initiatives on the relationship between health and migration and enhancing co-operation between countries and relevant agencies including WHO, UNAIDS, IOM, UNFPA and ILO.
- v) Support the implementation of continental and regional policies, particularly the Abuja Declaration and Plan of Action on HIV/AIDS, Tuberculosis, Malaria and other related infectious diseases; the Abuja Call for accelerated Actions towards Universal Access to HIV and AIDS, TB and Malaria Services; the Catalytic Framework to End HIV and AIDS, TB and Malaria; and Decision CM/Dec. 673 (LXXIV), which recognised the vital role played by human resources in the promotion of health and called upon States to develop a realistic plan for development of human resources for health.
- vi) Provide migrants' access to social services, and the nutritional needs of infants and children of migrants in line with international law, standards and norms, ensuring such access is not restricted on the basis of migration status. Provide access to such service in a culturally and linguistically appropriate way without stigma and through advocacy and the provision of cultural mediators.
- vii) Advocate for the inclusion of migrants and mobile population health issues into national and regional health programmes and strategies.
- viii) Support the establishment of Health and Social Affairs Desks at the level of the RECs, to harmonise migration and health policies and address cross-border health related issues among respective Member States.
- ix) Develop strategies to allow screening and treatment at entry points/border posts in war torn areas and areas at high risk of natural disasters.
- x) Ensure that healthcare personnel in high migrant receiving areas are trained to provide healthcare needs of migrants.

9.7 Migration and Environment

Environmental factors play a role in causing population movements, and conversely, migration has an impact on the environment. For instance, internal migration, such as the process of urbanisation, is sometimes linked to environmental degradation and environmental disasters which force farmers and other rural populations off their land. Also, the presence of large numbers of displaced persons in refugee camps and IDP hosting areas can have negative effects on local environments. Environmental considerations are therefore playing an increasingly important role in the formulation of policies on migration and forced displacement.

SDG 11 highlights the need to..... *(m)ake cities and human settlements inclusive, safe, resilient and sustainable*, while Target 11.5 aims to....*significantly reduce the number of deaths and the number of people affected and substantially decrease the direct economic losses relative to global gross domestic product caused by disasters, including water-related disasters, with a focus on protecting the poor and people in*

vulnerable situations by 2030. SDG 13 urges.... urgent action to combat climate change and its impacts, while Target 13 seeks to.... strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries.

Recommended Strategies:

- i) Incorporate environmental considerations in the formulation of national and regional migration management policies to better address environment related causes of migratory movements, as well as the impact migratory movements have on the environment - increase collaboration with relevant international agencies to this end, including by strengthening research and data gathering and exchange on the relationship between migration and the environment.
- ii) Counter environmental degradation caused by the large protracted presence of displaced persons, for example by means of implementing relevant and targeted environmental protection programmes, including periodic review of ecosystem impacts and remedial measures to mitigate such impacts; in the case of protracted refugee situations, calling upon UNHCR and countries of first asylum to identify priority areas for resettlement based on the degree of potential environmental degradation and the need to protect ecosystems in a given area.
- iii) Implement the Common African Position on Climate Change.

9.8 Migration and Gender

Gender and development recognise that by virtue of their genders and socialisation, women and men are positioned differently in society; have different experiences; perform different roles; have different needs and interests and may have different capacities to contribute and benefit from development. Who migrates, why, and their migration experience is affected by gender roles, relations and inequalities.¹⁹ Although some attempts have been made to understand the gender dimensions of migration in Africa, this area remains largely unexplored, and in general there is a lack of gendered research, analysis and understanding of women and men's diverse experiences as migrants. Gendered research would aid gender-responsive migration policy and programme development, which would be more effective in addressing the needs of migrant women and men and augmenting their contribution to development.

In 2015 women migrants constituted 46% of international migrants in Africa.²⁰ Women constitute 49 percent of the international migrant population, and in some countries as much as 70 to 80 percent. The traditional patterns of migration within and from Africa, which has been male-dominated, long-term, and long-distance, is increasingly becoming feminised. African women move independently within and outside their countries, inter alia, for economic reasons, education, professional development, marriage and protection. The increasing feminisation of migration is a reflection of the changing demands for particular types of skills, including growing demand in the service industries, especially for domestic workers, nurses, teachers, care workers and other typically female dominated professions. The feminisation of migration is affecting gender roles and in some cases contributing to gender equality, as women become economically empowered, gain new skills and take on different roles in countries of origin, transit and destination. The migration of men may also positively affect gender

¹⁹ <http://www.bridge.ids.ac.uk/bridge-publications/cutting-edge-packs/gender-and-migration>

²⁰ UN, 2015. *International Migration Report 2015*, p.28.

roles as women who stay behind take on greater responsibility in the household and have increased decision making power.

However, many female refugees and migrants face gross violations of their rights as they are exposed to gender-based discrimination, sexual and gender-based violence and other forms of abuse with limited or no access to effective legal protection. Migrant women and girls' vulnerabilities to exploitation are highlighted by the frequently abusive conditions under which they work, especially in the context of domestic service and sex industries, in which human trafficking is heavily implicated. They are also especially vulnerable to exploitation and abuse at the hands of smugglers and traffickers along irregular migration routes. It is therefore important to give particular attention to safeguarding the rights (labour, human rights, etc) of migrant women in the context of migration management, and to provide them with access to protection. Men and boys may also be exposed to gender based exploitation and violence during the migration process, and it is equally important to understand their experiences and develop the necessary protection measures. SDG Goal 5 sets out to.... *achieve gender equality and empower all women and girls*, and in Target 5.2 calls for the.....*elimination of all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.*

Recommended Strategies:

- i) Conduct research in order to gain a deeper understanding of the gender dynamics of migration, which would enable both policy makers and practitioners to address the special needs of women and men migrants, thereby enhancing: (a) the benefits that can accrue to women and men, as a result of their involvement in migration; (b) the contribution of women and men migrants to the up-liftment of their families and the socio-economic development of their host/sending countries, and the continent at large. It would also prompt policy makers and practitioners to address issues that impact negatively on migrants due to gender.
- ii) Strengthening responses to the particular needs of migrant women and girls, particularly ensuring that their health needs, labour rights and human rights are respected. A gender perspective should be integrated in all national and regional migration management policies, strategies and programmes, recognising the agency of women in migration, promotes their empowerment and leadership and moves away from addressing women migrants primarily through the lens of victimhood.
- iii) Develop migration policies that allow women and men to migrate for employment through safe and regular channels.
- iv) Ensure that initiatives and programs on migration management and addressing the root causes of irregular migration in Africa are informed by gender analysis and are implemented in a gender-responsive manner.
- v) Enhance knowledge generation and awareness on the gendered dimensions of migration in Africa, including sex-disaggregated data and gender-responsive evidence and analysis on current migratory trends in Africa.
- vi) Support associations and networks of migrant women, and enhance their voices in policy dialogue processes at national, regional, continental, and global level.

- vii) Take effective steps to counter migrant trafficking and smuggling, and other illegal practices which specifically target and victimise migrant women and men.
- viii) Ensure adequate treatment and access to justice in the context of applicable human rights instruments, of women, men and children that are victims of trafficking and sexual slavery.
- ix) Promote informational/ educational campaigns to raise awareness about the gender dimension of migration among migrants, those affected by migration, and policy makers and personnel involved in migration, especially in the managing of the migration process.
- x) Implement the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

9.9 Migration, Children, Adolescent and Youth

The changing age composition of migrant flows is reflected in the increasing number of children, adolescent and youth who are migrating independently of parents or care takers. Whether migration is forced, as reflected in the very high percentage of children in refugee camps, or voluntary, the special needs of children, adolescent and youth need to be catered for, and includes adequate health care, education, shelter and protection from rights violations. In many parts of the world, including certain regions in Africa, child trafficking is a critical challenge that must be addressed from different angles, including targeted prevention campaigns, protection and assistance to victims of trafficking, training of relevant authorities on how to address trafficking challenges and prosecution of traffickers and their accomplices.

Recommended Strategies:

- i) Ensure that the rights of migrant children, adolescent and youth are effectively protected under national laws by incorporating relevant international instruments, particularly the African Charter on the Rights and Welfare of the Child, the African Youth Charter, the UN Convention on the Rights of the Child, the UN Convention Against Trans-national Organized Crime and its two Protocols; and ILO Convention 182 on the Worst Forms of Child Labour.
- ii) Ensure, through legislative policy, that migrant children, adolescent and youth have adequate access to gender-responsive and culturally appropriate health care, education and shelter.
- iii) Ensure that national migration policies are linked to and coherent with policies relating to families.
- iv) Promote informational/ educational campaigns to raise awareness about the youth dimension of migration among migrants, those affected by migration, and policy makers and personnel involved in migration, especially in the managing the migration process.

- v) Develop gender-responsive policies that encourage and promote migration and sports.
- vi) Foster exchanges among youth and students of/ in Africa, with a view to further Africa's integration.

9.10 Migration and Older Persons

Elderly people migrate for different reasons. Though non-economic drivers may dominate elderly migration, economic factors could also prompt it. The determinants and consequences of elderly migration need to be understood properly in order to cater for the needs of elderly migrants. Older people may be negatively affected by their uprooting from their environment and their health, and economic well-being may be compromised.

Recommended Strategies:

- i) Implement the Protocol to the African Charter on Human and People's Rights on the Rights of Older Persons .
- ii) Ensure that the rights and needs of elderly migrants are met throughout the migration process. Recognise the individual needs and challenges faced by elderly women and men migrating, and those who are left behind.
- iii) Ensure that elderly migrants receive adequate and gender-responsive quality and quantity of health care and other social services.
- iv) Protect the entitlements of elderly migrants, including pensions and other social security provisions.
- v) Ensure that programmes relating to training and resettlement take into account the needs of older people, in terms of re-uniting them with their families.

9.11 Inter-State and Inter-Regional Cooperation

The ever-growing number of migrants and complexity of migratory movements, within and across regions, highlight the need to develop inter-State and inter-regional approaches to managing migration in Africa. Such co-operation can be fostered by developing clear objectives, providing opportunities for exchange of experiences, views and best practices, and working towards the coordinated implementation of policies and programmes. The need to speak a 'common language' when addressing migration and forced displacement issues is a critical step, and one that is on-going and evolving. Other actors in civil society and the international community provide important contributions in this regard. Such cooperation and collaborative partnerships extend throughout the Africa, and beyond, to other States and regional entities such as the European Union and the League of Arab States.

Recommended Strategies:

- i) Integrate migration and displacement issues into national and regional agendas for development, security and stability.

- ii) Engage in dialogue and programme development on migration and development with regional bodies and development actors, including, the AU, EU, the League of Arab States, RECs, World Bank, International Monetary Fund, African Development Bank, WHO, ILO, IOM, UNECA, UNHCR, UNICEF, UNODC, UNWOMEN, the United Nations Development Programme, and other concerned institutions.

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III. THE WAY FORWARD

Migration is a dynamic, evolving process, as well as a cross cutting issue, with complex consequences. States are therefore urged to adopt the following approaches, so as to ensure the coherent management of migration, with a view to maximise its benefits and minimise its negative impacts.

1. A comprehensive approach to migration management should be adopted - Member States and RECs are urged to implement the various recommendations made in the MPFA, in accordance with their respective migration realities and development objectives. Moreover, policy coherence between the various issue areas linked to migration is key to effective migration management. While Member States drive the development and implementation of national laws and policies that aid effective migration management, RECs have a role in ensuring the harmonisation of laws and policies across the region and spur regional dialogue and cooperation on migration.
2. Member States/RECs are encouraged to enact national/regional laws and formulate policies based on international/continental/regional protocols/ principles for the management of migration and ensure the institutional capacities and coordination mechanisms at national/regional levels for the management of migration;
3. Migration management requires information and its systematic use. Member States should encourage research to generate information, identify challenges and opportunities, and devise appropriate responses and strategies. Monitoring and evaluation of migration strategies, policies and responses are an important part of gathering this information, and ensuring that migration management initiatives are effective and respond to current realities.
4. Migration is a multi-faceted phenomenon which demands the action of different stakeholders, hence the need for governments to facilitate and encourage the involvement of different stakeholders, such as Non-Governmental Organisations, community organisations, migrants (including youth, women, Diasporas), government agencies etc. in the formulation of policies and the implementation of programmes.
5. Member states are encouraged to facilitate the full participation of the Diaspora in national development initiatives by establishing the appropriate policy frameworks and institutional structures necessary to reach, mobilise and engage the resources and networks of the Diaspora in all sectors of socio-economic activity.
6. As migration involves origin, transit and destination States, inter-State, inter and intra-regional cooperation is crucial for the management of migration. As a result, governments should look for collective solutions to migration through bilateral, multilateral, regional and REC driven agreements and dialogue, in a manner that benefits all parties affected by migration: origin countries, transit countries, destination countries and migrants.
7. Migration often results in a conflict between national security/ integrity and migrants' rights. Member States should resolve the conflict by striking a balance between the two, inter alia, by harmonising national laws and policies with international standards and norms.

8. International organisations are partners in managing migration across countries and regions. As a result, it is in the best interest of Member States/ RECs to work closely with such organisations to foster inter-state/inter-regional dialogue and cooperation for effective migration management.
9. Migration management requires capacity and adequate infrastructure. Therefore, Members States are encouraged to invest adequate resources and engage international organisations and technical partners in building their capacities in the management of migration.

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IV. THE AU MIGRATION POLICY FRAMEWORK FOR AFRICA: PLAN OF ACTION (2018 – 2027)

Preamble

The AU Migration Policy Framework (MPFA) Plan of Action (2018 – 2027) documents activities that will be undertaken by the AU Commission during the plan period in an effort to facilitate the coherent management of migration on the Continent within the framework of the revised AU-MPFA. It does this by focusing on specific topics or aspects of the themes that are identified in the AU-MPFA, and takes into consideration work that is already underway on the continent and seeks to forge synergies with institutions that are working on the identified activities. To a large extent, the activities of the Plan of Action seek to provide local government authorities, Member States and RECs with conducive conditions and elements for the management of migration.

Vision

The vision of the AU-MPFA Plan of Action (2018 – 2027) is a Continent that is aware of its migration challenges and opportunities, and is willing and capable to address the challenges, and take advantage of the opportunities.

Acronyms

AIR	African Institute for Remittances
AU	African Union
AUC	African Union Commission
AMU	The Arab Maghreb Union
BP	Border Programme
DPA	Department of Political Affairs
DSA	Department of Social Affairs
HoA	Horn of Africa
HoAI	Horn of Africa Initiative
HRST	Department of Human Resources, Science and Technology
IDP	Internally Displaced Persons
ILO	International Labour Organization
IOM	International Organization for Migration
LGAs	Local Government Authorities
MPFA	Migration Policy Framework for Africa
MSs	Member States
RCP	Regional Consultative Process
REC	Regional Economic Community
UNECA	United Nations Economic Commission for Africa

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Thematic Area / Activity	Timeframe (Years)										Indicators for Monitoring Progress	Responsible Entity ²¹
	1	2	3	4	5	6	7	8	9	10		
1. Monitoring & Evaluation Framework												
i) Develop a M & E framework for the MPFA Action Plan	√			√			√			√	M & E framework for the MPFA Action Plan in place	AUC-DSA √
ii) Roll out and mainstream the M & E framework of the MPFA Action Plan												
2. Awareness Raising: The MPFA												
iii) Develop a communication and awareness raising strategy for the MPFA	√			√			√			√	Existence of a communication strategy	AUC-DSA (IOM) √
iv) Popularize the MPFA among LGAs/MSs/RECs (Implement the communication & awareness raising strategy of the MPFA with LGAs/MSs/RECs) together with other relevant AUC departments.	√	√			√	√	√			√	# of workshops held with LGAs/MSs/RECs to popularize the MPFA	AUC-DSA (IOM) √
3. Migration Governance / Migration & Development / Policy Coherence												
v) Identify and select training institutions (Regional Training Centres: one per Region x 7) ²² and trainers that would conduct training on Migration Governance, Migration & Development and Migration Policy Formulation and Mainstreaming Migration in Development Frameworks for LGAs/ MSs/RECs		√			√			√			Regional training institutions identified	AUC-DSA (IOM) √
vi) Develop training manuals on Migration Governance, Migration & Development and Migration Policy Formulation and Mainstreaming Migration in	√	√			√			√			Training manuals on Migration Governance, Migration & Development,	AUC-DSA (IOM) √

²¹ Parenthesis denote departments/organizations that will collaborate with the department that has primary responsibility to implement the respective activities

²² The Arab Maghreb Union (AMU), Community of Sahel-Saharan States (CEN-SAD), East African Community (EAC), Economic Community of Central African States (ECCAS), Economic Commission for West African States (ECOWAS), Inter-Governmental Authority on Development (IGAD) and Southern Africa Development Community (SADC)

Thematic Area / Activity	Timeframe (Years)										Indicators for Monitoring Progress	Responsible Entity ²¹	
	1	2	3	4	5	6	7	8	9	10			
Development Frameworks												Migration Policy Formulation and Mainstreaming Migration in Development Frameworks	
vii) Conduct Training of Trainers (ToT) on Migration Governance, Migration & Development and Migration Policy Formulation and Mainstreaming Migration in Development Frameworks for trainers in Regional Training Centres (RTCs)		√	√		√	√		√	√			# of ToT workshops and # of trainers trained on Migration Governance, Migration & Development and Migration Policy Formulation and Mainstreaming Migration in Development Frameworks for trainers in RTCs	AUC-DSA (IOM) √
viii) Conduct workshops (and follow-ups) for LGAs/MSs/RECs on Migration Governance, Migration & Development and Migration Policy Formulation		√	√	√	√	√	√	√	√	√		# of workshops/follow-ups held with LGAs/MSs/ RECs on Migration Governance, Migration & Development and Migration Policy Formulation	Regional Training Centres (AUC-DSA, IOM) √
4. Free Movement of Persons on the Continent													
i) Present the Draft Protocol to the Abuja Treaty on Free Movement of Persons, Right of Residence and Right of Establishment (PFMP) to the January 2018 AU Summit for review and adoption	√			√			√			√		Draft PFMP adopted	√ AU-DPA (AUC-DSA, IOM)
ii) Develop an advocacy, communication and awareness raising strategy for the PFMP	√			√			√			√		Existence of an advocacy, communication & awareness raising strategy for the PFMP	√ AU-DPA (AUC-DSA, IOM)
iii) Raise awareness and advocate for the domestication and implementation of the PFMP among RECs and MSs	√	√	√	√	√	√	√	√	√	√		# of RECs/MSs that have domesticated and have implemented the PFMP	√ AU-DPA (AUC-DSA, IOM)
iv) Monitor the domestication and implementation of the PFMP among RECs and MSs	√	√	√	√	√	√	√	√	√	√		Monitoring reports	√ AU-DPA (AUC-DSA, IOM)

Thematic Area / Activity	Timeframe (Years)										Indicators for Monitoring Progress	Responsible Entity ²¹		
	1	2	3	4	5	6	7	8	9	10				
													IOM)	
5. Labour Migration														
Implement the Joint Labour Migration Programme (JLMP)														
i) Operationalize the AU Labour Migration Advisory Committee	√	√	√	√	√	√	√	√	√	√	√	Reports of the Committee Recommendations produced by the Committee	AUC-DSA (IOM, ILO, ECA)	√
ii) Extend social protection access and portability to migrant workers	√	√	√	√	√	√	√	√	√	√	√	# of RECs with appropriate regimes and mechanisms for extending social protection access and portability to migrant workers	AUC-DSA (ILO, IOM, UNECA)	√
iii) Develop training and capacity building programme for labour market institutions and social partners on labour migration management	√			√				√			√	Training plans validated	AUC-DSA (IOM, ILO, UNECA)	√
iv) Conduct training of trainers on labour migration management	√	√	√	√	√			√	√			# of trainers trained # of training sessions	AUC-DSA (IOM, ILO, UNECA)	
v) Undertake efforts to resolve skills shortages and skills–education mismatches while increasing recognition of harmonized qualifications across Africa	√	√	√	√	√	√	√	√	√	√	√	<ul style="list-style-type: none"> • Specific capacity building and training programme implemented • # of surveys/forecasts by RECs/MSs • # of regional Skills Portfolios Mapping 	AUC-HRST (AUC-DSA, IOM, ILO, UNECA)	√
vi) Harmonise standards and tools for data collection on international labour migration in Africa	√	√			√	√	√				√	Harmonized data collection tools on international labour migration in place	AU-DEA (AU-DSA)	√
vii) Produce regular labour Migration Statistics Report	√		√		√		√			√		• Publication of Labour	AU-DEA	√

Thematic Area / Activity	Timeframe (Years)										Indicators for Monitoring Progress	Responsible Entity ²¹	
	1	2	3	4	5	6	7	8	9	10			
												Migration Statistics Report	(AU-DSA, IOM, ILO, UNECA)
viii) Support elaboration, adoption and implementation of coherent labour migration policies in the RECs	√	√	√	√	√				√			# of RECs and MS with labour migration policy	AU-DSA (AU-DEA, IOM, ILO, UNECA)
ix) Establish and support regional mechanisms for tripartite policy consultation and coordination on labour migration issues and facilitate consultation and technical cooperation with other regions	√	√	√	√	√	√	√	√	√	√		# of RECs with operational tripartite consultation mechanism	AU-DSA (AU-DEA, IOM, ILO, UNECA)
x) Implement a comprehensive research/study programme on labour migration	√		√		√		√			√		Research/study reports	AU-DEA (AU-DSA, IOM, ILO, UNECA)
xi) Evaluate of the JLMP				√			√					Evaluation reports	AU-DSA (AU-DEA, IOM, ILO, UNECA)
6. Remittances													
a. Sensitization and Awareness Creation													
i) Develop a communication and awareness raising strategy for the AIR	√				√			√			√	AIR Communication Strategy	AUC-AIR
ii) Produce and disseminate various publications on remittances	√	√	√	√	√	√	√	√	√	√		# of publications produced and disseminated	AUC-AIR
iii) Promote the AIR website www.au-air.org	√	√	√	√	√	√	√	√	√	√		# of visitors to the website	AUC-AIR
b. Engagement of various stakeholders													
i) Organize Diaspora Engagement Forum	√	√	√	√	√	√	√	√	√	√		CB workshops and trainings held	AUC-AIR

Thematic Area / Activity	Timeframe (Years)										Indicators for Monitoring Progress	Responsible Entity ²¹		
	1	2	3	4	5	6	7	8	9	10				
ii) Organize consultative/engagement workshops with private sector players and other stakeholders on remittance-linked financial products to leverage remittances for financial inclusion and development	√		√		√		√		√			CB workshops and trainings held	AUC-AIR	√
c. Research, Surveys and Studies on Remittances														
i) Conduct baseline assessments on remittances markets of AU MSs	√	√	√	√	√				√			Baseline assessment reports	AUC-AIR	√
ii) Conduct researches, studies and surveys on remittance corridors within Africa	√	√	√	√	√				√			Research/Survey reports	AUC-AIR	√
iii) Develop Model Legal and Regulatory Framework on Remittances and use of innovative technologies including mobile and internet transfers	√			√				√			√	Model Legal and Regulatory Framework developed	AUC-AIR	√
iv) Develop a Simplified Remittances Data Measurement and Reporting Guideline	√			√				√			√	Remittances data measurement and reporting Guideline developed	AUC-AIR	√
d. Provision of Technical Assistance and Capacity Building Workshops and Trainings														
i) Provide Technical Assurances (TA) to AU MSs, Remittances Senders and Recipients and other stakeholders on remittances related issues	√	√	√	√	√	√	√	√	√	√	√	# of TAs conducted	AUC-AIR	√
ii) Conduct capacity building workshops and trainings for MSs on Remittances data Measurement and Reporting as well as Policies and Regulatory Frameworks on Remittances and Uses of Innovative Technologies	√	√	√	√	√	√	√	√	√	√	√	CB workshops and trainings held	AUC-AIR	√
iii) Conduct capacity building workshops and trainings on Remittances price database for MSs: Send Money Africa (SMA) www.sendmoneyafrica-auair.org	√	√	√	√	√	√	√	√	√	√	√	CB workshops and trainings held	AUC-AIR	√

Thematic Area / Activity	Timeframe (Years)										Indicators for Monitoring Progress	Responsible Entity ²¹	
	1	2	3	4	5	6	7	8	9	10			
iv) Organize financial literacy workshops and trainings for Remittance senders and recipients		√		√		√		√		√	Workshops and trainings held	AUC-AIR	√
v) Organize experience sharing visits	√		√		√		√		√		Experience sharing visits held	AUC-AIR	√
7. Diaspora Engagement													
i) Conduct capacity-building training workshops on diaspora policy formulation / programme development for MSs	√	√	√	√	√	√	√	√	√	√	CB workshops and trainings held	AUC-CIDO	√
ii) Undertake diaspora mapping project in the Americas, Caribbean, Europe, the Gulf and Asia-Pacific		√	√			√			√		Research project reports finalized and circulated among diaspora stakeholders	AUC-CIDO	
iii) Establish and operationalize Professional and Business Diaspora Networks in all major regions of the world		√	√	√	√			√			Networks established and operational in all five regions of the continent	AUC-CIDO	√
iv) Organize technical workshops to support MSs on dual citizenship and focal points as per 1 st 10 Year Plan of Agenda 2063		√	√	√	√	√	√	√			Capacity building workshops and trainings held.	AUC-CIDO	
v) Complete the implementation of the remaining Diaspora Legacy Projects (the African Diaspora Investment Fund, African Diaspora Global Marketplace, African Diaspora Volunteer Corps, and African Diaspora Database)		√	√	√	√			√			All four remaining projects implemented and operational	AUC-CIDO	√
vi) Launch new editions of Encyclopaedia Africana as a showcase project within the framework of the UN Decade for People of African Descent		√	√	√	√	√	√	√			At least 4 new volumes of the Encyclopaedia Africana published by end of the Decade in 2023	AUC-CDO Encyclopaedia Africana Project Secretariat	
8. Border Governance													
i) Increase transnational cooperation through promotion of the of the Ratification of the Niamey Convention	√	√			√			√			# of ratifications. Date of entry into force.	AU-BP	√

Thematic Area / Activity	Timeframe (Years)										Indicators for Monitoring Progress	Responsible Entity ²¹		
	1	2	3	4	5	6	7	8	9	10				
by MS														
ii) Strengthen the capacities of African institutions on border management through the provision of trainings on border management	√	√			√			√				# of trainings held/	AU-BP	√
iii) Verification of the AU Border Governance Strategy (AU-BGS) and its Action Plan and adoption by the relevant AU Organs	√	√			√			√				Adoption of the strategy	AU-BP	√
iv) Create inter-sectorial coherence by setting up the AUC-Internal and AUC-REC Coordination Forum on Border Governance		√			√			√				Forum exists and is active	AU-BP	√
v) Popularize the AU-BGS among RECs and MSs (jointly with related policies like the MPFA and trade facilitation)		√	√			√			√			Popular version of the AU-BGS published and disseminated. Campaigns TBD	AU-BP/	
vi) Develop Policy Blueprints or Model Policies for priority areas / sectors in Border Governance (to be selected) and Cooperative Border Management		√	√	√	√				√			# of curricula developed	AU-BP	√
vii) Develop standard training manuals on Cooperative Border Management (in selected priority areas) as well as on Border Governance Policy Formulation		√	√	√	√				√			# of curricula developed	AU-BP	√
viii) Identify and promote existing good practices on cooperative border management to encourage emulation (e.g. on transparency, joint patrols, inter-agency cooperation, One Stop Border Posts (OSPB), border ID cards etc.)			√	√	√	√				√		<ul style="list-style-type: none"> • Report on good practices on cooperative border management complete • # of workshops held on promoting good practices on cooperative border management 	AU-BP	√
9. Irregular Migration														

Thematic Area / Activity	Timeframe (Years)										Indicators for Monitoring Progress	Responsible Entity ²¹		
	1	2	3	4	5	6	7	8	9	10				
i) Implement/evaluate implementation of the <i>Five-year Plan of Action of the Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children</i>	√	√	√	√	√				√			Funded project proposals for the implementation of the <i>Five-year Plan of Action of the Ouagadougou Plan of Action.</i>	AUC-DSA	√
ii) Implement/evaluate implementation of the <i>2018 – 2022 AU-Horn of Africa Initiative Technical Working Group on Law Enforcement (TWG-LE) Plan of Action.</i>	√	√	√	√	√				√			Funded project proposals for the implementation of the <i>2018 – 2022 AU-Horn of Africa Initiative (TWG-LE) Plan of Action</i>	AUC-DSA	√
iii) Implement/evaluate implementation of the <i>Work Plan on the Implementation of the Resolution on Migration of The 3rd Africa-Arab Summit</i>	√	√	√	√	√	√	√	√	√	√	√	Funded project proposals for the implementation of the <i>Work Plan on the Implementation of the Resolution on Migration of The 3rd Africa-Arab Summit</i>	AUC-DSA	√
iv) Evaluate return, re-admission and re-integration (RRR) programmes on the Continent and establish best practices, standards and procedures based on international law and policy on RRR.				√	√				√			A continental guideline on RRR is in place	AUC-DSA	√
10. Forced Displacement														
i) Operationalize the Harare Plan of Action for implementation of the Kampala Convention	√	√	√				√			√		Benchmarks for member State engagement on IDP issues developed	AUC-DPA (UNHCR)	√
ii) Convene a continental conference on Internal Displacement in Africa	√			√				√			√	Action Plan for durable solutions developed	AUC-DPA (UNHCR)	√
iii) Member States meeting on the 10-year Plan of Action on the Common African Position (CAP) on Humanitarian Effectiveness	√	√	√	√	√	√	√	√	√	√	√	Implementation of five priority areas in the CAP on Humanitarian Effectiveness at	AUC-DPA (UNHCR)	√

Thematic Area / Activity	Timeframe (Years)										Indicators for Monitoring Progress	Responsible Entity ²¹		
	1	2	3	4	5	6	7	8	9	10				
												regional and national levels		
iv) Benchmarking for Durable Solutions and root causes of forced displacement	√	√	√	√	√	√	√	√	√	√	√	Regional and national strategies developed	√ AUC-DPA (UNHCR)	√
v) Conduct Training on AU Humanitarian Law and Policy	√	√	√	√	√	√	√	√	√	√	√	Increased MS ratification of AU and international Instruments	√ AUC-DPA (UNHCR)	√
11. Migration and Trade														
i) Produce an Africa handbook on informal cross-border trade statistics	√	√			√			√				African handbook on informal cross-border trade statistics available	AUC-DEA	√
ii) Conduct workshops on informal cross-border trade and migration	√	√	√	√	√	√	√	√	√	√	√	# of workshops conducted on informal cross-border trade and migration	√ AUC-DTI	√
iii) Support the establishment of an Regional AU Parliamentary Forum on Trade, Customs and Immigration	√	√	√	√	√	√	√	√	√	√	√	# of Regional AU Parliamentary Forums on Trade, Customs and Immigration established	√ AUC-DTI	√
iv) Capacity building workshops on Trade Agreements and related trade issues on border agencies (Customs and Immigration)	√	√	√	√	√	√	√	√	√	√	√	# of capacity building Workshops on Trade Agreements and related trade issues on border agencies conducted	√ AUC-DTI	√
v) Advocate and popularize the implementation of Simplified Trade Regimes (STRs) in Regional trade Agreements	√	√	√	√	√	√	√	√	√	√	√	# of activities (workshops and capacity building seminars) on STR in the RECs	√ AUC-DTI and RECs	√
12. Migration Data & Research														
i) Evaluate existing capacity and training needs of MSs/ RECs in the area of migration data collection and management			√	√				√			√	Evaluation report documenting gaps in in the area of migration data	√ AUC-DEA (AUC-DSA)	√

Thematic Area / Activity	Timeframe (Years)										Indicators for Monitoring Progress	Responsible Entity ²¹	
	1	2	3	4	5	6	7	8	9	10			
												collection and management among MSs/RECs	
ii) Set up an African Working Group on Migration Statistics	√			√			√			√		African Working Group on Migration is functional	AUC-DEA (AUC-DSA)
iii) Produce a Migration Statistics & Migration and Development Report for Africa	√	√	√	√	√	√	√	√	√	√		Reports are available	AUC-DEA (AUC-DSA)
iv) Set up Database on migration statistics	√	√	√	√	√	√	√	√	√	√		Database on migration statistics is available	AUC-DEA (AUC-DSA)
v) Conduct workshop to discuss the harmonization of the collection of migration data, including definitions of migration variables across countries and regions, and consolidating national migration data at regional and continental levels					√			√			√	A set of recommendations towards harmonizing the collection of migration data, and consolidating national migration data at regional and continental levels	AUC-DEA (AUC-DSA)
vi) Support national /regional efforts towards establishing / strengthening national/regional arrangements/ capacities for research on migration data collection				√	√	√	√	√	√	√		Existence of periodic research reports / publications on migration data by MSs /RECs	AUC-DEA (AUC-DSA)
vii) Develop terms of reference (ToRs) for a feasibility study on the establishment of an African migration research network/ observatory on migration.	√			√			√			√		ToRs for a feasibility study on the establishment of an African migration research network/ observatory on migration are adopted.	AUC-DSA (AUC-DEA)
viii) Conduct feasibility study for the establishment of an African migration research network/ observatory on migration.	√	√			√				√			Feasibility study report for the establishment of an African migration research network/ observatory on migration is adopted	AUC-DSA (AUC-DEA)
ix) Establish an African migration research network/			√	√			√			√		An African migration research	AUC-DSA

Thematic Area / Activity	Timeframe (Years)										Indicators for Monitoring Progress	Responsible Entity ²¹		
	1	2	3	4	5	6	7	8	9	10				
observatory on migration												network/ observatory on migration is in existence	(AUC-DEA)	
x) The African migration research network/ observatory conducts research/gathers data on migration					√	√	√	√	√	√		The African migration research network/ observatory on migration gathers data / conducts research on migration on a continuing basis	√ AUC-DSA (AUC-DEA)	√
13. Inter-state & Inter-regional Cooperation														
i) Evaluate the performance of Regional Consultative Processes (RCPs) on migration					√				√			Evaluation Report	√ AUC-DSA	√
ii) Establish/strengthen RCPs on migration			√	√	√	√	√	√	√	√		Robust RCPs on migration in existence	√ AUC-DSA	√
iii) Initiate dialogue and collaboration among RCPs/RECs on addressing migration issues	√	√	√	√	√	√	√	√	√	√		Dialogue/meetings held between RCPs/RECs	√ AUC-DSA	√
iv) Hold inter-continental dialogue with the EU within the context of the Joint AU-EU dialogue/JVAP	√	√	√	√	√	√	√	√	√	√		Dialogue/meetings held between AUC/EU to discuss migration issues	√ AUC-DSA	√
v) Hold inter-continental dialogue with the League of Arab States within the context of the Africa Arab Technical Coordination Committee on Migration	√	√	√	√	√	√	√	√	√	√		The TCCM holds meetings to discuss migration issues	√ AUC-DSA	√

Annex 1: Monitoring Matrix for the Revised Migration Policy Framework for Africa

Thematic Area/ Recommended Strategy	Progress towards achieving recommended strategy
1. MIGRATION GOVERNANCE	
<p>i. Comply with international standards and law and secure migrants’ rights</p> <ul style="list-style-type: none"> • Respect, protect and meet the rights of all persons, regardless of their migration status, nationality, gender, race or ethnic origin, including through countering xenophobia, racism and discrimination, securing their access to protection, and criminalising and prosecuting smugglers and traffickers. • Provide all migrants with access to justice and legal redress. • Identify and assist vulnerable migrants and displaced persons through child-oriented, gender- sensitive and culturally appropriate approaches. • Provide protection to forced migrants in accordance with humanitarian law and human rights principles. • Uphold the human right of every person to leave any country, including their own country, and to return to their own country at any time. 	
<p>ii. Develop evidence-based policies through a “whole-of government” approach</p> <ul style="list-style-type: none"> • Develop migration and related policies on the basis of the analysis of accurate data, including on migration trends, demographics, labour markets, education, health, environmental degradation, climate change and crises. • Monitor the implementation of policies and update them over time to ensure that they reflect and address current migration dynamics and development objectives. • Engage all ministries related to migration issues in migration policy development and implementation through national coordinating mechanisms on migration. 	
<p>iii. Engage with partners to address migration and related issues</p> <ul style="list-style-type: none"> • Build and sustain partnerships to enjoy a comprehensive understanding of migration and deploy effective strategies and actions, including with subnational governments, local authorities, cities and municipalities; non-governmental actors, such as employers, unions, Diasporas, migrant associations, civil society, local community groups, religious organisations and academia; partner states, especially countries of origin, transit and destination for nationals and incoming migrants; and International and regional organisations that work on migration and related issues. 	

<ul style="list-style-type: none"> • Share best practices on migration governance, and current migration trends and realities (to ensure that migration frameworks and processes are in tune with current realities) within regional consultative processes, such as the Africa-Arab Technical Coordination Committee on Migration; the Migration Dialogue for West Africa (MIDWA); Migration Dialogue for the Common Market for Eastern and Southern African Member States (MIDCOM); Migration Dialogue for Southern Africa (MIDSA); and the Intergovernmental Authority on Development (IGAD) Regional Consultative Process on Migration. 	
<p>iv. Employ migration governance to aid the socioeconomic well-being of migrants and society</p> <ul style="list-style-type: none"> • Engender stability and resilience, spur education, health and employment opportunities, and counter the drivers of forced migration, including by promoting resilience, thereby enabling individuals to make the choice between staying or migrating. • To meet labour market needs, develop tailored labour migration opportunities, including permanent, temporary and circular migration for diverse skill levels, and aid the integration of migrants into their hosting communities and ensure that they have the same access as citizens to health care, psychosocial support, social services, education, basic public services and housing. • Facilitate student mobility and family reunification; • Provide reintegration assistance to returning migrants and displaced persons, including access to legal recourse for land and property claims; • Ensure the portability of social security; • Promote low-cost remittances transfers and opportunities for investment in home communities; • Regulate recruiters and employers and ensure fair labour conditions. 	
<p>v. Address the migration aspects of crises</p> <ul style="list-style-type: none"> • Put in place early warning systems to prevent and prepare for crisis; and assist migrants, displaced persons, refugees and communities affected by crises in accordance with humanitarian principles; and promote durable solutions to end displacement. • Provide access for humanitarian aid and workers and ensure consular services and evacuation assistance for migrants caught in crises. 	
<p>vi. Facilitate safe, orderly and dignified migration</p> <ul style="list-style-type: none"> • Provide opportunities for regular migration, long-term residency and citizenship and efficient and affordable migration services. • Implement sound civil registry systems, including birth registration, identity documents and travel documents. • Counter health and security risks, such as the spread of diseases, through the necessary cross-border health checks and public health strategies. 	

<ul style="list-style-type: none"> • Detect and prevent irregular migration, including transnational crime, such as smuggling and trafficking, by ensuring the necessary cooperation between border agencies and national and international justice and security agencies and the sharing of information. • Harmonise migration laws and policies across the regions to ensure effective migration governance. 	
2. LABOUR MIGRATION AND EDUCATION	
2.1. National Labour Migration Policies, Structures and Legislation	
i. Domesticcate all the International Labour Organisation (ILO) Conventions on Labour Migration as appropriate to each Member State and harmonise national laws and regulations with international labour standards.	
ii. Create transparent (open) and accountable labour recruitment and admission systems, based on clear legislative categories and immigration policies that are harmonised with labour laws.	
iii. Provide access to accurate information on labour migration at pre-departure and post-arrival stages, including terms and conditions of work, remedies and access to legal advice in the event of violations.	
iv. Align national laws, policies and regulations; bilateral and multilateral agreements; and voluntary codes of conduct with the ILO <i>General principles and operational guidelines for fair recruitment</i> .	
v. Ensure that national laws, including constitutional, administrative and civil law and labour codes, provide women migrant workers, in particular domestic workers, with the same rights and protection that are extended to all workers.	
vi. Monitor and enforce compliance with recruitment regulations, including standardised contracts of employment which are free, fair, fully consented to, transparent and enforceable.	
vii. Promote consolidation and professionalisation in the recruitment industry, reigning in the maze of subagents that are often involved, with the aim of turning (public and private) recruiters into comprehensive “one-stop shops” for employers and migrants, offering comprehensive services, including training and skills certification, job placement and travel arrangements.	
viii. Strengthen or make provision for adequate supervision of working conditions for all migrants by the competent labour market authorities or duly authorised bodies.	
ix. Establish effective complaint mechanisms and ensure that migrants, especially migrant women, have	

	recourse to enforce, timely and affordable remedies. Ensure that migrant workers are able to make complaints against their employees or others, including on grounds of sexual harassment in the workplace, and have access to remedies including for unpaid wages and compensation for violations of labour rights, without fear of reprisals and expulsion.	
x.	Build national capacity to manage labour migration by developing national labour migration policies and legislation consistent with overall population policy, and government structures to manage labour migration. The latter should include the creation of focal points within relevant ministries to handle labour migration issues, and establish institutional mechanisms for enhanced cooperation between government authorities, worker organisations and employer associations.	
xi.	Promote the standardisation of bilateral labour agreements to ensure the protection of migrant workers and facilitate remittance transfers.	
xii.	Ensure coherence at the national level between bilateral and regional agreements pertaining to the movement of workers, national labour market policies, migration policies and other relevant policy areas, such as health or agriculture, in line with international human rights law, norms and standards. Key stakeholders, including civil society, social partners, employers, trade unions, women's rights organisations, training institutions and migrants, must be consulted in developing labour migration related strategies.	
xiii.	Domesticate the RECs' free movement of persons protocols and provisions.	
xiv.	Promote equality of opportunity and the protection of the rights of migrant women by ensuring that labour migration policies and practice are gender-sensitive and non-discriminatory, in recognition of the increasing feminisation of labour migration.	
xv.	Promote respect for, and protection of, the rights of labour migrants including combating discrimination and xenophobia through, inter alia civic education and awareness-raising activities.	
xvi.	Incorporate mechanisms that monitor and evaluate the provision of decent work for all migrants and enable them to access legal provisions for social protection.	
xvii.	Promote HIV/AIDS awareness raising and prevention campaigns targeted towards labour migrants, with participation of social partners, in order to combat the spread of HIV/AIDS within the labour force.	
xviii.	Facilitate technical cooperation activities with international agencies, including ILO, the International Organisation for Migration (IOM), the World Health Organisation (WHO), the Joint United Nations Programme on HIV/AIDS (UNAIDS) and other concerned entities, in order to enhance the developmental effects of labour migration.	
xix.	Enhance national and regional labour migration data collection, analysis and exchange to document	

	the conditions and needs of migrant women and men workers and their families.	
xx.	Facilitate the integration of all migrants, women and men, in the labour market including in the education and training sector, removing gender-based barriers that restrict women from being recruited, as well as the right to join trade unions, to form community organisations; to associate and collectively bargain.	
xxi.	Set up national and sub-regional social dialogue mechanisms to address migrant labour issues, including the challenges faced by women migrant workers.	
xxii.	Provide social protection and social security benefits, particularly unemployment insurance, compensation for employment injury, long-term illness, death benefits, disability, parental leave, supplementary insurance schemes, and old age pension for all labour migrants, including women migrant workers, while working abroad and/or upon their return.	
xxiii.	Provide social protection and social security benefits, particularly unemployment insurance, compensation for employment injury and old age pension for labour migrants while working abroad and/or upon their return.	
xxiv.	Incorporate the laws and rules of host countries when recruiting non-national migrant labour for employment, while contracts of employment must be supervised and retained by the governments of the host and sending States.	
xxv.	The incorporation of 'good practice' strategies in managing migration recognises the vulnerability of migrant labour to unemployment, at times when national economies experience a reduction in the requirement of labour. Consequently, States which have made arrangements to recruit migrant labour are urged to ensure labour migrants experiencing job losses are adequately provided for, or receive financial assistance for return to their states of origin.	
xxvi.	Ensure that indigent regular migrants who may lose their job are not returned to their State of origin, unless there is an interstate agreement to this effect and s/he shall not have her/his right of residence and work permit withdrawn. These migrants should receive equality of treatment regarding security of employment, alternative employment, relief work and return.	
xxvii.	Incorporate equality of opportunity measures that ensure equal access for labour migrants and nationals in the areas of employment, occupation, working conditions, remuneration, social security, education and geographical mobility.	
xxviii.	To aid the portability of qualifications, encourage the conclusion of mutual recognition agreements and ratify the 2014 Addis Convention on the Recognition of Studies, Certificates, Diplomas, Degrees and Other Academic Qualifications in Higher Education in African States and establish bodies and procedures in compliance with the Agreement.	

xxix.	Implement the AU Higher Education Harmonisation Strategy for Africa (2016-2025) and the Continental Education Strategy for Africa (2016-2025).	
xxx.	Develop National Qualification Frameworks to facilitate the portability of qualifications and the development of a Continental Qualifications Framework.	
xxxi.	Implement policies and processes that facilitate student and academic mobility.	
xxxii.	Develop and apply TVET Quality Assurance standards in order to facilitate skills and competencies mobility within RECs and at continental level.	
xxxiii.	Domesticate the Implementation Plan on Ouagadougou+10 and the Labour Market Information System.	
xxxiv)	Domesticate the AU Social Protection Policy and Informal Economy Framework	
2.2 Regional Cooperation and Harmonisation of Labour Migration Policies		
i.	Provide visas on arrival for all African citizens.	
ii.	Enhance cooperation and coordination amongst States in sub-regions and regions with a view to facilitating free movement at bilateral, sub-regional and regional levels.	
iii.	Maintain open and continued contact and communication between States of origin and destination in order to ensure fair working conditions for nationals working abroad.	
iv.	Develop technical implementation frameworks and administrative processes for labour mobility agreements by engaging all the relevant actors, such as trade and immigration authorities, the private sector and professional boards, and include coordination mechanisms and instruments between the relevant agencies and actors.	
v.	Harmonise and strengthen implementation of REC free movement provisions related to residence and establishment, in order to aid labour mobility.	
vi.	Monitor and evaluate the implementation of Free Movement of Persons protocols and provisions, and identify activities and policies which can enhance their implementation.	
vii.	Undertake research which highlights the economic gains increased mobility will bring, including labour market analysis to identify imbalances in labour markets and opportunities for skills matching, and use the findings to promote the implementation of free movement regimes.	
viii.	Undertake skills gaps analyses and skills forecasting to determine the skills that will be necessary in the short, medium and long term for the economic development of the regions and support Member States in adapting their education systems and training courses toward qualifications that will be needed across the region	

ix. Enhance the AU Labour Migration Advisory Committee to support regional economic integration and development	
2.3 Brain Drain	
i. Counter the exodus of skilled nationals, particularly health professionals, by promoting the NEPAD strategy for retention of Africa’s human capacities and generating gender-responsive economic development programmes to provide gainful employment, professional development and educational opportunities to qualified nationals in their home countries.	
ii. Counter the effects of “brain drain” by encouraging nationals abroad to contribute to the development of their State of origin, through financial and human capital transfers, such as short and long term return migration; the transfer of skills, knowledge and technology, including in the context of programmes such as the IOM MIDA (Migration in Development for Africa) Programme, and activities of ILO, WHO and other relevant agencies.	
iii. Establish policies for the replacement of qualified persons who have left the State of origin, including strategies to attract the Diaspora, and retention policies.	
iv) Implement brain gain strategies that encourage: d) The development of skills of migrant workers through international education and work opportunities, and their return to their countries or origin; e) The temporary return of qualified nationals in the Diaspora to alleviate skill shortages in their countries of origin; the contribution of human resources on the continent by facilitating regional and continental mobility of skilled professionals. f) The contribution of human resources on the continent by facilitating regional and continental mobility of skilled professionals.	
2.4 Remittances	
i. Reduce the cost of transferring remittances by fostering competition in remittances markets.	
ii. Encourage the transfer of remittances by adopting sound macro-economic policies conducive to investment and growth and appropriate financial sector policy that encourage financial institutions and their outreach, such as post office networks, supporting credit unions, and rural financial service providers.	
iii. Strengthen collaboration with AIR, relevant stakeholders in civil society, the donor community and financial sector to create incentive strategies and investment opportunities for remitters in commercial, entrepreneurial and other productive activities.	

iv.	Improve the quality of data reporting on remittance and migration statistics and generate qualitative evidence, including on the gender dimensions of remittance flows, to create a solid basis for future gender-responsive policy action on remittances. Data should be disaggregated by sex, age, and other relevant factors of migration	
v.	Promote the effective mobilisation and utilisation of the Diaspora funds for investment and development of the public and private sector, which in the long term will improve the macro-economic environment and reduce outflows or migration of African professionals.	
vi.	Make it easier for migrants and their families to access financial services, including by extending financial literacy training to remittance senders and receivers	
vii.	Boost the use of technology, such as mobile money, for cross-border remittances.	
3. DIASPORA ENGAGEMENT		
i.	Establish Diaspora focal points or agencies to manage Diaspora affairs and dual citizenship programmes.	
ii.	Encourage entities such as the European Union (EU) /European Commission (EC), AU, ILO and IOM, and other organisations and their respective projects, to assist African States and their Diaspora agencies or focal points to develop effective Diaspora engagement policies and actions.	
iii.	Implement training on whole of government approach to engaging the Diaspora, starting with the mapping of the Diaspora (skills, needs, concerns etc.) and engaging different ministries of government in strategising about how to reach out to the Diaspora, build trust and develop programmes for mutual engagement and benefit.	
iv.	Undertake research on second and later-generation migrants whose relationships with the origin country are different to those of first-generation migrants, and develop appropriate policy responses to engage them in the development of their countries of origin.	
v.	Pass law on dual citizenship for the Diaspora or implement other mechanisms to facilitate the participation of the Diaspora in their countries of origin.	
vi.	Implement the relevant aspects of the Declaration of the Global African Diaspora Summit.	
vii.	Facilitate the ratification of the protocol on the amendments to the Constitutive Act to enable the Diaspora to participate in the AU.	
viii.	Create the necessary political, social and economic conditions such as an enabling policy environment, democracy and good governance to serve as incentive to attract Diaspora.	
ix.	Create conducive conditions for a higher rate of permanent return, conduct systematic reviews of	

	return programmes to achieve a better understanding of the experiences of Diaspora returnees who participated in these programmes, including the key factors which inspired their decisions to make their return either temporary or permanent, and use the findings to develop a more favourable policy environment.	
x.	Boost financial investment by the Diaspora, by providing better investment protection, including insurance	
xi.	Establish a reliable database on the Diaspora, both to determine their size, location and skills, and promote networking and collaboration between experts in the State of origin and those in the Diaspora.	
xii.	Facilitate the return of qualified nationals resident in developed States, through appropriate resettlement incentives. Create appropriate institutional mechanisms within relevant ministries to manage relations with nationals abroad and to facilitate the transfer of scientific knowledge and encourage trade and investment.	
xiii)	Expand South-South and North-South dialogue and partnerships to foster sharing of human resources, skills, technology, and knowledge in Africa, as well as best practices on Diaspora engagement.	
4. BORDER GOVERNANCE		
i.	Ratify and implement the Niamey Convention on Cross Border Cooperation.	
ii.	Affirm and implement the Recommended Principles and Guidelines on Human Rights at International Border from the Office of the High Commissioner for Human Rights.	
iii.	Intensify transnational cooperation between national authorities engaged in border governance to facilitate migration, trade and integration and effectively address security threats.	
iv.	Standardise the criteria required for integrated border management systems at the regional level, to ensure that the same information is collected, analysed and stored and shared across States, and linked to each other's databases, as well as international databases, such as that of INTERPOL, in order to build a regional and continental picture of migration and trans-border crime and address it effectively.	
v.	Strengthen national laws that regulate migration, including through the creation of clear, transparent categories for admission/expulsion and clear eligibility criteria for protection.	
vi.	Improve the capacities of border management mechanisms and personnel by optimising new border management technologies (improving the security of travel documents, computerisation, in conformity with international norms, upgrading inspection, data collection and communication systems) and providing technical training for those involved in border management and migration policy, including training on how to deal with vulnerable groups, such as trafficked persons.	

vii.	Ensure adequate early warning mechanisms and disaster preparedness at border posts.	
viii.	Provide adequate and gender-responsive information about the requirements, gender diverse challenges and opportunities of migration.	
ix.	Strengthen cooperation and coordination at the national level between law enforcement officials, immigration and customs services to ensure a more efficient and effective approach to managing the flow of goods and people across borders.	
x.	Promote the establishment of One-Stop Border Posts to facilitate the movement of goods and persons across borders.	
xi.	Establish and maintain adequate, gender-responsive systems for effective search and rescue at sea, ensuring that search and rescue operations operate under a broad understanding of distress and ensure that these measures are in accordance with international laws, with the primary objective of saving lives.	
xii.	Strengthen co-operation between States' sub-regional/regional agencies, and the international community, in particular in the area of law enforcement, sharing migration-related data and information, training and sustained dialogue.	
xiii.	Enhance the role of the AU, as well as other sub-regional/regional agencies, in mobilising financial/technical resources, harmonising policies and programmes of action, and coordinating activities of Member States for effective border management.	
5. IRREGULAR MIGRATION		
5.1 Migrant Smuggling		
i.	Strengthen the Legal Framework:	
	<ul style="list-style-type: none"> • Ratify the Smuggling of Migrants Protocol, and incorporate its provisions in domestic law. • Adopt appropriate sanctions for the offence of the smuggling of migrants, commensurate with the nature and gravity of the offence. • Develop migrant smuggling policies in consultation with relevant stakeholders, including international organisations, as well as civil society actors 	
ii.	Enhance Investigation and Prosecution of Migrant Smugglers:	
	<ul style="list-style-type: none"> • Build or strengthen the professional skills of relevant law-enforcement and criminal justice actors to detect, investigate, prosecute and adjudicate cases of migrant smuggling. • Strengthen capacity to carry out financial investigations by creating financial intelligence units, building 	

<p>investigators' skills, and establishing regional networks to intercept financial flows and trace the proceeds of crime in migrant smuggling cases.</p>	
<p>iii. Protect the rights of smuggled migrants</p> <ul style="list-style-type: none"> • Adopt appropriate measures, including legislation, if necessary, to protect smuggled migrants from violence, discrimination, torture or other cruel, inhuman or degrading treatment or punishment, as well as violation of their rights. • Take appropriate measures to provide smuggled migrants with protection and assistance to guarantee their safety and well-being, including through the provision of physical security, access to food, shelter and medical care, access to consular services as well as legal advice. In particular, States should address the special needs of vulnerable categories of smuggled migrants, including pregnant women, women with children and unaccompanied minors. • Make sure that smuggled children have access to primary education and, to the extent possible, to other educational levels, by facilitating their attendance to regular schools or by providing proper educational arrangements. • Establish appropriate standards of conduct for officials who deal with migrant smuggling situations and implement standard operating procedures in providing assistance to migrants whose lives and safety are in danger. • Provide smuggled migrants, who have been victims of other crimes, with effective access to justice and to legal assistance. • Involve civil society in the response to migrant smuggling, in particular by enabling their contribution to protection and assistance measures, as well as in providing assistance to smuggled migrants. • Establish national human rights institution/ombudsman or, where such an entity exists, expand its mandate to report on issues of migrant smuggling. • Implement mechanisms for noncustodial alternatives to detention and consider abolishing administrative detention of migrants. • Promote voluntary return in preference to forced return, by encouraging and assisting those who do not qualify for humanitarian protection, to return to their country of origin in humane and safe conditions. 	
<p>iv. Prevent migrant smuggling</p> <ul style="list-style-type: none"> • Expand pathways for legal entry, both for migrants fleeing crisis situations and for those seeking work abroad, as well as ensuring that would-be migrants have access to adequate, understandable and gender-sensitive information about the opportunities available to them and the regulations governing regular migration. • Tackle the root causes leading people to leave their countries. 	

<ul style="list-style-type: none"> • Develop community based solutions and livelihood opportunities to prevent the youth from falling prey to smugglers and raise awareness on the real experiences of migrants during their journey and once they reach their destination. • Assess the impact of migration on the communities that are left behind and develop appropriate, gender-responsive development interventions, as some communities are obliged to sell their assets, and are possibly impoverished, to pay hefty sums to smugglers who threaten to harm their smuggled family members, while in addition losing their working population. These factors may cause further irregular migration. • Carry out information campaigns to provide media outlets with accurate, objective and balanced information about migrant smuggling. • Develop public information campaigns, involving for example schools, the media and social networks, in order to raise awareness about the adverse effects of migrant smuggling and to warn persons vulnerable to being smuggled, especially young people and their families, about the dangers involved. • Strengthen the knowledge base through enhanced research and data collection efforts, aimed at bettering analysis of the nature and extent of smuggling of migrants along various routes, the structure and assets of the criminal networks and links with other forms of organised crime, corruption and terrorism. 	
<p>v. Transnational cooperation in the fight against migrant smuggling</p> <ul style="list-style-type: none"> • Strengthen or create networks of criminal justice officials, and other relevant actors, in order to strengthen border control, conduct joint investigations, and exchange operational information and intelligence informally. • Use the Organized Crime Convention as a legal basis for international cooperation, in particular in the form of mutual legal assistance and extradition, to combat the smuggling of migrants. • Carry out joint capacity-building activities and exchange of expertise, in particular in the areas of processing intelligence and other information and handling sensitive information, in order to prevent, detect and respond to the smuggling of migrants. • Encourage cooperation among Member States and RECs to tackle smuggling, through the development and use of appropriate mechanisms, such as the IGAD 2009 Mutual Legal Assistance and Extradition Agreement, which is in force and can be used by Member States to facilitate the prosecution of smugglers and traffickers across the region. 	
<p>5.2 Human Trafficking</p>	
<p>i. Legislation and Counter Trafficking Strategies</p> <ul style="list-style-type: none"> • Member States that have not yet done so, should ratify or accede to the United Nations Convention 	

<p>against Transnational Organized Crime (UNTOC) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons (TIP), Especially Women and Children.</p> <ul style="list-style-type: none"> • Member States should bring their national laws in line with the requirements of UNTOC and the TIP Protocol, including by capturing definitions of TIP that are fully in line with the definition provided in the TIP Protocol and establish legally prescribed and adequate sanctions for human trafficking offences; ensure that the national legal framework clearly defines the constituent elements of TIP, and that the criminalisation of the offence also applies to trafficking attempts and when committed as an accomplice. • Member States should ensure that trafficked persons, in accordance with national legislation, are entitled to protection and assistance in line with the Protocol. • Member States should develop and implement comprehensive counter trafficking strategies that are based on prevention, protection, prosecution and partnership and informed by the TIP Protocol, the Convention 182 of the ILO on the Worst Forms of Child Labour, the 2006 Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children, and work towards achieving the objectives of the SDGs, and Agenda 2063. 	
<p>ii. Prevention</p> <ul style="list-style-type: none"> • Raise information among the public on what human trafficking is, where victims of trafficking and vulnerable migrants can seek assistance, and what their rights are. • Educate border agencies and non-state actors on human trafficking. • Develop awareness raising and information campaigns with a focus on certain types of trafficking that are specifically relevant to their particular State and/or campaigns aimed at specific groups deemed vulnerable to trafficking. • Prevent the exploitation of women and girls in line with international human rights law, norms and standards, recognising the increased risk of trafficking that women and girls face due to economic factors, conflict, post-conflict contexts and natural disasters, and when they lack nationality and identity documents. • Enhance research and data collection efforts aimed at enhancing analysis of the nature and extent of trafficking in persons within different States and regions. • Explore opportunities to put special procedures in place for citizens working overseas, including limiting recruitment fees; introducing licensing requirements, contract registration and review/ approval mechanisms that only allow businesses to send workers abroad once a contract is approved by the authorities; putting in place measures to better secure the rights of workers, including frequent labour inspections, due payment of wages, banning deductions from wages for accommodation, and introducing severe ban periods and fines for employers who violate labour requirements. 	

<p>iii. Protection</p> <ul style="list-style-type: none"> • Put specific mechanisms in place to identify and respond to groups that are particularly vulnerable to or at risk of being trafficked, including for children. • Have national referral mechanisms in place, and establish national networks of specialised centres in order to identify, refer and provide gender-responsive and culturally appropriate services to trafficked persons, which could include stakeholders from government, civil society and international organisations. • Provide assistance and protection to trafficked persons, including medical care, psychological assistance, reflection and recovery periods, employment, education, reintegration and/or resettlement programmes, paying for travel expenses, legal assistance, access to compensation and remedies and accommodation. • Develop national protocols or standard operating procedures on victim identification, assistance, and protection, including victims who have special vulnerabilities or needs. • Member States must prioritise the best interest of the child and provide a continuum of care and support for all unaccompanied and separated migrant children, including trafficked children, to ensure they have access to key services including education, family tracing and well-functioning, professional guardianship systems. • Provide training for various actors on identification and referral of trafficked persons, including to criminal justice practitioners, immigration officials, border guards, labour inspectors, social workers. 	
<p>iv. Prosecution and Investigation</p> <ul style="list-style-type: none"> • Develop policies and guidelines on how to investigate and prosecute trafficking in persons, and provide training to relevant criminal justice officials such as police officers, prosecutors and judges. • Establish specialised multi-disciplinary counter-trafficking law enforcement units or specialised prosecutors' offices to effectively investigate and prosecute trafficking cases. • Increase prosecution of traffickers and others involved in such activities, including through greater transnational cooperation, such as mutual legal assistance, and extend witness protection to trafficked persons who want to testify against traffickers. 	
<p>v. Partnership</p> <ul style="list-style-type: none"> • Increase the use of international cooperation when investigating and prosecuting cases of trafficking. • Sign bilateral cooperation agreements in the fight against trafficking in persons supported by memoranda of understanding between States. • Encourage cooperation among Member States and RECs to tackle human trafficking through the development and use of appropriate mechanisms, such as the Economic Community of West African States (ECOWAS) Model Bilateral Agreement on cooperation and mutual legal assistance in protecting children from trans-border trafficking. 	

5.3 Return, Readmission and Reintegration	
i. Create standards and procedures, based on law and policy, for the return, re-admission and reintegration of excludable migrants in line with relevant International legal instruments: (a) other States shall accept the return of and readmission of any of its nationals who are illegally present on the territory of an African State, at that State's request; (b) each of the African States shall accept the return of and readmission of any of its nationals who are illegally present on the territory of other States, at that Member State's request. The Member States will provide their nationals with appropriate identity documents for such purposes.	
ii. States should acknowledge a duty and responsibility in preventing their citizens from irregularly migrating to other states via the establishment of inter-State and intra-regional procedures, based on law and policy for the return, readmission and reintegration of migrants.	
iii. Identify, to the maximum extent possible, measures to encourage and facilitate voluntary departure and return	
iv. Enhance international and regional cooperation in the area of return and readmission, including through the signing of return and readmission agreements to ensure that returns are undertaken in a humane, gender-responsive and orderly manner.	
v. Ensure that the human rights and interests of irregular migrants are not violated in the case of mandatory return.	
vi. Ensure that involuntary return, deportation, removal and readmission are ordered only in the event that all judicial options have been exhausted and that each case is treated individually, with due process and access to justice in accordance with international law, and in consideration of the gender-related circumstances, the situation as it relates to family unity and the risks of human rights violations in the country of origin, transit and destination.	
vii. Strengthen national border management capacities through enhanced capacity building measures, such as training and technical co-operation with, inter alia, IOM, the United Nations Office on Drugs and Crime (UNODC), ILO and with the United Nations High Commission for Refugees (UNHCR) as pertains to refugee matters at the border.	
viii. Establish re-admission Committees to assist and integrate returnees.	
ix. Implement reintegration programmes and align them with national and local development strategies and the needs of the communities to which migrants return.	
x. Raise awareness on the real experiences of migrants within their communities, so as to prevent undue	

	pressure on returnees, due to expectations from their communities, which may push them to irregularly migrate again upon their return.	
xi.	Provide comprehensive socio-economic, psychological, legal, and orientation services to returning women and girls, before, during and after the returning process, with the aim of facilitating their reintegration. Provide access to complaints/ reporting mechanisms that protect women against reprisals, identify and address coercion and abuse and ensure safe and sustainable reintegration, including services to recognise and certify the skills and competences of returning women	
5.4 National and International Security and Stability		
i.	Strengthen national and inter-State efforts to prevent persons from moving across boundaries for illegal purposes.	
ii.	Implement regional and continental agreements in the context of APSA.	
iii.	Provide African CSOs with avenues to address conflict prevention and peace building at local, national and continental levels.	
iv.	Ensure well-equipped, competent national security structures/ mechanisms to participate in continental peace-keeping assignments.	
v.	Strengthen diplomatic initiatives to prevent and diffuse volatile situations before they lead to conflict and displacement, and enhance intra-regional and international co-operation in order to further the capacity of African States to respond in a timely and efficient manner to large, spontaneous migration and refugee flows, including by establishing early warning mechanisms.	
vi.	Negotiate bilateral agreements that enable nationals of Member States that do not have embassies in destination countries where they find themselves in distress to be assisted by the embassies of other Member States that have a presence in those destination countries.	
6. FORCED DISPLACEMENT		
6.1 Refugees and Asylum-Seekers		
i.	Identify and address the root causes of forced migration.	
ii.	Adopt and incorporate into national policies the international instruments pertaining to the protection of refugees, including the 1951 Convention on the Status of Refugees and its 1967 Protocol, and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.	
iii.	Establish in-country processing for resettlement or humanitarian visa programmes, allowing those who	

	face an immediate threat to be resettled without the need for taking dangerous routes to flee their country.	
iv.	Establish focal points within relevant ministries and devise national contingency plans, in order to enhance capacities to address situations of mass displacement, as well as mass return, in a timely, efficient and appropriate manner.	
v.	Strengthen intra-regional co-operation in order to respond in a timely and effective manner to “mass influx” situations, including through the development of regional contingency plans, in concert with UNHCR and other international and regional partners.	
vi.	Implement protection obligations arising out of the relevant treaties, including the principle of non-refoulement, registration and issuance of identity documents, access to work and education opportunities, and treatment according to minimum humanitarian standards.	
vii.	Establish effective and fair procedures for individualised refugee status determination, including granting refugees meaningful access to such procedures, which should entail accessible, gender-responsive and culturally appropriate services and information. National eligibility committees should refrain from turning status determination interviews into courtrooms and align themselves with the principle of inclusion before exclusion.	
viii.	Ensure that refugees and asylum-seekers are registered and issued with appropriate identity documents, so that their status can be easily identified in their dealings with public authorities and private institutions such as banks, employer organisations, housing/ estate agencies and other institutions that require identification.	
ix.	Train relevant law enforcement officials who have first contact with refugees (immigration officers, customs, police, etc.) in the obligations set forth in relevant international instruments, to enable appropriate and humane screening of asylum-seekers at borders and referral to the competent authorities.	
x.	Safeguard the human security and gender-differentiated needs of refugees (physical, material, legal and health), especially in the context of refugee camps and with particular attention to the needs of vulnerable groups (women, children, disabled, and the elderly), while at the same time ensuring that refugees are aware of national laws, regulations and their obligations to abide by these.	
xi.	Strengthen water and sanitation infrastructure within refugee camps to improve the living conditions of refugees.	
xii.	Provide technical training to the staff employed in refugee camps, including police, to respond to the needs of vulnerable groups; for instance to adopt measure to prevent gender based violence.	
xiii.	Increase local protection capacities through the involvement of civil society, for example by engaging	

NGOs in the provision of legal and social counselling to refugees, preliminary interviews and preparation of files for National Eligibility Committees, and public information campaigns to counter xenophobia.	
xiv. Provide public information and awareness campaigns on the plight and rights of refugees, including the contribution refugees can make to the development of host communities, in order to counter increasing xenophobic tendencies and foster tolerance and understanding.	
xv. Develop mechanisms to ensure easy and timely access to refugee hosting areas, including through the (advance) designation of refugee residence areas, and calling upon the international community to assist with the rehabilitation of affected areas after refugee populations have departed.	
xvi. Implement measures to support communities that are hosting refugees and ease tensions that may emerge, including as a result of hosting communities resources being put under pressure and their humanitarian needs not being addressed to the same extent as those of refugees.	
xvii. Support international efforts to find durable solutions to mass displacement by promoting the objectives of UNHCR's Agenda for Protection and the Comprehensive Implementation Plan for Protection Activities in Africa (CIP), inter alia through local capacity building and more equitable international burden sharing, including consideration of bilateral and multilateral frameworks for co-operation in line with UNHCR's Convention Plus initiative, and the possibilities of targeted development assistance and debt relief to major refugee hosting countries.	
xviii. Provide durable solutions to refugees that offer opportunities for voluntary repatriation, local integration and resettlement	
xix. Strengthen bilateral cooperation between States with regard to the treatment and status of refugees.	
xx. Encourage countries to give priority to family tracing and reunification for separated and unaccompanied refugee children. Where tracing is unsuccessful, mechanisms should be devised to allow for the adoption of refugee children where possible. Where children are allowed to be adopted by citizens, they should be given the opportunity to choose their nationality upon attaining majority in accordance with national law.	
xxi. African refugees should be given equal treatment with others from other parts of the world in line with international law, norms and standards.	
6.2 Internally Displaced Persons	
i. Implement the Kampala Convention for the Protection and Assistance of Internally Displaced Persons in Africa and its Action Plan (2017- 2025).	
ii. Governments should prevent conditions on their territory that may lead to displacement, including by protecting human rights and international humanitarian law, as well as developing early warning and	

	rapid response mechanisms to protect populations under threat.	
iii.	States are encouraged to incorporate into national legislative and policy frameworks, measures pertaining to the protection of civilians in armed conflict, as defined in the four Geneva Conventions of 1949, their two Additional Protocols of 1977 and, the tenets of the UN Guiding Principles on Internal Displacement.	
iv.	Enable relief consignments of a humanitarian and impartial nature to reach civilian populations in need and safeguard the security of aid agency personnel.	
v.	Ensure access to IDPs in highly insecure areas, for example by means of humanitarian corridors.	
vi.	Protection measures, including the provision of services, need to be gender-responsive and culturally appropriate, including in relation to hygiene and sanitation and livelihood strategies. Women and girls are at particular high risk of sexual and gender-based violence, abuse and exploitation.	
vii.	Promote livelihoods and resilience activities for IDPs.	
viii.	Introduce alternatives to the encampment of IDPs in order to promote their active participation and integration into their host communities.	
6.3 Protracted Displacement		
i.	Adopt measures to enhance the self-sufficiency of refugees and IDPs residing in camps, including, inter alia, granting rights to employment, access to land, freedom of movement and other socio-economic rights when possible, without gender-based discrimination.	
ii.	Ensure that all refugees and IDPs have access to education and skills training in order to facilitate their eventual integration or reintegration into host and/or home communities.	
iii.	Ensure that all refugees and IDPs have access to comprehensive health care including sexual and reproductive health services.	
iv.	Adopt measures to preserve the civilian and humanitarian character of refugee camps by ensuring the physical safety of refugees and IDPs and the security of camps, including, where necessary, establishing civilian camp police forces, and separating combatants and other armed elements from refugee populations. Take specific measures to protect the rights and safety of women and girls.	
v.	Establish confidential gender-based violence prevention and protection services for refugees and IDPs	
vi.	Use voluntary repatriation, local integration and resettlement to address protracted displacement situations, through a comprehensive and integrated approach based on international solidarity and burden sharing.	
vii.	Counter environmental degradation caused by the protracted presence of displaced persons by implementing relevant and targeted environmental protection programmes, and calling upon UNHCR	

and countries of first asylum to identify areas for resettlement	
6.4 Crisis Prevention, Management and Conflict Resolution	
i. Strengthen diplomatic initiatives to defuse volatile situations before they lead to conflict, and enhance intra-regional and international co-operation in order to further the capacity of African States to respond to large, spontaneous migration and refugee flows, in a timely and efficient manner	
ii. Implement the African Peace and Security Architecture.	
iii. Introduce post conflict and gender-responsive recovery measures geared at improving economic conditions, rebuilding infrastructure and reversing the environmental impact of conflict.	
iv. Adopt early warning mechanisms in order to prevent conflict, displacement, health environmental and other disasters and better manage migratory flows and safeguard national and regional stability	
v. Enhance the demobilisation, rehabilitation and reintegration of ex-combatants, inter alia, by establishing an information system, and gender-responsive counselling and referral services.	
6.5 Integration and Re-integration	
i. Encourage the integration of the children of long-term migrants by providing them with education, training and economic opportunities equal to those of nationals, and facilitating their naturalisation and promoting family reunification policies as recommended in Article 10 of the Convention on the Rights of the Child and other relevant universally recognised international human rights instruments.	
ii. Implement measures for the integration and reintegration of migrant workers in order to encourage mutual cultural and social acceptance, and to ensure that the rights of migrants and members of their families are respected and protected	
iii. Ensure that integration and reintegration policies are gender sensitive and accommodate returning women migrants, and their children and spouses.	
iv. Provide comprehensive socio-economic, psychological, legal, and orientation services to returning women and girls, before, during and after the returning process, with the aim of facilitating their reintegration. Provide access to complaints/ reporting mechanisms that protect women against reprisals, identify and address coercion and abuse and ensure safe and sustainable reintegration, including services to recognise and certify the skills and competences of returning women.	
6.6 Stateless Persons	
i. Incorporate key guidelines into national legal frameworks and policies as recommended in the AU Protocol on Stateless Persons and the 1954 and 1961 Statelessness Conventions.	

ii.	Recognise the vulnerabilities of women and girls rendered stateless through changes to national borders, definitions of citizenship, laws that do not extend citizenship to migrants or children born to women with an irregular status, among other factors.	
iii.	Ensure the protection of stateless children and observe the best interests of the child.	
iv.	Develop national legislative and policy frameworks to counter statelessness, particularly in the case of long-term residents, by reforming citizenship legislation and/or granting rights similar to those enjoyed by foreigners residing in the State.	
v.	Enhance birth registration to address statelessness.	
vi.	Ensure that everyone, including migrants, are able to acquire, change, retain and confer their nationality on an equal basis and that such a right is reflected in nationality laws.	
7. INTERNAL MIGRATION		
i.	Incorporate the role of cities into national migration strategies.	
ii.	Mainstream migration management into national urban policies and local development planning.	
iii.	Empower cities with the necessary resources and capacities to harness the skills of migrants and effectively plan for and manage rural to urban migration.	
iv.	Undertake research on rural-urban migration in order to deepen understanding regarding the unique issues faced by rural-urban migrants, especially migrant women, the main push and pull factors of rural-urban migration, links with international migration, gender dimensions of the phenomenon and recommended policy responses. Ensure to incorporate a gender perspective in all steps undertaken.	
v.	Take steps to ensure that all persons migrating internally have adequate and gender-responsive access to basic services such as education, healthcare and employment, especially in urban centres with rapidly growing populations of migrants from rural areas.	
vi.	Strengthen data gathering and research on factors, trends and characteristics of internal migration and geographical distribution of population and formulate more effective policies relating to population distribution and migration.	
vii.	Promote the establishment and consolidation of democracy in African countries based on transparent,	

	regular and participatory processes, respect for human rights and the rule of law.	
viii.	Implement comprehensive macro-economic and sectoral policies, in concert with donor agencies and other partners, to reduce poverty, generate employment and investments opportunities in Africa.	
ix.	Provide adequate information to prospective migrants on the opportunities and prospects of different destinations so that they can make informed decisions.	
8. MIGRATION AND TRADE		
i.	Promote economic growth, by fostering trade, productive investment and employment, as well as gender-responsive economic and social policies, in order to reduce migratory push factors in countries of origin.	
ii.	Regional/bilateral trade agreements should take into account the growing relevance of short-term migration and the movement of persons in the context of trade, both in goods and services.	
iii.	Strengthen inter-REC cooperation and coordination on migration and trade, with a view to synergise programmes and activities.	
iv.	Member States that are party to the General Agreement on Trade in Services should put in place mechanisms that specifically deal with the temporary movement of persons and the promotion of trade in services.	
v.	Enhance coordination and dialogue between all government agencies dealing with migration, trade and labour issues, in order to facilitate the temporary movement of persons supplying goods and services.	
vi.	Develop and implement national and regional strategies, policies and programmes that facilitate the activities of cross-border traders, especially women and the youth. RECs and CSOs should be engaged in the development and implementation of such programmes, such as Simplified Trade Regimes, that support the business of small scale traders.	
9. CROSS CUTTING ISSUES		
9.1 Migration and Development		

i.	Assess the positive and negative impacts of migration on local/ national/ regional development outcomes.	
ii.	Develop systematised registration mechanisms at embassies or consulates to record the number of nationals living abroad in order to provide them with the necessary assistance.	
iii.	Ensure that migration and development is integrated into local/ national/ regional development frameworks, with a view to contribute to the achievement of the SDGs.	
9.2 Migration Data and Research		
9.2.1 Collection and Analysis of Migration Data		
i.	Establish/ strengthen national/ regional/ continental arrangements/ capacities for migration research, data collection, analysis and sharing, as well as the exchange of best practices in these areas.	
ii.	Conduct robust gender-responsive research and enhance data collection, acquisition, analysis and accountability measures at all stages of migration, including at borders and upon return, in order to highlight the contributions made by women in migration, the gendered drivers of migration, and the situation and realities of migrant women in every phase of the migration process, including violations of migrant women's rights, exploitation and trafficking. Data must be disaggregated by sex, age, and migration status (and intersection factors including race, ethnicity, and nationality where possible) in order to enhance gender-responsive and evidence based policies, inform advocacy, challenge negative perceptions and prevent abuses and exploitation.	
iii.	Engender coordination and collaboration between national/ regional ministries/ agencies responsible for migration and research institutions gathering migration data, including the establishment/ strengthening of national/ regional migration statistics units in charge of coordinating the gathering of migration statistics.	
iv.	Harmonise the collection of migration data, including definitions of migration variables (such as those in the UN Recommendations on Statistics of International Migration), data collection tools, methods, intervals, etc.) at continental and regional levels so that data are comparable across countries and regions.	
v.	Support the implementation of the NEPAD Initiative, especially its work on Information and Communication Technology (ICT), to facilitate the collection and exchange of data.	
9.3 Human Rights of Migrants		
i.	Reinforce national policies and legal frameworks to ensure that migrants' rights are protected, by incorporating key legal instruments on migrants rights and human rights, including the Universal	

	Declaration on Human Rights, the International Covenant on Civil and Political Rights, 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention on the Rights of the Child, Convention on the Elimination of All Forms of Discrimination against Women, the Convention Against Torture, ILO Conventions 97 and 143, and relevant regional human rights instruments including the African Charter on Human and People's Rights.	
ii.	Ensure that migrants who are detained by public authorities, are treated humanely and fairly regardless of their immigration status, nationality, gender, ethnicity, race, or others, and are afforded all applicable legal protection, including where appropriate the assistance of counsel, competent, and gender-responsive interpreter services, access to their consulates, and protection against arbitrary detention, in accordance with international law, norms and standards.	
iii.	End the detention of migrant children and their families for reasons of their migration status, and establish alternatives to detention that are in the best interests of the child.	
iv.	Develop standards for the treatment of unaccompanied and separated minors.	
v.	Implement the Protocol to the African charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa and ensure the protection of the rights of persons with disabilities, including those being affected by mental health disabilities.	
vi.	Ensure that all migrants have access to the courts, lawyers, judicial system, and relevant government agencies, including the opportunity to contest repatriation/ expulsion procedures in a manner consistent with international law, standards and norms. Humane policies include the non-forcible return of a migrant or his/her family to their State of origin due to illness or injury sustained subsequent to entry.	
vii.	Create an enabling environment for the fulfilment of migrants' rights, including by allowing migrants to defend their rights through forming migrant associations.	
viii.	Provide migrants with adequate and free administrative support with regard to government services and national laws in a language they understand.	
ix.	Provide all migrants access to basic health care, including reproductive health, anti-retrovirals for HIV, medication for non-chronic diseases and other services.	
	9.4 Principles of Non-Discrimination	
i.	Implementation the Programme of Action of the World Conference Against Racism and Xenophobia, which was held in Durban in 2001, through the adoption of national legislative and policy frameworks, including measures to ensure the fair and non-discriminatory treatment of migrants, regardless of their status, with particular attention to preventing discrimination against women, children, the elderly and	

	members of minority groups.	
ii.	Encourage States to develop/ promote anti-racist and gender-sensitive human rights training for public officials, including personnel in the administration of justice, particularly law enforcement, correctional and security careers, as well as among health-care providers, schools and migration authorities.	
iii.	Promote the integration of migrants into host societies, including through public information and education campaigns, in order to prevent xenophobia, foster mutual cultural acceptance and ensure that the rights of migrants are respected and protected.	
iv.	Ensure that migrants themselves abide by the laws of the land and also respect and treat members of the host community in a non-discriminatory fashion.	
v.	Encourage international agencies dealing with migration and human rights issues to exchange information and coordinate activities aimed at tackling racism, racial and gender-based discrimination, xenophobia, and related intolerance against migrants, including migrant workers, women, children and the elderly.	
vi.	Member States who welcome the return of migrants to their States of origin must establish reception committees composed of psychologists, officers of ministries of labour and national education and others, in order to ensure adequate reception, follow-up and guidance.	
9.5 Migration, Poverty and Conflict		
i.	Put in place gender and youth responsive strategies aimed at reducing poverty, improving living and working conditions, creating employment opportunities and developing skills that can contribute to addressing the root causes of migration.	
ii.	Include migration in the formulation of continental, regional and national development frameworks with the purpose of supporting the economic and social development of the regions (rural and urban) from which migrants originate in order to address the root causes of migration and to reduce poverty.	
iii.	Draw up reliable policies for the protection of the environment in order to avoid natural disasters, the encroachment of the desert and soil degradation which are major sources of displacement of people from their natural environment.	
iv.	Promote the establishment and consolidation of democracy in African countries based on transparent, regular and participatory processes, respect for human rights and the rule of law and support pan-African institutions and initiatives reflecting these objectives including promoting the activities of the NEPAD African Peer Review Mechanism (APRM) .	
v.	Reinforce pan-African and regional mechanisms for conflict prevention, management and resolution through, inter alia, the promotion of the AU's Peace and Security Council and other pan-African and	

	regional security enhancing mechanisms and early warning systems.	
vi.	Support programmes for disarmament, demobilisation, detoxification and reintegration of former and demobilised combatants with particular attention to the predicament of child soldiers.	
vii.	Support the involvement of women in conflict prevention and peace building by including a gender perspective in these activities and facilitating the active participation of women in peace negotiations and other diplomatic initiatives.	
9.6 Migration and Health		
i.	Conduct situation analyses and needs assessments of the health of migrants for planning purposes, with involvement and participation of the most vulnerable, including women and girls.	
ii.	Ensure that migrants have adequate access to health care services by granting access to national healthcare systems and programmes ensuring that cultural and/or linguistic barriers do not prevent migrants from seeking and/or obtaining care, especially in relation to pregnancies, communicable diseases such as Sexually Transmitted Infections (STIs), tuberculosis and HIV and hepatitis.	
iii.	Ensure the minimal healthcare service package for refugees and displaced persons, including prevention, treatment and health education, with special regard for the needs of vulnerable groups, and mobilise resources needed, by inter alia enhancing collaboration with UNHCR, IOM, WHO, ICRC, IFRC, UNFPA, UNAIDS, and other relevant agencies.	
iv.	Strengthen research and data collection initiatives on the relationship between health and migration and enhancing co-operation between countries and relevant agencies including WHO, UNAIDS, IOM, UNFPA and ILO.	
v.	Support the implementation of continental and regional policies, particularly the Abuja Declaration and Plan of Action on HIV/AIDS, Tuberculosis, Malaria and other related infectious diseases; the Abuja Call for accelerated Actions towards Universal Access to HIV and AIDS, TB and Malaria Services; the Catalytic Framework to End HIV and AIDS, TB and Malaria; and Decision CM/Dec. 673 (LXXIV), which recognised the vital role played by human resources in the promotion of health and called upon States to develop a realistic plan for development of human resources for health.	
vi.	Provide migrants' access to social services, and the nutritional needs of infants and children of migrants in line with international law, standards and norms, ensuring such access is not restricted on the basis of migration status. Provide access to such service in a culturally and linguistically appropriate way without stigma and through advocacy and the provision of cultural mediators.	
vii.	Advocate for the inclusion of migrants and mobile population health issues into national and regional health programmes and strategies.	

viii.	Support the establishment of Health and Social Affairs Desks at the level of the RECs, to harmonise migration and health policies and address cross-border health related issues among respective Member States.	
ix.	Develop strategies to allow screening and treatment at entry points/border posts in war torn areas and areas at high risk of natural disasters.	
x.	Ensure that healthcare personnel in high migrant receiving areas are trained to provide healthcare needs of migrants.	
9.7 Migration and Environment		
i.	Incorporate environmental considerations in the formulation of national and regional migration management policies to better address environment related causes of migratory movements, as well as the impact migratory movements have on the environment - increase collaboration with relevant international agencies to this end, including by strengthening research and data gathering and exchange on the relationship between migration and the environment.	
ii.	Counter environmental degradation caused by the large protracted presence of displaced persons, for example by means of implementing relevant and targeted environmental protection programmes, including periodic review of ecosystem impacts and remedial measures to mitigate such impacts; in the case of protracted refugee situations, calling upon UNHCR and countries of first asylum to identify priority areas for resettlement based on the degree of potential environmental degradation and the need to protect ecosystems in a given area.	
iii.	Implement the Common African Position on Climate Change.	
9.8 Migration and Gender		
i.	Conduct research in order to gain a deeper understanding of the gender dynamics of migration, which would enable both policy makers and practitioners to address the special needs of women and men migrants, thereby enhancing: (a) the benefits that can accrue to women and men, as a result of their involvement in migration; (b) the contribution of women and men migrants to the up-liftment of their families and the socio-economic development of their host/sending countries, and the continent at large. It would also prompt policy makers and practitioners to address issues that impact negatively on migrants due to gender.	
ii.	Strengthening responses to the particular needs of migrant women and girls, particularly ensuring that their health needs, labour rights and human rights are respected. A gender perspective should be	

	integrated in all national and regional migration management policies, strategies and programmes, recognising the agency of women in migration, promotes their empowerment and leadership and moves away from addressing women migrants primarily through the lens of victimhood.	
iii.	Develop migration policies that allow women and men to migrate for employment through safe and regular channels.	
iv.	Ensure that initiatives and programs on migration management and addressing the root causes of irregular migration in Africa are informed by gender analysis and are implemented in a gender-responsive manner.	
v.	Enhance knowledge generation and awareness on the gendered dimensions of migration in Africa, including sex-disaggregated data and gender-responsive evidence and analysis on current migratory trends in Africa.	
vi.	Support associations and networks of migrant women, and enhance their voices in policy dialogue processes at national, regional, continental, and global level.	
vii.	Take effective steps to counter migrant trafficking and smuggling, and other illegal practices which specifically target and victimise migrant women and men.	
viii.	Ensure adequate treatment and access to justice in the context of applicable human rights instruments, of women, men and children that are victims of trafficking and sexual slavery.	
ix.	Promote informational/ educational campaigns to raise awareness about the gender dimension of migration among migrants, those affected by migration, and policy makers and personnel involved in migration, especially in the managing of the migration process.	
x.	Implement the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.	
9.9 Migration, Children, Adolescent and Youth		
i.	Ensure that the rights of migrant children, adolescent and youth are effectively protected under national laws by incorporating relevant international instruments, particularly the African Charter on the Rights and Welfare of the Child, the African Youth Charter, the UN Convention on the Rights of the Child, the UN Convention Against Trans-national Organized Crime and its two Protocols; and ILO Convention 182 on the Worst Forms of Child Labour.	
ii.	Ensure, through legislative policy, that migrant children, adolescent and youth have adequate access to gender-responsive and culturally appropriate health care, education and shelter.	
iii.	Ensure that national migration policies are linked to and coherent with policies relating to families.	
iv.	Promote informational/ educational campaigns to raise awareness about the youth dimension of	

	migration among migrants, those affected by migration, and policy makers and personnel involved in migration, especially in the managing the migration process.	
v.	Develop gender-responsive policies that encourage and promote migration and sports.	
vi.	Foster exchanges among youth and students of/ in Africa, with a view to further Africa's integration.	
9.10 Migration and Older Persons		
i.	Implement the Protocol to the African Charter on Human and People's Rights on the Rights of Older Persons.	
ii.	Ensure that the rights and needs of elderly migrants are met throughout the migration process. Recognise the individual needs and challenges faced by elderly women and men migrating, and those who are left behind.	
iii.	Ensure that elderly migrants receive adequate and gender-responsive quality and quantity of health care and other social services.	
iv.	Protect the entitlements of elderly migrants, including pensions and other social security provisions.	
v.	Ensure that programmes relating to training and resettlement take into account the needs of older people, in terms of re-uniting them with their families.	
9.11 Inter-State and Inter-Regional Cooperation		
i.	Integrate migration and displacement issues into national and regional agendas for development, security and stability.	
ii.	Engage in dialogue and programme development on migration and development with regional bodies and development actors, including, the AU, EU, the League of Arab States, RECs, World Bank, International Monetary Fund, African Development Bank, WHO, ILO, IOM, UNECA, UNHCR, UNICEF, UNODC, UNWOMEN, the United Nations Development Programme, and other concerned institutions.	