AFRICANS ON THE MOVE

HUMAN MOBILITY IN GHANA, NIGERIA, ANGOLA AND SOUTH AFRICA

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INTRODUCTION

Human mobility plays an important role in the history of the African continent. Over the past decades, migration trends and patterns have modified due to the globalization of the labour market and the socio-economic and political transformations, which have affected most African societies. For many sending countries labour migration represents a strategy to support livelihoods and reduce poverty. Climate change, natural disasters and crises undermining the political stability of African states have generated large numbers of refugees.

Despite the efforts produced by some international organisations (i.e. IOM and UNHCR) and academic institutions in the past years, scientific knowledge on African human mobility is still quite limited. Migration and asylum data are often inaccurate, out-dated and incomplete. Statistics and projections both at regional and country levels are often poorly managed due to a lack of technology and human resources, and they do not often take account of unauthorised migrants. Many African countries do not have comprehensive migration policies framing governments' approach to human mobility, and so far there has been little scientific comparative analysis and systematic reflection on facts and policies concerning migration and asylum in Africa.

Since 2005 the Congregation of the Missionaries of St. Charles (Scalabrinians), through the Scalabrini Centre of Cape Town (SCCT), has been developing researches and reflections on migration issues in Africa under the programme titled, "Migration Resource Project" (MRP). In November 2012 the Scalabrinians decided to establish a centre for research and studies on human mobility in South Africa, aiming at adding a new member to the Network of the Scalabrini Centres for Migration Studies. Since 1963 this network has been in charge of research, production and diffusion of qualified information on migration flows and migration governance at national, regional and international levels. On the basis of their scientific work, the single centres have been able to establish a permanent dialogue and collaboration with policy makers and civil society

organisations, participating in global, regional, and national processes on migration governance; organising conferences and seminars on migration and related issues; supporting scientific research on migration policies; collaborating with other civil society organisations to safeguard the dignity and rights of migrants.

At the moment, the Network is composed of eight centres strategically distributed to cover different regions in the world. The *Centro Studi Emigrazione Roma* (CSER) started its activities in 1963 aiming at studying migration in all its dimensions, especially the sociological, demographic, historical, economic and legislative facets of human mobility. During the last 50 years CSER has set up a specialised library with about 60,000 volumes, published the quarterly scientific magazine *Studi Emigrazione* and several other volumes, organised conferences and seminars on migration issues, and undertaken specialised research projects on human mobility. The Center for Migration Studies (CMS) was established in 1964, in New York. Since then, CMS has published the "International Migration Review" and several books, organised conferences, meetings, briefings, symposia and dialogues on migration and asylum, undertaken evidence-based, policy-relevant research, provided expert support to local, national and international institutions. It keeps extensive archives on the history of immigration in the United States. The *Centro de Estudos Migratórios* (CEM) was established in São Paulo in 1969. The CEM has a library specialised in migration. It regularly publishes *Travesia*, a quarterly journal on migration issues. Since its foundation, CEM has undertaken specialised research on human mobility in Brazil and provided qualified information and training to civil society organisations.

The *Centro Studi e Ricerche per l'Emigrazione* (CSERPE) was founded in 1972, in Basel. During the past 40 years CSERPE has organised conferences, courses for students, professionals and volunteers and published several volumes. CSERPE has also undertaken research projects on different migration issues. The *Centre d'information et d'études sur les migrations internationales* (CIEMI) was established in Paris, in 1977, to raise public awareness on international migrations as a key factor for the positive transformation of modern societies. CIEMI has been publishing the bimonthly journal *Migrations Société*. It has also

collected in its library around 30,000 volumes specifically dealing with migration issues. The *Centro de Estudios Migratorios Latinoamericanos* (CEMLA) was founded in Buenos Aires on December 28, 1985. The same year CEMLA started the publication of the quarterly scientific journal *Estudios Migratorios*. Since its establishment CEMLA has taken care of the preservation and microfilming of documentary sources concerning immigration in Argentina. During the past 30 years CEMLA has organised several interdisciplinary congresses and conferences on migration flows and policies and undertaken several scientific research projects.

The Scalabrini Migration Center (SMC) was established in Quezon City, Philippines, in 1987. SMC is dedicated to the promotion of the interdisciplinary studies of international migration, with a specific focus on migration questions in the Asia-Pacific region. Since 1992 SMC has published the academic quarterly "Asian and Pacific Migration Journal" and "Asian Migration Outlook" (AMO), a summary of data and policy developments on migration for each country in Asia. SMC's research activities are in line with its goal to contribute to informed policy-making and advocacy. The main areas of its research are: migration and development, domestic work, youth migration, brain drain and repatriation of overseas Filipino workers.

The eighth centre for migration studies was established in Cape Town in March 2014 and named the Scalabrini Institute for Human Mobility in Africa (SIHMA). The first activity of SIHMA was a four-country scientific research aimed at drawing national profiles on human mobility in Ghana, Nigeria, Angola and South Africa. In particular, the study aimed at collecting relevant data and trends concerning migration and asylum, identifying government agencies, academic institutions and civil society groups dealing with migrants and refugees, describing migration and asylum policies and presenting some feasible recommendations. There were several reasons that motivated the selection of the countries for the research. To enhance the comparative analysis, two countries in the same region were selected with the aim of identifying similarities and differences in terms of human mobility. Moreover, all the countries are characterised by an emerging economy, both emigration and

immigration flows, and intercontinental, intraregional and domestic migration. Finally, they are all engaged in relevant regional processes: the Economic Community of West African States (ECOWAS) for Ghana and Nigeria and the Southern African Development Community (SADC) for Angola and South Africa.

The overall direction of the project was entrusted to Fabio Baggio, director of the Scalabrini International Migration Institute (SIMI) in Rome. Two area research coordinators were appointed: Sergio Carciotto (director of SIHMA), responsible for Angola and South Africa, and Edmond Akwasi Agyeman (Centre for African Studies, University of Education, Winneba), responsible for Ghana and Nigeria. They constituted a research team for each area. The Angola-South Africa team comprised of Sergio Carciotto, Mulugeta F. Dinbabo, Themba Nyasulu (Institute of Social Development, University of the Western Cape) and Sarah Pugh (Department of Political Science at the University of Stellenbosch). The Ghana-Nigeria team consisted of E. A. Agyeman, I. J. Obeng, David Zuure (Centre for African Studies, University of Education, Winneba), and Mary Boatemaa Setrana (Centre for Migration Studies, University of Ghana, Legon). At the beginning of April 2014 an organisational meeting was held with the aim of detailing the research activities entailed in the project, clarifying the methodology to be adopted, drafting the outline of the final report and defining a precise timeframe.

Following the methodological indications outlined in the organisational meeting, the two Area Coordinators, together with their corresponding teams, organised the research activities in the four selected countries. They started with a thorough literature review, which entailed the scrutiny of all the scientific publications on migration and asylum in Ghana, Nigeria, Angola and South Africa. Then a collection of secondary data on human mobility in the four selected countries was undertaken. Official websites, data releases and reports, country profiles prepared by the UN and international organisations (i.e. IOM, UNHCR, UNDP, etc.), Traffic in Person reports by the US Department of State and other relevant documents elaborated by academic centres, international NGOs and local civil society groups were analysed. To collect more information, clarify relevant issues and compensate for knowledge gaps, the Area Coordinators

undertook key-informant interviews in each of the countries of their concern.

Upon finalisation of the research activities, Agyeman coordinated the drafting of the Ghana and Nigeria reports while Carciotto directed the writing of the Angola and South Africa reports. They followed a precise outline, which was agreed upon in the organisational meeting and is now reflected in each chapter of this volume. The first point of the outline is the description of the national context of reference resulting from the analysis of the current socio-economic situation, most recent demographic changes and main trends in the labour market. The second point entails a historical excursus on the phenomenon of human mobility in the concerned country, highlighting key facts of the colonial past and principal developments in the Twentieth Century up to 2009. A detailed description of the migration stocks and flows at the national level in the last five years (2009-2014) is the focus of the third point. This section presents data and trends on skilled/unskilled labour immigration/emigration, net migration, asylum seekers and refugees, unauthorised migration, returned migrants and refugees, domestic migration (environmentally induced, conflict induced, poverty induced), human trafficking and remittances (individual, collective, and social). The fourth point is dedicated to the description of the political and legislative framework in the concerned country regarding migration and asylum governance, at three levels: legislation, programmes (implementation measures) and practices, including bilateral, regional and international conventions. A snapshot of the main stakeholders in migration governance in the concerned country is the main focus of the fifth point. This section offers a description of key government departments, main local and international civil society actors, including migrant organisations, international organisations, regional blocs and academic institutions. The sixth point advances a critical assessment of the migration and asylum governance (consistencies and inconsistencies) at the national level. The evaluation refers mainly to the coordination of government agencies, reference to research findings and respect for international conventions relating to migrants and refugees. The last point, as a conclusion, is devoted to the presentation of key issues, problems and questions related to human mobility in

the country concerned, and points out some relevant research gaps.

Once the first drafts of the reports were prepared, using modern technology tools, an at-distance writeshop was undertaken by the Project Director and the two Area Coordinators aimed at criticising, comparing and consolidating the outputs. All the comments and suggestions produced in the writeshop were integrated into the reports, whose final edition was entrusted to the Project Director. The four reports now constitute the four chapters of this book.

Despite the huge effort produced by the two Area Coordinators, the four reports necessarily reflect the difficulties both teams encountered in undertaking the research activities. Migration and asylum official data are rarely updated and those updated are hardly available. The distribution of responsibilities within the migration and asylum governance in the selected countries is often complex and confused. This contributed to the reduced support the research teams received from the government agencies concerned with human mobility. The limited financial resources did not allow for the implementation of additional research activities like surveys and focus group discussions, which would have filled some of the gaps in the four reports.

The knowledge produced through the study and the final recommendations are meant to contribute to the debate regarding more coherent and effective migration and asylum policies, as well as the enhancement of the cooperation among the different stakeholders of human mobility governance in the selected countries. To this aim, three dissemination workshops, one in Ghana, one in Nigeria and one in Angola, have been organised and will be held in November 2014. Representatives from government, academe, civil society groups and mass media will be invited to attend and discuss the report corresponding to their country. A copy of the present volume will be distributed to all the participants. Moreover, in collaboration with the Institute for Social Development (ISD) of the University of Western Cape, SIHMA is organising the International Conference on Migration in Africa (ICMA) to be held in Cape Town on 3 December 2014. The general aim of the conference is to share and disseminate the outputs of the SIHMA study among African researchers and

other human mobility stakeholders, namely policy makers, international organisations, NGOs, mass media and the private sector. A copy of this book will be distributed to all attendees. For wider dissemination purposes, a digital copy of the English and Portuguese versions of the present volume has been posted as open source on the SIHMA website (http://sihma.org.za).

CHAPTER ONE
Human Mobility in Ghana

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Introduction

Human mobility is a crucial part of Africa's history. Its prominence has gained momentum in global discourses and policy agendas of many governments. While migration and development have become the focus of many African governments, seeking to recoup their lost gains, individuals and families also view it as the surest means by which they can improve on their livelihood and survival strategies. This is particularly the case in Ghana.

Migration in Ghana has a dynamic and complex twist. Prior to the economic and political instability in the late 1960s, Ghana received large numbers of immigrants from in and around Africa. Thereafter, it rapidly transformed into a major migrant sending country. However, due to changes in global issues as well as relative political and economic stability in the last two decades, the country has experienced a more balanced net migration rate[1] (IOM 2009), which has led to varied mobility patterns including emigration, immigration and transit migrations at both the internal and international scales (Awumbila & Ardayfio-Schandorf 2008).

Ghana has a population of about 24, 658,823 with an increase of 30.4 percent between 2000 and 2010 and an annual growth rate of 2.5 percent in 2010 (GSS 2013). The country's GDP is US$45.55 billion (2013 est.), representing a slight increase over 2012 and 2011 with US$40.71 billion and US$39.20 billion respectively (ISSER 2013). Despite these prospects, Ghana still records high rates of economic volatility. The yearly average rate of inflation had declined consistently over the years from about 40 percent in 2000 to 10.8 percent in 2010. However, early months of 2014 have recorded a higher inflation rate of as much as 14.7 percent due to depreciation of the Ghana cedi and a rising trade deficit (Bank of Ghana 2014). Income levels are low with an average annual household income of about GH¢1,217 (approximately US$420.10 at the time of the survey). A high level of income disparity also

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[1] According to UNPD data, the net migration per 1,000 populations from 2000 to 2005 is positive, 0.1; more people migrated to than from Ghana between these periods. From 2005 to 2010 the net migration rate (per thousand persons) is projected to be -0.4 (cited in IOM 2009).

exists. The average annual income of people in the highest quartile is twice as high as those in the lowest quartile, GH¢1,544 and GH¢728, respectively (2006 data cited in GSS 2009). In terms of the sources of income, agriculture accounts for 35%, followed by waged employment (29%) and self-employment (25%) (GSS 2009). In addition, the unemployment rate is very high, about 9.1 percent among people with tertiary education, higher than the 2.7 percent recorded in 2000 (GSS 2013). The educational system hardly provides the needed employable skills and qualifications to get jobs in the formal sector, while those employed in the informal sector[2] earn inadequate income, leaving no other option for people but to migrate. The negative net migration rate of -0.2 (migrants/1000 population) confirms this trend, meaning that Ghana is currently mainly a country of out-migration rather than in-migration.

This paper addresses the complexities of human mobility in Ghana, following five systematic sections. The first section discusses the historical context of Ghanaian migration, elaborating on the key trends within the pre-colonial and post-independence periods. The paper continues with the second section, which looks at the contemporary trends of human mobility by focusing on the main migration stocks and flows (2009-2014). The third section provides an overview of the policies and legislation that impact migration governance in Ghana. Section four discusses the main institutions and departments locally, regionally and internationally, engaged in migration governance. It further assesses migration governance and the main actors involved. The paper concludes with the fifth and final sections, which concentrate on the key research gaps, issues, problems and questions concerning human mobility in Ghana.

History of Ghanaian Migration: Key Trends

Human mobility is an enduring component of Ghana's past and present history (Awumbila *et al.* 2008). Long before the colonial

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[2] About 88% of the workforce is employed in the informal sector (GSS 2013).

period, large scale population movements had been occurring in several forms and for different reasons in West Africa. Some population movements resulted from warrior conquests, while others took the form of peaceful movements of ethnic groups to new lands (Hance 1970). Trade and pastoralism also generated several migratory routes within the West African sub-region, and between this region and other parts of Africa (Boahen 1966). The trans-Saharan caravan routes that connected West Africa with North Africa are vivid evidence of such trade relations between the two regions long before the arrival of Europeans (Boahen 1966; Davidson, 1966; Anarfi *et al*. 2003).

Colonial rule outlawed group and permanent movements, but also guaranteed greater freedom for individual movements. Labour demands by the colonial economy instigated forced or voluntary labour migrations to farm plantations, mining areas, road construction sites or urban centres as people sought waged menial and white collar jobs far away from their homelands. Colonial rule also led to significant intercontinental migration of West Indians, Lebanese and Syrians to the West African coast (Kuper 1965; Peil 1974; Hance 1970).

While the mobility of Ghanaians during the colonial period was largely internal, with the exception of a few students who travelled overseas for studies, or fishermen who settled in towns along the West African coast, the post-independence era saw an exodus of Ghanaians, first to neighbouring West African states, and later to Western Europe, North America and Asia in search of greener pastures (Anarfi *et al*. 2000, 2003; Oppong 2004; Manu 2005; Agyeman 2013).

This past experience has left in its wake important landmarks in Ghana's migration history, which will be traced in this section. In the literature there have been two main approaches to structuring these landmarks. The first, which most pre-2000 scholars adopted, used Ghana's colonial experience as the base, distinguishing three phases, namely: (i) migration during the pre-colonial era, (ii) migration during the colonial era, and (iii) migration during the post-colonial era (Hance 1970; Kuper 1965). Since the 2000s, however, and based on a seminal work by Anarfi *et al*. (2000), Ghana's migration history is structured into (i) period of net immigration, (ii) emergence of international emigration, mid

1960s to mid-1970s; (iii) period of large scale emigration and (iv) period of diasporisation of Ghanaians (Anarfi *et al*. 2000, 2003; IOM 2009). While the first approach forms part of the assumption of Ghana as an immigration country, the second approach positions Ghana as an emigration country. In this paper, we will attempt to reconcile the two by simply distinguishing between migration in Ghana during the pre-independence era and migration during the post-independence era. This paper focuses on the period between the twentieth century and 2009.

Pre-Independence Migration

Human mobility in Ghana during the pre-independence era was shaped in large part by economic factors dictated by colonial economic and administrative machinery, structures and institutions. During the latter part of the nineteenth century and the early part of the twentieth century the colonial economy developed cocoa farming, large scale gold mining and lumbering in the southern half of the country. This period also saw the construction of railways, harbours and ports along the coast to transport these products. As a result, these areas attracted a huge flow of migrant workforce from the northern half of the country and from neighbouring countries (Busia 1950; Hill 1961; Peil 1970; Van Hear 1982; Anarfi *et al*. 2000; Awumbila *et al*. 2008).

With cocoa becoming a leading cash crop earner in the country, crop and livestock farmers in the northern half of the country moved to the south western part of Ghana, either on a permanent or seasonal basis. Some started new farms while others supplied labour to existing farms (Hill 1961). The high demand for labour in the mining areas also attracted workforce from all parts of the country (Busia 1950)

Formal education in Ghana began in the southern part of the country where colonial and missionary activities developed. The Central Region, Greater Accra and Ashanti were the main beneficiaries, and to date most of Ghana's best secondary and tertiary educational institutions are still found in these three regions. Due to the presence of boarding facilities, it became possible for teenagers and young adults from all over the country to leave their parental homes and move to the south for education

(Nukunya 1992). Those who completed formal education usually also stayed in, or moved to, these urban centres in order to find jobs.

During the pre-independence era, Ghana also became an attractive destination for international migrants. According to Peil (1974), Hausa, Fulani, Arab and Mossi, traders had become established in northern Ghana and in Kumasi, the capital of the Ashanti Region, by the beginning of the colonial era. Peil further indicated that the development of mines, railways and cocoa farming between 1870 and the Second World War, drew large numbers of migrant workers from surrounding countries. Recruitment centres were set up in Burkina Faso and British boats stopped at the coast of Liberia to pick up workers for harbours and mines in Ghana. These migrants, however, did not compete with locals for jobs. In fact, all prestigious office and skilled jobs were taken by the better educated locals, while migrants took up jobs as labourers or became self-employed. Furthermore, the migrants monopolised certain parts of the economy. While Nigerians established a strong position in diamond digging, yam selling in the Kumasi market was the monopoly of men from Gao in Mali. The Hausa people monopolised the butchering sector. Lebanese, Indians and Nigerians took over the retail trade sector (Peil 1974).

During this period, international migration to Ghana was to a large extent seasonal (Skinner 1965), yet a lot of the migrants also sought permanent settlement. For example, in 1921 the population of Ghana, then the Gold Coast, was estimated to be around 2,000,000, yet by 1960 it had reached 6,726,820 (Hance 1970). This showed that within a period of 40 years, Ghana's population tripled and, while other demographic factors accounted in part for this, immigration to Ghana was the major factor.

Post-Independence Migration

Internal migration intensified during the post-independence era. Larger numbers of rural dwellers, particularly the youth, drifted to the cities to seek salaried jobs due to the dearth of waged local, rural employment for the educated youth (Rhoda 1980).

However, a lot of them wound up joining the urban pool of unemployed youth and took up menial jobs such as shoe polishing, hawking, petty trading, and maids. Young ladies from northern Ghana also specialised as head porters (*kayayei*) in the markets of Techiman, Kumasi and Accra (Opare 2003; Awumbila & Ardayfio-Schandorf 2008). As urban poverty increased, migration of youth to the cities developed into a social problem. The phenomenon of street children and increasing numbers of city dwellers without accommodation led to the development of urban slums (Bauchmin 1998).

There was also a large stock of international migrants in the country after independence. The 1960 census showed that over 12% of Ghana's 1960 population was foreign born. The main countries of origin were Togo (280,170); Burkina Faso (195,157); Nigeria (191,802); Ivory Coast (54,192); Benin (then Dahomey) (31,416); Niger (24,433); Mali (19,157); Liberia (8,362) (Peil 1974; Hance 1970). After independence, Ghana adopted a liberal migration regime towards other Africans due to Kwame Nkrumah's pan-African ideology (Awumbila 2008; Benneh 2005). The Alien's Act of 1963, however, sought to regulate the inflow of foreigners into Ghana. Foreigners were required to have a residence permit, and a quota system was also introduced (Benneh 2005). However, due to an ailing economy and growing popular sentiments against the monopoly of migrants in some sectors of the economy, the Government of the Progress Party issued the Aliens Compliance Oder in 1969, which obliged every migrant to obtain a permit within two weeks, or leave the country. It is estimated that about 200,000 foreigners left Ghana within six months of the order (Peil 1974; Benneh 2005; Awumbila *et al*. 2008).

While the arrival of labour migrants slowed after the 1960s, Ghana, nonetheless, received new categories of migrants, namely, refugees and asylum seekers from Togo, Liberia, Sierra Leone, Sudan, the DRC, Angola, and Cote d'Ivoire due to repressive political regimes, wars and conflicts in these countries (Essuman-Johnson 2011). Since the return to constitutional rule in 1992, and the fast growing economy after the 2000s, Ghana has once again become attractive to international migrants and students from neighbouring West African states, other parts of Africa, Asia and Western Europe (GSS 2013; IOM 2009).

A more important landmark in the post-independence era, however, was the transformation of Ghana from a country of immigration to one of emigration. As a result of military dictatorship, economic mismanagement and the introduction of harsh economic recovery policies during the 1980s, Ghana's highly trained professionals including university lecturers, medical doctors, nurses, lawyers, architects, administrators and a plethora of low and unskilled youth of both sexes, left the country to seek better opportunities elsewhere (Twum-Baa *et al*. 1995; Adekanye 1999; Anarfi *et al*. 2003; Dovlo 2003; Bump 2006). There was an early intensive movement towards neighbouring ECOWAS countries (Nigeria and Ivory Coast), followed by extra-continental mobility to Western Europe, North America and Asia from the mid-1980s, particularly after the mass deportation of over one million Ghanaians from Nigeria in 1983 (Gravil 1985; Anarfi *et al* 2000, 2003).

Even though the majority of Ghanaians were labour migrants, some sought asylum in the host countries, and migration for family reasons intensified from the 1990s (Brink & Pasariboe, 1993; Agyeman 2011). Today, Ghanaian migrants have established formidable communities in key cities like London, Hamburg, Amsterdam, Tokyo, New York and Toronto. They also have high concentrations in small industrial towns in northern Italy and northern Spain, and in farming communities in the southern half of these countries (Agyeman 2011). They belong to ethnic, township, regional and national associations and Christian religious groups (Owusu 2000; Orozco & Rouse 2007; Agyeman 2011; Van Dijk 2003, 1997).

Due to the destination countries' adoption of more restrictive immigration policies and border control regimes, Ghanaian migration has also developed into a humanitarian problem. An unknown, but significant, number perish every year by attempting to use more dangerous routes to reach Europe (Carling 2007). Others are victims of trafficking or fall in the hands of 'mafia' groups (Van Moppes 2006). In addition, an increasing number of people are unable to attain legal residential status in the host countries, a *conditio sine qua non* to have access to social services, education, jobs and dignity. There are also several instances of brain waste, and the current economic crisis has rendered a lot of Ghanaian migrants jobless, with little hope

of regaining access to the labour market (Stocchiero 2009). Furthermore, African migrants, including Ghanaians, are victims of racism, xenophobia and anti-immigrant sentiments and activism in Western and Asian countries (Saitta 2011; Russell 1994).

Since the 1990s, however, an unknown but significant number of Ghanaian expatriates have returned due to the continuous political stability and economic growth in Ghana (Ammassari 2004; IOM 2009). But some returns are as a result of deportation, repatriation, and failed migration projects (IOM 2009). It must be noted, however, that Ghanaian migrants in diaspora maintain various forms of transnational connections with their places of origin, and are therefore indispensable players in Ghana's development (Riccio 2008; Mazzucato 2008; Smith 2007; Kabki 2004).

Contemporary Trends in Human Mobility

Immigrants

Sources of Data and Definitions

This section draws data from the immigration database of the Ghana Statistical Service (GSS), the Ghana Immigration Service (GIS), special migration surveys, foreign missions in Ghana and databases of the United Nations High Commissioner for Refugees (UNHCR), United Nations Development Programme (UNDP), the World Bank (WB), the International Organisation for Migration (IOM), and the European Union (EU). The GSS makes available data derived from surveys conducted on all residents in Ghana during national census. Similarly, the GIS also gathers information on immigrants from the embarkation and disembarkation forms filled in by individuals or groups travelling to and from Ghana at entry and exit points.

The GSS's definition of immigrants entails the counting of all foreign citizens who were residing in Ghana during the 2010 Population Census. These persons are referred to as "other nationals" and are further grouped into ECOWAS nationals, Africans other than ECOWAS nationals and non-Africans. On the other hand, the GIS's definition of an immigrant is a person who

moves into another country for the purpose of settlement, that is, for stays of six months and above. The GIS only deals with immigrants who appear before an immigration officer at the ports of entry.

Total Number of Immigrants

The 2010 Population Census puts the total number of non-Ghanaians at 600,049, representing 2 percent of the total population of Ghana. This indicates a decrease from 3.9 percent in 2000. In terms of composition, 86 percent of the non-Ghanaian population was African nationals with 68.3 percent from other ECOWAS countries. Only 13.6 percent were from non-African countries. Nigerians, Togolese and the Burkinabe formed the largest population among ECOWAS nationals, accounting for about 21 percent, 5 percent and 5 percent respectively. The percentage of males to females in the total non-Ghanaian population was 53.3 percent to 46.7 percent (see Table 1). The 6.6 percent difference in the male to female ratio demonstrates the increasing participation of females in migration.

According to the 2010 Population Census, the total number of foreign born nationals who are 15 years and older in the country was 398,585 representing 1.6 percent of the total population. This percentage is slightly higher than the 1.4 percent indicated by the UNDP (2013b) statistics on foreign-born population. The annual rate of change of the foreign born population has gradually decreased over the years; 2000 to 2010 experienced a 5.6 percent rate of change compared to 2.1 percent between 2010 and 2013.

The educational levels of immigrants vary. About 36 percent have never attended school, which is even higher than the national population figure of 28.5 percent (GSS 2013). The female proportion (41%) is also higher than that of the males (32%). A few of the immigrants also have higher education, about 5.8%, although they are mostly males (5.7% males compared to 3.5% females). In terms of age, the majority (93 percent) of the immigrants are in their productive ages (15 to 64 years) with 45.5 percent between 15 and 29 years.

Table 1
Non-Ghanaian Population by Sex and Nationality (2010)

Nationality	Male		Female		Total
	N	%	N	%	
Nigerian	75,717	23.7	48,936	17.44	**124,653**
Liberian	6,605	2.1	6,791	2.47	**13,396**
Sierra Leonean	565	0.17	478	0.17	**1,043**
Gambian	1,015	0.32	913	0.32	**1,928**
Togolese	16,739	5.23	15,234	5.43	**31,973**
Burkinabe	17,245	5.40	13,419	4.78	**30,664**
Ivorian	2,771	0.86	2,230	0.79	**5,001**
Other ECOWAS National	103,757	32.46	97,495	34.75	**201,252**
African, other than ECOWAS	53,756	16.82	54,572	19.45	**108,328**
European	2,628	0.82	1,811	0.64	**4,439**
American (North, South/Caribbean)	1,409	0.44	1,305	0.46	**2,714**
Asian	37,072	11.6	37,140	13.24	**74,212**
Oceania	264	0.08	182	0.06	**446**
Total	319,543	100	280,506	100	600,049

Source: GSS 2013

Refugees/Asylum seekers

The UNHCR statistical data indicates a varying trend for the number of refugees and asylum seekers. Ghana currently hosts 18,681 refugees (UNHCR Ghana 2014b). Most of these people are escaping armed conflicts and violence in their home countries. Table 3 gives the number and countries of origin of refugees in Ghana from 2009 to 2012. The number of Ivorian refugees increased steeply from smaller volumes of fifties (50s) between

2009 and 2011 to 8,699 in 2012 and even more, to 9,567 in 2014 (UNHCR Ghana 2014b). However, the situation is different for Liberian refugees; their numbers have reduced significantly from 11,585 in 2011 to 5,156 in 2012 and 5249 in 2014.

Table 2
Distribution of Refugees in Ghana by Country of Origin

Country	2009	2010	2011	2012
Togo	1,656	1,755	1,789	1,702
Sudan	261	185	191	202
Sierra Leone	132	149	153	153
Liberia	11,476	11,585	11,295	5,156
Cote d'Ivoire	50	55	58	8,699
Other nationals	83	99	102	95
Totals	**13,658**	**13,828**	**13,588**	**16,007**

Source: UNHCR 2014a

Refugees in Ghana are hosted in different regions of the country. The Liberians have settled in Gomoa Budumburam Camp in the Central Region. The Togolese refugees are also accommodated in the Volta Region, while the Ivorian refugees are resident in Krisan Camp in the Western Region, and in Egyeikruom (UNHCR 2013).

Currently, Ghana houses a total of 1,914 asylum seekers with the majority (884) of them coming from Cote d'Ivoire (UNHCR 2014b). Interestingly, Cote d'Ivoire in the past years has served as a receiving country for asylum seekers until its recent conflicts. Table 3 shows the number of asylum seekers in Ghana from 2009 to 2012. The data shows a sharp increase in the number of asylum seekers from 606 in 2010 to 2,587 in 2012.

Returned Refugees

The total number of refugees returned from Ghana to their countries of origin increased between 2009 and 2012 from 852 to 4866. Large numbers of Liberians returned home in 2012,

constituting about 4,710. Liberia in the past few years has had a stable political and economic environment, and this has resulted in the return of its nationals from different parts of the world. Table 4 presents the number of returned refugees from Ghana and their various countries of origin.

Table 3
Distribution of Asylum Seekers in Ghana by Country of Origin

Country	2009	2010	2011	2012
Togo	32	95	1,990	1,981
Sudan	79	123	229	224
Sierra Leone	7	-	4	5
Liberia		-	6	6
Cote d'Ivoire	266	282	10,033	-
Rwanda	36	36	45	39
Democratic Republic of Congo	58	61	74	69
Other nationals	128	120	262	263
Totals	**606**	**717**	**12,643**	**2,587**

Source: UNHCR 2014a

Table 4
Distribution of Returned Refugees by Country of Residence

Country	2009	2010	2011	2012
Cote d'Ivoire	-	1	470	77
Liberia	714	181	9	4,710
Togo	138	3	-	79
Total	**852**	**185**	**479**	**4,866**

Source: UNHCR 2014a

Labour Migrants

Since the introduction of constitutional rule in 1992 Ghana has experienced stable political and economic improvements. As a result, many migrants in and out of the ECOWAS sub-region have moved to Ghana for better opportunities. Table 6 shows the economic activities of immigrants in the country. More than half (67.8 percent) of the immigrant population were employed, while 3.9 percent were unemployed. The majority of the immigrants were self-employed with a slight difference between the sexes; 65.6 percent of the female and 60 percent of the male immigrants were self-employed. In addition, there were slightly more females than males seeking work for the first time, accounting for 3.4 percent and 2.6 percent respectively. About 13.5 percent of the immigrants were employees; 24.6 percent of these were male immigrants and 10.9 percent were females.

Table 5
Economically Active Immigrants by Sex and Employment Status (2010)

Employment Status	Male		Female		Total
	N	%	N	%	
Employee	40,840	24.6	13,020	10.9	53,860
Self Employed	99,774	60.0	78,248	65.6	178,022
Casual Worker	5,134	3.1	1,727	1.4	6,861
Contributing family worker	11,500	6.9	17,519	14.7	29,019
Apprentice	3,219	1.9	3,393	2.8	6,612
Domestic employee	1,054	0.6	932	0.8	1986
Other	427	0.3	317	0.4	744
Persons seeking work for the first time	4,336	2.6	4,215	3.4	8,551
Total	166,284	100	119,371	100	285,655

Source: GSS 2013

Furthermore, immigrant economic activities are spread across the public, private, international organisations and NGO sectors (see Table 6). The private informal sector employs 60 percent of the immigrant population; the public sector employs three percent while the private formal sector also employs five percent. The majority of the male and female immigrants are found within the private informal sector, although there are eight percent more females than males employed as private informal workers.

Table 6
Economically Active Immigrants by Area of Employment (2010)

Area of Employment	Male		Female	
	N	%	N	%
Public	9,185	5.5	4,230	3.5
Private Formal	17,946	10.8	5,001	4.2
Private Informal	132,514	79.7	104,937	87.9
Semi-Public Parastatal	307	0.2	94	0.1
NGO	1,445	0.9	666	0.6
Other International Organisation	548	0.3	228	0.2
Persons seeking work for the first time	4,336	2.6	4,215	3.5
Total	**166,281**	**100**	**119,371**	**100**

Source: GSS 2013

In terms of occupation, Table 7 demonstrates that a total of 22,947 of immigrants are employed as skilled agriculture, forestry and fisheries workers, and the second highest as services and sales workers accounting for 16.7 percent. Some immigrants occupy topmost positions as managers and professionals, that is, 2.4 percent and 3.7 percent respectively. The participation of males and females in the skilled agriculture, forestry and fisheries occupations is slightly different because females form 33.9 percent while males form 35.4 percent. There are 15.3 percent

more females than males working as service and sales workers. In the managerial and professional skills there are more males than females. Table 7 shows that 4.0 percent males compared to 2.7 females are managers while 6.2 percent males and 3.9 percent females are professionals.

Table 7
Economically Active Immigrants by Sex and Occupation (2010)

| Occupation	Male		Female		Total
	N	%	N	%	
Managers	6,574	4.0	3,178	2.7	9,752
Professionals	10,313	6.1	4,696	3.9	15,009
Technicians	5,582	3.4	1,105	0.9	6,687
Clerical Support	2,202	1.3	1,299	1.1	3,501
Services and Sales s	28,212	17.0	38,510	32.3	66,722
Skilled Agriculture, Forestry and Fisheries	58,868	35.4	40,458	33,8	99,326
Craft and Related Trade	22,936	13.8	15,224	12.8	38,163
Plant and Machine Operators and Assemblers	12,940	7.8	662	0.6	13,602
Elementary Occupations	13,851	8.3	9,974	8.4	23,825
Other Occupations	470	0.3	50	0.0	520
Seeking Job for the First Time	4,336	2.6	4,215	3.5	8,551
Total	157,004	100	119,371	100	285,658

Source: GSS 2013

Tourists and Visitors

In recent times Ghana's tourism sector is increasingly gaining attention and is making an increasing contribution to the national economy (ISSER 2013). Interesting destinations and sites such as

the colonial castles, the rain forest, and festivals, attract tourists into the country. Ghanaians are also said to be welcoming and hospitable which could be one of the factors influencing tourism to the country. Figure 1 indicates the number of tourists arriving in Ghana between 2005 and 2011. From 2005 to 2012 the number of tourists arriving in the country has significantly increased from 428.5 to 1,080.2.

Figure 1
Status of Tourism Indicators, 2005 to 2011
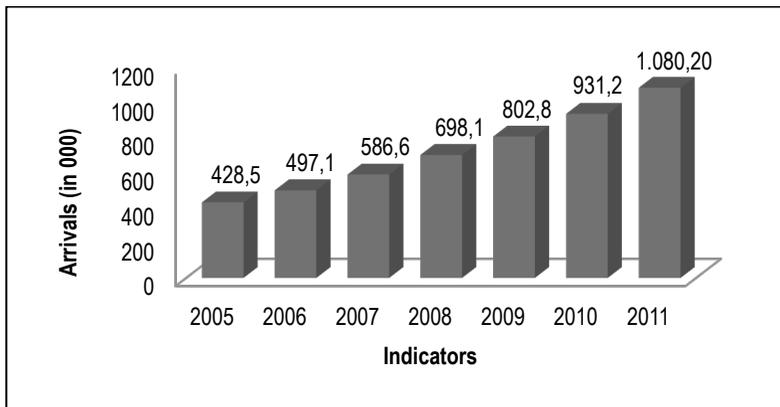
Source: Ghana Tourist Board (cited in ISSER 2013)

Unauthorised Immigration

Due to the lack of reliable data, it is hard to determine the actual volume of irregular migration in Ghana. Over the years, migrants have been deported or repatriated from the country for various offences. Deportations are backed by a court order, while repatriations are initiated by an immigration official at Ghana's borders. The offences that generally constitute irregular migration include crossing Ghana's borders or staying in the country without authorisation or with fake documents, engaging in illicit activities, and engaging in economic activities without authorisation, or in prohibited pursuits, such as small scale mining. In recent years, growing numbers of Chinese nationals

have been deported for offences related to illegal mining in Ghana's forest areas, and posing a threat to the environment and the livelihood of local community members. In 2010 Ghana repatriated a total of 112 foreign nationals (GIS 2010). This is presented in Table 8. More than half (51.79 percent) of the foreign nationals who were repatriated from Ghana were Chinese, followed by 13.39 percent Nigerians, 6.25 percent Bangladeshi. About 2.68 percent each were Sri-Lankan, Sudanese and American while those from other countries constituted 20.25 percent.

Table 8
Repatriation of Foreign Nationals from Ghana (2010)

Nationality	N	%
Chinese	58	51.79
Nigerian	15	13.39
Bangladeshi	7	6.25
Sri-Lankan	3	2.68
Sudanese	3	2.68
American (North, South/Caribbean)	3	2.68
Others	23	20.25
Total	**112**	**100.00**

Source: GIS 2010

Figure 2 shows the number of foreign nationals who were deported from Ghana in 2010. A total of 413 immigrants, who were irregularly staying in Ghana were deported to their corresponding countries of origin. Compared to the 1,297 in 2007, the total number of deportees has reduced sharply over the years. The UK received the highest number of deportees from Ghana (65 representing 15.73 percent), followed by the USA with (38

representing 9.2), (37 representing 8.95) were deported to Italy and 32 (representing 7.74) to South Africa.

Figure 2
Deportation of Foreign Nationals from Ghana (2010)
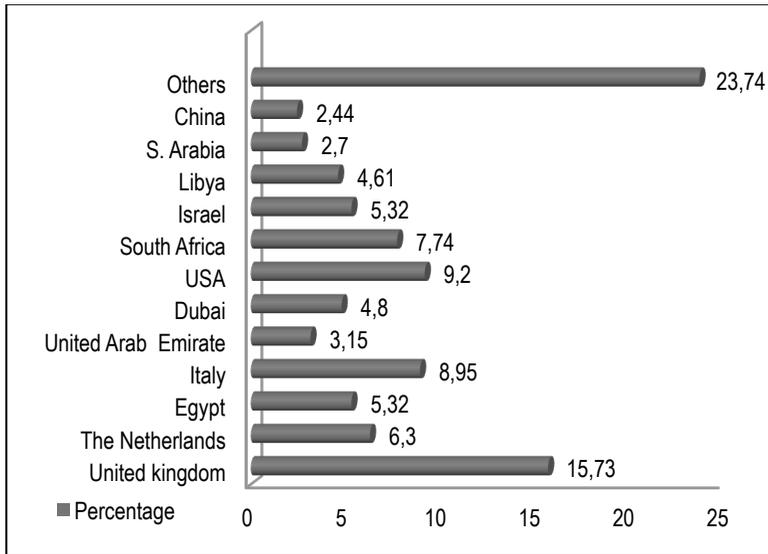
Source: GIS 2010

Emigrants

Sources of Data and Definitions

Data were gathered from GSS, GIS, other multi-topic surveys, other international organisations such as the United Nations High Commissioner for Refugees, United Nations Development Programme, United Nations Department of Economic and Social Affairs Population Division, World Bank, International Organisation for Migration, European Union, and Trafficking In Person. The GSS defines "emigrant" as a Ghanaian who resides outside the country and has been living continuously for six months or more outside Ghana.

Total Number of Emigrants

The 2010 population census estimated a total of 250,624 Ghanaians living outside the country. The main destination areas of these Ghanaian emigrants are Europe (37.7 percent), the ECOWAS sub-region (25.4 percent) and the Americas (23.6 percent). Within the ECOWAS sub-region, Cote d'Ivoire and Nigeria remain the main destination countries for Ghanaian emigrants. Ghanaian emigrants over the years have spread their destination territories to areas such as Asia and Oceania, which now account for 2.3 and 0.5 respectively. The main destination of Ghanaian emigrants has gradually shifted from the ECOWAS sub-region to Europe, because before the 1990s, over 71 percent of the total number of Ghanaian emigrants were living in ECOWAS countries (Twum-Baah 2005). More than half (64 percent) of Ghanaian emigrants are males while one third (36%) are females. Although the gap still exists, there is improvement in female migration, given the history of Ghanaian migration. Females are recently engaging in independent migration due to the increased demand for the services of women in the care economy (Wong, 2006). Table 9 presents the total number of Ghanaian emigrants and the countries of destination.

Table 10 presents non-African main destination countries for Ghanaians living abroad. The UN data on destination countries of Ghana identified the USA, the UK and Italy as the top three countries accounting for 149,596; 81,917 and 52,914, respectively. Although male migration is still higher than female migration, the table shows that for some countries such as Germany (Schmelz 2009), The Netherlands and Canada, female emigrants number more than their male counterparts. For example, there are 13,845 Ghanaian female emigrants in Germany compared to 9,874 Ghanaian male emigrants.

Table 9
Total Number of Emigrants and Countries of Destination (2010)

Nationality	Total		Male		Female	
	N	%	N	%	N	%
Nigeria	17,092	6.8	11,803	7.4	5,289	5.9
Liberia	3,669	1.5	2,520	1.6	1,149	1.3
Sierra Leone	1,556	0.6	1,003	0.6	553	0.6
Gambia	4,314	1.7	2,654	1.7	1,687	1.9
Togo	7,825	3.1	3,904	2.4	3,921	4.3
Burkina Faso	2,376	0.9	1,556	1.0	820	0.9
Cote d'Ivoire	19,483	7.8	9,948	6.2	9,535	10.6
Other ECOWAS National	7,577	3.0	5,596	3.5	1,981	2.2
Africa, other than ECOWAS	26,110	10.4	21,165	13.2	4,945	5.5
Europe	94,471	37.7	59,369	37.0	35,102	38.9
America (North, South/Caribbean)	59,106	23.6	35,496	22.1	23,610	26.1
Asia	5,672	2.3	4,336	2.7	1,336	1.5
Oceania	1,345	0.5	926	0.6	419	0.5
Total	**250,596**	**100**	**160,276**	**100**	**90,347**	**100**

Source: GSS 2013

Table 10
Ghanaians Residing in Non-African Countries (2013)

Country	Total	Male	Female
Australia	**4572**	2,470	2,102
Austria	**2,211**	1,260	951
Belgium	**3,226**	1,626	1,600
Canada	**22,211**	10,608	11,603
Denmark	**1,844**	1,056	788
France	**6,710**	3,161	3,549
Finland	**1,139**	808	331
Germany	**23,719**	9,874	13,845
Italy*	**52,914**	31,100	21,814
Ireland	**1,265**	559	706
Japan*	**1,891**	-	-
Norway**	**2,035**	-	-
Netherlands	**14,175**	6,946	7,229
Spain	**15,533**	12,602	2,931
Sweden	**2,318**	1,352	966
Switzerland	**2,733**	1,340	1,393
UK	**81,917**	39,641	42,276
USA	**149,596**	78,374	71,222

Sources: UNDP 2013d; *2011 data for Italy (source. www.istat.it); and Ministry of Justice - MOJ- Japan; ** 2010 data for Norway (www.ssb.no)

Ghanaian refugees/asylum seekers

The number of Ghanaian refugees between 2009 and 2012 increased from 14,628 to 23,922 (see Table 11). Since 2009, the number of Ghanaian refugees in Germany has increased slightly

from 4,270 to 4,323. Similarly, within the ECOWAS sub-region, Togo hosts most Ghanaian refugees, although the numbers were almost at a constant between 2010 and 2011, they rose sharply to about 17,371 in 2012.

Table 11
Ghanaian Refugees and Countries of Residence (2009 – 2012)

Country of residence	2009	2010	2011	2012
Canada	129	117	140	591
Germany	289	290	329	-
France				128
Ireland	82	197	162	553
Italy	-	136		1,427
South Africa	-	-	667	-
Togo	-	-	5	132
UK	-	-	-	18
US	31	3	-	-
Israel	273	462	657	-
Others	543	818	456	633
Total	**1,347**	**2,023**	**2,416**	**3,482**

Source: UNHCR 2014a

A total of 6,818 Ghanaians sought asylum in other countries between 2009 and 2012. Between 2009 and 2012 the number of Ghanaian asylum seekers increased from 804 to 2,849. Italy received most of the applications (about 1,427). As at the middle of 2013, the UNHCR had recorded 3,730 Ghanaians seeking asylum, whereas in 2014 there has been a slight decrease to 1,941.

Table 12
Ghanaian Asylum Seekers and Countries of Residence (2009-2012)

Country of residence	2009	2010	2011	2012
Canada	129	117	140	591
Germany	289	290	329	-
France				128
Ireland	82	197	162	553
Italy	-	136		1,427
South Africa	-	-	667	-
Togo	-	-	5	132
UK	-	-	-	18
US	31	3	-	-
Israel	273	462	657	-
Others	543	818	456	633
Total	**1,347**	**2,023**	**2,416**	**3,482**

Source: UNHCR 2014a

Labour Emigrants

The reasons that many migrants move are, among other things, to improve their financial, human or social capital. In order to fulfil their migration goals, a lot of migrants engage in all kinds of jobs while away from home. From Table 13 it can be deduced that the majority (76.2 percent) of Ghanaians living abroad are employed, 14 percent are students and about 6.1 percent are unemployed. The percentage of females who are employed is 6 percent lower than the males. The number of males who are unemployed is 4.3 percent lower than their female counterparts. However, the share of the student population among Ghanaian emigrants is high for both males and females.

Table 13

Economic Activity of Ghanaian Emigrants (2010)

Activity Abroad	Total		Male		Female	
	N	%	N	%	N	%
Employed	191,019	76.2	125,637	78.4	65,382	70.2
Unemployed	15,345	6.1	8,828	5.5	6,517	10.4
Student	35,184	14.0	20,863	13.0	14,321	14.3
Other	9,075	3.7	4,948	3.1	4,127	5.2
Total	**250,623**	**100.0**	**160,276**	**100.0**	**90,347**	**100.0**

Source: GSS 2013

Irregular Emigrants

The GIS 2010 annual report recorded a total of 925 Ghanaian deportees from different countries of destination. The largest number, about 224 deportees came from the UK, followed by 99 from Israel, 82 from Saudi Arabia and 66 from the USA. Within the African continent, South Africa recorded the highest number of Ghanaian deportees at about 50; there were 23 from Egypt and 10 from Senegal. Japan deported 26 Ghanaians. Table 14 shows the number of Ghanaian deportees and their various countries of destination. The total number of deportees has decreased compared to the 1,347 in 2007 (GIS 2008).

Return Migration

There is relatively little information on return migration to Ghana; however, some characteristics can be deduced from some separate studies. The GIS only records migrants returning home without distinguishing between visitors and tourists as well as permanent returnees. This notwithstanding, the estimates in Table 15 show that 41% of Ghanaian returnees were from the UK. About 19% returned from Italy and 12% from the USA.

Table 14
Ghanaian Deportees by Country of Deportation (2010)

Country	N	%	Country	N	%
United Kingdom	224	24.2	Spain	28	3.02
Germany	27	2.91	Israel	99	10.7
Netherlands	13	1.4	Egypt	23	2.48
Italy	48	5.18	Belgium	10	1.08
Denmark	26	2.81	Japan	26	2.81
Canada	14	1.51	Saudi Arabia	82	8.81
South Africa	50	5.4	Senegal	10	1.08
USA	66	7.13	South Korea	36	3.89
Libya	16	1.72	Others	127	13.72
			Total	**925**	**100.00**

Source: GIS 2010

Table 15
Destination Countries of Ghanaian Return Migrants (2012)

| Country of Destination	Number	Percentages
UK	49	41
Italy	23	19
USA	14	12
Germany	8	7
The Netherlands	7	6
Israel	4	3
Others	15	12
Total	**120**	**100**

Source: Setrana and Tonah 2014

The IOM, through its Assisted Voluntary Return and Reintegration Programme (AVRRP), has assisted a number of Ghanaian migrants to return home over the past years. The number of Ghanaian AVRR returnees also gradually increased to an average of 264 returnees per year between 2007 and 2012 (IOM 2013), with a total of 2,247 beneficiaries since 2006. Most returnees who apply to this programme are irregular migrants for whom assisted voluntary return presented a viable alternative to deportation. Between 2007 and 2009 about 75 percent of Ghanaian returnees under the AVRR programme were males and 25 percent females. These include migrants returning from various countries of destination such as Libya, the United Kingdom, Belgium, Italy and Switzerland.

Remittances

Remittances make a major contribution to Ghana's economy and, as a result, cannot be overlooked. According to the World Bank figures of 2011, remittances accounted for 0.4% of the country's GDP. The amount of remittances inflows has increased over the years as migrants seek to invest in businesses and in the welfare of their families back home. Between 2009 and 2011, the inflows increased from US$114million to US$141million (World Bank 2014). According to the "State of the Ghanaian Economy 2012" by ISSER[3] (2013), the sum total of remittances amounted to about US$20.548 billion in 2012 (see Figure 5). While the 2014 IOM profile on Ghana also estimates an amount of US$163 million as the share of migrant remittances to the country.

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[3] The sources and variables used by the World Bank and ISSER are not the same. The World Bank staff calculation is based on data from IMF Balance of Payments Statistics Yearbook 2011 and data released from central banks, national statistical agencies, and World Bank country desks. The ISSER calculation is based on inward transfers to individuals, exporters, service providers, NGOs, embassies and others.

Figure 3
Private Inward Remittances (2012)
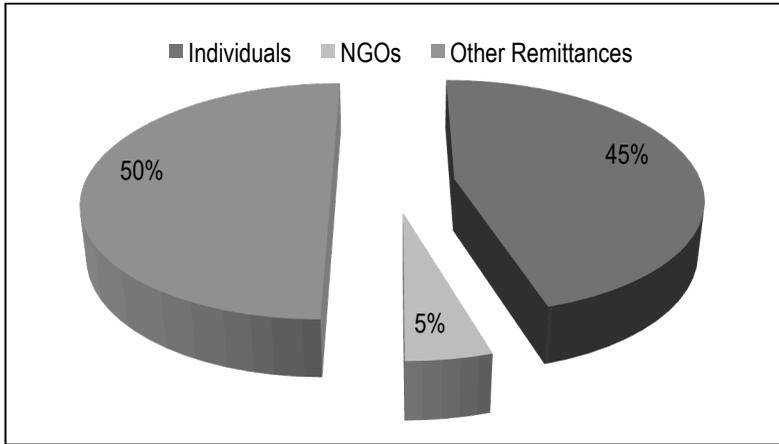
Source: ISSER 2013

Trafficking and Smuggling

The TIP Report of 2013 describes Ghana as a country of origin, transit and destination for men, women and children exposed forcibly to labour and sex trafficking. The main destination areas for these vulnerable people, the majority of whom are children and women, are Nigeria, Cote d'Ivoire, Burkina Faso, The Gambia, South Africa, Israel, Syria, Lebanon, The United Arab Emirates, Saudi Arabia, Kuwait, Russia, the UK, Germany and the United States.

On the other hand, at a destination country, some women and men who migrate, either voluntarily or otherwise, are also coerced into forced labour either at the domestic or commercial levels. Others are also exploited sexually when they find their way into Ghana. Some of these people originate from countries such as China, Nigeria, Cote d'Ivoire, and Burkina Faso.

Ghana consistently has been in Tier 2 since 2010 to 2013. The reason is that the government of Ghana does not fully comply with the minimum standards for the elimination of trafficking,

although efforts are underway to improve strategies. For example, the government of Ghana in collaboration with the government of Nigeria's Agency for the Prohibition of Trafficking in Persons and other Related Matters (NAPTIP), commenced an operation between November and December 2012 against sex trafficking. The operation salvaged 82 Nigerian and 41 Ghanaian victims and detained ten Nigerian and six Ghanaian suspected trafficking offenders (TIP Report 2013).

Overview of Ghana's Migration Policies and Legislations

Recent Migration Policy Development

Ghana operates a liberal and somewhat open-door migration policy, shaped by the pan-African ideology of the first president, Kwame Nkrumah, and the need to attract international investors, particularly after the post-1980s era when Ghana adopted more liberal economic regimes (Tsikata 2010). With regard to integration of immigrants into the country, however, Ghana operates a *laissez-faire* attitude and does not have any policy guidelines defining processes and outlining a roadmap for the gradual integration of foreigners and the re-integration of emigrants into the social, cultural, political and economic life of the country. In spite of this, the 1992 Constitution requires that any foreigner desiring to obtain Ghanaian citizenship by way of naturalisation must demonstrate knowledge of one of Ghana's native languages.

The nation has greater concerns in the area of migration and development. In this respect Ghana took notable steps after the 2000s to streamline migration of Ghanaians into national development. Some remarkable government strategies aimed at achieving this goal included the establishment of an inter-ministerial committee, the AENAS Labour Migration Project (LMP), and the Diaspora Affairs Bureau.

During this period, several steering committees, inter-ministerial teams, expert groups and academic institutions were engaged under the auspices of the Migration Unit to draw up a migration policy framework for the country. The Migration Unit was set up as an inter-ministerial committee in 2008, after it had gained

cabinet approval in 2006, to draw up a national migration and development policy for the country (IOM 2009). It operated under the Ministry of Interior. The MU has since collaborated with the CMS and other stakeholders to draw up this policy framework, yet to date, this project is still to produce the long desired policy.

In 2006 an AENAS Labour Migration Project (LMP) was started almost concurrently with the national migration and development policy project, which the MU was mandated to draw up. Its objective was to thoroughly assess Ghana's "labour migration policies, legislations, structures and practices" in order to provide a roadmap to develop a new labour migration policy. The project brought on board high profile representations from several government ministries, including the then Ministry of Employment and Social Welfare; the ministries of the Interior; Finance and Economic Planning; and Tourism, as well as several government institutions including the GIS, GSS, Ghana Trade Union Congress and the National Population Council (IOM 2009: 78). Yet the achievement of this ambitious project was very much curtailed. The function of the Labour Migration Unit that was eventually established at the Ministry of Employment and Labour Relations has been very much limited to facilitating seasonal and circular labour migration to the European Union.

Since 2000 various governments of Ghana have taken steps to reach out to Ghanaians in diaspora to channel their material and non-material resources into national development. This has culminated in the establishment of a Diaspora Affairs Bureau, which serves as the link between the diaspora and the Ghanaian government.

Moreover, various Ghanaian governments have signed bilateral and multilateral agreements and memoranda of agreement with Ghanaian migrant destination countries and with the EU. Furthermore, Ghana has sought technical, logistic and financial support from migrant origin and destination countries, the EU, the IOM, ILO, UNHCR and other international organisations, to effectively manage migration to and from the country.

National Legislation on Migration

Ghana's migration issues are regulated by a number of legal instruments that were developed after independence. The Alien Act of 1963 (Act 160) was the first post-independence legal instrument to regulate entry, stay and employment of foreign nationals in Ghana (Benneh 2005). Act 160 established a liberal migration regime while protecting the labour market from undue competition by foreigners. It introduced the quota system for foreign nationals and limited their access to certain sectors of the economy to avoid a possible 'plundering' of national resources by 'unscrupulous aliens" (Benneh 2005: 90). However, over the years Act 160 and its amendments had become obsolete, and therefore, by the late 1990s there was an urgent need for reform to meet the modern demands and challenges of migration.

Immigration Act 2000 (Act 573)

Today migration to and from Ghana is regulated by the Immigration Act, 2000 (Act 573) which was passed by the Parliament of Ghana on February 2, 2000 and the Immigration Regulations, 2001 (L.I. 1691). The Act provides for the "admission, residence, employment and removal of foreign nationals" in Ghana and other related matters. It has five main parts categorised under the following themes: Entry and Departure; Residence and Employment of Foreign Nationals in Ghana; Deportation; Exemption, Detention and Petition; and Miscellaneous, Petitions and Offences. The law reinvigorates Ghana's liberal migration regime. Yet, it does not deal with issues related to migrant integration.

The key innovation of Act 573 was the introduction of an *Indefinite Residence* status and the *Right of Abode* status. In sections 14 and 15 of the Act, migrants who have lived in Ghana continuously for five years and are of good standing, and spouses of Ghanaian citizens who have lived in Ghana continuously for two years qualify for indefinite residence. In section 17, paragraph 1(a) and (b) the Right of Abode status will be granted to "a Ghanaian by birth, adoption, registration or naturalisation.... who by reason of his acquisition of a foreign nationality has lost his Ghanaian citizenship; and ... a person of African descent in the Diaspora". Migrants with an indefinite or a right of abode status have, among other things, the right to enter Ghana without a visa,

settle in Ghana, and engage in an economic activity without restriction. The extension of the *Right of Abode* status to all people of African ancestry living in the diaspora reflects Ghana's strong pan-African ideology and leadership role in promoting African unity (Awumbila *et al.* 2008). Despite some ideological changes following the end of Nkrumah's rule, Ghana has since maintained and fomented ties with African-Americans, and with people of African ancestry living in the Caribbean and other parts of the world.

Citizenship Act, 2000 (Act 591)

On December 29, 2000, the Citizenship Law was reformed by the Citizenship Act, 2000 (Act 591) which was introduced to address a pressing issue regarding migrants overseas who have lost their Ghanaian citizenship because they have acquired the citizenship of their host country. The law, made effective by the Citizenship Regulations, 2001 (LI1690), introduced dual citizenship rights for Ghanaian nationals abroad and foreign nationals residing in Ghana. The principal objective of the reforms was, therefore, to ensure that Ghanaian migrants maintain ties with their home country, and to enhance their transnational development activities, and return to their places of origin. During the 2010 Population Census, 710,363 residents, representing 2.9 percent of the total population of Ghana, had dual citizenship (Ghanaian and other). This is indeed remarkable. However, because some host nations do not accept dual citizenship, large numbers of Ghanaian migrants have renounced Ghanaian citizenship over the years, though they remain emotionally attached to Ghana. In 2013 alone, 817 Ghanaians renounced their Ghanaian citizenship in order to acquire citizenship of their respective host countries. 450 were females while 367 were males. The majority of the applications came from Germany (583), followed by the Netherlands (233), Norway (32), Denmark (7), Austria (5), and one each for Hong Kong and China.[4]

Other Legal Instruments

Other legal instruments with which Ghana directly or indirectly regulates migration in Ghana are listed below.

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[4] Ministry of Interior (Cf. The Ghanaian Times, Tuesday, July 2014, p. 17).

- Children's Act 560 (1998)
- Ghana Investment Promotion Centre Act, 1994 (Act 478)
- Ghana Investment Promotion Centre Act, 2013 (Act 865)
- Ghana Investment Promotion Centre (Promotion of Tourism) Instrument, 2005 (L.I. 1817)
- Human Trafficking Act, 2005 (Act 694)
- Human Trafficking Amendment Act, 2009 (Act 784)
- Immigration (Amendment) Act, 2012 (Act 848)
- Labour Act, 2003 (Act 651)
- Labour Regulations 2007 (L.I. 1833) that provide for the involvement of citizens and foreign nationals in the labour market
- Refugee Law 1992 (PNDCL 30).
- Representation of People's Amendment Act 2007 (Act 669) which provides the roadmap for including the Ghanaian diaspora in national elections, but has since not been effective

The revised 1994 Population Policy has, among other things, the objective of seeking to monitor international migration and to stem the brain drain of professionals and other skilled people leaving the country (NPC 1994; Awumbila *et al.* 2011). Some other development frameworks, which address migration through the concept of pro-poor growth, include the Economic Recovery Programme, Vision 2020, Ghana Poverty Reduction Strategies (GPRS) I and II and the Structural Adjustment Programmes I and II (SAP).

Programmes on Return and Reintegration

While return and reintegration are hardly recognised in the migration laws of the country, the few efforts that have been made to promote return migration are geared towards retrieving Ghana's 'lost brains'. Some of these programmes include the 1990s Emancipation Day Celebrations, instituted by the Rawlings-led government as part of its efforts to help African-Americans and people of African descent, most especially from the Caribbean and South America, to return to Ghana (Osman 2010). The 'Home Coming Summit' organised by the Kuffour government in 2001 also aimed at encouraging Ghanaian

migrants to invest in their country and establish connections with the African-American diaspora. Moreover, the Ghanaian government co-operated in the IOM-run 'Return of Qualified African Nationals' and Migration for Development in Africa (MIDA) programme on preventing brain drain in the health sector (IOM 2004).

Regional Legislative Instruments

As a member-state of the Economic Community of West African States (ECOWAS), Ghana's migration policies and laws are bound by the regulations and guidelines of this regional body, whose objective is to achieve regional economic integration through free trade, custom union, and a common market. In line with this, Ghana is a party to the ECOWAS Protocol on Free Movement of Persons, Residence and Establishment and the related supplementary protocols for its full implementation. This is enshrined in Ghana's Immigration Act (Act 573); the Convention Regulating Inter-State Road Transportation within the ECOWAS sub-region of 1982; and the ECOWAS Political Declaration and Regional Plan of Action against Trafficking in Persons of December 2001. Ghana is also a member of the Migration Dialogue for West Africa (MIDWA) initiative, which among other things, seeks the protection of migrants' rights; development cooperation between migrant origin and destination countries within the region; peace and stability; as well as research, information and sensitisation about international migration. Ghana, however, has not endorsed the ECOWAS citizenship. In recent months, Ghana has also taken steps to collaborate with other regional and national bodies to counter the threat posed by terrorist groups.

International Legal Instruments

Ghana has ratified or is a party to several international legal instruments that regulate international migration and asylum of refugees and other migration related issues in the country. They include:

• The 1951 UN Refugee Convention and the 1967 Protocol.

- The 1990 UN International Convention on the Rights of Migrants Workers and Members of their Families.
- The 2000 UN Convention Against Transnational Organized Crime; and supplementary protocols.
- The 2000 UN Protocol against Smuggling of Migrants by Land, Sea and Air.
- The 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.
- The 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.
- The 1990 African Charter on the Rights and Welfare of the Child.
- The 1981 African Charter on Human and People's Rights.
- The ILO 1999 Worst Forms of Child Labour Convention (ILO Convention 182).
- The ILO 1958 Discrimination (Employment and Occupation) Convention (No. 111)
- The ILO 1930 Forced Labour Convention (No. 29) and the Abolition of Forced Labour Convention (No. 105) of 1957.
- The 1927 Slavery Convention and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery of 1956.

Stakeholders in Migration Governance

Governmental Institutions, Agencies and Departments

The Ministry of Interior

The Ministry of Interior is responsible for formulating policies, monitoring and regulating all immigration issues within the country. The Ghana Immigration Service (GIS), Ghana Refugee Board (GRB) and the Migration Unit all operate under the Ministry of Interior. This Ministry, therefore, has the sole responsibility to supervise the activities of these agencies.

Migration Unit

The Migration Unit (MU) was established in 2008 under the Ministry of Interior, after it had gained cabinet approval in 2006,

with technical support from the IOM, to coordinate all government institutions dealing with migration issues. Its principal objective is to spearhead the integration of migration into national development policy. In line with this objective, the MU is currently coordinating the development of a national migration and development policy.

The Ministry of Tourism

This Ministry (formerly Ministry of Tourism and Diaspora Relations) has the responsibility to promote Ghana as an attraction for national and foreign visitors. It plays a supervisory role over the Ghana Tourist Board and the Ghana Museums Board. It liaises with the African-American diaspora, and all people of African descent now living in the diaspora outside Africa to encourage their return to Ghana. The Ministry of Tourism oversees the organisation of the annual Emancipation Day Celebration to commemorate the end of the trans-Atlantic slave trade, as well as the Pan-African Festival (PANAFEST) every other year.

The Ministry of Employment and Labour Relations

The Ministry of Employment and Labour Relations (formerly Ministry of Employment and Social Welfare) has a core mandate to encourage and promote the creation of productive employment in all sectors of the economy in order to reduce unemployment and poverty. In line with this, it also plays an important role in migration related matters. The ministry has responsibility for the reintegration of Ghanaian migrants who return voluntarily, or as a result of deportation, into the labour market by providing them information on job vacancies and training programmes. A Labour Migration Unit operates under this Ministry.

Labour Migration Unit

In 2006 the governments of Ghana and Italy entered into agreement to establish job-matching and circular migration schemes for the two countries. This resulted in the establishment of a Labour Migration Unit (LMU) at the Ministry of Employment and Labour Relations to facilitate selection of Ghanaian candidates to match job opportunities in Italy and for the allocation of annual entry quotas for Ghanaian workers. The first

batch of beneficiaries went to Italy to collect grapes and returned after the harvesting season. The workers' condition of service at the destination and travelling documents were all arranged and procured by officials of the IOM in collaboration with the LMU.

The Ministry of Foreign Affairs and Regional Integration

The Ministry of Foreign Affairs and Regional Integration is responsible for Ghanaians abroad. It operates in collaboration with the GIS to issue passports to Ghanaian travellers or those living abroad, and visas to foreigners entering the country. All Ghanaian embassies in foreign countries operate under this ministry, and in collaboration with this ministry, the embassies operate a database of Ghanaians living abroad. Since 2012, the ministry operates a Diaspora Affairs Bureau (DAB) which operates for Ghanaians in the diaspora.

The Diaspora Affairs Bureau

The Diaspora Affairs Bureau (DAB) was established in 2012 as Diaspora Support Unit (DSU) and gained the status of a bureau in 2014. It operates as part of the Legal and Consular bureau of the Ministry of Foreign Affairs and Regional Integration. It is the outcome of a collaborative support initiative from the IOM's International Development Fund (IDF), German Development Cooperation and the Government of Ghana. The main task of the new bureau is undertaken by two supporting units, namely, the Diaspora Support Unit (DSU) and the Migration and Development Unit (MDU). Their function includes research, engaging the diaspora in national development, operating a diaspora databank, and collaboration with other government institutions, such as the GIPC, and to promote and support policies that encourage diaspora investment in Ghana.

Ghana Immigration Service

At present, the Ghana Immigration Service (GIS) is the sole institution in Ghana, which has the statutory mandate to regulate and monitor entry, residence, employment and departure of foreigners in the country. The GIS operates under the Ministry of Interior and advises the government on all issues relating to migration to and from Ghana. It examines passport and visa applications, and facilitates the implementation of the Dual

Citizenship Law. The GIS has a Migration Information Bureau (MIB), which merges three new sections of this agency. These include the Anti-Human Trafficking Desk to create awareness of ECOWAS's plans against human trafficking; the Migration Information Bureau (MIB), which, in collaboration with the European Union, the IOM and other NGOs, organises campaigns against illegal migration; and the Refugee Desk, which works closely with the Ghana Refugee Board and the UNHCR, to provide services and legal advice for asylum applications and voluntary repatriation of refugees from Ghana.

Ghana Refugee Board

The Ghana Refugee Board (GRB) is another agency that operates under the Ministry of Interior. It was established in 1992 under PNDC Law 305b. It is the body responsible for managing refugee and asylum issues in Ghana in accordance with the UN Convention on Refugees as well as AU and ECOWAS protocols on refugees. Its functions include the formulation, implementation, coordination, monitoring and evaluation of all national issues related to asylum and refugees; provision of enabling environment for effective delivery of services on refugee and asylum issues; ensuring that all activities within the refugee and asylum programmes are in line with government policy; and finally advising government on refugee and asylum issues. The board has a secretariat and it operates in collaboration with the UNHCR and the GIS.

Ghana Statistical Service

The Ghana Statistical Service (GSS) is the source of official government data, which also has information on migration. The GSS also conducts a living standards survey in five-year intervals, and this survey also collects data on migration related issues.

Bank of Ghana

The Bank of Ghana provides information on the inflow of individual remittances into the country that pass through official channel. This institution publishes data on remittances and development related issues.

Other Government Institutions

The ministries of Finance, Works and Housing, Gender, Children and Social Protection, and Justice, all play direct and indirect roles in migration management issues in Ghana. There are also a number of government institutions, which provide services on migration matters. Among them are the National Population Council (NPC) and the Ghana Investment Promotion Centre (GIPC). The GIPC, for example, has the responsibility to liaise with, and provide information to, Ghanaian migrants wishing to invest in the country. The Non-Ghanaian Resident Secretariat, which was established in 2004, but has since not been operational, was based at the GIPC.

International Organisations

The International Organisation for Migration (IOM)

The IOM provides technical and logistic support to the government of Ghana on all migration and development issues. At the moment, the IOM is collaborating with experts from the CMS and the LMB to develop a national migration and development policy for Ghana. It supports and coordinates the return and re-integration of Ghanaian migrants and has also engaged the Ghanaian diaspora in the Migration for Development in Africa (MIDA) projects. In collaboration with the UNHCR, the IOM has assisted the voluntary repatriation and re-integration of hundreds of Liberian refugees from Ghana. At the regional level, the IOM has engaged Ghana and other ECOWAS countries in the Migration Dialogue for West Africa (MIDWA) initiative aimed at discussing common migration issues and concerns within the ECOWAS bloc. A more recent expert meeting on intra-regional migration management in West Africa under the auspices of the IOM was held in Accra in May, 2014.

The United Nations High Commission for Refugees (UNHCR)

The UNHCR provides technical, expert and logistical support for all refugee and asylum matters in Ghana, in collaboration with the GRB, the GIS, the IOM, NGOs and religious bodies, such as the Catholic Church. At the moment it operates several refugee camps in the country. It follows up on the local integration of

refugees and also provides technical and logistical support for the return and re-integration of refugees. In addition the IOM and the UNHCR, other international organisations including the ILO, UNDP, UNFPA, the EC, the ECOWAS and the AU provide additional support to Ghana in areas such as information sharing, provision of equipment, training and funding in order to effectively manage migration, asylum, refugee and other related issues in the country.

Civil Society Organisations

There are several domestic and international civil society groups as well as religious bodies involved in migration governance in Ghana. Some of the groups, like the Catholic Relief Service, provide general services to migrants, refugees and asylum seekers. Some groups engage in child protection, the fight against trafficking, irregular migration and forced labour, while others are in the field of migration-development, research, skills development, the fight against brain drain, and the resettlement of (forced) returnees. A list of the organisations and their main areas of interest is presented below.

Table 17
Civil society groups supporting migrants in Ghana

Main Function	Name of Organisation	Location
Fight Against Irregular Migration and Human Trafficking	Alliance Against Irregular Migration (AAIM)	Kumasi
	Akuaba Theatre Production (ATP)	Accra
	Plan Ghana	Several locations in Ghana

Child Rights Protection, education, skill training	Rescue Foundation, Ghana	Accra, and other locations
	Child Rights International	Accra, and other locations
	Challenging Heights	Accra, and other locations
	International Needs	Accra and other locations
	Legal Resources Centre (LRC)	Accra
Migration and Development, Resettlement, Counselling, and Research	Adventist Development and Relief Agency (ADRA)	Accra
	Research and Counselling Foundation for African Migrants (RECFAM)	Accra
	Scholars in Transit	Nkoranza, Brong Ahafo Region.

Source: Agyeman and Setrana

The Liberian Refugee Council and the African-American Association in Ghana also collaborate with the national migration institutions on issues that directly affect them. In addition, Ghanaian diaspora organisations collaborate with host country institutions, international organisations, national and local government institutions as well as traditional authorities to spearhead development in Ghana.

Assessment of Migration Governance

Migration management in Ghana is faced with numerous challenges, many of which have been highlighted in previous studies (Awumbila *et al*. 2008; IOM 2009). Among these challenges are lack of coordination, continuity and coherence, slow and inadequate implementation of national and international laws, policies and conventions, inadequate attention

to gender and humanitarian issues, inadequate application of migration-development related policies, and lack of attention to regional migration protocols and related matters. These have been attributed to lack of political will, inadequate and inappropriate institutional structures, lack of expertise, insufficient funding, overdependence on donor countries and international organisations, lack of equipment, negligible professionalism, corruption, and inadequate training of government officials. In addition, the fact that there is little cooperation at the regional level has also contributed to making migration management an insurmountable task for Ghana.

Coordination

The lack of institutional coordination remains a challenge in managing Ghana's migration. Activities of ministries, agencies and other important stakeholders working on migration are usually on a smaller scale, are not adequately represented, lack consistency and sometimes overlap each other. Recognising this concern, the government has set up an inter-ministerial coordination mechanism (known as Inter-Ministerial Steering Committee on Migration - IMSCM) under the Migration Unit at the Ministry of Interior, which has successfully coordinated the drafting of a national migration policy, which is in the pipeline to become an official government document. The IMSCM has served as an institutional reference point to the various sectors and actors working on migration to ensure the effective planning and formulation of this draft policy. However, it is still too early to assess the impact of the IMSCM since no critical evaluation has been conducted. Migration is a multi-dimensional issue and therefore demands the efforts of experts from different sectors and disciplines. The new migration policy envisages the establishment of a Ghana National Commission on Migration to coordinate and implement all issues relating to migration in the country and this is a step in the right direction.

Continuity and Coherence

The lack of political will on the part of incumbent governments to continue with policies and programmes drawn up by previous governments has generated policy inertia and incoherence. Change of government has often led to change of agenda and priority to meet electoral promises and for incumbent governments to consolidate their electorate. This has, therefore, become a bottleneck in Ghana's migration management. For example, during the erstwhile rule of the NPP government a lot of policies and programmes were started to attract the Ghanaian diaspora, yet several of them were discontinued after the change of government in 2008. Among them was the creation of the Ministry of Tourism and Diaspora Relations, which was instituted by the NPP government in 2004. Since coming back to power in 2008, the NDC government has renamed it 'Tourism Ministry'. Moreover, after it had vehemently opposed the passage of ROPAA while in opposition, the NDC government has not taken up any further steps to make the law operational since coming back to power. Furthermore, the Non-Resident Ghanaian Secretariat set up in 2003 at the GIPC was not adequately equipped or financed to operate effectively due to change of government.

Policy Implementation

Closely related to the issues raised in the previous section is the gap between policy or laws and their implementation. This has been blamed on lack of political will, lack of expertise on migration issues, corrupt officials, insufficient funding and improper institutional structures. Many lawmakers and officials working in the field of migration are ill-informed about the larger issues relating to migration. Due to this, Ghana mostly relies on international agencies for expertise that may lack the local content. A case in point is the MIDA project, which though it sought to bridge the gap between migration and origin country development by involving the diaspora, did not pay attention to situational factors in the migrant origin country, such as rigid bureaucratic systems, cultural attitudes to work and competences, that contributed to the failure of some of the projects (Mazzucato 2008; Agyeman 2011; Kyei 2013). There are complaints of

harassment and extortion of monies by officials from the Customs, Excise and Preventive Service (CEPS) and the Ghana Immigration Service at the points of entry (Manuh *et al*. 2010).

There is also a gap between all the migration-related international conventions that Ghana has ratified or is a party to and their implementation in the country. For example, despite being a party to international laws on human trafficking and their incorporation into national law, Ghana has still not been able to comply with the minimum standards for the elimination of human trafficking. Since 1979, the full implementation of the ECOWAS protocol on free movement and establishment of persons has met with a lot of challenges.

Migration and Development Policies

While the government of Ghana has expressed the wish to channel migration into development in Ghana, important steps at the policy level to make emigrants and immigrants true actors of development in Ghana are still lacking. As already mentioned, it appears that currently there are too many ministries and institutions involved in migration issues, with no clear demarcation of competences and boundaries. In addition to that, there is duplication of functions due to lack of coordination. For example, in 2009 the IOM noted that the Ministry of Manpower, Youth and Sports was preparing a labour policy at the same time that the MU was working on another labour policy.

Furthermore, some of the return and development related projects undertaken by international agencies do not cater for the experiences and competences that the migrants have acquired abroad. For example, over 60 percent of Ghanaians in northern Italy who participated in the MIDA Ghana/Senegal Project invested in agriculture and agro processing. Yet, it is well known that the majority of Ghanaians in northern Italy are industrial workers (Andall 2007; Agyeman 2011). What then is the link between factory work and agriculture?

In view of the above, the setting up of the DAB at the Ministry of Foreign Affairs and Regional Integration in 2012 is a step in the right direction. This bureau has to be capacitated to liaise with

diaspora organisations overseas through the Ghanaian embassies and to serve as a point of reference for Ghanaian expatriates, their organisations and business enterprises and host nations. In its current stage, however, the DAB is still over-dependent on the IOM, which is providing financial and technical support for its management. To ensure sustainability, continuity and growth of this institution, the government has to assume full responsibility for its existence.

In order to obtain maximum benefits from emigration, the Ghana government also has to step up its efforts to facilitate regular migration and the integration of its nationals in host countries. To date Ghana's migration policy is silent on issues relating to the rights of its nationals overseas, their labour market access, social integration and the right to pensions and other social security benefits upon return. This is because in most situations, Ghana has not taken steps to reach bilateral and multilateral agreements with host nations in favour of its nationals. Moreover, there are no defined policies at the moment targeting the second generation Ghanaians in host societies. For example, the level of criminal activity among Ghanaian second generation youth in the UK and North America has raised a lot of concern, and yet Ghana has not taken concrete measures to address the situation.[5] To ensure that they keep attached to their societies of origin, the state must take steps to provide and support this group and, for example, provide them with support and facilities to learn Ghanaian languages and culture in order to identify themselves as proud Ghanaians. Needless to say the future migration policy has to ensure that there is internal consistency among the institutions. More importantly, the part of the proposed policy

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[5] Following the killing of an aspiring Ghanaian footballer, Godwin Nii Lawson, in London on March 27, 2010 and several other killings perpetrated by gangs made up of Ghanaian teenagers, a lot of concern has been raised about the alarming number of Ghanaian youth in London who have been involved in killings and other criminal acts. The Ghana High Commissioner to Britain, Prof. Danso-Boafo responded by promising collaboration with other institutions involved in child mentorship. But what is lacking is a more comprehensive policy and greater involvement by the Ghana government in emigrants' integration abroad. Cf. http://www.ghanaweb.com/GhanaHomePage /diaspora/ artikel.php?ID=180293

that would deal with Ghanaians abroad must be emigrant-centred, based upon true and in-depth knowledge of their situations and conditions abroad.

Furthermore, Ghana should not be positioned as only an emigration country in migration-development related issues, but as an immigration country as well. The activity of foreign nationals and their companies generate more wealth than Ghanaian expatriates do. Some of these activities such as mining, lumbering, manufacturing, and even trade, have negative impact on the environment and pose a serious threat to the country in the long term. Therefore, migration policy must also focus on gaining maximum benefits from immigration into the country.

Return and Reintegration

Over the years, Ghana has relied on the IOM's return and re-integration programmes to facilitate the return of its nationals and their re-integration into the society. However, the focus of Ghana and many West African countries in the area of return migration has largely been on limiting the movement of skilled migrants abroad, and encouraging those who have already migrated to return home. In other words, these initiatives are implemented with the aim of reversing the brain drain and to encourage migrants to utilise their accumulated capital for the development of their country of origin.

However, measures to encourage sustainable return and reintegration have received little attention in the country. There is a need for government initiatives to help returning migrants (voluntary or involuntary) adjust to the local context. In 2011, the government set up a team to address the reintegration needs of the over 18,000 Ghanaians who were evacuated from Libya (IOM 2014). The team was made up of officials from the IOM and the UNDP, in collaboration with officials from the National Disaster Management Organisation (NADMO). However, after executing this project, it appears that the team is no longer functioning effectively. Issues concerning return migration and reintegration are tackled in an ad hoc manner. The country, in this case, does not only lose the skills and experiences of personnel but funds invested in training such experts are wasted (IOM 2009). Setrana

and Tonah (2014) also identified several challenges confronting return migrants in Ghana, namely: poor infrastructure; limited information on opportunities; constraints and threats at home; high expectation from family, friends and community; rigid bureaucracy; work ethics; and excessive religiosity.

Tackling Migration from a Regional Approach

Ghana, as an ECOWAS member state, cannot manage the problems posed by migration alone, for two reasons. First, as we saw in section two of this article, close to 70 percent of international migrants in the country are ECOWAS nationals, and second, Ghana is bound by the ECOWAS regulations on migration. This means that migration management in Ghana should be tackled from a regional approach.

Therefore, a failure at the regional level poses a threat to member-states' capacity to manage migration effectively. The reason for this is that, within the context of regional integration, one of the most ambitious, but treacherous, undertakings that ECOWAS embarked upon was a progressive achievement of free movement and residence of ECOWAS citizens within the member states. This was regulated in the 1979 ECOWAS Protocol on Free Movement of Persons, Residence and Establishment, which set out the conditions and timetable for its implementation. Yet, after more than three decades, ECOWAS member states have shown little commitment to implementing the protocol to the letter. In no time, after coming into force, i.e. in 1983 and 1985, Nigeria, the main initiator of the project, notoriously deported nearly two million ECOWAS nationals (mostly Ghanaians). Sierra Leone (1982), Liberia (1983), Ivory Coast (1985) and Senegal (1990) have all deported ECOWAS nationals after the protocol came into force. Moreover, border closures by Ghana and other ECOWAS member states is a common practice (Brown 1989; Adepoju 2007).

In spite of the high rate of inter-state migration and trade within the regional bloc and close ethnic and cultural ties among ECOWAS nationals, it is hard to explain why states have not been able to fully implement the protocol. Some argue that despite the existing legal administrative procedures to achieve this, migrants have not followed the rules. A lot of them move without the

requisite travelling documents and settle in other countries without seeking the necessary permits. Corrupt border officials, the high cost of documents, and lack of knowledge of the documentation required, have also been cited as the causes for unauthorised migration within the regional bloc (Adepoju 2007). Some scholars also hold the states responsible for the stalemate, arguing that in their effort to maintain political stability, national security, and peace, protect their labour market, borders and national identity, member states have worked against the free movement protocol despite supporting it initially (Onwuka 1982; Brown 1989; Adepoju 2007).

Despite all these factors, Ghana would be more successful in managing migration, refugee issues and other migration-related problems such as human trafficking, smuggling, inter-state crime, and the activities of terrorist groups if it were to adopt a more regional approach by cooperating with and seeking the cooperation of other ECOWAS member-states. For instance, the combined efforts by security officials from Ghana and Nigeria to track human trafficking has yielded positive dividends in recent years.

Conclusion

Main Findings

Ghana remains both a migrant origin and a migrant destination country. Neighbouring African countries, particularly, Nigeria and Cote d'Ivoire, have gradually faded out as the main destination for Ghanaian migrants. On the other hand, European and North American nations continue to be the preferred destination for Ghanaians. There are also signs of increasing numbers of Ghanaians migrating to the Middle East and East Asian countries, particularly Japan, China, South Korea, Singapore and Taiwan.

In terms of immigration, migrants from neighbouring ECOWAS countries constitute nearly 70 percent of the stock of foreign citizens in the country, followed by nationals from other African countries (19 percent). Among the ECOWAS nations, Nigeria (21 percent), Togo (5 percent) and Burkina Faso (5 percent) are the

main origin of Ghana's international migrants. Apart from the African continent, Asia is the second largest origin of Ghana's foreign population. Migrants from Asia constitute 13 percent of the total number of international migrants in Ghana. Compared to 2000, the proportion of foreign population in Ghana in 2010 has decreased from 3.9 percent to 2 percent. However, this could also be due to the fact that changes in citizenship laws in 2000 have permitted a lot of migrants to seek dual citizenship. The 2010 census figures show 2.9 percent of Ghana's population having dual citizenship (Ghanaian and other) and another one percent acquiring Ghanaian citizenship by naturalisation, and according to the Interior Ministry, 39 foreigners sought Ghanaian citizenship in 2013.[6]

Key Research Issues and Gaps

Ethical and Humanitarian Issues

It is surprising to note that the levels of deportation and repatriation of Ghanaian migrants overseas and immigrants in Ghana are quite significant and these have often been blamed on irregular migration and security concerns of destination countries. Additionally, Ghana continues to receive and generate refugees. However, so far, little attention has been paid by researchers to the ethical and humanitarian dimension of migration management policies. As is the case with Ghana, there is a gap between internal regulations and international conventions on the rights of migrants and refugees that the nation is a party to and their application. Therefore, there is a need for in-depth studies on such issues.

Impact of Emigration/Immigration on Development

Recent migration policy development in Ghana has focused a great deal on migration-development related issues. The assumption is that the Ghanaian diaspora has a potential to accelerate Ghana's development. Yet given the fact that Ghanaian migrants are family migrants, further studies are needed to understand the degree and the level at which the nation can

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[6] Cf. The Ghanaian Times, Tuesday, July 2014, p. 17.

engage the diaspora in development. Moreover, Ghana should not position itself only as an emigration country in migration-development related issues, but as an immigration country as well. So far, there is little knowledge about the economic and environmental impact of the activities of immigrants in the country.

Regional and Asian Immigration

In spite of the increasing rate of human mobility within the ECOWAS sub-region, there is still a knowledge gap about regional migration dynamics. Mapping the flows, origins, destinations and impact on regional peace, security, economic development and integration are necessary at this stage. Furthermore, the phenomenon of new Asian immigration to Ghana has to be studied to have deeper knowledge about the causes and impact on Ghanaian society.

Gender and Family Issues

The gender and family dimensions of migration to and from Ghana are critical areas that researchers have so far paid little attention to. For example, it will be very interesting to understand how gender, family and trafficking issues are related in Ghana and in the West African coast in general.

References

Adekanye, J.B., 1998, 'Conflict, Loss of State Capacities and Migration in Contemporary Africa', in R. Appleyard (ed.), *Emigration Dynamics in Developing Countries, Vol. I: Sub-Saharan Africa*, pp. 165-206, Ashgate, Brookfield.

Adepoju, A., 2007, 'Creating a Borderless West Africa: Constraints and Prospects for Intra-regional Migration', in A. Pecoud and P. de Gucheneire (eds.), *Migration Without Borders: Essays on the Free Movement of People*, pp. 161-174, Berghahn Books for UNESCO, New York/Oxford.

Adepoju, A., 1998, 'Emigration Dynamics in Sub-Saharan Africa', in Appleyard, R. (ed.), *Emigration Dynamics in Developing Countries, Vol. I: Sub-Saharan Africa*, pp. 17-34, Ashgate, Brookfield.

Agyeman, E.A., 2011a, 'Holding on to European Residence Rights Versus the Desire to Return to Origin Country: A Study of the Return Intentions and Return Constraints of Ghanaian Migrants in Vic', *Migraciones*, 30, 135-159.

Agyeman, E.A., 2011b, 'Religion, Race and Migrants' Integration in Italy: The Case of Ghanaian Migrant Churches in the Province of Vicenza, Veneto', *Yearbook on Human Rights and Humanitarian Action*, Special Issue, 8, 105-116.

Agyeman, E.A., 2013, 'African Migrants in Japan: Social Capital and Economic Integration', *CSSI, Tohoku University, Working Paper Series, No. 11*, Sendai, (*published online*).

Ammassari, S., 2004, 'From Nation Building to Entrepreneurship: The Impact of Elite Return Migrants in Cote d'Ivoire and Ghana', *Population, Place and Space*, 10(2), 133-154.

Anarfi J.K., Kwankye S, Ababio, O-M, & Tiemoko, R., 2003, 'Migration from and to Ghana: A background Paper', *Development Research Centre on Migration, Globalisation and Poverty Working Paper Series, C4*, Sussex University.

Anarfi, J.K. Awusabo-Asare, K. & Nsowah-Nuamah N.N.N., 2000, 'Push and pull factors of international migration, Country report: Ghana', *Eurostat Working papers 2000/E(10)*.

Andall, J., 2007, 'Industrial districts and migrant labour in Italy', *British Journal of Industrial Relations*, 42 (2), 285-308.

Awumbila, M. & Ardayfio-Schandorf, E., 2008, 'Gendered Poverty, Migration and Livelihood Strategies of Female Porters in Accra, Ghana', *Norwegian Journal of Geography,* 62 (3), 171-179.

Awumbila, M., Manuh, T., Quartey, P., Tagoe C. A. & Bosiakoh, T. A., 2008, *Migration Country Paper: Ghana*, Centre for Migration Research, University of Ghana, Accra.

Beauchemin, E., 1999, *The Exodus: The Growing Migration of Children from Ghana's Rural Areas to Urban Centres*, Catholic Action for Street Children & UNICEF, Accra.

Benneh, E.Y., 2000, 'The International Legal Regime and Migration Policies of Ghana, the ECOWAS Sub-Region and Recipient Countries', in Manu, T. (ed.), *At home in the World? International migration and Development in Contemporary Ghana and West Africa,* pp. 78-102, Sub-Saharan Publishers, Accra.

Boahen, A.A., 1966, *Topics in West African History*, Longman, London.

Brink & Pasariboe, (eds.), 1993, *Asylum Seekers in the Netherlands,* Instituut voor Social Geografie, UvA, Amsterdam.

Brown, M.L., 1989, 'Nigeria and the Ecowas Protocol on Free Movement and Residence', *The Journal of Modern African Studies*, 27, 251-273.

Bump, M., 2006, 'Ghana: Searching for Opportunities at Home and Abroad', *Migration Information Source. Country Profile*. Available on line.

Busia, K.A., 1950, *Social Survey of Secondi-Takoradi*, Accra.

Carling, J., 2007, 'Migration Control and Migrant Fatalities at the Spanish-African Borders', *International Migration Review,* 41(2), 316-343.

Castles, S., 2004, 'Factors that Make and Unmake Migration Policies', *International Migration Review,* 38 (3), 853-883.

Davidson, B., 1966, *Growth of African Civilisation: a history of West Africa, 1800-1850,* Longmans, London.

Department of State, USA, 2013, *2013 Trafficking in Persons Report,* New York, USA.

Dovlo, D., 2003, 'The Brain Drain and Retention of Health Professionals in Africa', *Regional Training Conference on Improving Tertiary Education in Sub-Saharan Africa: Things That Work',* Accra, September 23-25.

Essuman-Johnson, A., 2011, 'When Refugees Don't Go Home: The Situation of Liberian Refugees in Ghana', *Journal of Immigrant & Refugee Studies*, 9, 105–126.

Ghana Immigration Service (GIS), *2010, Annual Report*, GIS, Accra.

Ghana Immigration Service (GIS), 2008, *Migration to and from Ghana* (compilation from 2000 to 2008), GIS, Accra.

Ghana Statistical Service (GSS), 2013, *2010 Population and Housing Census: National Report,* GSS, Accra.

Gravil, R., 1985, 'The Nigerian Aliens Expulsion Order of 1983' *African Affairs*, 84, 523-537.

Hance, W.A., 1970, *Population, Migration, and Urbanization in Africa*, Columbia University Press, New York and London.

Hill, P., 1961, 'The Migrant Cocoa Farmers of Southern Ghana', *Journal of the International African Institute*, 31(3), 209-230.

Institute of Statistical, Social and Economic Research (ISSER) 2013, *The State of the Ghanaian Economy in 2012*, ISSER, Accra.

IOM, 2011, *National Profile of Migration of Health Professionals-Ghana*, IOM, Brussels.

IOM, 2009, *Migration in Ghana: A Country Profile,* IOM, Geneva.

Kabki, M., Mazzucato, V. & Appiah, E., 2004, "'Wo benanɛ a ɛyɛ bebree': The economic impact of remittances of the Netherlands-based Ghanaian Migrants in Rural Ashanti", *Population, Space and Place,* 10, 85-97.

Kuper, H., 1965, *Urbanization and Migration in West Afric*a, University of California Press, California.

Kyei, O.M.A., 2013, *'Where to Live' and 'How to Survive': Return and Reintegration of Ghanaian Migrants,* Unpublished PhD Thesis, Department of Sociology, University of Ghana, Legon.

Manu, T. & Asante, M., 2005, 'Reaping the Gains of Ghanaians Overseas: An Evaluation of the Home Coming Summit of 2001', in T. Manu (ed.), *At home in the World? International migration and Development in Contemporary Ghana and West Africa,* pp. 292-310, Sub-Saharan Publishers.

Manuh, T., Benneh, Y., Gebe, Y., Anebo, F., Agyei, J., 2010, *Legal and Institutional Dimensions of Migration in Ghana*, Woeli Publishing Services, Accra.

Mazzucato, V., 2008, 'The Double Engagement: Transnationalism and Integration. Ghanaian Migrants' Lives between Ghana and the Netherlands', *Journal of Ethnic and Migration Studies,* 34 (2), 199-217.

Mazzucato, V., 2007, 'Return Migration in Ghana: An Overview', *Progress in Development Studies,* 5, 213-236.

Nukunya, C.K., 1992, *Tradition and Change in Ghana: an introduction to Sociology*, Ghana Universities Press, Accra.

OECD, 2011, *International Migration Outlook 2011, SOPEMI*, OECD Publishing, Paris.

OECD 2013, *International Migration Outlook 2013*, OECD Publishing, Paris.

Opare, J.A., 2003, 'Kayayei: The Women Head Porters of Southern Ghana'. *Journal of Social Development in Africa*, 18(2), 33-48.

Oppong, J.R., 2004, 'Ghana: Internal, International and Transnational Migration', in M. I. Toro-Morn and M. Alicea (eds.), *Migration and Immigration: A global View*, pp. 81-96, Greenwood Publishing Group, Westport.

Orozco, M. & Rouse, R., 2007, *Migrant Hometown Associations and Opportunities for Development: A Global Perspective*, Inter-American Dialogue.

Osman, A., 2010, 'The case of Ghana', in M. Awil (ed.), *Building Institutional Cooperation between the Diaspora and Homeland Governments in Africa: The cases of Ghana, Nigeria, Germany, USA, and the UK,* African Diaspora Policy Centre, the Hague.

Owusu, T.Y., 2001, 'The Role of Ghanaian Immigrant Associations in Toronto, Canada', *International Migration Review,* 34, (4), 1155-1181.

Peil, M., 1974, 'Ghana's Aliens', *International Migration Review,* 8, 367-381.

Preston, R. (ed.) 1993, *The Integration of Returned Exiles. Former Combatants and Other War-Affected Namibians,* Namibian Institute for Social and Economic Research, Windhoek, Namibia.

Potter R.B., 2005, 'Young, Gifted and Back: Second-Generation Transnational Return Migrants to the Caribbean', *Progress in Development Studies,* 5, 213 – 236.

Rhoda, R., 1980, 'Migration and Employment of Educated Youth in Ghana', *International Migration Review*, 14, 53-76.

Riccio, B., 2008, 'West African Transnationalism Compared: Ghanaians and Senegalese in Italy' *Journal of Ethnic and Migration Studies,* 34(2), 217-251.

Russell, J., 1991, 'Race and Reflexivity: The Black Other in Contemporary Japanese Mass Culture', *Cultural Anthropology*, 6, 3-25.

Saitta, P., 2011, 'Between Kafka and *carnevale*: an introduction to the immigrant condition in Italy', *Journal of Modern Italian Studies* 16(3), 317-320.

Schmelz, A., 2009, 'The Ghanaian Diaspora in Germany: Its contribution to development in Ghana' (Translation by Karen Leube), Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH, *Economic Development and Employment Division, Migration and Development Sector Project*.

Setrana M.B. & Tonah S., 2014, 'Return Migrants and the Challenge of Reintegration: The Case of Returnees to Kumasi, Ghana', *A Journal of African Migration*, 7, 113-142.

Skinner, E.P., 1965, 'Labour Migration among the Mossi of Upper Volta', in Kuper H., *Urbanization and Migration in West Africa*, pp. 60-84, University of California Press, California.

Smith, L., 2007, *Tied to Migrants: Transnational Influences on the Economy of Accra, Ghana*, African Studies Centre, Leiden.

Stocchiero A., 2009, 'Pratiche di Co-Sviluppo nel Progetto MIDA Italia-Ghana/Senegal: limiti ed opportunità', *Studi Emigrazione* XLVI, 174, 329-349.

Tsikata, G.K., 2007, 'Challenges of economic growth in a liberal economy", in K. Boafo-Arthur (ed.), *Ghana: One Decade of the Liberal State*, pp. 49-85, CODESRIA Edition, Dakar.

Twum-Baah, K.A., Nabila, J. S., Aryee, A. F. (eds.), 1995, *Migration Research Study in Ghana: Internal Migration*, Vol. 1, Ghana Statistical Service, Accra.

Twum-Baah, K.A., Nabila, J. S., Aryee, A. F. (eds.), *Migration Research Study in Ghana: International Migration*, Vol. 2, Ghana Statistical Service, Accra.

Twum-Baah, K. A., 2005, 'Volume and characteristics of international Ghanaian Migration', in T. Manu (ed.), *At home in the World? International migration and Development in Contemporary Ghana and West Africa,* pp. 55-77, Sub-Saharan Publishers.

UNDP, 2013a, *Human Development Report*, Ghana.

UNDP, 2013b, *Trends in International Migrant Stock: The 2013 Revision*, Population Division, United Nations Department of Economic and Social Affairs.

UNDP, 2013c, *World Population Prospects: The 2013 Revision*, Population Division, United Nations Department of Economic and Social Affairs.

UNDP, 2013d, *Trends in International Migrant Stock: Migrants by Destination and Origin, The 2013 Revision, Population Division*, United Nations Department of Economic and Social Affairs.

UNHCR, 2013, *Global Report for 2013*, UNHCR, Geneva.

UNHCR, 2014a, *UNHCR Statistical Online Population Database*, (Accessed 14 April, 2014).

UNHCR, Ghana 2014b, *Fact Sheet*, viewed 24 April 2014 from http://unhcr-ghana.org/

Van Dijk, R., 2002, 'Ghanaian Churches in the Netherlands. Religion Mediating a Tense Relationship', in I. Van Kessel (ed.) *Merchants, Missionaries and Migrants. 300 Years of Dutch-Ghanaian Relations*, pp. 89-97, Kit Publishers, Amsterdam.

Van Dijk, R., 2004, 'Beyond the Rivers of Ethiopia: Pentecostal Pan-Africanism and Ghanaian Identities in the Transnational Domain', in W. van Binsbergen and R. van Dijk (eds.), *Situating Globality. African Agency in the Appropriation of Global Culture*, pp.163-189, Brill, Leiden,.

Van Moppes, D., 2006, 'The African Migration Movement: Routes to Europe', *Migration and Development Series, Working Paper, 5*, Radboud University, Nijmegen. *War-Affected Namibians,* Namibian Institute for Social and Economic Research, Windhoek, Namibia.

Wong M., 2006, 'Gendered Politics of Remittances in Ghanaian Transnational Families', *Economic Geography*, 82 (4)' 355-381.

World Bank, 2014, *Migrant Remittances Inflows and Outflows: Ghana*, viewed 23 April 2014 from www.worldbank.org

CHAPTER TWO
Human Mobility in Nigeria

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Introduction

Many African countries, including Nigeria, have a history of extensive migration (Adepoju & van der Wiel 2010) shaped by historical, cultural and political developments. These dynamics have significantly moulded mobility patterns in Nigeria, making it an important destination country for immigrants in and out of the West African region and a 'home' to a countless number of Nigerian citizens and their families who are residents (and sometimes citizens) of countries all over the world. However, the number of out-migrants far exceeds in-migrants, and this is reflected in the consistent negative net migration rate falling from -0.2 in 2000 to -0.3 in 2005, and currently at -0.4 (UNDESA 2014).

Although the government acknowledges the enormous contribution of emigrants to economic growth, the negative effect of losing well-trained professionals who are much needed for the development of the country leaves much to be desired. Especially since Nigeria is a potentially powerful force, in terms of population size and economic growth, to compete in the world's economy (Owusu 2013).

Nigeria has the largest population within the ECOWAS sub-region with a total number of 173.6 million people and an annual growth rate of 2.5 percent. Nigeria's population constitutes 53 percent of the sub-region's total population (Owusu 2013; World Bank 2014). The country records a GDP of US$522.6 billion (2013 estimate), representing a 64.4 percent of the sub-region's GDP. The agricultural and oil sectors are the main contributors to Nigeria's GDP and exports. Agriculture accounts for 70 percent of employment and 35.2 percent of the GDP, while the oil sector contributes over 95 percent of foreign exchange earnings and 80 percent of government revenue (Adepoju & van der Wiel 2010).

Nigeria, however, still records a slow economic growth of about 7.2 percent (World Bank-Nigeria 2014). The yearly average rate of inflation has declined over the years from 23.8 percent in 2003 to 8.2 percent as at mid-year 2014 (IOM 2009; Nigerian Central Bank 2014) due to the unstable prices of fuel, the recent global financial crises and flexible monetary policies. Income levels are generally low and 63 percent (2011 estimates) of the population live on less than US$1 per day. This is confirmed by the Gini index ratio of Nigeria, which falls between 0.50 to 0.70, indicating a

concentration of wealth and economic power in a few hands, to the detriment of the underprivileged. With respect to income distribution, the poorest half of the population holds only 10 percent of national income. In addition, labour supply exceeds demand by 23.9 percent (2011 estimates) and the majority (about 60.1 percent) of the unemployed are in their productive ages between 15 and 44 years (African Economic Outlook 2012). Indeed, the inability of the labour market to absorb the surplus labour and low levels of incomes leave no other option for the youth than to emigrate.

In the light of this, the paper discusses the dynamics of Nigerian migration under various themes. The first section discusses the historical context of migration in Nigeria, expounding on the key trends in the pre-colonial and post-independence periods. The second section elaborates on the contemporary trends of human mobility by focusing on the main migration stocks and flows (2009-2014). The third section gives an overview of the policies and legislations that impact on migration governance in Nigeria. In section four the main local, regional and international institutions and departments engaged in migration governance are discussed. The paper further assesses migration governance and the main actors involved. The final section concludes with the key research gaps, providing key issues, problems and questions concerning human mobility patterns and governance in Nigeria.

History of Nigerian Migration: Key Trends

Migration is a crucial factor in the history of Nigeria. According to Oyeniyi (2010), all of Nigeria's major ethnic groups including the Hausa, Yoruba, and the Igbo believe their ancestors founded their current settlement out of a migration story. Today, Nigeria occupies an important position within the West African sub-region as a country of origin, transit and destination of migrants (Federal Ministry of Labour and Productivity 2010). Due to Nigeria's position as the most populous and ethnically diverse country in Sub-Saharan Africa, Nigerian migration manifests in multiple and diverse forms in terms of its nature, causes and impact.

Human mobility in Nigeria today is also shaped by historical factors developed out of pre-colonial and colonial contexts: political institutions, administrative systems, economy and trade routes. Traditional and Islamic cultural practices such as pilgrimages to holy sites, slave raids, nomadism and pastoralism, as well as population pressures, landlessness and the search for fertile lands for agricultural purposes have all had an influence on Nigerian migration. In addition, post-independence politics and power struggles leading to a civil war, ethno-religious violence and tensions between the Christian dominated South and the Islamic North, the development of new administrative capitals and urban centres, extreme poverty as well as forced displacements, have all contributed to mould the current dynamics and patterns of Nigerian migration (Adepoju & van der Wiel 2010; Afolayan *et al.* 2008; Lovejoy 1980; Gleave & Prothero 1971; Mason 1969).

In this section, we examine the key trends in the modern history of Nigerian migration by focusing on the period from the nineteenth century until 2009. The entire era under consideration will be structured in two major periods, namely, the pre-independence and post-independence periods.

Pre-Independence Migration

The development of kingdoms, empires and trade centres in both the northern and southern halves of present day Nigeria prior to the arrival of Europeans sparked various forms of human mobility. The rise of the Sokoto Caliphate ignited patterns of forced and voluntary human movement in northern Nigeria during 19th century and early periods of the 20th century. According to Afolayan *et al.* (2008) the Caliphate was populated by migrants drawn from the Gobirawa, Nufawa, Bussawa, Tuaregs, Adrawa and the Zebrama ethnic groups, while the main emigrants consisted of the autochthonous Hausa-Fulani group. The Caliphate depended on migrant labour to sustain its economy, with the majority of these migrant labourers being forcibly captured through slave raids (Lovejoy 1978). Kano and Sokoto, the capitals of the Caliphate, developed into important trade centres. As a result, several trade routes developed during the nineteenth and twentieth centuries connecting these towns to

the coastal towns, North African cities, as well as Kumasi, the capital of the Ashanti kingdom, and other parts of West Africa (Lovejoy 1980). Due to transnational trade, pastoralism and nomadism, the Hausa-Fulani people became one of the most mobile groups within the sub-region. After colonial rule had subjugated the Caliphate and significantly altered the economic life of the north, this group developed seasonal migratory routes to the south and to other parts of the sub-region to engage in trade and wage labour in farm plantations, mining and construction sites, as a way of spending the dry season away from home (Swindell 1984).

In south-western Nigeria, the rise of the Oyo Empire also generated several population movements among people of the Yoruba ethnic group leading to the establishment of new settlements and trade and migratory routes extending as far as present day Liberia. Moreover, population pressures in areas occupied by the Igbo ethnic group in the south-east, and trans-border trade also sparked various forms of movement from the Igbo dominated areas to other parts of southern and northern Nigeria prior to and during the colonial period.

The sparsely populated middle belt, on the other hand, was for a long period a fertile ground for slave raids by Jihadist groups of the Sokoto Caliphate and attacks by stronger tribes from southern Nigeria prior to the arrival of the Europeans. This produced a low population density in this area, and the development of towns such as Jos Plateau, Adamawa and Mambila in highland areas where the population could defend itself against external attacks (Afolayan *et al*. 2008; Gleave & Prothero 1971; Mason 1969).

The arrival of the Europeans during the 19th century, on the other hand, did not radically change the migration patterns already established, but set the scene for widespread and large scale migration within and from Nigeria. The colonial administration facilitated greater human mobility with the newly defined national boundaries. The development of local, regional and national administrative capitals, places of higher education and new market centres such as Kano, Sokoto and Kaduna in northern Nigeria and Ibadan, Lagos, Port Harcourt and Enugu in south-eastern Nigeria generated large scale rural-urban migration.

The development of European cocoa and rubber farm plantations in south-western Nigeria stimulated various forms of human mobility from the 'land-starved' Hausa areas in the north and the 'overpopulated' Igbo areas in the south-east towards this part of the country (Osoba 1969). This included a rural-rural movement of peasant farmers to start cash crop farms, or to supply farm labour, and a rural-urban migration to seek wage employment in urban settlements. Furthermore, construction works inspired by the colonial economy such as ports, harbours, railways, and roads in the southern half of the country also generated large scale labour migration to these sites.

Within the middle belt, the development of tin mines by the colonial administration at Jos Plateau, requiring intensive labour for mine works, construction of roads and railways, rapidly transformed this area into a place of large scale immigration from all parts of Nigeria, starting from the beginning of the twentieth century (Freund 1981). The colonial economy also used forced migrant labour, while the detrimental environmental consequences of some of its activities, such as mining and extraction of crude oil from the Delta zone, led to forced displacement of entire groups from their ancestral homelands (Osoba 1969).

Large scale movement across international borders also characterised Nigerian migration during the pre-independence era. Nigerian migrants moved to, and in most cases settled in, several western, central and eastern African states for mainly economic reasons. They worked in trade, farming and mining activities and also sought wage employment in construction sites, mining and lumbering areas, and cocoa plantations in Gabon, Fernando Po, Zaire, Ghana, Benin, Cote D'Ivoire and several other African states (Osoba 1969). For example, during the early period of the twentieth century, Nigerian railway construction workers were recruited by the colonial administration for the construction of railway lines in Ghana (Takoradi-Tarkwa, Tema-Accra) and Benin (Kotonou-Parakou) (Afolayan 1998; Afolayan *et al.* 2008). After the construction work had been completed some of the migrants went into trade, mining and farm work in Ghana and Cote D'Ivoire (Peil 1974; Skinner 1963). As a result, at lot of them, particularly the Hausas, Yorubas and Igbos, were able to build a strong position in some sectors of the Ghanaian economy

and the economies of other West African states in areas such as retail trade business, diamond digging, butchering and cocoa farming (Peil 1975; Skinner 1963; Osoba 1969). According to Skinner (1963), the Nigerian migrants also established their own quarters (*zongos*) and lived under their own chiefs or headsmen in the places they settled.

After the post-World War II period, a growing number of young Nigerians also took up temporary sojourn in Europe and North America to seek higher education. It was this group that returned to constitute Nigeria's political and educated elite during the period leading to independence and in the post-independence era (Osoba 1969). Immigration to Nigeria during this period was, however, on a limited scale (Afolayan *et al.* 2008).

Post-Independence Migration

The labour migration patterns that developed during the pre-independence period were sustained in the post-independence era. In addition, events following independence leading to ethno-religious violence between groups in the northern half and those in the southern half of the country, dramatically damaged the equilibrium that had been established by the colonial administration and thereby generated several forms of involuntary mobility patterns in Nigeria.

First and foremost, the massacre of Igbo residents by the Hausa-Fulani group in northern Nigeria as a result of power struggle between the north and the south, and the subsequent civil war between the newly created Biafran state and the rest of Nigeria led to one of the major displacements of the Igbo people within and outside of Nigeria during the 1960s and 1970s (Afolayan *et al.* 2008). Highly skilled and educated Igbos fled the country, while overseas Igbo students stayed after they had completed their studies (Adepoju & van der Wiel 2010). In addition, events in other countries within the West-African sub-region affected the mobility patterns of Nigerian nationals. For example, the political impasse between Kwame Nkrumah and foreign nationals in Ghana during the late 1950s, and the subsequent passage of the 1969 Alliance Compliance by the Busia government led to the

forced return of Nigerian nationals who had been living in Ghana for decades (Skinner 1963; Peil 1974).

From the mid-1970s, however, Nigeria briefly transformed into a migrant destination country, attracting nationals from neighbouring West African states, following the oil price hikes that boosted the Nigerian economy and high demand for cheap labour for reconstruction works after the civil war. Therefore, several West African citizens, particularly from Ghana, Benin, Mali, Niger and Togo taking advantage of the ECOWAS protocol on free movement and establishment, moved to Nigeria to supply menial and skilled labour in the harbours, road construction sites and in the education sector. However, due to economic mismanagement and corruption, Nigeria's economy soon went into recession, starting in the early 1980s. This led to the expulsion of more than two million ECOWAS citizens from Nigeria in 1983 and 1985 (Brown 1989; Afolayan 1988; Gravil 1983; Onwuka 1982).

The adoption of harsh economic policies, such as the Structural Adjustment Programme, to salvage the ailing economy during the 1980s, and the seizure of political power by dangerous military dictators also caused a large scale emigration of Nigeria's highly trained professionals, including university professors, health professionals, technicians and engineers, to the USA and the UK, where many of them had previously obtained their formal education (Hagopian *et al*. 2005; Afolayan *et al*. 2008). The number of Nigerian youth travelling to seek higher education overseas, particularly in Europe, North America and Asia, also grew dramatically from the 1980s. In addition to the educated folk, many semi-educated or uneducated Nigerian youth started migrating to Europe, North America, Asia and the Arab states to seek greener pastures (Adepoju 1998; De Haas 2006; Agyeman 2013). Young women from rural communities, sub-urban and urban centres in southern Nigeria, particularly from the Edo state, were smuggled into Italy, Spain, Holland, Germany, Norway and other European countries as well as the Middle East and neighbouring African states to engage in sex labour (Carling 2006; De Haas 2006; Campani 2000).

Today, Nigerian migrants constitute the largest Sub-Saharan African community in the UK, the USA, Japan and several other

OECD countries. Since the 2000s, the migration of Nigerian businessmen and students to other African countries, particularly Ghana and South Africa, has increased intensely. A lot of Nigerian migrants overseas have been successful and are well established in their host societies. These migrants also maintain several forms of transnational connections with their places of origin through return migration, family and social ties, financial remittances, home construction, voluntary works and through the activities of diaspora organisations (Osili 2007, 2004). However, Nigerian migration is bedevilled by a serious humanitarian dilemma. It is highly criminalised and victimised due to frequent arrests of Nigerian nationals using fake documents to cross international borders, unauthorised settlement in host countries, and engagement in criminal activities such as internet fraud, money laundering, trafficking in persons, forced prostitution, as well as drug related offences across international borders (De Haas 2006; Richard 2009). The next section looks at the current trends and stock of Nigerian migrants in and out of the country.

Contemporary Trends in Human Mobility

Immigrants

Sources of Data

This section draws data from the immigration database of the Nigeria Immigration Service (NIS), special migration surveys, and databases of the United Nations High Commissioner for Refugees (UNHCR), United Nations Development Programme (UNDP), World Bank, International Organization for Migration (IOM), European Union (EU) and Trafficking In Person (TIP). The United Nations database provides information on international migrant stocks, giving details about their sex, destination and origin from 1990 to 2013. The United Nations defines an international migrant as a foreign citizen.

Total Number of Immigrants

According to UNDESA (2010) estimates, the total number of immigrants in Nigeria is 1,127,668. They constitute 0.7 percent of the country's total population of about 173.6 million (IOM-Nigeria 2014). The majority of these immigrants come from

ECOWAS countries representing 0.52 percent of the total population of Nigeria while the rest originate from other African and non-African countries. Beninese, Ghanaians, Malians and Nigeriens represented the largest immigrant groups in the country in both 2010 and 2013. Table 1 presents the distribution of immigrants in Nigeria by country of origin and sex. Consecutively, the data shows a marginal increase in the immigrant population per country in both 2010 and 2013. Benin, Ghana, Mali and Niger, which have the largest immigrant populations, increased by 11% each from 2010 to 2013.

Generally, the proportion of male immigrants in Nigeria is higher than females, except for Mali, Togo, Equatorial Guinea and Mauritania (see Table 1). In fact, more than half (53.7 percent) of the immigrant population are males (IOM-Nigeria 2014). Nevertheless, females represent an increasing section of the immigrant population as indicated by a decreasing gender disparity over the years. Thus, the male-female ratio has dropped from 56.2/43.8 percent in 1990 to 54.4/45.6 percent in 2000 and further down to 53.5/46.5 percent in 2005 and 53.7/46.3 in 2013 (IOM 2009, 2014).

Refugees/Asylum Seekers

The UNHCR statistical data reveals a varying trend in the total number of refugees hosted by Nigeria over the years. Nigeria has been home to many migrants who were forced out of their country of origin due to conflict and environmental problems. In 2009, a total of 9,127 refugees were registered in Nigeria. This figure gradually decreased to 8,747 in 2010, and rose marginally to 8,806 in 2011. Yet, since 2012 there has been a sharp decrease in these volumes of inflows, i.e. from 3,154 in 2012 to 1,683 in 2,013 (UNHCR 2014a) and 1,696 in 2014 (UNHCR-Nigeria 2014b). Even Liberian refugees with previous high records of over five thousand per year, have since 2012 decreased drastically in their numbers. Now, their total numbers per year range between 564 and 123. Table 2 highlights the total number of refugees in Nigeria by country of origin.

Table 1
Distribution of Immigrants in Nigeria by Country of Origin and Sex

Country	2010			2013		
	Male	Female	Total	Male	Female	Total
Australia	959	903	1,862	1,004	1,004	2,067
Benin	105,118	98,780	203,898	116,502	109,847	226,349
Burkina F.	3,930	3,171	7,101	4,357	3,526	7,883
Cameroon	23,641	19,744	43,385	26,206	21,956	48,162
Cape Verde	2,005	1,636	3,641	2,223	1,819	4,042
Chad	27,506	19,562	47,068	30,497	21,754	52,251
Côte d'Ivoire	2,028	1,700	3,728	2,248	1,890	4,138
Egypt	8,127	8,325	16,452	9,005	9,258	18,263
E. Guinea	3,756	4,430	8,186	4,161	4,926	9,087
Gambia	3,064	2,499	5,563	3,397	2,779	6,176
Ghana	96,461	62,526	158,987	106,962	69,531	176,493
Guinea	3,071	2,224	5,295	3,405	2,473	5,878
Guinea B.	2,160	1,984	4,144	2,394	2,206	4,600
Liberia	8,351	8,161	16,512	61,183	9,075	18,330
Mali	55,217	58,854	114,071	50,640	65,448	126,631
Mauritania	14,226	16,578	30,804	15,761	18,435	34,196
Niger	45,668	29,142	74,810	50,640	32,407	83,047
Senegal	2,396	1,662	4,058	2,657	1,848	4,505
Sierra L.	1,662	1,617	3,279	1,842	1,798	3,640
Togo	47,632	51,333	98,965	52,778	57,084	109,862

Source: UNDESA 2014

Table 2
Distribution of Refugees in Nigeria by Country of Origin

Country	2009	2010	2011	2012	2013
Cameroon	1,995	1,998	1,997	858	548
Chad	178	178	179	213	71
Cote d'Ivoire	36	36	37	148	105
DRC	760	720	798	860	600
Ethiopia	29	29	29	29	-
Ghana	69	69	69	71	-
Guinea	25	43	44	44	23
Liberia	5,261	5,316	5,299	564	123
Rwanda	35	36	36	36	-
Sierra Leone	456	58	57	50	24
Somalia	20	20	21	21	-
Sri Lanka	16	16	16	15	-
Sudan	178	154	149	146	47
Togo	14	17	17	24	10
Other Nationals	47	57	58	75	132
Total	**9,127**	**8,747**	**8,806**	**3,154**	**1,683**

Source: UNHCR 2014a

After the restoration of democracy and peace in countries such as Liberia and Sierra Leone, Nigeria repatriated a large number of refugees leading to a formal close down of the Oru Refugee Camp (IOM 2009). As at mid-year 2014, UNHCR-Nigeria had recorded the return of 17 refugees from Nigeria to their countries of origin. On the other hand, Cote d'Ivoire has an extreme situation, shifting from a 'home' to a 'supply' of refugees. More particularly, the post-electoral conflict between 2010 and 2011 forced a number of Ivorian nationals to flee from their homes to seek protection in nearby countries, including Nigeria.

The UNHCR-Nigeria (2014) reports a total of 815 asylum seekers in Nigeria. The statistics demonstrate an increase from 797, which was registered in 2013 (see Table 3).

In 2010 and 2011, the country received more asylum seekers, (that is, 1,815 and 1,529 respectively), than in the other years. The main countries of origin for these asylum seekers are Liberia, Cameroon, the Democratic Republic of the Congo (DRC) and Sudan[7].

Table 3
Distribution of asylum seekers in Nigeria by country of origin

Country	2009	2010	2011	2012	2013
Cameroon	39	47	19	17	17
C. African Republic	5	9	5	5	38
Chad	24	401	391	316	83
Cote d'Ivoire	14	24	126	33	50
D. R. Congo	974	1,202	884	612	447
Ghana	1	3	4	2	-
Mali	-	-	-	7	135
Guinea	12	19	26	18	7
Liberia	25	29	27	6	-
Sudan	9	38	15	8	-
Togo	5	14	11	6	10
Other Nationals	37	29	21	12	10
Total	**1145**	**1815**	**1529**	**1042**	**797**

Source: UNHCR 2014a

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[7] Except otherwise indicated 'Sudan' refers to both south and north Sudan.

Irregular Immigration

According to the Customs and Immigration Service Annual Report in 2011, 13 foreign nationals were deported from Nigeria to their various countries, mostly due to drug related offences. Eight (8 out of 13) of such foreign nationals were charged with drug offences. More than half (8 out of 13) of them were deported to Portugal, four to Poland and one to Romania.

In addition, there are some ECOWAS nationals who are living in Nigeria without the necessary residence permit. The current report indicates that Nigeria has deported 182 unauthorised immigrants from various African countries particularly the ECOWAS sub-region (Nigeria Social Com 2014). Meanwhile, in 2012 the Nigerian Immigration Service repatriated even more unauthorised immigrants, about 16,738 who were mainly from ECOWAS countries (Ghana Reporters 2012).

Emigrants

Sources of Data

Internal sources of data on Nigerian emigrants are almost impossible to obtain. For this reason, the information in this section was mainly gathered using multi-topic surveys, and data sources of international organisations such as the United Nations High Commissioner for Refugees, United Nations Development Programme, United Nations Department of Economic and Social Affairs, Population Division, World Bank, International Organization for Migration, European Union, and Trafficking in Person, United States of America.

Total Number of Emigrants

The exact number of Nigerian emigrants cannot be accurately determined, therefore, estimates based on different data sources are usually referred to. According to the IOM's Migration Profile (2009) and the World Bank remittances report on Nigeria (2010), the country's emigrant population ranges between 836,832 and 1,041,284, constituting 0.6 percent of the total population of Nigeria. The major destination countries for these emigrants are the US (252, 172), the UK and Northern Ireland (184,314),

Cameroon (115,621), Italy (48,073), Spain (36,885), Germany (22,687), Cote d'Ivoire (43,761), Benin (42,575), Ghana (32,380), and Sudan (15,275) (see Table 4). Although North America and Europe remain the largest receiving continents, countries within the ECOWAS sub-region also host some major portions of Nigerian emigrants, about 267,948, constituting 0.17 percent of the total Nigerian population.

The volumes of migrants moving out of the country have been increasing over the years with males still dominating. Between 2010 and 2013, the estimated proportion of Nigerian emigrants in the US increased by 3.6 percent while that of Cameroon increased by 0.9 percent. Similarly, the male representation for the US in both 2010 and 2013 was higher with 57 and 56 percent, respectively. On the other hand, Italy, the UK, Ireland, Canada and Burkina Faso host more Nigerian female immigrants than males.

Nigerian Refugees/Asylum Seekers

Table 5 highlights a gradually increasing figure in the total number of Nigerian refugees from 2009 to 2013. The total number of refugees documented in 2009 is lower (about 15,609) compared to the 2013 record of 31,614. Between 2009 and 2013 the number of Nigerian refugees increased by 103 percent. In a similar vein, the UNHCR-Nigeria's (2014) current estimate of 31,664 also reflects a slight increase over the previous year's total. The main countries of destination for these refugees are Canada, Germany, Italy, and the UK. Among the African countries, Cameroon is the leading destination of Nigerian refugees and asylum seekers. However, ECOWAS countries host less than 1.5 percent of the total Nigerian refugee population (IOM 2009). Therefore, the fact that Nigerians seek refuge and asylum far away from neighbouring countries suggest that some of them are economic migrants who adopt the asylum seeking channel as a means of gaining legal entry and residence in host nations.

Table 4
Major Countries of Destination for Nigerian Emigrants

Country	2010			2013		
	Male	**Female**	**Total**	**Male**	**Female**	**Total**
Benin	23, 691	14, 345	38, 036	26, 680	15, 895	42, 575
Burkina F.	1, 662	1, 898	3, 560	1, 719	1, 963	3, 682
Cameroon	66, 628	47, 923	114, 551	67, 529	48, 092	115, 621
Canada	8, 877	9, 683	18, 560	9, 231	10, 094	19, 325
Côte d'Ivoire	21, 566	20, 863	42, 429	22, 363	21, 398	43, 761
Finland	1, 192	258	1, 450	1, 509	335	1, 844
Gabon	14, 866	5, 368	20, 234	16, 798	5, 981	22, 779
Ghana	17, 190	13, 222	30, 412	18, 385	13, 995	32, 380
Germany	16, 146	6, 285	22, 431	16, 297	6, 390	22, 687
Greece	2, 719	1, 083	3, 802	2, 798	1, 137	3, 935
Ireland	5, 959	7, 595	13, 554	7, 951	10, 589	18, 540
Italy	13, 611	21, 486	35, 097	21, 154	26, 919	48, 073
Netherlands	3, 607	2, 745	6, 352	3, 898	3, 104	7, 002
Niger	10, 153	9, 569	19, 722	10, 315	9, 747	20, 062
Saudi Arabia	8, 962	4, 695	13, 657	9, 745	4, 933	14, 678
South Africa	13, 043	2, 884	15, 927	15, 249	3, 410	18, 659
Spain	22, 291	13, 968	36, 259	21, 976	14,909	36, 885
Sudan	8, 364	7, 850	16, 214	7, 886	7, 389	15, 275
Sweden	2, 106	891	2, 997	2, 461	1, 176	3, 637
Switzerland	2, 138	935	3, 073	2, 367	1, 084	3, 451
Togo	8, 958	7, 082	16, 040	9, 046	7, 137	16, 183
UK & N. Ire.	72, 498	75, 961	148, 459	89, 193	95, 121	184, 314
USA	136, 420	106, 932	243, 352	141, 364	110, 808	252, 172

Source: UNDESA 2014

Table 5
Nigerian Refugees and Countries of Residence (2009-2014)

Country	2009	2010	2011	2012	2013
Australia	88	101	106	116	132
Austria	173	228	288	315	346
Cameroon	2,873	2,873	3,223	3,223	7,459
Canada	2,962	3,171	3,608	3,990	4,441
France	658	726	794	889	988
Germany	2,640	2,601	2,667	2,833	720
Ireland	766	777	706	540	477
Italy	2,154	2,200	2,369	2,964	4,638
Netherlands	205	203	216	213	225
Niger	-	-	-	-	8,385
Norway	46	65	93	109	176
Sweden	93	124	147	178	257
Switzerland	61	66	83	92	113
United Kingdom	1,370	1,044	1,089	1,166	1,244
United States	809	719	686	719	733
Others	681	742	1,066	674	1,280
Totals	**1,5609**	**1,5640**	**1,7141**	**1,8021**	**3,1614**

Source: UNHCR 2014a

UNHCR-Nigeria reports that there are 22,322 Nigerians who have sought asylum in other countries. Table 6 indicates the trends in asylum seeking and countries of residence between 2009 and 2013. The estimates over the years have been rising except for 2009 and 2011 when lower volumes of 9,754 and 9,782 respectively were documented. The major countries of destination for these asylum seekers are Germany, Canada and Austria. Germany has consistently had increasing numbers of asylum seekers from Nigeria ranging from 1,119 in 2009 to 2,893 in 2013.

Table 6
Nigerian Asylum Seekers and Countries of Residence (2009- 2013)

Country	2009	2010	2011	2012	2013
Austria	1,804	1,200	971	865	837
Canada	1,633	1,552	913	677	691
Egypt	3	4	28	157	437
France	-	-	-	466	1,578
Germany	1,119	1,241	1,243	1,542	2,893
Greece	-	1,768	-	-	1,838
Ireland	801	924	692	705	845
Israel	946	1,114	1,505	6	1,510
Italy	-	831	-	1,682	1,932
Morocco	21	44	59	237	764
Norway	461	282	248	288	168
R. of Korea	14	9	36	116	280
Senegal	340	352	357	355	353
South Africa			1,199	3,456	4,003
Sweden	207	225	225	229	362
Switzerland	737	548	713	801	328
U. Kingdom	-	-	-	983	1,251
USA	163	15	31	65	424
Others	1,509	1,817	1,562	1,448	1,799
Total	**9,754**	**11,926**	**9,782**	**14,078**	**22,293**

Source: UNHCR 2014a

Students

Increasing numbers of young Nigerians are travelling overseas to seek higher education. The total number of Nigerian tertiary-level students increased from 21,730 in 2009 (World Bank 2011) to

49,531 in 2014 (UNESCO 2014). The World Bank report on Migration and Remittances (2011) estimated 10.7% as the emigration rate of the tertiary educated population. Most of these students migrate to the UK (17,542), followed by the US (6,807). As far as African countries are concerned, Ghana (6,113) is one of the preferred destinations of Nigeria tertiary students. Other countries include Malaysia, South Africa, Canada, Finland, Saudi Arabia, United Arab Emirates, Russia and the Hungary (see Table 7).

Table 7
Major Destination Countries for Nigerian Students (2014)

Country of Destination	Number
United Kingdom	17,542
United States	6,807
Ghana	6,113
Malaysia	4,975
South Africa	2,575
Canada	2,031
Finland	939
Saudi Arabia	935
United Arab Emirates	850
Russian Federation	736
Hungary	475

Source: UNESCO 2014

Internally Displaced Persons (IDPs)

Nigeria records the highest IDPs in the Sub-Saharan region with an official figure of 3,300,000, constituting 2% of the total population of Nigeria (UNHCR 2014 cited in IDMC 2014). The country is ranked among the top five countries with more IDPs globally (IDMC 2014). The largest mass displacement events in the country are flood-induced disasters and conflicts. In 2012, 6.1 million Nigerians were displaced due to floods, ranking it the second largest disaster-induced displacement event worldwide (IDMC 2012). Nigeria's rainy season occurs between July, September and October and during these periods, many bridges, houses and infrastructure are destroyed due to the heavy rainfall and the release of water from dams. Consequently, many people, especially women and children, are evacuated from their homes in search of shelter elsewhere. Table 8 outlines the yearly trend of displacement due to flood disasters in Nigeria between 2009 and 2012.

Table 8
Flood-induced displacement in Nigeria (2009-2012)

Year	Number
2009	140,000
2010	560,000
2011	6,300
2012	6,112,000
Total	**6,818,000**

Source: IDMC 2012

In addition, Nigeria since 2013 has witnessed increasing attacks by the radical Islamic terrorist group, Boko Haram, leading to the displacement of 470,500 people (IDMC 2014). This group has for some time now doubled up their crusade for an independent state in the north of the country. Their ruthless attacks have prompted the displacement of people in the north-eastern states of Borno,

Adamawa and Yobe (IDMC 2014). Many of these displaced persons have been compelled to move to other parts of the country or to other countries.

Trafficking and Smuggling

The TIP Report (2014) describes Nigeria as a country of origin, transit and destination for young boys, women and children exposed forcefully to labour and sex trafficking. These vulnerable persons are employed and transported to different parts of Africa including West and Central African countries and South Africa. Other destinations outside the African continent include Italy, Spain, Norway, Scotland, the Netherlands, Germany, Turkey, Belgium, Denmark, Finland, France, Sweden, Switzerland, Norway, Ireland, Slovakia, the Czech Republic, Greece, Russia, Malaysia and other parts of the Middle East and Central Asia (TIP Report 2014; Carling 2006).

Nigerian trafficking victims come from both rural and urban areas within the country. The women and girls are recruited for domestic servitude, sex trafficking, and prostitution, while the boys are mainly forced into begging, drug mulling or recruited as child soldiers.

The government of Nigeria does not fully comply with the minimum standards for the elimination of trafficking, therefore, ranking the country in Tier 2 (TIP Report 2014). In the meantime, the government has devised strategies to improve the existing situation. The Nigerian government, among other things, has provided officials with better training to recognise trafficking cases. This will help to avoid situations in which numerous cases are mistakenly captured as trafficking crimes and referred to the NAPTIP for investigation (TIP Report 2014). The government has also collaborated with law enforcement agencies from the Netherlands, the United Kingdom, Malaysia, Austria, and Taiwan to investigate trafficking cases involving Nigerian nationals. So far, the 2014 TIP report shows that these adopted strategies have yielded positive results. In 2013 Nigerian officials and some NGOs identified 777 trafficking victims within the country, which is an increase over the 480 victims who were identified over the previous year. These victims included 187 victims of sex trafficking, 539 victims of labour trafficking and 51 individuals who were identified as victims of trafficking related crimes. It

must be acknowledged that Nigeria has the potential of achieving a first tier ranking as it did from 2009 to 2011, provided the government continues to implement strategies that can curb trafficking of persons in the country.

Remittances

Remittances make a major contribution to Nigeria's development, accounting for 4.5 percent of the country's GDP (World Bank 2011). Between 2009 and 2010, the growth rate of remittance inflows was 4.1 percent as illustrated in the figures in Table 9. The amount of remittance flows into the country increased from US$9,585 million in 2010 to US$10,681 million in 2011 and further increased to US$21 billion in 2013. The improved inflows of remittances are as a result of the increasing engagement of the diaspora by the Federal government through Nigerians-in-Diaspora Organizations or NIDO (IOM 2009). The involvement of the diaspora has enhanced their trust in the government and has thus encouraged more diaspora investments in stocks, businesses, and mortgages, and other areas. Other uses of migrant remittances include paying of medical bills, school fees and consumption (World Bank 2011).

Table 9
Outflows and Inflows of Remittances (in US$ Million)

Year	Outflows (in US$ million)	Inflows (in US$ million)
2009	47	9,585
2010	48	10,045
2011	-	10,681
Total	**95**	**30,311**

Source: World Bank 2014

On average the amount of remittances flowing out of Nigeria is high, ranging between US$47 and US$48 million.

Overview of Nigeria's Migration Policies and Legislations

Recent Migration Policy Development

Since returning to democracy in 1999, Nigerian authorities have been greatly concerned about reversing the country's previous *laissez-faire* attitude and a tradition of ad hoc solutions to migration related matters and creating a new policy direction to address the numerous concerns posed by migration to and from the country. In line with this new policy direction, several steps have been taken by the Nigerian government in recent years to formulate new migration policies and establish new institutions or restructure existing ones, taking cognisance of the fact that Nigeria is today a country of origin, transit and destination of migrants, in addition to generating and hosting large volumes of internally displaced persons and significant numbers of refugees.

The principal challenge of the Nigerian government, therefore, has been to fill the policy gap and to put in place the appropriate institutions and personnel to ensure the adequate enforcement of new and existing migration-related laws and policies. To achieve this goal, the government has in recent years embarked upon institutional reinforcement, capacity building and training efforts for immigration officials. Other steps include increased cooperation with partner countries and regional bodies affected by Nigerian migration, seeking technical and financial support from international organisations and facilitating research to fill the information gap on Nigerian migration (Global Forum on Migration and Development 2011; Federal Ministry of Labour and Productivity 2010; Onyini 2010; IOM 2009; Afolayan *et al*. 2008).

In light of the above, the main areas of concern for the government of Nigeria in the new migration policy direction are: (1) to factor migration into national development by enacting the right policies that will help to attract the Nigerian diaspora to contribute towards the development of Nigeria; (2) to address the security concerns posed by migration to and from Nigeria; (3) to address human rights challenges posed by Nigerian migration, such as trafficking in persons (particularly women and children) across international borders, and the right of migrants and their families; (4) enhancing cooperation with international organisations, partner countries, and regional bodies, such as the

ECOWAS and the EU, to facilitate the adequate enforcement of international laws and conventions that address migration related matters; and (5) encouraging research to adequately inform policy makers about relevant matters posing a challenge to Nigerian migration.

Consequently, the government of Nigeria, through the Office of the Special Assistant to the President on Migration and Humanitarian Affairs and with technical and funding support from the IOM, embarked on a project in 2005 to write a new labour migration policy for the country (IOM 2009). The final draft was completed in 2010, but has yet to be passed into law by the Federal Government (Global Forum on Migration and Development 2011; Federal Ministry of Labour and Productivity, 2010). The issues addressed in the draft policy include: "migration and development; migration and cross-cutting social issues; national security and irregular movement; forced displacement; the human rights of migrants; organised labour migration; internal migration; national population; migration data and statistics; and funding for migration management" (IOM 2009: 69). The draft policy has also recommended the establishment of a national agency or commission to coordinate all issues related to migration in Nigeria.

Additionally, since the turn of the millennium, the government of Nigeria has signed bilateral agreements with the governments of Italy, Spain, Ireland and South Africa, to facilitate labour migration between Nigeria and the listed countries. In 2006, the Ministry of Labour and Productivity created a Labour Migration Desk (LMD), which, among other things, is to negotiate and conclude bilateral agreements with foreign governments in labour migration and employment matters. The LMD is also tasked with facilitating the legitimate travelling of Nigerian emigrants who are contracted to work overseas. The Nigerian-in-Diaspora Organization (NIDO) was also established in 2000 with backing from the Federal government to engage the diaspora in development issues and political affairs of the country. The Nigerian diaspora, through UNDP's TOKTEN (Transfer of Knowledge through Expatriate Networks), has also supported development projects in Nigeria either through temporary or permanent visits (Van Hear *et al*. 2004).

In 2002 the National Commission for Refugees was mandated to manage the resettlement of internally displaced persons in the country. Since 2009, the Commission has become the federal agency for migration and resettlement of internally displaced persons through a government directive (IOM 2009). The Act incorporates the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol and the 1969 Organisation of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa.

Several policy steps have also been taken to address the security and human rights concerns raised by Nigerian migration. In collaboration with the United Nations Office on Drugs and Crime (UNODC) and other ECOWAS member states, the Nigerian Government has implemented projects to counter human trafficking, smuggling and trans-border crime (IOM 2009). In line with this agenda, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) has received a lot of Federal Government support in terms of capacity building, law enforcement, awareness campaigns, and the provision of expert support (IOM 2009). These efforts have gone side-by-side with the reinforcement (through amendments) of existing legislations, the enactment of new legislations and the ratification and transposition of regional and international conventions, are examined below.

National Legislative Instruments on Migration

Since independence, Nigeria has enacted several legislative instruments to regulate migration to and from the country. Some of these legal provisions are found in the 1999 Constitution of the Federal Republic of Nigeria, while others are found in a number of national legislative instruments. Among them are the Immigration Act of 1963; the NAPTIP Act of 2003 and 2005; the National Directorate of Employment Act; the Factories Act; the Workmen's Compensation Act; the Child's Right's Act, 2003; the NDLEA Act (National Drug Law Enforcement Agency); and the Labour Act of 1974 (Atsenuwa & Adepoju 2010; Federal Ministry of Labour and Productivity 2010).

Article 28 of the 1999 Constitution of the Federal Republic of Nigeria grants dual citizenship right to any Nigerian by birth bearing the nationality of another country. This is to reinforce the *ius sanguinis* principle enshrined in the Nigerian constitution and to also ensure that Nigerian nationals in the diaspora do not lose citizenship rights by virtue of acquiring a citizenship status in their host countries.

The Immigration Act of 1963 is the principal legal instrument for all forms of migration to and from Nigeria. It defines the conditions of entry, residence and departure of both Nigerian citizens and foreign nationals to and from the country. It also gives a statutory mandate to the Nigerian Immigration Service as the principal institution in charge of managing the flow of people along Nigerian borders.

Due to Nigeria's position as one of the main sources of human trafficking victims and perpetrators, trans-border crime and drug related offenses, the Nigerian government in 2003 incorporated the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons into its national legislations by enacting the Trafficking in Persons (Prohibition) Law Enforcement Administrative Act. This law was amended in 2005 to extend the "the powers of the NAPTIP to cover internal trafficking, exploitative child domestic labour and the forfeiture of assets and proceeds of convicted traffickers" (IOM, 2009:72). In 2003, the Child's Right Act was also passed to prohibit trafficking in children, child labour and to protect the rights of children. The 1974 Labour Act also protects the rights of Nigerian labour migrants as well as foreigners working in Nigeria. Several of these laws, including the Immigration Act of 1963 and the Labour Act of 1974 are, however, under consideration for amendment, a process which is long overdue.

Regional Legislative Instruments

There is a wealth of regional legal instruments regulating migration, asylum and trafficking issues that Nigeria, like other ECOWAS member states operate with. It is worthy to note, however, that as the principal initiator and founding member of ECOWAS, Nigeria is not simply a signatory to the regional body's

regulations on migration and other related matters, but also the brain-child behind several of them. These include: ECOWAS Protocol on Free Movement of Persons, Residence and Establishment and the related supplementary protocols for its full implementation; the Convention Regulating Inter-State Road Transportation within the ECOWAS sub-region of 1982; and the ECOWAS Political Declaration and Regional Plan of Action against Trafficking in Persons of December 2001. In addition, Nigeria is also a member of the Migration Dialogue for West Africa (MIDWA), an initiative, backed by the IOM to manage migration within ECOWAS countries.

International Legal Instruments

In addition to national and regional legislative instruments, Nigeria is also a signatory, through ratifications and adherence, to several international legal provisions that are geared towards protecting the right of migrants. Among them are (Atsenuwa & Adepoju 2010; IOM 2009*)*:

- The 1952 UN Convention on the Status of Refugees, acceded to in 1967 and its 1967 Protocol, acceded to in 1968.

- The 1966 International Covenant on Civil and Political Rights, ratified in 1993.

- The 1966 International Covenant on Economic, Social and Cultural Rights, ratified in 1993.

- The 1966 Convention on the Elimination of All Forms of Racial Discrimination, acceded to in 1967.

- The 1984 Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, ratified in 2001 and its 2002 Optional Protocol, acceded to in 2009.

- The 1979 Convention on the Elimination of All Forms of Discrimination Against Women, ratified in 1985 and its Optional Protocol, ratified in 2004.

- The 1991 Convention on the Rights of the Child, ratified in 1991 and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, ratified in 2000.

- The 1969 AU Convention Governing Specific Aspects of the Refugee Problem in Africa, ratified in 1986.

- The 1981 African Charter on Human and People's Rights, ratified in 1983.

- The 1990African Charter on the Rights and Welfare of the Child, ratified in 2001.

- The 2003 Protocol to the African Charter on the Rights of Women in Africa, ratified in 2004.

- The 2003 Protocol to the African Charter on the African Court on Human Rights, ratified in 2004.

- The 1990 UN International Convention on the Rights of Migrants Workers and Members of their Families, acceded to in 2009.

- The 2000 Convention Against Transnational and Organised Crime, and its two supplementary protocols: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, ratified in 2001.

- The 1927 Slavery Convention and the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, ratified in 1961.

- The 1930 ILO Convention Concerning Forced or Compulsory Labour, and the 1957 Abolition of Forced Convention, ratified in 1960.

- The 1949 ILO Migration for Employment Convention, ratified in 1960.

- The 1958 ILO Convention on Discrimination (Employment and Occupation), ratified in 2002.

- The 1999 ILO Convention on Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, ratified in 2002.

- The 1973 ILO Convention on Minimum Age, ratified in 2002.

Stakeholders in Migration Governance

Governmental Institutions, Agencies and Departments

Ministry of Foreign Affairs

The Ministry of Foreign Affairs was formerly an external division of the office of the Prime Minister from 1957 until 1991 when it gained its current name (IOM 2009; Fadayomi 2013). Among other things, the Ministry is responsible for negotiating bilateral agreements and joint commissions with host countries, issuing passports, travel certificates and seafarers' identity cards in missions abroad, making pilgrimage arrangements, deportation of needy Nigerians and consular matters including the interest of the Nigerian diaspora.

Federal Ministry of Labour and Productivity

In 2006 the Ministry of Labour and Productivity created a Labour Migration Desk (LMD) at the Department of Employment and Wages, Migration and National Electronic Labour Exchange Division (IOM 2009). The aim or setting up this desk was, among other things, to negotiate and conclude bilateral agreements on employment with foreign governments. It is the mandate of the LMD to assist legitimate travelling of Nigerian emigrants who are recruited to work abroad.

Nigeria Immigration Service (NIS)

The NIS was formally given the mandate to operate in 1963 with the mission of: i) having an information technology driven security body that can address the operational challenges of modern migration and, ii) giving the immigration service a new sense of direction that can make it relevant at all times to international security and global trends (NIS 2014; IOM 2009). As part of its broader duties, it registers expatriates for naturalisation, manages borders and controls travel documents.

The department works under the control and supervision of the Federal Ministry of Internal Affairs (FMIA) as a civil service outfit.

National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI)

The NCFRMI was set up in 1989 with the main responsibility of providing an overall framework and policy for protecting and managing refugees, asylum-seekers and internally displaced persons (NCFR Act 1989, Section 4(1)). It was also given the mandate to counsel the government on policy issues regarding refugees in Nigeria. The establishment of the Commission was backed by Decree Number 52, currently known as the chapter N21 Laws of the Federation of Nigeria, 2004 (IOM 2009). The enactment of the NCFR Act was informed by international and regional conventions on refugees and asylum seekers, namely, the 1951 UN Refugee Convention and its 1967 protocol as well as the Organization of African Unity Convention. Since 2002 the Commission has been called upon by the government to assist in resettling persons who are internally displaced due to environmental disasters and conflicts. In future the Commission is expected to collaborate with other stakeholders to revise and implement the National Migration Policy when it is passed into law.

Nigerians in Diaspora Organization

In 2000, the Nigerian-in-Diaspora Organization (NIDO) was established by former President Obasanjo as a non-profit organisation to facilitate the engagement of the Nigerian diaspora in the political affairs of the home country. NIDO provides a stand for the organisation of Nigerian emigrants and, especially, professionals. The platform also feeds the Nigerian diaspora with relevant information on matters arising back home.

Central Bank of Nigeria

The Central Bank of Nigeria supervises the formulation and application of policies relating to financial sectors of the country (Central Bank of Nigeria 2014; Fadayomi 2013). However, the research department of the Central Bank of Nigeria undertakes nationwide survey on remittances. They collect information from

commercial banks, money transfer agencies and travellers at the airports.

National Population Commission

The Commission was set up in 1988 by the National Population Commission Act No. 23 (Fadayomi 2013; IOM 2009). The Commission collects information on migration statistics through national population census and sample surveys. The National Population Commission was responsible for analysing the migration component of the 2006 Census. It has also carried out a survey on internal migration.

Nigerian National Volunteer Service

The Nigerian National Volunteer Service (NNVS) is a volunteer management institution established by the Federal Government of Nigeria. The department is situated in the Political Affairs Office in the Office of the Secretary to the Government of Federation. The aim of the department has been to lobby, manage and successfully organise volunteer services and activities of Nigerians including the diaspora.

National Bureau of Statistics

The National Bureau of Statistics (NBS) is responsible for producing informative and adequate continuous data on all aspects of development including migration in the country. NBS manages Statistical Operations of the National Statistical System in the generation of official statistics in all the Federal Ministries, Departments and Agencies, State Statistical Agencies and Local Government Councils (Fadayomi 2013; IOM 2009). The data collected include socio-economic activities of the general population, international trade and balance of payments. The NBS makes its data available to data users such as the universities, private sectors, and research institutes.

Other Government Institutions

There are a number of government institutions that provide services on migration related issues in the country. Among them are the Ministries of Health; Finance; Women Affairs and Social Development; Youth Development; Internal Affairs and Justice. The Ministry of Justice deals with all legal issues concerning

migration, namely, citizenship rights and legalising the draft national migration policy. In addition, the National Agency for the Prohibition of Trafficking in Persons was set up as a fulfilment of Nigeria's international obligation under the trafficking in person protocol. The Agency has been given the mandate to address the rising trafficking in persons challenges the country is facing (see Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003) (NAPTIP 2014). Other active institutions include the National Emergency Management Agency and the National Planning Commission.

International Organisations and Agencies

International Organisation for Migration (IOM)

The IOM provides technical, logistic and financial support to the Nigerian government for promoting better migration management. The IOM in collaboration with the government of Nigeria and other stakeholders has developed strategies to engage the diaspora in the national development agenda of Nigeria. . It has also provided technical support to the government for the drafting of the national migration policy to guide the operation of migration stakeholders in the country. They also assist in the reintegration of voluntary returnees, asylum seekers, labour migrants, among others (IOM-Nigeria 2014).

United Nations High Commission for Refugees (UNHCR)

The UNHCR collaborates with the government and other stakeholders such as the NRC and the NAPTIP to provide logistic support to refugees, asylum seekers and internally displace persons (UNHCR-Nigeria 2014). They also provide technical advice to the government when determining refugee statuses in the country. The UNHCR in Nigeria is also engaging the government to develop a national legal framework in light of the Kampala Convention.

Other Organisations, Academic Institutions and NGOs

There are several other domestic and international organisations involved in migration governance in the country. Among them are the World Bank, UNDESA, AFDB, ECOWAS, EC, UNDP, Women Trafficking and Child Labour Eradication Foundation and the AU. These institutions provide support to Nigeria in areas such as information sharing, provision of equipment, training and funding for issues related to migration, asylum and refugees. In addition, the IOM in collaboration with the universities of Lagos, Ibadan, Benin and the Edo State, provides expert knowledge and advice on some aspects of Nigerian migration. Below is a further list of organisations that are also involved in migration governance in Nigeria.

List of NGOs Supporting NAPTIP in Human Trafficking Eradication Efforts in Nigeria (NAPTIP 2014)

- Committee for the Support Of The Dignity Of Women
- Girls Power Initiative (GPI)
- Great Women Multipurpose Co-Operative Society
- Lift Above Poverty Organization
- Young Girls Foundation
- Committee For The Support Of The Dignity Of Women (COSUDOW)
- Gender Care Initiative (GCI)
- KAF Care Foundation
- The Holy Family Sisters of the Needy
- Emmanuel Children Foundation
- Women's Consortium of Nigeria (WOCON)
- The Real Woman Foundation (Peace Villa)
- Women Trafficking and Child Labour Eradication Foundation (WOTCLEF)
- Save the Child Initiative
- Society for Enlightenment of Youth on Dangers Abroad (SEYONDA)
- Women's Consortium of Nigeria
- Ebunoluwa Foundation
- Project Alert

- International Reproduction Rights Research Action Group
- Women of Light Foundation (WOLF)
- Child Rights Brigade International
- Society for the Empowerment of Young Persons
- Life Helpers Initiative
- Network for Justice and Democracy (NGO)
- Rehoboth Homes and Skills Acquisition Centre.

List of Civil Society Organisations Engaged in the Defence of Migrants' Rights in Nigeria (Atsenuwa and Adepoju 2010)

- Amnesty International-Nigeria (AI)
- BAOBAB – For Women's Human Rights
- Centre for Law Enforcement Education (CLEEN)
- Centre for Workers' Rights (CWR)
- Civil Liberties Organisation (CLO)
- Civil Rights Concerns (CRC)
- Constitutional Rights Project (CRP)
- Health Rights Initiative(HRI)
- Human Rights Legal Services (HURILAWS)
- Human Rights Monitor (HRM)
- Institute of Human Rights and Humanitarian Law (IHRHL)
- International Federation of Women Lawyers (FIDA)
- Justice, Development and Peace Commission (JDPC)
- Legal Defence and Assistance Project (LEDAP)
- Legal Defence Centre (LDC)
- Legal Research and Resource Development Centre (LRRDC)
- Legal Watch (LW)
- Medical Rehabilitation Centre for Trauma Victims (MRCTV)
- Nigerian Bar Association (NBA)
- Rights of African Migrants and Deportees: A Nigerian Case Study
- Nigerian Labour Congress
- Prisoners Rehabilitation and Welfare Aid (PRAWA)
- Project Alert on Violence Against Women (PA)
- Society for the Welfare of Women Prisoners (SWEWP)

- Socio-Economic Rights Action Centre (SERAC)
- Socio-Economic Rights and Accountability Project (SERAP)
- West African Public Interest Litigation Centre (WAPILC)
- Women's Aid Collective
- Women's Consortium of Nigeria (WOCON)
- Women's Rights Alternative Programme (WRAPA)
- Women Trafficking and Child Labour Eradication Foundation (WOTCLE)

Assessment of Migration Governance

Being a country of emigration, Nigeria's stance on international migration is against building a 'thick wall of exclusion' and barriers at the borders. In the past, it has pursued some degree of *laissez-faire* attitude towards the emigration of its nationals and has been lax in the defence of the rights of its citizens abroad (Adepoju & van der Wiel 2010). Yet events in recent years have compelled Nigerian authorities to step up efforts to facilitate regular labour migration, control irregular migration, and curb increasing cases involving Nigerian nationals of illegal activities such as human and drug trafficking, internet fraud and money laundering across international borders. Therefore, to restore legality, ensure orderly migration and settle the security challenges that unauthorised migration poses, the Nigerian government has pursued international support by ratifying the needed international protocols, while seeking the collaboration of concerned states, regional bodies and international organisations. In addition, the Nigerian authorities have undertaken institutional restructuring and reviewed or is in the process of reviewing some of its legislations on migration, forced displacement, asylum, and related matters.

In spite of these efforts, it is still argued that the steps that the Nigerian authorities have taken so far are not far reaching enough, and as a result, are not effective in managing migration. Critics argue that Nigeria still lacks a coherent and coordinated institutional, policy and legal framework to manage migration. Some of the policies are contradictory and replete with double

standards, while there is a gap between policy, legislation and praxis.

Coherence and Coordination

According to the IOM (2009), for Nigerian migration policy to be coherent and coordinated, it requires a mechanism whereby there is allocation of role and responsibility to all key institutional actors, such as government ministries, embassies and agencies, international organisations, diaspora and other civil society groups involved in migration governance in the country. Adequate funding and sufficient awareness of the interdisciplinary and inter-ministerial/agency nature of migration governance is also required to ensure efficiency. This will help to avoid duplication of roles, redundancy and policy failure. At the moment, there are several agencies and groups involved in managing migration in Nigeria, some of whom are not within the domain of government control, or do not receive the needed support from state institutions. Because Nigeria is a federal states, there is also the need for a mechanism that will coordinate all activities from local, regional, state and federal levels to ensure efficiency. Since 2009 the National Commission for Refugees, Migrants and Internationally Displaced Persons is the principal body charged to report to the president on migration-related matters and to oversee the inter-ministerial committee in charge of drafting a new migration policy for Nigeria, and all related matters on migration, asylum and internal displacement. Yet the extent to which the activity the Commission is coordinated with that of key government institutions, such as the NIS, NAPTRIP, Interior and Foreign ministries, as well as civil society groups dealing with migration is not clearly defined. For example, some authors have observed that civil society groups have not been involved in the technical committee meetings, debates and brainstorming sessions leading to the drafting of the new migration policy (IOM 2009; de Haas 2009).

Policy Implementation

Nigeria is slow in enacting and implementing policies for effective governance of migration in the country. The new national migration policy and the labour migration policy, both of which started around 2005, have still not reached the stage where they are passed into law. At the moment, both are still awaiting approval at the Federal Executive Council in Abuja, which is the first step before they are finally passed into law. In October, 2013 the minister of Special Duties and Inter-Governmental Affairs, pledged to lobby the Council to facilitate the passage into law of the national migration policy. Yet, halfway into 2014, nothing has been achieved in that regard. Additionally, Nigeria has yet to ratify the 1990 UN International Convention on the Rights of Migrants Workers and Members of their Families. It only acceded to it in 2009. Besides, most of the international conventions Nigeria has ratified have not been customised or transposed into national law to ensure their enforceability (Atsenuwa & Adepoju 2010). Additionally, lack of education, sufficient awareness campaigns, legal support, as well as complex procedural matters, prevent Nigerian migrants from seeking redress when their rights are violated. Furthermore, lack of professionalism, corruption, and unsympathetic and lackadaisical attitudes towards migrants by public officials and agencies are all contributory factors accounting for the numerous deficiencies in managing migration in Nigeria.

Criminalisation of Nigerian Migration

The governance of migration in Nigeria today is faced with severe challenges posed by acts of terrorist groups such as Boko Haram, the possibility of such groups taking advantage of Nigeria's extensive and porous borders, as well as the rampant involvement of Nigerian nationals in irregular migration, human trafficking, drug trafficking, forced labour, and other forms of transnational crimes. This has resulted in a situation where migration governance in Nigeria is closely associated with national, regional and international security concerns, which unfortunately have spillover repercussions on genuine migration. Linked to this is pressure from destination countries, particularly member states of the European Union, to track and clamp down

on irregular migration, all forms of criminal activities, including human and drug trafficking, and accept back home unwanted Nigerian nationals, particularly those facing various forms of deportation from host countries, as well as the unsuccessful asylum seekers. In these matters, Nigeria has been one of the most cooperatives countries in Sub-Saharan Africa (Adepoju & van der Wiel 2010).

However, the approach often adopted by state officials to pursue this agenda has tended to criminalise Nigerian migration in general. As a result, some have argued that the migration control measures that Nigerian authorities have adopted in recent years are directed towards satisfying the demands of the 'stronger' destination countries, i.e. blocking the emigration of Nigerian nationals through stiffer control measures. According to the critics, this agenda has been pursued by the Nigerian government without bothering about the plight of its citizens and the human rights dimensions of modern day immigration control regimes, or tackling the root causes of migration, which include extreme poverty, insecurity, violence, and high unemployment rates among the youth (de Haas 2006).

Diaspora Engagement and Political Exclusion

Nigeria's effort to include the diaspora in development is equally contradicted by contravening efforts to resist diaspora involvement in national politics. While the Nigerian constitution recognises the right of its citizens to possess dual citizenship, some Nigerian governments have attempted to abolish this provision (Adepoju & van der Wiel 2010). In addition, Nigeria is singular among the world's major migrant sending countries in not having any form of representation, such as voting rights, parliamentary seats, etc., for its nationals living in the diaspora (Adepoju & van der Wiel 2010). Therefore, efforts to engage the Nigerian diaspora in national developmental issues needs to open the door to actively engage them in the decision-making bodies and political governance of the country.

Lack of Leadership at the Regional Level

As mentioned in previous sections, Nigeria wields an overwhelming influence in West Africa due to its population size and GDP. Nigeria is not just a member state of ECOWAS, but is a founding member and the brainchild behind the entire integration process. At the moment, not only does Nigeria host the seat of ECOWAS and most of its institutions, but it also has a lot of power in the decision-making processes of the regional bloc. For example, Nigeria alone has about 40 of the 120 members in the ECOWAS Community Parliament. The country that come closest is Ghana, which has only eight.

Furthermore, Nigeria is a leading migrant sending country within the sub-region, while at the same time playing host to significant number of ECOWAS nationals. As a result, the misfortunes and weaknesses of Nigeria have a major effect on the entire region. Therefore, in order to facilitate regular human mobility within the sub-region, it is time that Nigeria took the leadership role and sought support from the rest of the countries to address all concerns associated with regional migration. Yet, as Qobo (2007: 3) has observed:

> African leaders have had little success in their integration and development efforts. They hoped to achieve at the continental level what they had failed to do on the domestic level, namely economic development through a combination of sound policies.

Therefore, Nigeria has to lead by example through the development of sound policies, stronger institutions, and demonstrate legality and professionalism in managing Nigerian migration. In doing so, it needs to seek the support of neighbouring countries, so that once order is achieved in Nigeria, it can reflect throughout the sub-region.

Conclusion

Main Findings

The extent of internal migration in Nigeria is enormous and a lot of it goes unnoticed due to the lack of reliable data. In recent

years, there is an increasing drift of the rural poor to urban centres where there are still scant economic opportunities to improve their living conditions. In addition, much of the internal migration in Nigeria, just like emigration, is produced within a context of forced mobility caused by high degrees of socio-economic and political insecurity resulting from political mismanagement, corruption, inter-ethnic violence, acts of terror by groups such as Boko Haram, environmental disasters, high population pressures and extreme poverty. As a result, there continues to be growing pressure to leave Nigeria to seek greener pastures in other countries, and this trend is likely to continue for some time.

Over the decades, therefore, Nigeria has remained a major source of international migrants, refugees and asylum seekers looking for life saving and better economic fortunes elsewhere. Neighbouring African countries including Cameroun, Cote D'Ivoire, Ghana and Benin, and further afield South Africa and Sudan, are among the important international destinations for Nigerian migrants. However, the OECD countries appear to be their principal destination of preference, with the UK and the USA dominating. Moreover, increasing pressure to leave Nigeria surpasses rational calculations to choose destinations that promise optimum benefits. As a result, Nigerian migrants no longer focus on traditional destination countries such as the UK and the USA, that have introduced stricter border controls, but rather head to any country where there is the slightest opportunity of gaining admission, even though there may be little chance of improving upon their livelihoods. The destinations of Nigerian emigrants have increasingly expanded over the years to include southern and eastern European countries, Asia and the Middle East that hitherto were less attractive to Nigerian migrants. In addition, the pressure to migrate, faced with stricter migration policies of receiving countries, is compelling Nigerian migrants to adopt more dangerous routes and means of travelling, including trafficking, smuggling and forged travelling documents, to reach destination countries.

Furthermore, due to the growing participation of the rural folk who are generally low skilled and in lower demand by host

nations, Nigerian migrants struggle to gain acceptance and integration pathways in the societies and economies of host nations. In view of that, increasing numbers of Nigerian economic migrants tend to seek humanitarian protection in host societies where they also engage in precarious and nefarious economic activities as a survival strategy.

While government policy is largely dictated by pressure from host nations to control and clamp down on unauthorised or unwanted migration from Nigeria, it does not go beyond that to tackle the root causes of migration in and out of Nigeria. Moreover, there is little collaboration between government institutions and civil society groups involved in managing migration in Nigeria.

Key Research Issues and Gaps

Ethical and Humanitarian Issues

Nigerian migration and policy strategies adopted to manage it pose serious ethical and humanitarian challenges. For instance, how can the Nigerian authorities pursue migrants' rights in the face of high security concerns, increasing rates of irregular migration, and participation of Nigerian nationals in unauthorised cross-border activities? Further research is needed to provide useful suggestions that will help to draw a right balance between human rights, ethics and security concerns in the governance of Nigerian migration.

The Extent of Forced Displacement and International Mobility

Much of Nigerian migration is developing within a context of forced mobility. Yet, the extent to which government action and inaction, as well as activities of terrorist groups and multinational companies, particularly those in the oil fields, have contributed to forced migration in and out of Nigeria is yet to be qualitatively and quantitatively determined. Furthermore, there appears to be a linkage between internal displacement and international migration out of Nigeria.

The Embedded Religio-cultural Elements in Nigerian Migration

Some of the current migration practices in Nigeria, such as human trafficking and prostitution, are embedded in some religious and cultural practices that characterised Nigerian migration in the past. Therefore, to find an antidote to some of the modern day ill practices associated with Nigerian migration, it would be worthwhile to gain greater insight into how these practices developed, and the extent to which they are still relevant in, and sustained by Nigerian culture, religion and society.

References

Adegoke, Y.O., 2013, 'Disparity in Income Distribution in Nigeria: A Lorenz Curve and Gini Index Approach', *Universal Journal of Management and Social Sciences*, 3 (7), 1-13.

Adepoju, A. & van der Wiel, A., 2010, *Seeking Greener Pastures Abroad – A Migration Profile of Nigeria*, Safari Books Ltd, Ibadan.

Afolayan, A.A., 1988, 'Immigration and Expulsion of ECOWAS Aliens in Nigeria', *International Migration Review*, 22, 4-27.

Afolayan, A.A., 1998, *Emigration dynamics in Nigeria: landlessness, poverty, ethnicity and differential responses*, Ashgate Publishing Limited, USA.

Afolayan A.A., Ikwuyatum G.O. & Abejide O., 2008, *Dynamics of International Migration in Nigeria - Country Paper*, African Perspectives on Human Mobility Programme, Department of Geography, University of Ibadan, Ibadan.

Agyeman, E.A., 2013, 'African Migrants in Japan: Social Capital and Economic Integration', *CSSI, Tohoku University, Working Paper Series, No. 11*, Sendai.

Atsenuwa A. & Adepoju A., 2010, *Rights of African Migrants and Deportees. A Nigerian Case Study*, Justice Without Borders Project, Network of Migration Research on Africa (NOMRA), Lagos.

Brown, M.L., 1989, 'Nigeria and the ECOWAS Protocol on Free Movement and Residence', *The Journal of Modern African Studies*, 27, 251-273.

Campani G., 2000, 'Immigrant women in Southern Europe: social exclusion, domestic work and prostitution', in R. King *et al.*, (eds.) *Eldorado or Fortress? Migration in Southern Europe,* pp. 145-169, Palgrave, New York.

Carling, J., 2006, *Migration, human smuggling and trafficking from Nigeria to Europe*, IOM Migration Research Series, 23, IOM, Geneva.

Customs and Immigration Service, 2010, *Annual Report 2010,* Jersey State, Nigeria.

De Haas, H., 2006, *International migration and national development: Viewpoints and policy initiatives in countries of origin. The case of Nigeria,* a report prepared for Radboud University, Nijmegen and Directorate General for International Cooperation (DGIS), Ministry of Foreign Affairs the Netherlands.

Department of State, USA, 2013, *2013 Trafficking in Persons Report,* New York.

Fadayomi, O.T., 2013, 'Enhancing Migration data Management in Nigeria: Assessment and Recommendations', ACP Observatory on Migration, Brussels, Belgium.

Federal Ministry of Labour and Productivity, 2010, *Revised Labour Migration Policy for Nigeria* (Draft).

Freund, W.M., 1981, 'Labour Migration to the Northern Nigerian Tin Mines, 1903-1945', *The Journal of African History*, 22(1), 73-84.

Ghana Reporters, 2012, *Nigeria: Immigration Service Repatriated 16,738 Illegal Migrants In 2012'*. Viewed 23 July 2012 from http://ghanareporters.com/2012/12/30/nigeria-immigration-service-repatriated-16738-illegal-migrants-in-2012/.

Gravil, R., 1985, 'The Nigerian Aliens Expulsion Order of 1983', *African Affairs*, 84, 523-537.

Hagopian, A., Ofosu, A., Fatusi, A., Biritwum, R., Essel, A., Hart, L. G., Watts, C., 2005, 'The Flight of Physicians from West Africa: Views of African Physicians and Implications for Policy', *Social Science & Medicine*, 61, 1750–1760.

Internal Displacement Monitoring Centre (IDMC), 2014, *Global Overview 2014: People Internally Displaced by Conflict and Violence*, IDMC, Geneva.

Internal Displacement Monitoring Centre (IDMC), 2012, *Global Estimates 2012: People Displaced by Disasters,* IDMC, Geneva.

IOM, 2009, 'Migration in Nigeria: A Country Profile', IOM, Geneva.

IOM-Nigeria, 2014, *Facts and Figures*. Viewed 14 April 2014 from https://www.iom.int/cms/en/sites/iom/home/where-we-work/africa-and-the-middle-east/central-and-west-africa/nigeria.html.

Lovejoy, P.E., 1978, Plantations in the Economy of the Sokoto Caliphate, *Journal of African History*, 19, 341-368.

Lovejoy, P.E., 1980, *Caravans of Kola: The Hausa kola trade 1700-1900*, A.B.U. Press Zaria.

Mason, M., 1969, 'Population Density and "Slave Raiding"-The Case of the Middle Belt of Nigeria', *Journal of African History*, 10 (4), 551-564.

NAPTIP, 2014, *About us.* Viewed 15 July 2014 from http://www.naptip.gov.ng/aboutus.html.

Nigerian Central Bank, 2014, *Inflation rates from July 2013 to July 2014*. Viewed 15 July from http://www.cenbank.org/.

Nigerian Social Com, 2014, *Boko Haram: Immigration deports 182 illegal immigrants.* Viewed 15 July 2014 from http://nairacircle.com/blog/view/1450/boko-haram-immigration-deports-182-illegal-immigrants.

Onwuka R.I., 1982, 'The ECOWAS Protocol on the Free Movement of Persons: A Threat to Nigerian Security?' *African Affairs*, 81(323), 193-206.

Osili, U.O., 2007, 'Remittances and Savings from International Migration: Theory and evidence using a matched sample', *Journal of Development Economics*, 83, 446–465.

Osili, U.O., 2004, 'Migrants and Housing Investments: Theory and Evidence from Nigeria', *Economic Development and Cultural Change*, 52(4), 821-849.

Osoba, S.O., 1969, 'The Phenomenon of Labour Migration in the Era Of British Colonial Rule: A Neglected Aspect of Nigeria's Social History', *Journal of the Historical Society of Nigeria*, IV (4), 517-538.

Owusu G., 2013, 'Factors Shaping Economic Integration and Regional Trade in West Africa', Sohn, R., & Oppong K.A. (eds.), *Regional Trade and Monetary Integration in West Africa and Europe*, Centre for Integration Studies, Germany and West African Institute, Cape Verde.

Oyeniyi, B.A., 2010, '*Internal Migration in Nigeria: A positive contribution to human development*', IOM, ACP Observatory on Migration, Geneva.

Peil, M., 1974, 'Ghana's Aliens', *International Migration Review*, 8, 367-381.

Skinner, E. P., 1965, 'Labour Migration among the Mossi of Upper Volta', in H. Kuper (ed.), *Urbanization and Migration in West Africa*, pp. 60-84, University of California Press, California.

Swindell, K., 1984, 'Farmers trader and Labourers: Dry Season Migrants from North-West Nigeria, 1900-1933', *Journal of the International African Institute*, 54(1), 3-19.

UNDESA, 2013, *Trends in International Migrant Stock: The 2013 Revision*, Population Division, UNDESA, Geneva.

UNDP, 2013, *World Population Prospects: The 2013 Revision*, Population Division, UNDESA, Geneva.

UNESCO, 2014, *International Student Flow.* Viewed 18 June 2014 from http://www.uis.unesco.org/Education/Pages/international-student-flow-viz.aspx.

UNHCR, 2014a, *UNHCR Statistical Online Population Database*. Viewed 17 April 2014 from http:/www.unhcr.org/pages/4a013eb06.html.

UNHCR, Nigeria, 2014b, *Statistical Snapshot*. Viewed 23 April 2014 from http:// www. unhcr.org/pages/49e484f76.html.

UNHCR, 2013, *Global Report for 2013*, UNHCR, Geneva.

World Bank, 2014, *Migrant Remittances Inflows and Outflows: Nigeria, 2014.* Viewed 18 July 2014 from www.worldbank.org.

World Bank, 2014, *World Development Indicators*. Viewed 18 July 2014 from http://www.worldbank.org/en/country/nigeria.

CHAPTER THREE
Human Mobility in Angola

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Introduction

It is now more than a decade since Angola signed the Luena Peace Accord in 2002, ending a 30 year brutal civil war that decimated most of the country's infrastructure and left an estimated one million people dead and four million displaced (IRIN 2006). This period of peace and tranquillity in the country has come as a welcome relief to the African continent and to the world generally, given the destruction, suffering, and brutality that the war inflicted on the Angolan people.

Taking advantage of this period of peace, the Angolan government has made tremendous strides in rebuilding the country, especially the economic infrastructure, as well as the lives of its citizens whose socio-cultural livelihood was destroyed during the past three decades of conflict. In particular, the country's economy has experienced rapid economic growth reaching 4.1 percent in 2013 (World Bank 2013) and there has also been massive infrastructure development across the country. The International Monetary Fund (IMF) observes that Angola has returned to a path of solid economic growth, with single-digit inflation, a strong international reserves position, and a stable exchange rate. In 2014 the estimated growth is projected to be 3.9 percent (IMF 2014).

The IMF also acknowledges that the Angolan government has made progress in strengthening some areas of its fiscal and monetary policies. However, recurrent domestic arrears and the reconciliation of oil revenue remain as challenges for public financial management (IMF 2014). Politically, the country also successfully held its second legislative elections under the new constitution, thus allowing its citizens to democratically elect the country's president. Despite significant economic progress, a large number of the country's 21 million people are still living in abject poverty. At present the country's poverty head count ratio stands at 37 percent countrywide, and 60 percent in rural areas (IMF 2014). The life expectancy is 51.9 years old which is low, even by Southern African standards (UN DESA 2013).

Since the end of the civil war Angola has been facing the issue of reintegration of internally displaced people (IDPs) and former refugees returning from neighbouring countries. On top of this, the country continues to experience significant inflows and

outflows of people, who are lured into and outside the country respectively, by various socio-economic and political factors. Apart from internally displaced people and Angolan war returnees, the country is currently facing an influx of both internal and international migrants. The positive shift in the country's economic and political fortunes has, in fact, attracted a whole range of economic migrants.

This situation has created a litany of challenges and opportunities for the country's policy makers, civil society organisations, international humanitarian agencies, communities where the migrants originate and where they are hosted after migration, and the migrants themselves.

Human Mobility in Historical Context

The structure of Angola's history has migration written all over it. From pre-colonial times, Khoi-khoi hunter-gatherer societies, the original inhabitants of the country, had been roaming across the country in search of food and other material resources for sustenance. When one of the first migration voyages was undertaken by Bantu people from the Katanga region of the Democratic Republic of Congo (DRC) to Angola around 1300 A.D, they found Khoi-khoi societies occupying the northern and southern regions of the country, and fishing along the Congo River. By 1500 A.D. the country's ethno-linguistic composition had been developed with the migration of the Kongo, Ovimbundu, Mbundu, Lunda-Chokwe, and Herero people settling in various parts of the country. The name Angola itself is a product of migration derived from the early Bantu kingdom of Ndongo whose king was called Ngola. It is estimated that the largest migration of Bantu peoples occurred in the 14th century just before the first contact between the Bantu and Portuguese explorers took place (Viera 1980).

Portuguese occupation and eventual colonisation of Angola also has its background firmly rooted in migration. The first Portuguese navigator to reach Angola was Diego Cao, who arrived around 1482. Thereafter, a number of Portuguese and other European explorers, missionaries and merchants arrived on the country's shores, resulting in the establishment of Portuguese

colonial rule in the mid-16ᵗʰ century. From this time onwards, the country became an important link in trade between Europe (Portugal), India, and the wider South East Asian region. Trade in silk and other oriental products was superseded by the export of slaves from the country to Portuguese controlled Brazil and the 'New World' in the Americas. Portuguese colonisation of the country contributed greatly to the Trans-Atlantic Slave trade by sending an estimated four million Angolan slaves to Brazil and Portugal (Tvedten 1997). Four million is, however, a conservative estimate considering that as many slaves reached their destination as those who died on their marches to slave depots and on sea crossings. Historians are generally agreed on the fact that Angola suffered the worst socio-economic and political consequences of the Slave Trade relative to any other African country, as millions of its able bodied citizens were taken away. This situation had long term negative effects on national productivity, local authority, and family structures (Chabal & Vidal 2007).

Bender (2007) observes that with the abolition of the slave trade in 1836 the Portuguese colonialists in Angola sought to assert their control over African labour by legalising the colonial forced employment of natives. By making forced labour of natives obligatory, the colonialists hoped to use African labour to rapidly develop newly established coffee and rubber plantations in the northern part of the country. They therefore enlisted forced labour from the native Bakongo, Ovimbundu and other tribes in order to accomplish this endeavour. This situation entailed large movements of thousands of people within the country (in-ward migration). Hodges (2001) notes that due to the harsh working conditions on the plantations, an estimated half a million indigenous Angolan labourers escaped to neighbouring countries such as the DRC and Zambia during the 60 years that this forced labour system was in place.

Colonial rule in Angola was also characterised by lack of investment in physical infrastructure and social services such as education and health. This was largely a product of Portuguese colonial policy of systematically exploiting their colonies to the maximum but at the least cost i.e. maximum extraction of wealth but little or no reinvestment into the economy. Colonial Angola was characterised by poor social service delivery and very low

infrastructural development. Because of this under-investment and discriminatory colonial social service delivery, policies aimed at favouring European colonialists, and to a smaller extent *assimilados* (assimilated non-white Angolans), at the expense of the *indigenas* (the uneducated native Angolans mostly residing in rural areas) triggered a huge rural-urban migration flow as thousands of *indigenas* flocked to urban areas such as the capital, Luanda, to search for menial employment opportunities and to access some social services. Church-led organisations attempted to provide some educational and health assistance to the under privileged *indigenas*. In response, the colonial government imposed a national identity card registration for every Angolan citizen with the aim of stemming this tide of rural-urban migration. This created significant income inequalities among all Angolan nationals, which together with forced labour, bred huge resentment to colonial rule especially among the poor rural citizens (Bender 2007). The situation eventually contributed to the birth of independence movements in the 1960s and 1970s, which aimed at ending the Portuguese colonisation of the country. According to Birmingham (2002) the main liberation movements in Angola during the 1960s and 1970s were the People's Movement for the Liberation of Angola (MPLA), the Union for the Total Independence of Angola (UNITA), and the National Front for the Liberation of Angola (FNLA).

Due to ideological differences among the liberation movements especially between MPLA and UNITA, war broke out soon after the end of Portuguese colonisation of Angola in 1975. The Angolan civil war, mainly waged between MPLA and UNITA, lasted for 27 years (1975-2002) leaving behind a decimated country, with the majority of the population dispersed and the infrastructure destroyed (Hodges 2001). Even though it is extremely difficult to come up with the exact number of civilian casualties, there is a considerable consensus among experts that an estimated one million people were killed during the conflict and another four million were displaced (IRIN 2006). The high casualty numbers result from the main warring factions deliberately making civilians pawns in the conflict. Furthermore, the civil war left tens of thousands of Angolans displaced (*deslocados*) as IDPs or refugees in neighbouring countries such as the DRC, Zambia, Namibia, and Botswana. The Internal

Displacement Monitoring Centre (IDMC) observes that as of the end 2007, the four million IDPs represented 30 percent of the total Angolan population.

Contemporary Trends in Human Mobility

Immigrants

Sources of Data

Human mobility is still a dominant issue facing Angolan society, over a decade after the end of the civil war. Thousands of people have been moving not only in and out of Angola but also within the country for various socio-economic and political reasons, as refugees, asylum seekers, and economic migrants.

The absence of reliable and rigorous data on migration trends in Angola represents a great challenge; this lacuna is the result both of the civil war and the fact that it has not been possible to collect sound scientific information (Martins Almeida 2010). The absence of a comprehensive and reliable set of data, and the limited capacity of national authorities with regard to the collection and management of information, prevent researchers from conducting comprehensive and scientifically accurate studies on the matter. The process of analysis, updating and dissemination of information about internal and international migration is particularly inconsistent (Lopes 2013).

The results of the national census conducted in May 2014, the first since the country's independence, will likely provide useful information and will constitute the basis for further research on human mobility. Given the current context only rough projections and estimates, based on the available statistics, are possible. In this regard, the need to pursue reliable migration data and to expand the knowledge base on the multi-faceted phenomenon of human mobility is highlighted in the conclusions of this report.

Data for this section are mainly drawn from the United Nations High Commissioner for Refugees (UNHCR), United Nations Department of Economic and Social Affairs (UN DESA) the International Organisation for Migration (IOM) and Consular Services. Statistics on remittances derive from World Bank, IOM

and Finmark Trust reports. The United Nations estimates the international migrant stock as the number of foreign-born individuals (or in the absence of such data the number of people of foreign citizenship) living in a given country at mid-year. Most of the statistics are obtained from national population census (70 percent), population registers (17 percent) and nationally representative household surveys (13 percent). These figures include refugees who in many cases do not acquire citizenship in the hosting country, but excludes temporary and unauthorised migrants. Therefore the information reported below seems extremely conservative mainly due to differing interpretations of the definition of "immigrant" and to the lack of updated and reliable information about foreign populations.

UN DESA (2013) estimates that the international stock of migrants in Angola is 87,436 (52% of whom are women) and constitutes 0.4% of the population, while the net migration rate (2010-2015) is 0.6 migrants/1,000 population (IOM 2014). Table 1 below presents a high level view of migration in Angola.

Table 1
Migration in Angola

Total Migrants	Females	Net Migration Rate (2010-2015)	Immigrants (2013)
87,400	52 percent	06 migrants /1000 population	0.4

Source: IOM 2014

The majority of international migrants come from countries in the region and have strong language and cultural links with Angola, such as Cape Verde (8,559) and Sao Tome and Principe (7,466). A large number of migrants, particularly refugees, come from the DRC (35,345) and South Africa (5,846). Table 2 presents the distribution of immigrants in Angola by age and sex. The data show a significant increase in the immigrant population stock between 2000 and 2013.

Table 2
International Migration Stock by Age and Sex (2013)

Age	2000			2013		
	Male	Female	Total	Male	Female	Total
0-4	902	1,108	2 010	1,839	2,684	4,523
5-9	1,296	1,649	2,945	2,078	3,111	5,189
10-14	1,868	2,443	4,311	2,580	4,021	6,601
15-19	2,186	2,969	5,155	3,257	5,057	8,314
20-24	2,607	3,450	6,057	3,980	5,506	9,486
25-29	2,956	3,137	6,093	4,635	5,436	10,071
30-34	2,733	2,135	4,868	4,850	4,737	9,587
35-39	2,090	1,351	3,441	4,523	3,714	8,237
40-44	1,553	963	2,516	3,847	2,797	6,644
45-49	1,221	755	1,976	2,987	2,096	5,083
50-54	1,068	660	1,728	2,319	1,620	3,939
55-59	1,020	636	1,656	1,880	1,403	3,283
60-64	915	663	1,578	1,611	1,252	2,863
65+	952	822	1,774	1,790	1,826	3,616
Total	23,367	22,741	46,108	42,176	45,260	87,436

Source: Adapted from United Nations, Department of Economic and Social Affairs, Population Division 2013.

As a result of bilateral agreements between Angola and China one of the largest groups of foreign nationals in Angola is Chinese. In 2011 China became the main international investor in Africa and in 2013 Chinese investments in the continent increased by 5.9% reaching a total of US$210.2 billion (CEDOC 2014).

Park (2009) observes that Chinese migrants, both independent and attached to Chinese businesses, are arriving in African countries such as Angola, often following paths cut earlier on by Chinese diplomats, Chinese multinational corporations, large Chinese infrastructure projects, and in some cases, Taiwanese businesses. The Chinese arrive in Angola and other African countries by various means. For instance, the immigration of a

small number of Chinese professionals and labourers is arranged via direct government-to-government arrangement; this is normally the case for Chinese medical doctors or agricultural advisors linked to development aid projects in the country. Emmanuel Ma Mung (2008) identifies three types of Chinese migrants to Africa: temporary labour migrants linked to public building works and large infrastructure development projects undertaken by large Chinese enterprises; small-time entrepreneurs; and transit migrants. Added to this is a fourth category consisting of Chinese agricultural workers. The Chinese Chamber of Commerce reports that there are more than 500 companies operating in Angola and about 100,000 workers mainly employed in post reconstruction activities. On the other hand, the Angolan government estimates the number of Chinese immigrants to be in 260,000 (CEDOC 2014).

Portuguese nationals represent one of the largest foreign communities in Angola; between 2008 and 2012, between 10 and 12 percent of the total Portuguese migrants decided to move to Angola and Mozambique. In 2009, 23,787 Portuguese moved to Angola. In 2013 the number of Portuguese citizens living in Angola and registered at the Consular Section was 115,595 (Portuguese Observatory of Emigration 2014). This figure is likely to be underestimated as the Portuguese Embassy constitutes the exclusive source of information regarding the inflow of Portuguese in Angola. In 2013 the outflow of remittances from Angola to Portugal reached a total of €304,328 million this amount accounted for 10% of the total remittances that were received by Portugal, proving that Angola is currently one of the top destinations for Portuguese migrants (Portuguese Observatory of Emigration 2014). As noted by Tolentino and Peixoto (2011) over the last decade the influx of Angolans to Portugal has diminished while the number of Portuguese moving to Angola has significantly increased.

According to Kurunova (2013) the decision to immigrate depends mainly on factors such as lack of social security and justice, a low level of confidence in the state and better opportunities for work abroad. In the context of Angola, different types of immigrants exist. These include refugees, asylum seekers, economic migrants and others. The following section provides information about the various types of immigrants in Angola.

Refugees and Asylum Seekers

The United Nations High Commissioner for Refugees (UNHCR) observes that as of the end of 2013, there were approximately 23,783 refugees residing in Angola of which 12,300 live in Luanda province. The majority of them (21,104) are from the DRC. Among the other nationalities there are Rwandans (458); Ivoirians (407); Sierra Leonese (413); Sudanese (281) and Somalis (215).

In 2013, 20,039 people were recorded as asylum seekers. Their main countries of origin are: Guinea Conakry (4,562); Ivory Coast (4,183); the DRC (2,300); Mauritania (2,257); Sudan (1,555); and Somalia (1,353). The recorded number of asylum seekers is primarily made up of a huge backlog of applicants. As at the end of 2013, only 1,208 new applications were received by national authorities. The majority of new applicants are from Ivory Coast (423) followed by Eritrea (293) and Somalia (267).[8]

Angola is still a refugee producing country and according to UNHCR (2014b) a total of 10,297 Angolans worldwide hold refugee status. At the end of 2012, five Angolans received refugee status in Belgium while another 103 received international protection in France (UNHCR 2013). By the end of 2013 1,448 refugee claims were still pending. Figure 1 provides information on Asylum seekers by the country of origin

The UNHCR (2014b) has compiled an updated statistical report for Angola including refugees, asylum seekers, internally displaced persons (IDPs), stateless persons and others persons of concern to UNHCR, as given in the table below. Worldwide there are still over 150,000 Angolans under UNHCR's mandate.

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[8] Data released by UNHCR staff member, interview conducted in Luanda in August 2014. At this regard a lawyer for human rights interviewed in Luanda in August 2014 revealed that some of the asylum seekers from Somalia have previously transited and resided in South Africa.

Figure 1
Asylum Seekers by the Country of Origin
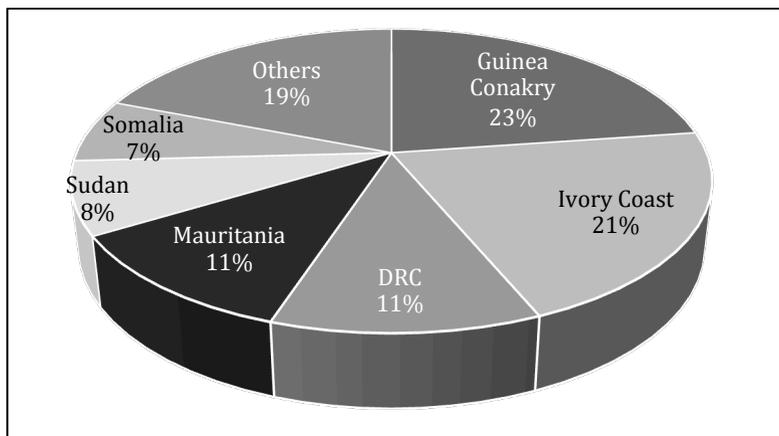
Source: UNHCR 2014

Table 3

Refugees, Asylum Seekers, Internally Displaced Persons (IDPs),
Stateless Persons and Others of Concern to UNHCR

Residing in Angola	
Refugees (DRC, Sierra Leone, Rwanda, Sudan, Somalia, Chad)	23,783
Asylum seekers (DRC, Ivory Coast, Mauritania, Somalia, Sudan, Guinea Conakry)	20,039
Returned refugees	1,666
Originating from Angola	
Refugees	10,297
Asylum seekers	1,448
Various	96,786
Total population of concern	**154,019**

Source: UNHCR 2014b

Returned Refugees

The migration situation in the post-war Angola has been largely dominated by the return of former refugees from neighbouring countries. The UNHCR observes that with the cessation of hostilities between MPLA and UNITA forces in 2002, former Angolan refugees returned from exile mainly from neighbouring countries such as Namibia, Zambia, the DRC and the other countries of the Southern African Development Community (SADC) such as Botswana and South Africa. Between 2003 and 2012 the Voluntary Repatriation Programme (VOLREP) assisted the return of 423,343 former Angolan refugees (CEDOC 2014). Out of this number "another 150,000 returned spontaneously but received UNHCR assistance upon arrival, and 100,000 repatriated without any assistance" (Kaun 2008:10). To implement the voluntary repatriation operation, UNHCR worked closely with the Governments of Angola and countries of asylum, as well as other agencies, including the World Food Programme (WFP), the United Nations Children's Fund (UNICEF), the Office for the Coordination of Humanitarian Affairs (OCHA), the International Organisation for Migration (IOM) and several national and international NGOs.

Between 2013 and early 2014, 2,022 Angolans where voluntarily repatriated from Zambia, Namibia, Botswana and South Africa (CEDOC 2014). In August 2014 the last programme of voluntary assisted repatriation began and will end in December 2014. Over this period 29,659 former Angolan refugees are expected to return to Angola, while 18,192 in the DRC have opted for local integration. The Zambian government has offered to grant permanent residence to 10,000 former Angolan refugees who have decided not to return to Angola (UNHCR 2014a). Former refugees from Zambia have mainly returned to Moxico province, while those who lived in the DRC have relocated in the provinces of Zaire and Uije (CEDOC 2014).

Irregular Migration

Since the end of the civil war in 2002, Angola has experienced unprecedented economic and political stability as a result of booming global petroleum prices and the cessation of military hostilities between MPLA and UNITA forces. This positive shift in the country's economic and political fortunes has attracted not

only displaced Angolan people from exile, but also a whole range of economic migrants and refugees. All these factors contributed to the creation of a favourable environment for increased unauthorised migration between Angola and its neighbouring countries over the past years.

Unauthorised migration has prompted the Angolan government to strengthen border controls. The securitization of migration has led to an increase in detention and mass expulsions of foreign nationals, particularly from northern regions bordering the DRC (Human Rights Watch 2013). According to the United Nations Office for the Coordination of Humanitarian Affairs, the Angola government expelled over 400,000 unauthorised migrants between 2003 and 2012 (OCHA 2012). According to Angola's Migration Foreign Service (SME) between June 2013 and June 2014 a total of 2,046 unauthorised migrants of different nationalities were repatriated from the northern provinces of the country (CEDOC 2014).

It is impossible to estimate the number of unauthorised migrants present in Angola and due to the lack of reliable data available estimates can be misleading. Nonetheless, Angolan authorities believe that over a million unauthorised migrants are living in the country (MIDSA 2013). Both government and media are reporting an increasing influx of unauthorised migrants. Borders are difficult to patrol and the booming economy is attracting more people; this phenomenon is affecting every province in the country particularly those bordering with the DRC where Congolese and other African migrants are often involved in illegal mining activities and traders from the same ethnic group often engage in cross-border transactions.[9]

Human Trafficking

Human trafficking is a serious contemporary issue affecting Angolan migration, and Angolan authorities have repeatedly stated their concerns with regard to the link between unauthorised migration and the trafficking of people (MIDSA 2013).

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[9] Interview with Salvatore Sortino, IOM Head of Mission in Angola, August 2014

Cases of women, children, young boys and men being trafficked both internally and externally for various menial jobs in the agriculture, construction, domestic service and artisanal diamond mining sectors are a common phenomenon (United States Department of State 2011). Popular foreign destinations for trafficked women and children include Namibia, the DRC, Portugal, and South Africa. Traffickers target young boys and children mainly for pottering jobs on the Namibia-Angola border and cattle herding in Namibia. Domestically the traffickers entice poor families with various material and monetary benefits in exchange for women and men to work mainly in primary sectors of the economy. In Angola women from Vietnam, China and Brazil are often victims of sex trafficking, while Chinese, Southeast Asian, Namibian and Congolese are subject to forced labour mainly in the construction industry (United States Department of State 2014).

The US Embassy observes that unaccompanied children in cities are the easiest targets for human trafficking. It is estimated that 30 percent of Angolan children work in conditions of forced labour. These children, normally aged between five and 14 years, experience both economic and sexual abuse when working as domestic servants, farm workers and in the informal sectors of the economy (United States Department of State 2011).

Internal Migration

Urbanisation and internal migration are relevant issues and their root causes date back to way before Angola's independence. The onset of civil war in 1975, however, is the main contributor to the masses of internally displaced people in Angola. The movement of people during the civil war followed a migratory path starting in the rural areas of the central parts of the country, moving towards the coastal region, and ultimately ending in Luanda (Cain 2013). When the government went on the offensive, they also targeted civilians in the rural areas, moving them out of the countryside to create "free-fire zones" (Cain 2013) and to remove the access to food and resources that the rebels could get from the local communities. The internal migration of people that Angola experienced during the civil war was the main cause of the rapid urbanisation in the country during the period from 1975 to 2002.

The rapid urban growth and the large increase of informal settlements (*musseques*) in peri-urban areas of Luanda have put a huge strain on the provision of basic services and facilities such as health services, potable waters and electricity (Ammassari 2005). Between 2000 and 2013 the percentage of urban population in Angola increased significantly from 49 percent to 61 percent (UN DESA 2013).

Research conducted by Cain (2012) shows that within Luanda the movement of people has been mainly inner-city movement, as people migrate from the old city center to the periphery due to development that is taking place. The study reveals that 75% of the property buyers in Luanda are from the older areas of the city. This is often the result of free and voluntary movement of people where individuals apply a cost benefit analysis to their decisions. In 2010 only 18% of the property buyers in the areas of the study were from outside Luanda.

Emigrants

Emigration is one of the important issues dominating post war Angola. There are many reasons that cause, and accelerate, the rate of out-migration (emigration) in Angola. Castles and Loughna (2002) observe that the main push factors of migration in the country include the long-standing civil war, low levels of human development, high rates of unemployment, lack of study opportunities, desire to engage in international trade, high numbers of internally displaced persons relative to the total population, and low life expectancy. However, due to dearth of official data on Angolan emigration there are serious challenges in terms of monitoring, policymaking and planning the flows and trends of Angolans leaving the country. According to the International Organisation for Migration (2010) the stock of emigrants from Angola is estimated at 522,964 (compared to the 533,000 estimated by the World Bank, 2011) and the major destination countries include Portugal, Zambia, Namibia, the Republic of Congo, Germany, France, the United Kingdom (UK), Brazil, the Netherlands and the United States (World Bank 2011). In addition, it must also be pointed out that Angolan emigration flows have been male-dominated ever since the country's emigration peak during the 1990s. Indeed Angolan emigrants

have primarily consisted of young adults coming from poor, working class and middle class social backgrounds (Alvarez Tinajero 2009).

UN DESA (2013) estimates that some 4,133 Angolans are pursuing their tertiary education abroad. The main countries of destination are Brazil (1,552), South Africa (1,167), the United States (686), Cuba (425) and the UK (303).

Remittances

A related issue to emigration is that of remittances that the Angolan diaspora send back to the country. Basically, remittances are the product of migration caused by conflict or economic incentives. They are transfers from "people to people" usually made by family members in the diaspora to their families in their countries of origin. Domestic remittances can also be considered as financial transfers from urban workers to their families in rural areas within the same country (Ratha & Shaw 2007). Remittances in Angola are intrinsically linked to the country's population, which is in the diaspora. The IOM observes that 30 percent of the Angolan diaspora is in Portugal, 42 percent in other European countries, 4 percent is in Brazil, 3 percent in North America, 5 percent in South Africa, 13 percent in other African countries and 3 percent is in the rest of the world. Linguistic and cultural proximity facilitated the migration of nationals to Portugal. Portugal is the single country hosting the largest Angolan diaspora community. Similarly, South Africa is a convenient destination for others due to its geographical proximity. Table 4 below provides a summary of global distribution of Angola's diaspora.

Table 4
Global Distribution of Angola's Diaspora

Country	Estimated %
Europe (excluding Portugal)	42%
Portugal	30%
Other African countries	13%
South Africa	5%
Brazil	4%
North America	3%
Rest	3%
Total	**100%**

Source: IOM 2014.

Data on the sources of remittance flows to Angola are not available mainly due to non-reliable statistical records and a poor data collection and management system. However, estimates based on bilateral migration stocks, incomes in destination countries, and incomes in countries of origin, indicate that the top sources of remittances for Angola are Portugal and South Africa. Estimates indicate that in 2010 a total of US$ 18 million was remitted to Angola by members of its diaspora (World Bank 2011). This figure is likely to be underestimated primarily due to the lack of accurate and reliable information on the inflows of remittances in the country (Martins Almeida 2010). The outflow of remittances for 2012 is estimated at US$ 546 million. This figure shows that Angola is also a remittance sending country, mainly due to the fact that the country is receiving more and more immigrants, including skilled workers from Europe and other countries (Tolentino & Peixoto 2011). Based on an estimation of the Angolan migrant's stock in South Africa (10,200) Finmark Trust (2012) reports that every year between US$ 2.08 million and US$ 3 million in remittances are sent to Angola. These figures also account for remittances sent through informal channels such as cross border mini-bus taxis or

buses. Each migrant sends on average between US$ 450 and US$ 600 per year (Truen & Chisadza 2012).

A World Bank (2014) report indicates that remittances improved the basic needs for the majority of the households (food) and ensured educational opportunities. In general, in the context of Angola, remittances are a source of supplementary income that contribute to the welfare of the household. IOM (2008) studies revealed that one third of the transfers are made regularly on a monthly basis and findings also reveal that 24% of household remittances represent the primary and only source of monthly income for families (Baganha 2009).

Angola's Migration Policy Framework

Angola does not have a migration policy framework; instead it has an immigration control policy to select and admit foreign nationals (MIEUX 2010). The few legal statutes governing migration in the country derive from Angola's colonial heritage and have neither been amended nor reviewed since independence in 1975 (United States Department of State 2014).

Angola (MIEUX 2010) is member of the United Nations (UN), the Southern African Development Community (SADC), the African Union (AU), the Economic Community of Central African States and the Gulf of Guinea Commission (GGC). The country is a signatory to numerous international conventions and treaties as listed in Table 5 below.

Table 5
Conventions and treaties signed by Angola

1	*ILO Convention concerning Freedom of Association and Protection of the Right to Organise* (No. 87) of 9 July 1948
2	*ILO Convention on Abolition of Forced Labour* (No.105) of 25 June 1957;
3	*ILO Convention on Migration for Employment* (revised) (No.97) of 1 July 1949
4	*ILO Forced Labour Convention* (No. 29) of 28 June 1930

5	*Organisation of African Unity, Convention Governing the Specific Aspects of Refugee Problems in Africa (OAU Convention)*, 10 September 1969
5	*UN Convention on the Rights of the Child*, General Assembly resolution 44/25 of 20 November 1989.
7	*UN Convention on the Reduction of Statelessness*, 30 August 1961;
8	*UN Convention relating to the Status of Refugees* of 28 July 1951 and its 1967 Protocol
9	*UN Convention relating to the Status of Stateless Persons*, Economic and Social Council resolution 526 A (XVII) of 26 April 1954
10	*UN International Covenant on Civil and Political Rights*, General Assembly resolution 2200A (XXI) of 16 December 1966
11	*UN Universal Declaration of Human Rights*, 10 December 1948

In September 2013 Angola signed relevant international human right treaties including: the *Second Optional Protocol to the International Covenant on Civil and Political Rights*, the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol,* the *Convention on the Elimination of All Forms of Racial Discrimination,* and the *Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.* Angola further agreed to ratify the *Convention for the Protection of All Persons from Enforced Disappearance*[10] and the *International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families* (Amnesty International 2014).

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[10] The *Convention for the Protection of all Persons from Enforced Disappearance* was signed on September 24, 2014. At this regard see: https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_ no=IV-16&chapter =4& lang=en, accessed 05 October 2014.

In September 2014 [11] the Angolan government acceded three Protocols that complement the 2000 Convention against Transnational Organized Crime, namely the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children*, the *Protocol against the smuggling of migrants by land, sea and air and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms*. In 2014 the *Convention of the Rights of Persons with Disabilities and its Optional Protocol* were also acceded by the Angolan Government.

With regard to migration, the Angolan internal legal framework includes the 02/07 *Lei Sobre o Regime Juridico dos Estrangeiros na Republica de Angola* (Law Regulating the Legal Status of Foreigners in the Republic of Angola) which regulates the legal regime of foreign nationals in Angola. The legal situation of foreign citizens comprises the rules governing entry, departure, stay, and residence.

The Angolan detention policy is also guided by the 02/07 *Lei Sobre o Regime Juridico dos Estrangeiros na Republica de Angola*; the law aims to offer a robust framework for combating and controlling unauthorised migration. The immigration law replaces the previous *Foreigners Law from 1994*. The United Nations Working Group on Arbitrary Detention (WGAD) observes that the current Angolan immigration system proposes harsh and excessive responses to unauthorised migration since it emphasises the compulsory detention (in case of judicial expulsion [12]) of unauthorised migrants who are irregularly present

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[11] According to Article 17(1) of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,* Article 22(1) of the *Protocol against the smuggling of migrants by land, sea and air* and Article 18(1) of the *Protocol against the Illicit Manufacturing of and Trafficking in Firearms*, Protocols ''[s]hall enter into force on the ninetieth day after the date of deposit of the fortieth instrument of ratification, acceptance, approval or accession''. Available at https://treaties.un.org/pages/CNs.aspx, accessed 29 September 2014.

[12] At this regard see Article 28 Para 1(a) of the 02/07 *Lei Sobre o Regime Juridico dos Estrangeiros na Republica de Angola*. Full text available at: http://ao.chineseembassy.org/chn/agljj/xgfg/P020091206005145225591.pdf accessed 15 July 2014.

on national territory at the Angolan Immigration Detention Centre[13] (Global Detention Project 2014).

Recently the Angolan Government took steps to improve detention facilities and condition for migrants awaiting repatriation to their country of origin by establishing the so called "Transit Centres'' which provide health care services for people in detention (MIDSA 2013). Detention centres are meant to provide for short term stays, although there have been reports of people held in custody beyond the period prescribed by Law[14] (WGAD 2008). According to the *Immigration Act* refugees should not be expelled to countries where they might be persecuted for political, ethnic or religious grounds or where their life might be in danger[15].

In recognition of the glaring weaknesses in the existing immigration legal framework, the Angolan government is in the process of developing its first migration policy. The discussion on migration policy development is ongoing and national authorities have established both inter-ministerial and technical commission task teams. Through the development of a migration policy document the Angolan government hopes to clearly define procedures to be adhered to by all migrants seeking legal stay in Angola. Coupled with this, the policy is expected to provide a better platform that will enable migrants to integrate smoothly into Angolan society and allow them to participate in Angola's reconstruction and socio-economic and political development drive (Government of Angola 2010).

Angola has a specific legislation dealing with refugees, the Asylum Law 08/90 which was drafted when the socio-economic and political conditions of the country were radically different and the influx of refugees and migrants was more contained. This, coupled with the lack of regulations dealing with substantial

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[13] Article 33 Para 1 of the 02/07 *Lei Sobre o Regime Juridico dos Estrangeiros na Republica de Angola.*

[14] According to Article 32 Para 1(b) of the 02/07 *Lei Sobre o Regime Juridico dos Estrangeiros na Republica de Angola* expulsion of foreign citizens should be enforced within 15 days.

[15] Article 29 Para 4 of the 02/07 *Lei Sobre o Regime Juridico dos Estrangeiros na Republica de Angola.*

procedural aspects, such as the time for adjudication[16] and the right to an effective remedy in the asylum procedure, has led the Angolan government to start a process of revision of the current National Asylum Law. Comprehensive comments on the Asylum Bill were submitted by UNHCR in 2013 (UNHCR 2014a). Although at present there are no clear indications about the provisions contained in the New Asylum Law, various reports have mentioned the institution of Reception Centres for asylum seekers and the fact that legal remedies will have a suspensive effect in first instance and appeal procedures (MIEUX 2010:22).

Regionally, Angola is party to the Southern African Development Community (SADC), which aims at achieving development, peace, security and economic growth in order to alleviate poverty and improve the standard of living in Southern Africa. The 1992 SADC Treaty advocates socio-economic policies that encourage free movement of goods, services, factors of production and people in the Southern African region. The policy reflects, contributes to, and improves on national, regional, and international legal instruments and frameworks that deal with labour and migration.

In a similar vein, although like most SADC countries, Angola has yet to ratify the 'SADC Protocol on Facilitation of Movement of Persons,' in theory Angola supports the aforementioned framework. A draft document of this protocol was completed in 2005 and currently provides guidance on the SADC regional legal framework on migration. However, it is yet to come into full force owing to delays in ratification by most member states (IOM 2014).

Angola is also a signatory to the 'SADC Protocol on Education and Training,' which advocates the relaxation and elimination of immigration formalities in order to facilitate the free movement of human resources and human capital for development within the region. Angola, as member country of SADC, is also a party to the **'**SADC Protocol on Employment and Labour**.'** The protocol

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[16] According to Article 12 Para 3 of the 08/90 *Lei Sobre o Estatuto do Refugiado* applications for asylum should generally be processed within 60 days of filing a completed asylum application. See full text at: http://www.cidadevirtual.pt/acnur/acn_lisboa/nrjap/0_iv1.html accessed 23 August 2014.

encourages collective bargaining, dialogue and consultation among stakeholders in the labour market. It also recognises the importance of equal treatment and the protection of workers and employees rights, which also apply to migrant workers. The protocol was signed by the SADC Heads of State in August 2014, and in order to be implemented, it needs to be ratified by two thirds of the SADC member states. This is a further step towards achieving a regional migration agenda and a more concrete regional integration of labour migration (Nshimbi & Fioramonti 2013).

Angola is also a signatory to bilateral agreements in the field of movement of people, and in 2013 the provincial government of Lunda Norte (Angola) and West Kasai (DRC) signed a protocol to facilitate the mobility of border residents between these two provinces. Based on this agreement people living near the borders are free to move (*Laissez-Passer*) for a maximum of 72 hours within an area of 10 kilometres. This measure was implemented mainly to facilitate cross-border trade movements between Angola and the DRC. Although it was not possible to establish a positive correlation between the introduction of the *Laissez-Passer* scheme and a significant reduction in the flow of unauthorised migrants and expulsions of foreign nationals, this measure was positively received by the Angolan authorities and local communities.[17]

Stakeholders in Migration Governance

There is a wide variety of stakeholders involved in issues of human mobility in Angola. These include Angolan state authorities, international and faith based organisations, and research and academic institutions. The following discussion does not intend to provide an exhaustive list of the main players, but only aims to provide a broad overview of some of the vital stakeholders involved in human mobility governance and debate in Angola. The most important state institutions handling

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[17] Interview with Salvatore Sortino, IOM Head of Mission in Angola, August 2014

migration in Angola are: the Ministry of Home Affairs (MININT); the Institute Providing Support to Angolan Communities Abroad (IAECAE); the Ministry of Public Administration, Employment and Social Security (MAPESS); the Ministry of Assistance and Social Reinsertion (MINARS); and the Ministry of Health (MINSA) (Ammassari 2005). MININT, through its Department for Migration and Foreigners (SME), handles general migration issues, but does not have a specific focus on skilled migration. SME's tasks involve the collection and analysis of migration data and leading the development of policies and legislation on migration. In addition, some of the priorities of the SME are to improve data collection systems regarding migration and to strengthen border controls to fight the trafficking and smuggling of human beings. Special emphasis is now placed on unauthorised immigration, which is increasingly being seen as a serious threat to national stability.

The IAECAE was established in 1992 in the Ministry of Foreign Affairs (MIREX). The main tasks of the institute are: a) receiving Angolans who return home either permanently or temporarily; b) providing information and advice on employment and investment opportunities and on other aspects related to return and reintegration (e.g. travel, transfer of personal effects, opening of foreign currency bank accounts); c) assisting Angolans abroad with administrative and legal matters; and d) maintaining fruitful links between the country and its diaspora (IAECEA 2003).

The role of MAPESS is to provide assessment, monitoring and development of the national labour market. The ministry also tracks labour demands and needs, and promotes an appropriate correlation between the two. It has set up an Inter-ministerial Commission for the Training of Human Resources for the National Economy. In addition, it also recently established an Observatory for Employment and Professional Training to provide support to the Inter-ministerial Commission and carry out surveys on the labour force in both the public and private sectors (Ammassari 2005).

The main aim of MINARS is dealing with the resettlement and reintegration of Internally Displaced Persons and refugees. To a lesser extent MINARS deals with some issues involving skilled migration in Angola. Its involvement is limited, however, since

these populations usually involve a relatively small number of highly skilled and qualified people (Ammassari 2005:43-44).

In a similar vein, MINSA has a particular stake in skilled migration because the health sector is particularly affected by the brain drain. Angola also faces huge imbalances in medical personnel deployment as most local medical doctors refuse to serve in rural areas, instead preferring to work in cities such as Luanda and Benguela. Addressing these spatial and sectorial imbalances in the distribution of health workers falls within the jurisdiction of MINSA. However, MINSA's focus has mainly been on the domestic sector skills migration and to a lesser extent on the international brain drain and the role of Angolan health workers who practice abroad. The ministry also handles the permanent or temporary return of doctors and other health professionals from abroad. At present MINSA is preoccupied with diffusing tensions between returnees and medical staff practising in the country. However, there are challenges that MINSA is facing in undertaking this task since it is short on technical expertise and it is often under staffed (Ammassari 2005:44).

The main international organisations dealing primarily with migrants and refugees in Angola are the International Organisation for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR). A brief description of the activities and mandates of these organisations is given below.

The IOM carries out several operations and emergencies including the Regional Voluntary Repatriation of Angolan Refugees and Spontaneous Returnees from Neighbouring Countries. This project which is aimed at Angolan returnees, got off the ground in 2012, starting with 15 Reception and Transit Centres (RTCs) spread out across all major provinces of Angola. It ensures that minimum humanitarian standards for international returnees are met and, among other things, covers the registration of identity documents, provision of clean potable water and sanitation services, and the transportation of food rations and reintegration kits. The IOM in Angola also provides technical assistance and capacity building to enhance the national capacity to respond during and after natural disasters, and to assist displaced and at risk populations

With regard to migration assistance, the IOM aims at improving the quality of asylum in the context of mixed migration. The initiative also contributes to the reinforcement of the institutional capacity of the government and civil society to manage mixed migration at the main entry points, as well as inland, in a systematic manner. Furthermore, the IOM also runs the Post-Arrival Reintegration Assistance to Angolan unaccompanied minors (UAMs) returning from the Netherlands. This initiative aims to facilitate returned UAMs' sustainable reintegration through the provision of various services, such as reception, post-arrival information and counselling, family tracing and reunification, shelter and interim care as well as support for school and skills training, as required.

In addition, the IOM carries out some migration policy and research activities to assist the government of Angola with the Development of a National Migration Policy. On request from the Angolan authorities the IOM was given the task of providing guidance and capacity building to the technical commission in charge of drafting the new national migration policy.

Furthermore, the IOM is implementing the Africa, Caribbean and Pacific (ACP) Observatory on Migration**.** A key objective for governments in the ACP countries is to define how to effectively integrate human mobility into national and regional development plans with poverty reduction strategies. Accordingly, the ACP Observatory on Migration initiative establishes a network of research centres and governmental departments working on migration issues. Angola is one of the ACP pilot countries within the Southern African region. The ACP Observatory on Migration organises, based on research and capacity building priorities defined at the national and regional level, a series of inter-regional training workshops on migration data management and the use of statistical software. At the country level, a multi-sectorial national consultative committee on migration involving academics and governmental departments working on migration issues will be established to promote better information exchange and evidence-based migration and policy development for Angola.

The UNHCR has a significant presence in the migration sector in Angola. Its current operational highlights in Angola include

strengthening law and policy for the protection of refugees and asylum seekers. It also observes the work of COREDA (*Comite de Reconhecimento do Estatuto de Refugiado*), the national refugee status determination body, and plays the role of independent observer. Furthermore, UNHCR has been contributing to the development, reinforcement and organisational capacity of the government to manage mixed migration across Angola. It has also taken a leading role in providing free legal assistance to refugees, and asylum-seekers through one of its implementing partners, the Jesuit Refugee Service (JRS). Moreover, since the beginning of the civil war in the 1970s, the UNHCR has been providing support to vulnerable urban refugees, such as ensuring access to public health services. Coupled with this, the organisation has provided training to law enforcement officials on Sex and Gender-based Violence (SGBV) prevention and response, promoting SGBV awareness among persons of concern through sensitisation campaigns. Furthermore, UNHCR has facilitated and provided finance and technical support to urban refugee vocational programmes throughout Angolan towns.

Since May 2013, the UNHCR has also rendered technical and financial assistance in the ongoing review of the National Asylum Law in Angola (Law 08/90). This revision will determine the scope of asylum in the country for the foreseeable future. The UNHCR has also been at the forefront pushing for refugee status determination in Angola. It has been working hand-in-hand with COREDA to clear out a huge backlog of work regarding Second Instance Decisions on asylum determination in the country. Another important milestone that the UNHCR has achieved recently is the assistance to the Angolan Ministry of Social Assistance and Reintegration (MINARS) to carry out an assistance programme for vulnerable urban refugees in accessing public health services. Furthermore, the UNHCR in collaboration with its partner organisations, such as JRS, is running legal aid assistance and reintegration centres for refugees and asylum seekers in the provinces of Luanda, Bengo and Lunda Norte. The organisation is also running a campaign to develop and implement a Sex and Gender Based Violence Strategy targeting refugees. In undertaking this it has helped the Angolan Department of Criminal Investigation (DNIC) to undertake awareness campaigns on the Angolan Law on Domestic Violence

(Law 25/11) throughout the country. In undertaking the above activities in Angola UNHCR is assisted by the following partners: Refugee Department of the Ministry of Social Assistance and Reintegration (MINARS); Service for Migration and Foreigners (SME); Refugee Status Determination Committee (COREDA); International Organisation for Migration (IOM); Jesuit Refugee Services (JRS); International Volunteers for Development (VIS); United Nations Volunteers (UNV) and United Nations Development Programme (UNDP).

Among the local NGOs the Development Workshop (DW) has been operating in Angola for more than 30 years with the objective of assisting human settlements and self-help housing. In general, the DW is considered one of the oldest non-profit organisations in Angola and it has been operational in the area of land rights, peace building, decentralisation and governance. The main strategy of the DW is building up local capacities with the active participation of the community.

The Catholic Church is also vocal in Angola in promoting the rights of migrants and refugees. Besides the Jesuit Refugee Service (JRS), which was mentioned earlier, there are two other important organisations catering for the needs of people on the move. Both CARITAS and the Episcopal and Pastoral Commission for migrants (CEPAMI) run projects that support migrants and internally displaced people.

Issues in the Governance of Migration

Despite the commendable strides made by the Angolan government since the end of the civil war in 2002, the absence of a comprehensive national migration policy remains a very serious issue. National authorities and their local and international partners should consider developing and implementing migration programmes with a broader perspective that will have a wider impact on the problem. In particular, its strategies should focus on the regional specificities, characteristics, patterns and dynamics, opportunities and priorities that characterise the country's migration challenges (IOM 2013). The country also needs to mainstream migration issues into its economic development agenda. The misalignment of migration issues and

development policies in the past has often led to migration issues receiving less government priority, particularly in terms of the national budget. This has greatly hampered national migration programmes, such as the resettlement and reintegration of returnees from neighbouring countries, and the country's efforts to resolve the huge rural-urban migration challenges that Angola is currently facing.

The emphasis placed on border control, securitization of immigration and the fight against unauthorised migration appears to be a short sighted strategy, and migration governance deserves a wider approach able to capitalise on the nexus between migration and development. There is now, however, a growing recognition among the Angolan authorities of the important role that migration can play in the country's economic development, especially the contribution of the Angolan diaspora to the economy through their skills and remittances (Tolentino & Peixoto 2013).

Angola's programmes and initiatives to address migration challenges should take into consideration national priorities and objectives as defined by its Poverty Reduction Strategy Papers (PRSP) and the United Nations Development Assistance Framework. Some of the initiatives that have been identified as relevant in other African countries include: capacity building in migration governance; unauthorised migration; human trafficking; research and migration data; youth initiatives and migration and development notably, diaspora and remittances; and migration health with cross-border implications. If adopted, the above strategies may help the Angolan government to respond effectively not only to its national economic priorities and but also to the country's strategic international development cooperation objectives (IOM 2009).

Repatriation in Angola

The repatriation process was mainly facilitated by the Angolan authorities, UNHCR and the International Organisation for Migration (IOM) (Kaun 2008). The process of the return and reintegration of former Angolan refugees has been characterised by several positive factors and opportunities. UNHCR (2008)

observes that, compared to many other post conflict countries in both Africa and worldwide, Angola's return and reintegration effort has been relatively smooth owing to the reduced violence that has followed the 2002 Luena Peace Treaty. Moreover, the end of the war was followed by a tremendous expansion of the country's economy, resulting in increased socio-economic opportunities for the returnees, and hence easing their reintegration into Angolan society. Another important factor that has eased the reintegration is the generosity of Angola's international development partners (donors). Western donor states in particular have been very generous in providing financial, logistical, and technical support to UNHCR's Angola refugee programme and reintegration activities. Finally, the relative success of Angola's repatriation and reintegration process can be attributed to a large extent to the willingness, resilience and resourcefulness of the refugees themselves. UNHCR (2013) observes that two thirds of former Angolan refugees exiled in neighbouring countries were more than eager to voluntarily return home and restart their lives. This situation has gone a long way to relieving both the Angolan authorities and the international aid agencies of the work of coaxing and cajoling the refugees to undertake repatriation and reintegration into Angolan society.

Despite these positive factors and opportunities, the repatriation effort in Angola faced many obstacles including the lack of basic social services (e.g. health, education, and water), the threat of landmines in some areas, crop failures due to unfavourable climatic conditions, hostile reception from fellow Angolans who view them as rivals for scarce socio-economic opportunities in the country, and language problems for returnees who were schooled in English and French but not in Portuguese (UNHCR 2008). These challenges not only discourage former refugees from returning from neighbouring countries but also seriously hamper the returnees from smoothly and fully reintegrating into Angolan society. The process of refugee reintegration has also met some serious hurdles such as low levels of food security among returnees, lack of employment opportunities, scarce income-generating opportunities, poor access to public services, and increased rural-urban migration amongst returnees (Kaun 2008). These challenges have created adverse consequences for returnee

women and children especially those with special needs. One of the most prominent constraints hampering the reintegration process in Angola is the difficulty not only in acquiring Angolan national identity documents but also in validating educational qualifications gained while living in exile.

With regard to birth registration and identity documentation, the Angolan authorities should ensure that children born in the country are registered at birth and those born to refugees or migrants are not discriminated against with respect to nationality rights guarantees. This creates a sense of marginalisation amongst returnees since the majority of these former refugees are unable to benefit from statutory socio-economic opportunities. But it must also be pointed out that Angolan returnees have not benefitted much from the UNHCR reintegration initiatives, mainly because the programmes have focused primarily on the logistics of return rather than on the reintegration process itself (UNHCR 2008). The Angolan state should also strive to put in place well developed civil registry systems that can effectively handle the country's nationality record keeping and provide relevant statistical information to help Angola with her socio-economic development planning (UNHCR 2014a).

In summary, public service delivery challenges are negatively affecting the reintegration of former Angolan refugees, and it is clear that there is urgent need for socio-economic development in Angola. UNHCR (2007) observes that an improved socio-economic delivery system would not only attract professionals such as teachers, medical personnel and other civil servants to work in the country's remote areas, but more importantly would deter a 'second migration' of former refugees in search of socio-economic services and development assistance (Kaun 2008).

The Angolan government is very concerned about how these populations can be safely resettled and reintegrated. One of the greatest challenges is how to address the prospect of repatriation into conditions that cannot support new populations, with the danger of growing alienation on the part of returnees. This issue is a potential threat to the future stability of Angola. Among the most daunting long term issues confronting Angola now is the resettlement of IDPs and refugees. The United Nations has been involved in the process of repatriation. A collaborative effort

between the Angolan government, the UN, NGOs, and business interests will be needed in order to help make return sustainable. It is crucial to address potential donor government concerns about indigenous fiscal integrity, restructuring provincial governments, and building local infrastructure. Furthermore, there are profound implications for the return of IDPs and refugees. Therefore, these key issues should be examined in depth in subsequent empirical research. In particular, an effort should be made to evaluate comparable experiences from elsewhere in the world in order to apply past lessons to these overwhelming challenges. The objective should be to assist relevant stakeholders to help the Angolan government and its people to help themselves.

Human Trafficking

Despite the fact that in February 2014 the Angolan Government amended its penal code to explicitly prohibit all forms of human trafficking, prescribing penalties from eight to twelve years imprisonment, only two cases are currently under investigation and the judicial system has never convicted a trafficking offender (United States Department of State 2014).

Although the government is making efforts to prevent trafficking and has developed standard operating procedures for the identification of victims of trafficking, to identify victims of trafficking it is still problematic, particularly in the case of undocumented migrant workers (United States Department of State 2014).

The government of Angola has also played a very minimal role in ensuring that victims of human trafficking can readily access assistance. Instead of taking a leading role it has over relied on civil society, religious organisations and non-governmental organisations to assist people caught up in human trafficking. This reduced statutory role has weakened and negatively impacted on the exercise, since the support that these non-state players provide to victims is often inadequate owing to financial and legal constraints (Amnesty International 2007).

The judicial deterrence of human trafficking is further weakened by rampant corruption endemic in the country's security system. Reports of police and military officers accepting bribes from smugglers transporting sex and labour 'slaves' into prostitution and mining camps in rural provinces are quite common. These corrupt practices defeat the whole Angolan government effort to reduce and eradicate the practice (Global Detention Project 2014).

The fact that Angola has recently acceded to the three Palermo protocols to the *Convention against Transnational Organised Crime* is an encouraging step forward towards enhancing effective protection and increasing efforts to prevent human trafficking.

Ecological and Economic Downturns

The Angolan migration system is undermined by the fact that the country does not have a clear internal and cross-border strategy to cope with ecological and economic downturns. The negative effect of this can be seen with the recent emergence of natural-disaster induced migrations such as droughts and famines. In 2013, a severe drought in the southern provinces affected over 500,000 individuals and destroyed traditional livelihoods (UNICEF 2013). These acute and reoccurring droughts create severe food shortages and put millions of people at risk, forcing them to move, and compelling large pastoralist communities to find alternative and often unsustainable livelihoods, while also creating additional protection concerns (Ammassari 2005). There is a need for government to focus on prevention, disaster management and early warning systems and to increase its capacity to identify and monitor disasters and risks. So far only one province (Cunene) has a contingency plan in place for the reduction of risks and disasters (UNDP 2014).

Urbanisation and Population Pressures

The urbanisation and population pressures which Angola is experiencing, at an especially high rate compared with other SADC countries, have future implications for migration governance and regional integration. The rate of urbanisation is 61 percent and the urban population growth rate per year is four

percent (UN DESA 2013). The country has one of the highest population growth rates in the world. At these rates, the population is expected to double again by the year 2025 (UN DESA 2013). Coupled with this, Angola experienced rapid urbanisation which was further exacerbated by the country's long armed conflict. Huge numbers of IDPs and economically driven migrants have moved into cities, especially into the capital Luanda and into Benguela in search of a more secure environment offering better income-generating opportunities. But many Angolans have also fled across international borders to seek refuge or have emigrated to pursue their studies and work abroad. These issues are creating tremendous pressure on the country's already weak migration system which is often economically and systemically unable to cope with the huge inflows and outflows of people.

'Brain Drain' of Highly Skilled People

Despite the booming Angolan economy and the economic slowdown in the West, the country continues to experience 'brain drain' of its highly skilled citizens, especially medical personnel, to the developed countries who still offer considerably higher salaries and better working conditions. This international mobility of highly qualified and skilled personnel from Angola, though not a new migratory phenomenon, is currently on the rise, and has been ever since the end of the civil war in 2002. The phenomenon is frustrating the government's reconstruction and development efforts as the country is now resorting to recruiting often expensive foreign expatriates in critical sectors of the economy such as medical and technical fields (Lopes, Rodrigues & Simas 2013).

The other main issue negatively affecting migration governance in the country is that migration as a multi-sectoral strategy barely features in Angola's national and regional development strategies. This problem is not restricted to Angola only as other development frameworks for Sub-Saharan Africa, including the Millennium Development Goals, Poverty Reduction Strategy Papers, the New Partnership for Africa's Development (NEPAD) and the Tokyo International Conference on African Development, have also not adequately addressed the issue. This therefore

negatively affects Angola's resolve to holistically address its outstanding national and international migration problems, since its effort is largely fragmented and uncoordinated (UNHCR 2014).

Conclusion

Angola, like many parts of the developing world, experiences high levels of human mobility as people move to, from, and within the country in significant numbers. The country's long period of civil war coupled with a recent post-war era of economic boom and favourable conditions, has propelled significant inflows and outflows of people to and from this Southern African nation, thus creating serious bottlenecks to effective migration governance. The situation is compounded further by the lack of proper legislative frameworks to guide human mobility in the face of surging immigration, rural-urban migration, and emigration. The foregoing discussion argues that in order to address the country's human mobility challenges the Angolan government, in collaboration with all stakeholders, needs to develop an appropriate migration policy framework, revise the existing migration laws, implement international migration treaties, and address economic inequalities prevalent in the country through the equitable redistribution of petroleum revenues.

This discussion concludes by identifying gaps in Angolan migration literature that may require further research in the future. First, the glaring lack of information on migration in Angola and the whole SADC region is one of the main areas that future research should focus on (SADC 2008). Currently, there is no reliable data on migration in Angola apart from the national census, which was carried out a long time ago and is therefore outdated. However, the census figures are sometimes misleading because they often do not distinguish legal from "unauthorised" migration. Several reasons have been put forward as to why it is difficult to measure exact dimensions in the country. Angolan national statistical systems do not collect systematic time-series data on foreign employment in the country. The national statistics system, which still contains some relics from the colonial era, fails to take into account changing foreign employment trends in the

country especially the rise of foreign expatriates in Angola. This weakness also stems from the census design which often contains migration related questions. In addition, the Angolan authorities find it difficult to obtain statistics on "unauthorised" migration since the country's migrants and employers have no interest in revealing their presence in the country to state authorities (IOM 2014).

Empirical enquiry should therefore focus on plugging the data deficiencies prevalent in the Angolan migration system. As succinctly argued by Oucho (2007), the pursuit of reliable migration data can be subjected to empirical investigation on three accounts. First, it would help Angola holistically examine the extent of emigration, brain drain and the diaspora. Second, with the collection and analysis of necessary migration data, empirical research should focus to how migration redistributes population in Angola and the SADC region. Furthermore, data gathering on migration in Angola should lead researchers to examining the effects of emigration and immigration on Angola's economy. These research areas which require comprehensive data collection, are worth rigorous empirical examination since they have never before been thoroughly researched in the literature on the subject.

Angola has undergone significant socio-economic and political changes in the past decade. Ever since the MPLA-UNITA Peace Accords were signed in 2002, the country has witnessed, among others things, unprecedented petroleum-driven economic growth and development, repatriation and resettlement of hundreds of thousands of war weary citizens who were refugees in the DRC, Zambia, Namibia and Botswana, democratic general elections which returned MPLA to power, and the drafting and implementation of a new constitution. Without a doubt the above developments have had an impact on migration flows and patterns in the country. There is therefore need for urgent research on the impact of recent economic, social and political changes in Angola, including the high economic growth rate, and on migration and remittances. In fact there has been considerable research done on remittance inflows from the Angolan diaspora. Very little is known, however, about the nature and characteristics of remittance outflows by foreign migrants residing in Angola to their countries of destination (Alvarez

Tinajero 2009). This therefore necessitates a systematic analysis of the emigrants who send money, destination of the remittances and the motives for sending the money. Research could also extend to finding out whether or not the large outflows of remittances could be originating partly from the high profits being obtained from the Angolan petroleum and mineral sectors (Melde & Schicklinski 2011).

Future migration research in Angola should also focus on the detention of unauthorised migrants. At present, there is very little available information about immigration detention issues in Angola, in part because of limitations placed on civil society groups in the country. While Angola has taken some steps to strengthen the human rights framework in the country, issues such as freedom of expression and government obstruction of NGOs' initiatives have not yet been addressed (Amnesty International 2014). In the past the government has also restricted the ability of international bodies to visit some detention sites (WGAD 2008). Moreover, there have been numerous reports of mistreatment of migrants while in official custody. In late 2010, the UN Secretary-General's Special Representative for Sexual Violence in Conflict called for an investigation into allegations that Congolese women in deportation proceedings had been serially raped by Angolan agents.

The expulsion of unaccompanied minors has been particularly marked in the border areas with the DRC, especially in Lunda Norte (UNHCR 2014a). Such issues require urgent research to establish the real facts on the ground, bring global attention to the issues, and find urgent and long lasting solutions for them.

References

Alvarez Tinajero, A.S., 2009, 'Angola: A Study of the Impact of Remittances from Portugal and South Africa', *Migration Research Series, No. 39,* International Organisation for Migration, Geneva.

Ammassari, S., 2005, 'Migration and Development: New Strategic Outlooks and Practical Ways Forward. The Cases of Angola and Zambia', *Migration Research Series, No. 21*, International Organisation for Migration, Geneva.

Amnesty International, 2014, *Assessment of the Implementation by States of the previous UPR Recommendations*, 27-07 November. Viewed 13 September 2014 from http://goo.gl/X8JEVx.

Amnesty International, 2007, *Amnesty International Report: State of the World Human Rights,* Artes Graficas, Madrid.

Baganha, M.I., 2009, 'The Lusophone migratory system: patterns and trends', *International Migration*, 47 (3), 5–20.

Bender, G., 2004, *Angola under the Portuguese: the myth and the reality*, University of California Press, Berkeley.

Birmingham, D., 2002, *"Angola" in Chabal, Patrick et al, A History of Postcolonial Lusophone Africa*. Hurst, London.

Cain, A., 2012, 'Luanda's Post-war land markets: Reducing poverty by promoting inclusion', *Urban Forum 24:11-31.*

Cain, A., 2013, 'Angola: Land resources and conflict', in J. Unruh and R. C. Williams (eds.), *Land and post-conflict peacebuilding*, Earthscan, London.

Castles, S. & Loughna, S., 2002, 'Trends in Asylum Migration to Industrialised Countries: 1990-2001', *Paper for UNU-Wider Conference on poverty*, International Migration and Asylum, Helsinki, 27-28 September.

Centre of Documentation (CEDOC), 2014, *Extractos da Imprensa Angolana sobre questoes sociales e de desenvolvimento*. Viewed 14 July 2014 from www. http://dw.angonet.org/pt-pt/cedoc.

Chabal, P. & Vidal, N. (eds.), 2007, *Angola: the weight of history*, Hurst, London.

Global Detention Project, 2014, *Angola Detention Profile*. Viewed 4 May 2014 from http://goo.gl/FOZfno.

Government of Angola, 2010, *Constitution of the Republic of Angola*. Viewed 28 April 2014 from www.comissaoconstitucional.ao/pdfs/constituicao-da-republica-de-angola-versaoingles.pdf.

Hodges, T., 2001, *Angola from Afro-Stalinism to Petro-dollar Capitalism*, Indiana University Press: Bloomington.

Human Rights Watch, 2013, *Human Rights issues regarding Angola* submitted by Human Rights Watch to the UN Human Rights Committee. Viewed 27 August 2014 from http://goo.gl/9XQGgA.

IAECAE, 2003, 'Diáspora, rostos da paz e da reconcilação', *Ano 3, No 3, Junho*, Instituto de Apoio á Emigração e ás Comunidades Angolanas no Exterior, Luanda.

IDMC, 2007, *Angola*. Viewed 5 May 2014 from http://goo.gl/jlauJ8.

IMF, 2014, *Angola: Second Post-Program Monitoring*. Viewed 6 May 2014 from http://www.imf.org/external/pubs/ft/scr/2014/cr1481.pdf.

IOM, 2008, *IOM Report Angola*. Viewed 9 May 2014 from http://www.iomangola.org/.

IOM, 2009, *Migration, Environment and Climate Change: Assessing the Evidence*, International Organisation for Migration, Geneva.

IOM, 2010, *Angola: A Study of the Impact of Remittances from Portugal and South Africa*, Migration Research Series, No. 39, IOM, Geneva.

IOM, 2013, *Migrant well-being and development*, World Migration Report, Graficas Alcoy, Geneva.

IOM, 2014, *IOM Angola Website*. Viewed 5 May 2014 from http://bit.ly/1uNgDhd.

IRIN, 2005, *The Long Journey Home: an IRIN Web Special on the challenge of refugee return and reintegration.* Viewed 18 September 2014 from http://bit.ly/1qQS4AG.

Kaun, A., 2008, 'When the displaced return: Challenges to "reintegration" in Angola', *New Issues in Refugee Research,* Research Paper No. 152, Office of Refugee and Asylum, USCIS, and UNHCR Policy Development and Evaluation Service, Washington D.C., January.

Kurunova, Y., 2013, 'Factors of International Migration in EU-8'. *International journal of academic research,* 5(6):275-278.

Lopes, C.M., 2013, *Reforçar a gestão de dados sobre as migrações em Angola: avaliação e recomendações*, African Caribbean and Pacific Observatory on Migration (APC).

Lopes, C.M., Rodrigues, C.U., and Simas, G., 2013, "*A caminho da cidade*": *migracao interna, urbanizacao e saude em Angola,* African Caribbean and Pacific Observatory on Migration (APC).

Ma Mung, 2008, 'Chinese Migration and China's Foreign Policy', *Journal of Chinese Overseas* 4(1), 94.

Martins Almeida, V., 2010, *Overview on development and South-South Migration and Development in Angola: Trends and Research Needs*, African Caribbean and Pacific Observatory on Migration (APC).

Melde, S. & Schicklinski, J., 2011, *Remittances in the African, Caribbean and Pacific countries*, ACP Observatory on Migration Background Note No. 2, March.

Migration Dialogue for Southern Africa (MIDSA), 2013, Report and Recommendations of the MIDSA Conference on: *Enhancing Labour Migration and Migration Management in the SADC Region*. Maputo, Mozambique, 10-11 July.

Migration EU Expertise (MIEUX), 2010, *Migration and Asylum Institutional and Legal framework In Angola*. Assessment mission report, Luanda, 15-19 March.

Nshimbi, C.C. & Fioramonti, L., 2013, MiWORC Report N 1. 'A region without borders? Policy frameworks for regional

labour migration towards South Africa', African Centre for Migration & Society, University of the Witwatersrand, Johannesburg.

OCHA, 2012, *DRC: Humanitarians ease the plight of those expelled from Angola*. Viewed 28 August 2014 from http://goo.gl/XJ8dUC.

Oucho, O.J., 2007, 'Cross-border migration and regional initiatives in managing migration in southern Africa', in P. Kok, D. Gelderblom, O.J. Oucho and J. Van Zyl (eds.), *Migration in South and Southern Africa: Dynamics and Determinants*, Human Sciences Research Council, Cape Town.

Park Y.J., 2009, 'Chinese Migration in Africa', *Occasional Paper No. 24 SAIIA*, China in Africa Project.

Portuguese Observatory of Emigration, 2014, Viewed 9 September 2014 from http://goo.gl/mgCA4k.

Ratha, D. & Shaw, W., 2007, 'South-South Migration and Remittances', World Bank Working Paper, No. 102, World Bank, Washington, D.C.

SADC, 2008, *SADC Annual Report 2007-2008*. Viewed 18 September 2014 from http://www.sadc.int/documents-publications/show/1032.

Tolentino, N.C. & Peixoto, J., 2011, *Migration, remittances and development in Africa: A case of Lusophone Countries*, African Caribbean and Pacific Observatory on Migration (APC).

Truen, S. & Chisadza, S., 2012, *The South Africa-SADC Remittances Channel*, DNA Economics, Finmark Trust.

Tvedten, I., 1997, *Angola. Struggle for peace and reconstruction*, Westview, Boulder, Colorado.

UNDP, 2014, *Draft partnership framework between the Government of Angola and United Nations System (UNPAF) 2015-2019.* Viewed 19 September 2014 from http://goo.gl/gEJTF8.

UNHCR, 2007, *Repatriation to Angola officially ends after 410, 000 refugees go home*. Viewed 3 May 2014 from http://www.unhcr.org/news/NEWS/4607b7d24.html.

UNHCR, 2008, *Climate change, natural disasters and human displacement: a UNHCR perspective*, United Nations high Commissioner for Refugees, Geneva.

UNHCR, 2013, *2012 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*. See: www.unhcr.org/statistics.

UNHCR, 2014a, *UNHCR Operations in Angola*. Viewed 12 May 2014 from http://www.unhcr.org/524d80079.html.

UNHCR, 2014b, *UNHCR Regional Operation Profile – Southern Africa*. Viewed 12 May 2014 from http://goo.gl/v6JQxn.

UNICEF, 2013, *Angola: Update of a humanitarian situation*. Viewed 22 September 2014 from http://goo.gl/PeKpqM.

United Nations, Department of Economic and Social Affairs, Population Division –UN DESA, 2013, *Trends in International Migrant Stock*, the 2013 Revision (United Nations database, POP/DB/MIG/Stock/Rev.2013). Viewed 14 July 2014 from www.unmigration.org.

United States Department of State, 2011, *Trafficking in Persons Report 2011*. Viewed 27 August 2014 from http://www.state.gov/documents/organisation/164452.pdf.

United States Department of State, 2014, *Trafficking in Persons Report 2014*. Viewed 30 August 2014 from http://www.state.gov/documents/organisation/226845.pdf.

Vieira, J.L., 1980, *Folk Tales of Angola*, Heinemann Educational, Books Inc, London.

WGAD, 2010. Viewed 9 September 2014 from http://www.ohchr.org/EN/Issues/Detention/Pages/WGADIndex.aspx.

World Bank, 2011, *The Migration and Remittances Fact-book 2011*, Migration and Remittances Unit, World Bank, Washington, D.C.

World Bank, 2014, *Migration & Remittances Data*, Migration and Remittances Unit, World Bank, Washington, D.C.

World Bank, 2013, *Angola Economic Update - Angola's Economic Recovery and Challenges Ahead*. Viewed 9 September 2014 from http://www.worldbank.org/content/dam/ Worldbank/document/Africa/Angola/angola-economic-update-june-2013.pdf**.**

CHAPTER FOUR
Human Mobility in South Africa

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Introduction

In 2014 South Africa celebrates an important anniversary of freedom and democracy. It was twenty years ago, in April 1994, that the world watched with bated breath as voters patiently waited in long, winding queues to cast their votes in the first non-racial election in the country's history. This relatively smooth and peaceful negotiated transition from the brutal, racialised politics and policies of apartheid was a welcomed surprise for many observers from around the world, given the repression and violence that characterised the struggle against apartheid.

The South African government has since made many important strides in its attempts to rectify the inequities and injustices of apartheid. However, enormous challenges remain for this country of almost 52 million people. Millions of South Africans continue to live in entrenched poverty, and for many, access to adequate housing, services, food and education remains an ongoing challenge. Inequality levels in the country have historically been amongst the highest in the world, and have remained so in the post-apartheid era, with a Gini coefficient of 63.1, according to 2009 World Bank data (World Bank 2009). Life expectancy at birth is 56.9 years, in part due to the impacts of the country's ongoing struggles with HIV/AIDS and tuberculosis (UNDP 2014). Despite significant advances in testing, treatment and support, approximately 6.4 million people, or 12.2% of the population, are living with HIV/AIDS in South Africa (HSRC 2014:25).

Against this backdrop, the movement of people in South Africa continues to present a huge array of both challenges and opportunities for policy makers, civil society actors, sending and host communities, and of course, for migrants themselves. This report offers a brief overview of the history, current trends, policy framework and key challenges presented by the movement of people in contemporary South Africa.

Human Mobility in Historical Context

The history of South Africa is, in many ways, a history of migration. The rich diversity of South African languages, cultures and religions in the country today is testimony to this fact.

However, the management of migration has historically been highly political and highly politicised, particularly throughout 20th century South African history. It has been intrinsically linked to deeply emotive issues such as nationalism, identity, race, political power, and economic control. Indeed, such issues continue to frame migration debates in contemporary South Africa.

Colonial policies, combined with endemic poverty and conflict in the region (some of it exacerbated by the apartheid state's policies of regional destabilisation), have meant that migration has long been an economic strategy, if not a key strategy of survival, for many people. Indeed, the migration and labour of unskilled or semi-skilled migrants has played a foundational role in the economy of South Africa, and an ongoing role in bolstering the economies of neighbouring countries. This is particularly true of the mining sector. For approximately 150 years, mining labour migration from neighbouring countries to South Africa has been a feature of the Southern African landscape, woven into the tapestry of Southern African societies and economies. Migrant labourers were largely recruited from Lesotho, Zimbabwe, Swaziland, Botswana, Malawi and Mozambique (Adepoju 2003). The reliance on inexpensive migrant labour to work in South Africa's rich gold and diamond mines was one of the economic pillars of apartheid, but also pre-dated the formal systems of apartheid by many decades. Migrant labour was also recruited for domestic service, work on commercial farms and in factories, and in the transportation and construction sectors (Crush, Peberdy & Williams 2006:4). In the mining sector, the migrant labour system was carefully controlled through an emphasis on circular migration and the contract labour of male migrants, who were expected to return to their country of origin following the completion of each contract. Women wishing to migrate across borders for work had to do so illegally (Crush *et al.* 2006:7). As exploitative as this system certainly was, the income from mining and other migrant labour-utilising industries has historically represented an often critical income in both direct and indirect benefits for millions in the region, through remittances and the controversial system of deferred wage payments.

Foreign labour migration was a keystone of apartheid policy, but domestic labour migration was also pivotal to upholding the

structure of South Africa's industrial and resource economy, and highly influential in its impact on the country's political economy. The apartheid regime's social engineering of the movement of people through, for example, its system of pass laws and its creation and administration of the nominally independent "homelands" or "Bantustans" was part and parcel of a complex system designed, at least in part, to facilitate and control the movement of black labour in the country. As with regional migrant labour, male labourers very often left wives and families behind in rural areas, especially in the Eastern Cape and KwaZulu Natal to work in the mines of Gauteng. While the often negative social and cultural repercussions of these migration patterns have been significant and deeply challenging, domestic migrant labour also continues to be an important source of income for both migrants and their families within South Africa.

Historically, opportunities for migration to South Africa outside of the migrant labour system existed, but only for some. These opportunities were also subject to a strict, specific and often shifting set of criteria. An exploration of South Africa's immigration policies since 1910 tells a story of inclusion and exclusion throughout the twentieth century, in which major shifts in immigration policy have followed whenever there has been a significant shift in political power (Peberdy 2009). Peberdy (2009) demonstrates this by mapping out a history of the country's immigration policies, beginning with the British-controlled Union of South Africa in 1910, followed by the changing immigration priorities of the Nationalist Party government (driven by Afrikaner nationalism), and ending with an exploration of more recent shifts in immigration policies informed by the "African nationalism" of the post-1994 years. These shifts in power, she argues, have each been associated with shifting nationalisms and therefore shifting national immigration priorities, revealing what she calls the "powerful myth-making of nation states and their fears that non-members or non-citizens have the potential to contaminate the national body...." (Peberdy 2009:2). From this perspective, the exclusion of potential migrants deemed to be threatening to the nationalism of the day is a motif with a long history in South Africa.

During the apartheid years, immigration policies were specifically designed along racialised lines to support the

segregationist goals of the regime. Twentieth century immigration policies under white minority rule in South Africa rested on four key pillars: "racist policy and legislation; the exploitation of migrant labour from neighbouring countries; tough enforcement of legislation; and the repudiation of international refugee conventions" (Crush & McDonald 2001:2). At times, all immigration to South Africa was strictly curtailed, while other periods were characterised by the active courting of selected immigrants, based firmly on racial and religious criteria along with an explicit requirement that immigrants, by law, had to be likely to become assimilated into the country's white population (Crush & McDonald, 2001:2; Peberdy 2001; Segatti & Landau 2011:61). Ironically, while apartheid South Africa was welcoming such immigrants, it was also, at the same time, a refugee-sending country, with a global diaspora of political exiles and those who fled the country to join the armed wing of the African National Congress (ANC), Umkhonto we Sizwe (the Spear of the Nation), in neighbouring countries and beyond, particularly following the Soweto Uprising of 1976.

The fall of apartheid in the early 1990s and the country's first racially inclusive democratic elections of 1994 represented an important moment in the history of migration management in South Africa, but in many ways, old patterns of exclusion and an official discourse positioning migrants as a threat continued into the new democracy. One of the most striking and disturbing phenomena of the post-apartheid era has been the rise and expression of xenophobia against foreign nationals in the country. The most infamous eruption of violence against foreign nationals across South Africa took place over several weeks in May 2008, and was a stark moment in the country's post-apartheid trajectory. By the time the overt violence subsided, 62 people had been killed, 670 injured, unknown amounts of property and possessions had been destroyed or looted, and more than 150,000 people had been displaced from their homes across the country (Segatti & Landau 2011:10). Attempts to analyse and understand both the causes and expressions of this violence continue to occupy a range of academics and observers, and rightly so, as the violence, in a sense, lifted the veil from any remaining illusions of the reconciled, post-apartheid "Rainbow Nation," revealing instead a country still haunted by the legacies of apartheid and

the unfulfilled promises of the new, democratic dispensation. However, the idea that resentment, intimidation and violence against foreign nationals in the country began and ended with the most dramatic and well-publicised demonstrations of violence over two weeks in May 2008 is amply dispelled by evidence of sporadic, well-documented incidents of violence since 1994 (Crush 2008:44). Although the scale of the 2008 violence was unprecedented, tensions around the presence of foreign nationals and perceived "others" in the country remain high, and violent expressions of this continue to pose a very real risk to the safety and security of migrants living in South Africa.

Contemporary Trends in Human Mobility

Today, migration to and from South Africa takes many forms, and includes the movement of diverse groups such as undocumented migrants, low-skilled and semi-skilled migrant labourers, asylum seekers and refugees, unaccompanied minors, tourists, business people, students, and highly skilled migrants. The majority of this movement occurs within the Southern African Development Community (SADC) region, though South Africa attracts migrants and visitors from all over the world. Since 1994, annual approved entries into South Africa (including entries for purposes such as work, study, business, holiday, and contracts) have climbed steadily and considerably, though interestingly, annual numbers of authorised permanent immigrants have generally substantially dropped post-apartheid. In 1980, for example, there were 29,365 legal permanent immigrants, while in 2009, the number was only 4083 (Segatti & Landau 2011:156).

The scope of irregular migration is much more difficult to measure, as the very nature of irregular migration makes reliable statistics impossible to attain. South African Police Service statistics for 2007, 2008 and 2009 estimate the presence of between three and six million irregular migrants in the country (Segatti & Landau 2011:156), while the official 2011 national census data show a total of 1,692,242 foreign nationals out of a total national population of approximately 50 million, or about 3.3 percent of the population (Landau *et al.* 2013). While this figure is highly unlikely to include all foreign nationals in the country, the

African Centre for Migration and Society (ACMS) estimates that the total percentage of foreign nationals, inclusive of irregular migrants, is still unlikely to top 4 percent (Landau *et al.* 2013). The IOM sets this number slightly higher, estimating the total percentage of immigrants (all those born outside of the country) at 4.5 percent of the population (IOM 2013). The vast majority of migrants settle in urban and peri-urban areas, in keeping with broader and dramatic urbanisation trends in the country.

South Africa is not just a migrant-receiving country, but is also an important migrant-sending country. In particular, skilled South Africans have been emigrating in significant numbers, especially over the past two decades. The IOM estimates a negative net migration rate for South Africa between 2010 and 2015, at -0.4 migrants/1,000 population (IOM 2013). However, reliable emigration data, like much migration-related data, is difficult to come by, and some scholars have drawn upon the census data of migrant-receiving countries to arrive at an estimate of emigration levels from South Africa. One report by the Centre for Development and Enterprise, for example, draws on such work by Stern and Szalontai, who estimate that between 1989 and 2003, over 520,000 South Africans had emigrated, with the numbers growing by roughly 9 per cent a year (Centre for Development and Enterprise 2010:10). Of these, approximately 120,000 had professional qualifications, equating to approximately 7 per cent of the total stock of professionals employed in South Africa, and over eight times the number of professional immigrants in that same period (Centre for Development and Enterprise 2010:10). As Ellis notes, skilled emigration from South Africa results in a significant multiplier effect; he cites, for example, the estimate that each skilled South African who emigrates creates ten redundancies, which may consequently cost South Africa hundreds of millions of rand per year in lost revenue (Ellis in Wa Kabwe-Segatti & Landau 2008:70). This loss of skills is compounded by ongoing, deep-seated challenges in the country's domestic skills production systems through education and training programmes. There has, however, been some recent research indicating a significant return of South African expatriates, such as the December 2013 report by Adcorp, a private workforce management and outsourcing company. This report estimates that despite an ongoing skills shortage of an

estimated 820,000 in skilled position vacancies across the country, approximately 359,000 high-skilled South Africans have returned to the country since 2008, a trend, they argue, which could be partially explained by the ongoing global economic crisis (Adcorp 2014).

Some of the most striking migration figures of the post-apartheid dispensation relate to refugees and asylum seekers, a category that did not officially exist in South Africa until the development of the country's first refugee legislation, the Refugees Act of 1998. 2014 UNHCR figures report a total population of concern of 296,675, including 65,233 recognised refugees and an additional 230,442 asylum seekers (UNHCR 2014). Department of Home Affairs (DHA) data from 2001-2009 show a substantial increase in the number of asylum seekers in this period, rising from 4,860 in 2001 to 364,638[18] in 2009 (Segatti & Landau 2011:159). As political and economic conditions in Zimbabwe deteriorated, particularly around 2008 and 2009, the numbers of Zimbabweans entering South Africa added significantly to the asylum claim backlog. The UNHCR notes that South Africa registered 778,600 new asylum applications from 2008-2012, with Zimbabweans accounting for more than half of these claims (UNHCR 2013:26). Many more Zimbabweans entered the country as irregular migrants, though there have been attempts by the South African government to regularise Zimbabweans living in South Africa through alternative documentation processes.[19]

With the relative stabilisation of Zimbabwe, numbers of new asylum seekers have dropped considerably in recent years. The DHA annual asylum statistics report documents slightly over 70,000 new asylum claims in 2013 from over 80 countries world-

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[18] This is a cumulative total of asylum seekers, as opposed to new asylum seeker applications for that year.

[19] Throughout the dispensation and documentation processes (which began in April 2009) the government declared a temporary moratorium on the deportation of irregular Zimbabweans during a window in which they could, in theory, present at the Department of Home Affairs (DHA) and regularise their status. These processes have met with some success but have also been beset by significant management and administrative challenges. For an overview of some lessons learned from these documentation processes for Zimbabweans, see Amit 2011.

wide (Department of Home Affairs 2013:3). While the highest numbers of asylum seekers still originate in the SADC region (approximately 34,000 in 2013), South Africa also hosts refugees and asylum seekers from much further afield (Department of Home Affairs, 2013:3). In 2013, there were nearly 12,000 asylum seekers from East Africa, with over 9,000 asylum seekers from Ethiopia and Somalia alone (Department of Home Affairs 2013:3). According to these statistics, West Africa represents another significant source of asylum seekers, with just over 10,000 asylum seekers applying in 2013 from the region, including 7,300 Nigerians, while Bangladesh, Pakistan and India together account for another approximately 10,000 asylum claims lodged in 2013 (Department of Home Affairs 2013:3). Importantly, the African Centre for Migration and Society notes that asylum seeker numbers have, in large part, escalated because there currently is no legal, effective way for economic migrants to enter South Africa (Landau *et al.* 2013). It argues that with such a mechanism in place, asylum seeker levels would drop to levels that would be easily manageable (Landau *et al.* 2013).

In recent years, the South African government has also been dealing with complex issues surrounding the cessation of refugee status for Angolan refugees, in which host countries may evoke the "ceased circumstances" clause of the 1951 Geneva Convention to end refugee status for nationals of countries that are deemed to be safe for return. The government's declaration of cessation in 2013 followed the UNHCR's recommendation that it was now safe for Angolan refugees to return to Angola, due to the ongoing political and economic stability in the country, following the end of decades of civil conflict in 2002. This was unchartered territory for the South African government, the DHA, and civil society actors involved in the process. This process will be discussed in more detail in the Angolan chapter of this report.

Many migrants arrive in South Africa purely on their own volition, while others arrive through complex regional smuggling networks. Migration statistics around smuggling are particularly challenging to obtain, though one 2009 International Organisation for Migration report estimates that between 17,000 and 20,000 irregular male migrants from East Africa and the Horn of Africa are handled by smugglers each year, with South Africa as the

anticipated (but not always successfully reached) destination (Horwood 2009:7). Trafficking has also become a common term in South African migration debates. Adepoju (2005:77) points to three main types of trafficking which have been identified in sub-Saharan Africa as a region, including the trafficking in children, mainly for farm labour and domestic work within and across countries of the region; the trafficking of women and young people for sexual exploitation, mainly outside the region; and the trafficking in women from outside the region for South Africa's sex industry. However, such trafficking networks are complex and still not well understood. Furthermore, empirical research and data on the scope and scale of trafficking in South Africa remains sparse, especially given the complex challenges associated with conducting research on this topic. At the same time, media and political claims are often dramatic, and based on inflated numbers with no discernible empirical basis, misunderstandings of the specific definitional qualities of "trafficking" as a phenomenon, or the conflation of human trafficking and commercial sex work (Africa Check 2013). One IOM commissioned report, compiled by the Norwegian Agency for Development Cooperation in 2010, reports that between January 2004 and January 2010, the IOM assisted a total of 306 trafficking victims in the whole Southern African region, 57 of whom were children (Tørres & du Toit 2010). While certainly not indicative of the total number of trafficking cases, instances of trafficking, while serious, may still be comparatively few when set against the backdrop of other complex and often dangerous forms of migrant flows, exploitations and vulnerabilities.

Unaccompanied minors represent another challenge of migration in South Africa. While again, numbers are unknown, hundreds and potentially thousands of unaccompanied minors are present in the country, requiring specialised attention and care. Also present are "separated children," that is, children who have been separated from both parents or from their previous legal or customary primary caregiver, but not necessarily from other relatives. A particularly challenging issue arises when unaccompanied minors or separated children do not have an asylum claim, and do not have documentation. While such children may be placed in long term care within South Africa by

court order, they are currently unable to access proper identity documents, and are thus relegated to a state of legal limbo.

The management of international migration continues to pose many challenges for South Africa, but so too does the management of domestic migration flows. Some regions of the country have been experiencing striking in-flows of migrants, while others have experienced significant out-flows. Indeed, the challenges posed to local governance by domestic migration flows are far more significant than those presented by international migration (Segatti & Landau 2011:17). A 2011 Statistics South Africa report notes that between 2006 and 2011 alone, an estimated 215,000 people will have migrated out of the Eastern Cape, while Limpopo province is estimated to experience the out-migration of just over 140,000 people. In those same years, Gauteng and the Western Cape province are estimated to have received approximately 367,100 and 95,600 migrants, respectively (Statistics South Africa 2011). However, like most migration-related statistics in South Africa, such numbers are slippery and unreliable. Nonetheless, domestic migration flows have put both real and perceived pressures on provincial and municipal governments, in particular, to develop strategies for service delivery that will meet this growing demand, alongside strategies for redressing shortcomings for base populations. The areas in which many unskilled foreign nationals settle and look for the means of survival (particularly the peri-urban areas around Johannesburg, Tshwane [formerly Pretoria], and Cape Town) are the same communities in which South Africa's poorest citizens, including recent domestic migrants, live (Segatti & Landau 2011:17). Given the social climate of hostility towards foreign migrants, domestic migration may then further exacerbate South Africans' perceptions of being in direct competition with foreign migrants for jobs and resources.

Interestingly, Landau notes the propensity in some official discourse towards a "demonizing" of newly urbanised citizens in South Africa, who cite concerns that such migration places a severe strain on employment levels, housing, and public services (2010:221). However, "even officials wishing to more proactively absorb new residents, who are often poor and vulnerable, face

considerable challenges in determining how to do so" (Wa Kabwe-Segatti & Landau 2008:127).

While the impact of domestic migration is often overlooked in debates about migration in South Africa, so too is the importance of remittances in the regional economy. Using World Bank data, the 2013 IOM country profile for South African reports that remittance inflows amount to US$1.123 million annually (approximately R12.4 million) or .3% as a share of the country's GDP (World Bank 2014; IOM 2013). 2012 World Bank data estimates migrant remittance outflows at US$1.32 million, or approximately R14.5 million (World Bank 2014). However, the informal channels through which many remittances flow make it challenging to effectively and reliably capture the extent of such flows, though data is also insufficient for formal sector remittances. While acknowledging the limitations of their data, a recent study by Truen and Chisadza (2012:57) for the FinMark Trust estimates that the average remitting migrant in South Africa sends between R4,500 and R6,500 home per year, with 45-55% of migrants being likely to remit. They estimate a total remittance market in the SADC region of R11.2 billion, of which R6.7 billion flows to Zimbabwe alone, while another estimated R7.6 billion is remitted through informal channels (Truen and Chisadza 2012:57). Remittances are regularly used towards education, investments and consumption, and make an important contribution to livelihood strategies across the region.

South Africa's Policy Framework

Managing migration effectively is a daunting task for any government, and post-apartheid South Africa has been no exception. With the end of apartheid, it quickly became apparent to the new government that existing legislation governing migration in South Africa was wholly inadequate to meet the requirements of the new democracy. Policymakers and civil society actors alike were forced to grapple with the many complex policy questions raised by migration, set against the dramatic social, economic and political changes taking place in the country. In many ways, however, while framed in the new language of rights, administrative justice and equity, the national imperatives of migration management did not dramatically alter

with the onset of the new democracy, but instead remained rooted in an approach that emphasised control and security.

One of the last main pieces of apartheid-era legislation was passed in 1991, in the form of a new migration policy called the Aliens Control Act, which codified numerous legislative amendments that have consistently reinforced the strict control of the flow of people across South Africa's borders (Klotz 2000:831). Peberdy and Crush describe the act as an attempt to "entrench the past in the future," through which all existing immigration legislation was consolidated (1998:33). Crush and McDonald write, however, that this legislation, "rooted in the imperatives and ideology of late apartheid [proved] to be a blunt, ineffectual and often unconstitutional instrument for migration management in post-apartheid South Africa" (2001:1). In 1995 and 1996, amendments were made to the Aliens Control Act, which, according to the Deputy Minister of Home Affairs, were meant to "improve control over immigration" (Peberdy 2001:17). While some of the amendments represented a tightening of requirements, these reforms also indicated an effort to bring immigration policy closer into alignment with the country's new constitution (which was officially approved in 1996), such as an amendment that altered a previous provision that undocumented migrants could be held in detention indefinitely and without judicial review. Nonetheless, following the adoption of the final Constitution in 1996, the Aliens Control Act was declared unconstitutional and liable to constitutional review by 2002 (Wa Kabwe-Segatti & Landau 2008:69). This placed the government in a particularly challenging situation in the interim, having to manage migration with the blunt and outdated legal instrument it had inherited, while simultaneously working towards the development of a new legislative framework. This was to prove a long, fraught, and arduous task.

The principal responsibility for the overhaul of migration policy for South Africa fell largely to the Department of Home Affairs, under the leadership of the Inkatha Freedom Party's (IFP) president Mangosuthu Buthelezi in the context of the post-apartheid Government of National Unity (GNU). In November 1996 the Department appointed a task team to develop a Green

Paper on International Migration,[20] which was published in the Government Gazette in May of 1997. Following a process chaired by Dr. Wilmot James,[21] the Green Paper recommended the initiation of two separate but related migration policy streams, one for refugees and asylum seekers, and one for immigration policy, governing migration functions such as the issuance of student visas, work visas, tourist visas and permanent residence permits.

Prior to the development of the Refugees Act, there had already been some important, if insufficient, movement towards the recognition of refugees in the country. In 1991, for example, following the unbanning of the ANC and the release of Nelson Mandela, the South African government signed an agreement with the UNHCR to try to address the issue of the repatriation of South Africans living in exile; other agreements were signed from 1993 onwards between the South African government, the UNHCR and the government of Mozambique regarding the repatriation of Mozambican refugees living in South Africa (Smith 2003:4; Wa Kabwe-Segatti & Landau 2008:64). The apartheid government's policies of regional destabilisation had positioned South Africa as both a producer of political exiles, and as a host to populations fleeing disruption and violence in neighbouring countries.

As the transition from apartheid continued, the South African government signed a Basic Agreement with the UNHCR in 1993, and became party to the 1969 Organization of African Unity Convention on the Specific Aspects of Refugee Problems in Africa in 1995, and the 1951 Geneva Convention relating to the Status of Refugees in 1996. However, until the promulgation of the Refugees Act, refugee affairs were administered through the mechanisms of the Aliens Control Act. Treatment of refugees before 1998 was thus "regulated by administrative procedures

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[20] A Green Paper is a comprehensive discussion document compiled by the South African government to explore a policy issue and make suggestions for policy directions.

[21] Dr. James was at this time the Executive Director of the Institute for Democracy and South Africa (IDASA).

that allow[ed] considerable discretion and abuse" (Barutciski 1998:701).

The development of new, specific refugee legislation involved widespread consultation and the involvement of state, civil society, and academic actors at the domestic and international level. While the process revealed some conflicting agendas and priorities between the state and civil society actors involved, as well as different normative approaches to realising South Africa's international and domestic obligations towards the protection of refugees, the result was a largely progressive Refugees Act of 1998, which came into effect in 2000. Unlike almost all its regional counterparts, South Africa's asylum system rejects encampment options in favour of allowing asylum seekers and refugees freedom of movement, along with the right to work and study in the country. The Act was drafted to include administrative checks and balances, as well as avenues for decision appeals to ensure fairness and to prevent *refoulement*,[22] including the formation of a Standing Committee for Refugee Affairs charged with reviewing those decisions by Refugee Status Determination Officers that found an asylum claimant's application to be manifestly unfounded.[23] While there were very real debates that took place the development of the Refugees Act, existing international laws and norms, along with a new post-apartheid commitment to human rights, played a pivotal role in guiding the development of legislation pertaining to refugees and asylum seekers in South Africa. Nonetheless, the efficacy of South Africa's new asylum system has been undermined from the beginning by significant gaps between policy and its implementation. This will be discussed in further detail below.

While the Refugees Act had some solid international parameters as guidelines, the Immigration Act represented an entirely different challenge, with a complex range of factors to consider, particularly given the emotive nature of migration debates and

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[22] *Refoulement* is the illegal return of an asylum claimant to a country in which his or her life may be at risk, and *non-refoulement* is a cornerstone principle of international refugee law.

[23] A manifestly unfounded claim is one in which the decision-maker believes the claim to be clearly fraudulent.

the symbolic weight of these debates with regard to nation building narratives and processes. A widespread consultation process towards new immigration legislation began in 1996, but it was not until 2002 that post-apartheid South Africa's first Immigration Act was passed amidst a maelstrom of controversy. As Vigneswaran writes, "despite significant pressures on government to develop new initiatives and show results, the defining characteristics of immigration policy making over the past decade have been disorder, disunity, and despair" (2011:129). Given the political changes in the country, immigration legislation could not be tinkered with incrementally, but needed to be overhauled completely. Many political analysts and migrant groups hoped that the new democracy and the coming to power of the ANC would give rise to a more open immigration policy. However, such expectations were "based on the false expectation that the advent of democracy and the change in regime coincided with a change in core national interests, which of course they did not" (Wa Kabwe-Segatti & Landau 2008:74).

Amendments to the Immigration Act of 2002 were announced in 2004. These amendments did not offer a significantly different approach to migration management, making some technical and legal clarifications and simplifying some of the more complex aspects of the 2002 Act, as well as tightening provisions around the issuance and renewal of visitor permits, and tightening control over work-related activities (Crush & Williams 2005:25). Further amendments to the principal Act in 2007 and 2011 came into force with the release of associated regulations in late May 2014. Amendments were also made in 2011 to the Refugees Act, including a reduction in the validity of the asylum transit permit, from 14 days to five days, giving asylum seekers a much smaller window to present at a Refugee Reception Office once they have entered the country. While the Refugee Amendment Act extends some rights, many of the amendments appear to be much more about tightening up perceived loopholes in current migration legislation, rather than offering any fundamentally different approach to the management of migration.

Despite the contention and confusion that have characterised migration policy making processes in post-apartheid South Africa, there have certainly been some important advances. Post-

apartheid immigration legislation, for example, included much greater attention to due administrative process, including the removal of administrative discretion in decision-making, requirements of written notice of administrative decisions, and associated rights of appeal against arbitrary decisions. Importantly, it also outlined clear, legislated limits to detention times for undocumented migrants. The Act introduced increased mechanisms for the migration of skilled labour into the country, through various new visa and permit types. Moreover, the 2002 Act contained explicit calls for the rooting out of xenophobia both within communities and the state (though there has been little evidence that such campaigns have garnered much traction or attention, let alone results). However, immigration legislation has left almost no room for the migration of unskilled labour into the country, and has retained a strong emphasis on both the deterrence of undocumented migration, and enforcement mechanisms for dealing with undocumented migrants.

In southern Africa, there have been significant discussions regarding the development of a regional approach to managing human mobility. Such discussions have largely happened at the level of SADC, a regional bloc with fifteen member states. In the mid-1990s, a "Draft Protocol on the Free Movement of Persons" was put forward at SADC, but no agreement was reached. This was replaced by a significantly watered-down "Draft Protocol on the Facilitation of the Movement of Persons in SADC." However, this protocol requires two thirds of the SADC states to ratify it, which has yet to happen. Those who argue in favour of a regional approach point out that even where there is strict migration legislation and substantial amounts of money spent trying to secure borders, migration happens anyway, especially with a border as long and porous as South Africa's. When driven by political and economic insecurity, people who are often already vulnerable will take further risks that endanger their safety and security. A legal mechanism allowing SADC residents to cross borders could help regulate the flows of people, while allowing people to enter the country more safely. It would decrease the burden on South Africa's detention and deportation regime, which is costly, largely ineffective, and rife with systemic abuse and rights violations. A legal mechanism for regional work-seekers could mean less strain on the asylum system. Advocates

also argue that encouraging regional migration can bolster the economic growth of the region, lessening regional inequalities. However, important questions remain about who would manage such a regional migration regime. In a sense, the regional management of migration requires governments to transfer some of their own powers from the state level to the regional level, which states are often reluctant to do. The SADC also experiences significant financial and institutional challenges, and there are important, complicating differences in financial and political security among member countries. There are also strong public sentiments in some countries against immigration of any kind, making it a politically sensitive and difficult issue.

Main Actors

A wide range of organisations and actors are involved in issues of human mobility in South Africa, including various government departments at municipal, provincial and national levels, research and academic institutions and a range of non-governmental and civil society actors. This section is by no means an exhaustive list, but rather offers a broad overview of some of the main organisations and institutions involved in migration debates and migration management in the country.

The issues raised by human mobility cut across the various levels of government, and they also cut across various departments within those levels of government. This is part of what makes the governance of migration so deeply complex and challenging. In South Africa, the Department of Home Affairs is the central actor at the national level, with responsibility for the management of immigration and the asylum system, as well as core civic affairs functions. The Department of Labour is another pivotal state actor, as is the South African Police Service (SAPS). Home Affairs is also part of the South African government's "Justice, Crime Prevention and Security Cluster," which also includes Justice and Constitutional Development, the Police, Correctional Services, Defence and Military Veterans, and State Security. However, coordination among these departments and among different levels of government remains weak, and the implementation of migration policies is beset with difficulties, as explored in the following section.

South Africa is also home to various research and academic initiatives related to migration, such as the African Centre for Migration and Society (ACMS), based at the University of the Witwatersrand in Gauteng. Researchers at this centre, formerly known as the Forced Migration Studies Programme, continue to produce important migration-related research with relevance in South Africa and much further afield. The Southern African Migration Project (SAMP), based at Queen's University in Canada, is another key producer of migration knowledge for South Africa and other southern African countries. Other research institutes with some interest in issues of human mobility include the Centre for Development and Enterprise (CDE), the Human Sciences Research Council (HSRC), the Centre for the Study of Violence and Reconciliation (CSVR), the South African Institute of Race Relations (SAIRR), and the Centre for Conflict Resolution (CCR). The Scalabrini Institute for Human Mobility in Africa (SIHMA), based in Cape Town, is the newest addition to this research landscape, as part of an international network of Scalabrini migration research and study centres.

There is also a relatively vibrant and robust civil society in South Africa, rooted in its own, particular history. Prior to the transition to democracy, civil society was largely united in the struggle against apartheid, but following the ANC's coming to power in 1994, state-civil society relations were to a large extent conciliatory and cooperative. Towards the end of the 1990s and into the early 2000s, however, a more contentious or adversarial civil society began to re-emerge in South Africa, particularly around issues such as HIV/AIDS, education, services, and housing. New legal frameworks (including the constitution, the Refugees Act, and various international conventions) also allowed civil society organisations working on issues of human rights and migration, and particularly asylum seeker and refugee rights advocacy organisations, to organise and emerge in the post-apartheid years. Currently, civil society organisations engage in issues of human mobility at various levels, from local to national and international. Some organisations played an important role in terms of informing refugee policy debates and policy formulation processes, while others have been involved in ongoing efforts to define, expand, and uphold the rights associated with refugee and immigration policy.

At a national level, organisations such as Lawyers for Human Rights and the Legal Resources Centre have played critical roles in both policy debates and litigation around the rights of migrants in the country. Also at a national level, the Consortium for Refugee and Migrants in South Africa (CoRMSA) represents a consortium of approximately 25 member organisations from across the country (including non-governmental organisations, research units, legal practitioners, and refugee and migrant associations), with the aim of strengthening partnerships and coordination among organisations. South Africa also has a significant faith-based sector engaged in issues of human mobility and protecting the rights of migrants, such as the work of the Scalabrini order, the Catholic Parliamentary Liaison Office, the Jesuit Refugee Service, and the Methodist Church of South Africa. While some organisations take a grassroots, activist approach and others a legalistic approach, still others are engaged largely in the provision of services for migrants, refugees and asylum seekers. There are also many active organisations or associations of various sizes, comprised of migrants and refugees themselves. International human rights non-governmental organisations, which have been involved in migration issues in South Africa include, for example, groups such as Human Rights Watch and Amnesty International.

International organisations such as the International Organisation for Migration (IOM) and the International Labour Organisation (ILO) are also involved in South African migration debates, as are United Nations (UN) bodies such as the United Nations Children's Fund (UNICEF) and the United Nations High Commission for Refugees (UNHCR). The UNHCR has a range of implementing partners across the country, as well as relationships with operational partners, including a cross section of relevant government agencies and departments.

Issues in the Governance of Migration

Implementation Challenges

Despite important advances in the legal and policy frameworks of migration governance in South Africa since 1994, the effective implementation of policy remains a very serious challenge. Rights

violations in the state's management of human mobility are, unfortunately, systemic and well-documented. The institutions and administrative structures required to effectively implement the Refugees Act have consistently fallen short of what is needed to meet South Africa's legal obligations and to uphold and protect the rights of asylum seekers and refugees, while under the Immigration Act, the country is grappling with issues such as significant numbers of undocumented migrants, and an associated robust detention and deportation regime that also routinely violates migrants' rights. This section can only provide the broadest of overviews of a few select issues that illustrate the scope of such challenges, including systemic barriers in both accessing and navigating the asylum system, key challenges in the detention and deportation regime, and contemporary shifts in *de facto* policy that are undermining or violating the rights of migrants in South Africa.

Institutional and Administrative Barriers

Institutional and administrative barriers faced by asylum seekers are widespread and take numerous forms. The asylum system, like the immigration system, is administered by the Department of Home Affairs, a historically under-capacitated and troubled department with the dubious reputation amongst civil servants of being the "employer of last resort" (Vigneswaran 2008:795). Inexperience in dealing with asylum seekers and refugees, historically low levels of departmental capacity, and the lack of resources and political priority placed on the management of asylum in South Africa, have combined with unexpectedly high numbers of new asylum seekers to create a system characterised by inefficiencies, backlogs, and lengthy delays in status determination and appeals processes, poor decisions, and opportunities for corruption throughout.

Obstacles to even the initial steps of gaining access to the system and filling a claim can be formidable, and for some, insurmountable. Despite tens of thousands of new asylum applicants per year, and the continued administrative needs of all existing claimants, there are currently only three remaining Refugee Reception Offices (RRO) in operation in South Africa.

These are located in Musina, Tshwane (Pretoria) and Durban, after the Department of Home Affairs' highly contested closures of RROs in Johannesburg, Port Elizabeth and Cape Town in 2011 and 2012. These closures were undertaken as part of the Department's new unofficial policy direction to move all refugee reception functions to the northern land borders of South Africa, though there remains much confusion surrounding this proposed direction, including legal challenges to these RRO closures. Since the closures, all new asylum seekers looking to access the system in Cape Town, for example, must instead apply at one of the three remaining RROs, which are all over 1,000 kilometres away. Applicants must then return to that office for all subsequent procedures related to their claim. For many asylum seekers, this is not feasible financially, and often logistically impossible, particularly given the kinds of delays and inefficiencies of the current system. This places migrants at increasing risk, in terms of documentation, deportation, and potentially, *refoulement.*

While access to RROs can be difficult or impossible for many asylum seekers and refugees inside the country, others are denied even this possibility, having been turned away at the borders based on the illegal practice of group exclusion, in which individuals are denied entry into South Africa based on their nationality alone. While the Refugees Act of 2008 explicitly states that no asylum seeker may be denied entry at a border post,[24] a 2011 report by the Integrated Regional Information Networks (IRIN), for example, points to the *a priori* rejection by border officials of Somalis and Ethiopians seeking entry to apply for asylum in South Africa, while a joint 2013 report by ACMS and Lawyers for Human Rights (LHR) documents the denial of entry at the Beitbridge and Lebombo border posts between March 2011 and July 2012 of Zimbabwean asylum seekers without valid travel documents (IRIN 2011; Polzer Ngwato 2013).[25] Preventing asylum seekers from accessing protection is not only a violation of domestic law and customary international law, but the denial of entry may also put some asylum seekers at risk of *refoulement.* This kind of *a priori* group exclusion is a contemporary

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[24] See section 2 of the Refugees Act of 1998.
[25] Valid travel documents are not required for individuals intending to register an asylum claim.

illustration of the ongoing ad hoc management of migration, irrespective of the relationship between the directive, or *de facto* policy shift, and the law. Such decisions may be based on misunderstandings of international law, in particular a misinterpretation of the first or third safe country principle (Amit 2011; Polzer Ngwato 2013:21).

Research conducted by the ACMS has shown that asylum seekers who do enter the country and are able to access Refugee Reception Offices often face a host of further administrative challenges that compromise the integrity of the asylum system and the ability of South Africa to meet its obligations under international law. A survey of over 1,400 asylum applicants in late 2011 and early 2012 showed, for example, that almost two thirds of respondents did not receive asylum seeker permits the first time they presented at a Refugee Reception Office (RRO); that on average, an asylum seeker or refugee required three visits to resolve a single issue; that 53% of respondents reported having to spend the night outside an RRO to gain access; and, that some RROs are refusing to allow access to individuals who do not possess an asylum transit permit, in clear contravention of refugee law (Amit 2012b:10).

Furthermore, asylum seekers arriving at RROs in South Africa often have very little understanding of what the asylum system entails and how to navigate their way through the system, but research demonstrates that many receive very little, if any assistance, from officials regarding explanations of the requirements of the application process (Amit 2012:11). Further challenges include: inadequate translation services; difficulties in renewing asylum permits and replacing lost or stolen permits; the risks created by the practice at some RROs of fining for expired or lost permits (leaving many individuals who are unable to pay undocumented and at risk of *refoulement*); and significant issues of corruption at RROs, such as incidents of asylum seekers being forced to pay officials to gain access to RROs or to obtain services (Amit 2012:11). The quality of decisions taken by Refugee Status Determination Officers (RSDO) is also called into question, with RSDOs spending an average of 17 minutes with an applicant to determine his or her refugee status, though over half of these interviews lasted less than 15 minutes; three quarters of the

survey respondents reported that "what was written in their status determination decisions did not adequately reflect the information they provided during the interview," yet more than half of the respondents said they did not understand how to appeal their asylum claim decision (Amit 2012:12). The wait times for status determination decisions can also cause considerable challenges for those attempting to navigate the asylum system. The Refugees Act provides for the processing of asylum claims within 180 days of receipt, but in practice, processing times for asylum decisions, as well as for appeals or reviews of rejected applications, can take years, largely due to the existence of formidable backlogs.[26]

Detention and Deportation

The Lindela Detention Centre, in Krugersdorp, Gauteng, is the hub of South Africa's extensive detention and deportation regime, where irregular migrants are detained until being repatriated to their home countries. This regime is illustrative of the substantial gaps between immigration policy and its implementation, and highlights the negative, and sometimes dangerous, implications of the state's securitised and control-oriented approach to migration management. The detention and deportation regime is expensive, ultimately ineffective, and routinely violates the rights of migrants, including refugees and asylum seekers. The reliability of deportation statistics is questionable, particularly given that the same individual can be deported multiple times in a year. However, Home Affairs data shows that there have been approximately 2.8 million deportations between 1994 and 2008, with over one million deportations occuring between 2005 and 2008 alone (Segatti & Landau 2011:158). The DHA data shows that subsequently, there was a significant drop in deportations, almost certainly due to the temporary moratorium on the

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[26] Sutton and Vigneswaran note that "the average applicant waits 640 days before sitting an interview with a Refugee Status Determination Officer. For some, the period of limbo and waiting does not end here. About 1 in 6 applicants waits a further year before receiving a decision on their status. Many then wait further periods in the appeals process" (2011:633).

deportations of Zimbabweans which was associated with the attempted Zimbabwean documentation processes, as discussed above. However, deportations resumed in October 2011, and once again, thousands of Zimbabweans are being deported regularly from the country (Budlender 2013:34). It is not uncommon for asylum seekers or refugees to be caught in the state's wide detention and deportation net, but other undocumented migrants, including tens of thousands of Zimbabweans, are also subjected to a system that often strays considerably in practice from the legislation and official policies meant to guide it.

Many undocumented migrants who are detained and deported simply return to South Africa as soon as possible, across the same porous borders. Indeed, Everatt (2010:11) has characterised the process as being "essentially a revolving door whereby migrants can be back in South Africa within 24 hours of being repatriated". This is particularly true for Zimbabwean migrants in South Africa. The detention and deportation regime also highlights the conflation that occurs in the implementation of specific aspects of the Immigration Act of 2002 and the Refugees Act of 1998. The merging in practice of what were designed to be two separate management frameworks has meant that individuals who ought to be protected under the provisions of the Refugees Act are instead subjected to the more punitive detention and deportation provisions of the Immigration Act, once again leaving asylum seekers and even documented refugees vulnerable and at significant risk for *refoulement.* Under the Refugees Act, asylum seekers and refugees must not be detained for the purposes of deportation, and therefore cannot legally be detained at Lindela, however, the DHA routinely ignores this differentiation, resulting in the detention of individuals who should be protected under the provisions of the Refugees Act (Amit 2012c:8).

A 2012 case review of 90 legal cases brought against the Department of Home Affairs by the NGO Lawyers for Human Rights over 23 months between 2009 and 2010 reveals a range of violations under the Refugees Act, including, among others, arrest of asylum seekers at the border; arrest of asylum seekers who enter with false documentation; arrest despite a stated intention to apply for asylum; denial of protection to asylum seekers whose asylum permits expired while in hospital or in

police custody; the sending of asylum seekers to Lindela directly from prison; the arrest of asylum seekers with valid asylum permits; and, the arrest of refugees with valid refugee permits (Amit 2012c:9). The research findings also cite violations of the terms of the Refugees Act for existing and would-be asylum seekers inside Lindela, including a substantial list of violations of administrative justice, such as coercing detainees to sign notices of deportation or forms they did not understand, and detaining individuals beyond the legally allowable 120 day maximum (Amit 2012c:10). Sutton and Vigneswaran (2011:633) also note that "many of the detainees are arbitrarily and illegally denied access to the outside world," citing survey data which shows that many detainees do not even have access to a phone and of those that do, most do not have sufficient money to make a call. The current system also leaves considerable room for corruption, with bribes regularly paid by migrants to officials to avoid arrest, or to get out of jail (Sutton & Vigneswaran 2011:634).

Formal and Informal Policy Shifts

The innate complexity of effectively managing the movement of people in South Africa has been further complicated by the implications of policy failures since apartheid, including a concomitant hardening of attitudes against migrants, as undocumented migrants as well as refugees and asylum seekers are increasingly framed within both state and society as blatant abusers of the system. The direction of migration management in South Africa is also still characterised by a general climate of uncertainty, stemming not just from the lack of regulations, informal policy directives, and lack of implementation of existing legislation, but also by the lack of a clear direction moving forward with regards to migration management priorities in South Africa. In the interim, however, a number of *de facto* policy shifts have become apparent in the state's current management of migration, particularly in the refugee and asylum seeker stream.

Many of these shifts have raised significant concern for asylum seekers and refugees, along with many civil society actors and academics working in this field. A 2013 report co-authored by Lawyers for Human Rights and the ACMS, for example, draws attention to the fact that many of the shifts in practice have

transpired ahead of explicit policy documents and statements of strategic intent, arguing that,

> where strategic aims have been identified, there is either no evidence that the problem exists to a significant degree (such as asylum seekers posing a security threat to South Africa), or there is no logical connection between the problem and the proposed solution (Polzer Ngwato 2013:13).

Many of the practices emerging ahead of formal policy shifts are in contravention of either domestic or international law, or both, and the report chronicles a number of cases in which the DHA is "acting against and in contempt of specific court orders" (Polzer Ngwato 2013:13).

Along with practices of group exclusion and access barriers, as discussed above, one recent shift in the state's approach to the management of asylum includes renewed discussion around the limitations of basic rights of asylum seekers, including the right to work and study. However, the right for asylum seekers to work and study was not easily won, having been established in a Supreme Court of Appeal decision in 2003,[27] which found that a policy denying the right to work and study for asylum seekers unlawfully violated the conditions for having a dignified life (Handmaker 2009:174). There are, however, indications that the DHA and the ANC are considering attempting to revoke these rights, including a series of statements to this effect made by Home Affairs officials, including the Director of Asylum Seeker in the DHA, Lindile Kgasi, and wording in the ANC's 2012 Peace and Stability policy discussion document which not only suggests that "work and study permits with limitations will have to be applied for under the immigration act" but also questions asylum seekers' rights to be self-employed in informal trading (ANC 2012:6; Polzer Ngwato 2013:34). This document questions whether by-laws regulating informal trading and small shop (*spaza*) ownership should apply equally to asylum seekers and citizens, noting that informal trading "should not be legal under the Refugees act given that asylum seekers are persons whose

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[27] *"Minister of Home Affairs and others vs. Watchenuka and another"* Case No. 2004 (4) SA 326 (SCA).

status has not been determined" (ANC 2012:6). Partly, these restrictions appear to be rooted in a conflation by policy makers of refugees, migrants, and undocumented migrants, and a sense that all migrants are generally abusing or taking unfair advantage of the systems and rights in place.

Finally, ongoing violence against foreign nationals living in South Africa, especially those from other African countries, has drawn attention to the stark disconnection between the formal rights and protections afforded to migrants by the state, and competing values and norms within society. While suspicion and hostility towards foreign nationals, or those perceived to be "others," is by no means a new phenomenon in South Africa (and, of course, finds expression in many parts of the world) its recent expression in South Africa has proven to be particularly hostile and violent, especially since the advent of democracy in the country. Xenophobic violence in South Africa reveals deep and entrenched weaknesses in the new democracy and raises important questions about not only the state's willingness, but perhaps more importantly, the state's capacity, to design and implement a migration management regime that meets its constitutional and international legal obligations.

Conclusion

South Africa, like many parts of the world, experiences high levels of human mobility as people move to, from, and within the country in significant numbers. However, the particular confluence of South Africa's own social and political history has meant that the country experiences important obstacles in managing migration effectively. It has meant that for many migrants, refugees and asylum seekers, the rights that are formally protected on paper are certainly not always protected in practice. Indeed, the often significant gaps between policies and practices, between the formal guarantee of rights and the capacity of migrants to exercise those rights, is one of the most pressing issues facing migrants in the country.

The gap between policies and practice is exacerbated by a lack of political will, and by deep-seated capacity and resourcing issues in migration governance in South Africa, particularly within the

Department of Home Affairs, a chronically under-resourced and under-capacitated Department. With the end of apartheid and the transition to democracy, legislation was revised and redrafted to meet new international and domestic imperatives, but the associated training and resourcing required for the effective implementation of the country's new legislative framework has been lacking from the beginning. The political will to provide such resourcing is also questionable, particularly within the context of the myriad unmet basic needs of many South African citizens. For many policy makers and citizens alike, migration largely continues to be conceptualised as a zero-sum game, in which migrants are simply taking advantage of an overly lenient system, at the expense of South African citizens. While to date, there has been no repetition of the scale of violence against migrants that shook the nation in May 2008, resentment continues to simmer just below the surface in many parts of the country. Incidents of violence against foreign nationals are a regular occurrence, many of which are never reported or are framed by the police and the state not as xenophobic violence, but rather as more straight-forward criminality.

In the meantime, the policy environment governing migration appears to be tightening, with an increased emphasis on security and control. This is true of not only legislation, but is also true of the *de facto* policies and directives that actually effectively shape the way in which the movement of people in South Africa is governed. The chronic under-resourcing and mismanagement of the asylum system and systemic violations of migrants' rights in both the immigration and asylum streams undermines the South African state's commitments to the effective, rights-upholding management of human mobility.

While more academic attention has been paid to issues of human mobility in South Africa than in many of its regional neighbours, many aspects of migration remain under-researched and under-theorised. In particular, issues of data availability and reliability remain an ongoing challenge for both migration researchers, and also for policy-makers, who have often found it difficult to find evidence upon which to base their migration policy decisions. As Segatti and Landau (2011:145) note, "the difficulty they have found in doing so reflects the way in which migration data are

collected and the tense and complex relationship policy makers have often had with researchers and experts." Given the very nature of human mobility, with all its variations and complexities, the accurate measurement of migration patterns, flows, numbers and motivations is enormously challenging. Human mobility issues are also often deeply sensitive, political and politicised, and even existing data can be easily over-looked in policy decisions. Nonetheless, the availability of better, richer and more reliable migration statistics would undoubtedly be beneficial for both policy makers and advocates of improved migration governance.

There remain significant research gaps in terms of understanding both the impacts and potentials of human mobility in South Africa. For example, while some work has been done in these areas, further research could help shed further light on patterns of both international and domestic mobility and settlement, remittance flows and figures, the economic contributions of migrants within and across a range of socio-economic contexts, issues of migrants' access to health care, the special requirements of unaccompanied minor migrants, the myriad impacts of South Africa's detention and deportation regime, and the administrative processes and impacts of cessation. Future research could also continue to explore and theorise the existence of such obvious and abundant gaps between policies, as they are written, and the actual practices of migration governance. While there has been much research and thought directed towards questions of xenophobia in South Africa, including its complex causes and consequences, there has also been much less research directed towards questions of how best to counter and defuse such sentiments, and how best to work towards a positive re-conceptualisation of migration that acknowledges its potential benefits not just for individuals, but for sending and host countries alike.

References

Adcorp, 2014, *Adcorp Employment Index December 2013*, viewed 25 May 2014, from http://www.adcorp.co.za/Industry/Pages/AEIDecember 2013.aspx.

Adepoju, A., 2003, 'Continuity and Changing Configurations of Migration to and from the Republic of South Africa', *International Migration*, 41(1), 3–28.

Adepoju, A., 2005, 'Review of Research and Data on Human Trafficking in sub-Saharan Africa', in IOM, (eds.), *Data and research on human trafficking: A global survey*, pp. 1–339, International Organization for Migration, Geneva.

Africa Check, 2013, 'Are 30,000 children really 'trafficked' in South Africa every year? The claim exaggerates the problem', viewed 12 June 2014 from http://africacheck.org/reports/are-30000-kids-trafficked-into-south-africas-sex-trade-every-year-the-claim-exaggerates-the-problem/.

Amit, R., 2012a, *Breaking the Law, Breaking the Bank: The Cost of Home Affairs' Illegal Detention Practices. ACMS Research Report*, Johannesburg.

Amit, R., 2012b, *No Way In: Barriers to Access, Service and Administrative Justice at South Africa's Refugee Reception Offices: ACMS Research Report*, Johannesburg.

Amit, R., 2011a, The First Safe Country Principle in Law and Practice: Migration Issue Brief 7, (June).

Amit, R., 2011b, *The Zimbabwean Documentation Project: Lessons Learned*, Johannesburg.

ANC, 2012a, *African National Congress: 53rd National Conference Resolutions,* Manguang, 16-20 December, 2012.

ANC, 2012b, *Peace and Stability Poilcy Discussion Document,* March 2012.

Anon, 2011, *Statistics South Africa, Mid-Year Population Estimates 2011: Statistical Release P0302.*

Ballard, R. *et al.*, 2005, 'Globalization, marginalization and contemporary social movements in South Africa', *African Affairs*, 104(417), 615–634.

Barutciski, M., 1998, 'The Development of Refugee Law and on the 1997 Green Paper and 1998 White Paper/Draft Bill', *International Journal of Refugee Law*, 10(4), 700–724.

Bermudez, L.G., 2008, *"No Experience Necessary": The Internal Trafficking of Persons in South Africa*, IOM Regional Office for Southern Africa, Pretoria.

Budlender, D., 2013, *Improving the quality of available statistics on foreign labour in South Africa: Existing data-sets*, Migration for Work Research Consortium, Johannesburg.

Centre for Development and Enterprise, 2010, *Skills, Growth and Borders: Managing Migration in South Africa's National Interest*, CDE Research no. 17.

Crush, J., 2008, *The Perfect Storm: The Contemporary Realities of Xenophobia in Contemporary South Africa, Migration Policy Series No. 50*, Cape Town & Kingston.

Crush, J. & McDonald, D.A., 2001, 'Introduction to Special Issue: Evaluating South African Immigration Policy after Apartheid', *Africa Today*, 48(3), 1–13.

Crush, J., Peberdy, S. & Williams, V., 2006, *International Migration and Good Governance in the Southern African Region: Migration Policy Brief 17*, Kingston and Cape Town.

Crush, J. & Williams, V., 2005, *International Migration and Development: Dynamics and Challenges in South and Southern Africa, United Nations Expert Group Meeting on International Migration and Development*.

Department of Home Affairs, 2013, *Asylum Statistics Report*, Republic of South Africa.

Everatt, D., 2010, *Synthesis Report: South African Civil Society and Xenophobia, Overview and Prospects*, Johannesburg.

Gilder, B., 2012, *Songs & Secrets: South Africa from Liberation to Governance*, Jacana, Johannesburg.

Habib, A., 2005, 'Adam Habib State – Civil Society Relations in Post- Apartheid South Africa', *Social Research*, 72(3), 671–692.

Habib, A. & Taylor, R., 1999, 'South Africa: Anti-Apartheid NGOs in Transition', *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, 10(1), 73–82.

Handmaker, J., 2009, *Advocating for Accountability: Civic-State Interactions to Protect Refugees in South Africa*, Oxford Portland: Intersentia, Antwerp.

Horwood, C., 2009, *In Pursuit of the Southern Dream: Victims of Necessity*, Geneva.

HSRC, 2014, *South African National HIV Prevalence Survey, 2012,*: Human Sciences Research Council Press, Cape Town.

International Organisation for Migration, 2013, *Country Profile: South Africa.* Viewed 24 June 2014 from https://www.iom.int/cms/en/sites/iom/home/where-we-work/africa-and-the-middle-east/southern-africa/south-africa.html.

IRIN, 2011., 'Horn Migrants Heading South "Pushed Backwards"'. Viewed 16 July 2014 from http://www. irinnews.org/Report/93403/AFRICA-Horn-migrants-heading-south-quot-pushed-backwards-quot.

Klotz, A., 2000, 'Migration after Apartheid: Deracialising South African Foreign Policy', *Third World Quarterly*, 21(5), 831–847.

Landau, L.B., 2010, 'Loving the alien? Citizenship, law, and the future in South Africa's demonic society', *African Affairs*, 109(435), 213–230.

Lipton, M., 2009 'Understanding South Africa's foreign policy: the perplexing case of Zimbabwe', *South African Journal of International Affairs*, 16(3), 331–346.

Peberdy, S., 2001, 'Imagining Immigration: Inclusive Identities and Exclusive Policies in Post-1994 South Africa', *Africa Today*, 48(3), 15–32.

Peberdy, S., 2009, *Selecting Immigrants: National Identity and South Africa's Immigration Policies 1910-2008*, Wits University Press, Johannesburg.

Peberdy, S. & Crush, J., 1998, 'Rooted in racism: The origins of the Aliens Control Act', in *Beyond Control: Immigration and Human Rights in a Democratic South Africa*, pp. 18–36, Idasa & Queen's University Press, Cape Town & Kingston.

Polzer Ngwato, T., 2013, *Policy Shifts in the South African Asylum System: Evidence and Implications, LHR/ACMS Report*, Johannesburg.

Polzer, T., 2010, *Population Movements in and to South Africa, Migration Fact Sheet 1, Forced Migration Studies Programme*, Johannesburg.

Rademeyer, J., 2013, 'How Many Zimbabweans Live in South Africa? The Numbers are Unreliable', in *AfricaCheck*. Viewed 17 July 2014 from http://www.africacheck.org/reports/how-many-zimbabweans-live-in-south-africa-the-numbers-are-unreliable/.

Segatti, A. & Landau, L.B., (ed.), 2011, *Contemporary Migration to South Africa: A Regional Development Issue*, Agence Française de Développement and the World Bank.

Smith, T.R., 2003, *The Making of the South African (1998) Refugees Act*, Forced Migration Working Paper Series #5, Johannesburg.

Sutton, R. & Vigneswaran, D., 2011, 'A Kafkaesque state: deportation and detention in South Africa', *Citizenship Studies*, 627–642.

Tørres, Liv and du Toit, Denise, 2010, 'Southern Africa Counter-Trafficking Programme (SACTP) Review', Norwegian Agency for Development Cooperation. Viewed 12 July 2014 from http://www.norad.no/en/tools-and-publications/publications/norad-collected-reviews/publication?key=205558.

United Nations Development Programme (UNDP), 2014, *Human Development Report 2014*. Viewed 15 May 2014 from http://hdr.undp.org/sites/all/themes/hdr_theme/country -notes/ZAF.pdf.

UNHCR, 2013, *Global Trends 2012: Displacement: The New 21ᵗ Century Challenge*. Viewed 13 June 2014 from http://unhcr.org/globaltrendsjune2013/UNHCR%20GLOBAL%20 TRENDS%202012_V08_web.pdf.

UNHCR, 2014, *2014 UNHCR country operations profile - South Africa*. Viewed 23 June 2014 from http://www.unhcr.org/pages/49e485aa6.html.

Vigneswaran, D., 2008, 'Enduring territoriality: South African immigration control', *Political Geography*, 27(7), 783–801.

Vigneswaran, D., 2011, 'Migration Control, Documentation, and State Transformation', in A. Segatti and L. B. Landau (eds.) *Contemporary Migration to South Africa: A Regional Development Issue*, pp. 129–144, Agence Française de Développement and the World Bank.

Wa Kabwe-Segatti, A. & Landau, L., (ed.), 2008, *Migration in post-apartheid South Africa: Challenges and questions to policy-makers*, Agence Française de Développement.

World Bank, 2014, *Annual Remittances Data*. Viewed 13 June 2014 from http://econ.worldbank.org/WBSITE/EXTERNAL/ EXTDEC/EXTDECPROSPECTS/0,,contentMDK:22759429~ pagePK:64165401~piPK:64165026~theSitePK:476883,00.html

World Bank, 2009, *GINI Index*. Viewed 23 June 2014 from http://data.worldbank.org/indicator/SI.POV.GINI/.

CONCLUSION

The four reports presented in this volume highlighted a series of critical elements in the human mobility governance of the selected countries. Some of the issues are common to all four countries, while others are characteristic of one particular country. All these elements are important and deserve special consideration by the stakeholders concerned.

Although with different emphasis, all the reports denounce a lack of coordination, continuity and coherence in migration and asylum governance in the four countries. In all cases, the main responsibility for this deficiency can be ascribed to the national governments which find it difficult to formulate a comprehensive response to the different challenges posed by human mobility, largely because of insufficient knowledge of the issues involved, and limited human and financial resources. In all four countries the researchers detected a slow, inadequate and arbitrary implementation of national and international laws, policies and conventions concerning migration and asylum.

In Ghana and Nigeria the study concluded that, despite significant efforts to maximise the gain from labour exports, the application of existing policies aimed at enhancing the development impact of migration has not achieved the expected results. Moreover, in Ghana, and in South Africa human mobility governance has not paid enough attention to gender and humanitarian issues. Evidence from the SIHMA study shows that the Ghanaian government has given insufficient consideration to regional migration protocols and related matters. In addition, the country is slow to implement several policy initiatives taken in recent years to incorporate the Ghanaian diaspora into national development. Moreover, despite Ghana being an important destination for international migrants, particularly from neighbouring countries and Asia, little effort has been made to understand the positive impact of such migrations on Ghana's economy and environment, or to direct the benefits towards national development.

The report on Nigeria exposes a general tendency to "criminalise" Nigerian emigrants, which seems to be mainly due to international pressure. As a consequence, migration retention measures that have been adopted constitute a threat to freedom of movement. Moreover, despite Nigeria's relevance in the human mobility scenario and its towering socio-economic and demographic potential over the other nations within the West Africa sub-region, it has, nonetheless, failed to play a leading role in the region, particularly within the area of migration governance.

The Angolan study resolved that repatriation and socio-economic reintegration of former Angolan refugees have been key issues in the debate around human mobility. In addition, issues of internal mobility, detention and deportation of irregular migrants, evident gaps between asylum policy and implementation, and particularly the absence of a comprehensive migration policy, also deserve further attention.

Faced with a rampant human trafficking phenomenon, despite the adoption of ad hoc legislation, the Angolan government has not been able to ensure the protection of victims, or the prosecution of those involved in human trafficking. Nonetheless, the recent accession of both the *United Nations Convention against Transnational Organised Crime and its Protocols* and the *International Convention for the Protection of all Persons from Enforced Disappearance* represent a major step in the development of human rights in Angola.

Moreover, the Angolan report emphasises the lack of a comprehensive domestic strategy to cope with massive internal forced displacement caused by ecological downturns. The vulnerable migration system in Angola is also challenged by an unforeseen process of urbanization, which the government is trying to oppose. Finally, according to the SIHMA researcher, there is evidence that in the long term the growing "brain drain" phenomenon may constitute a serious threat to sustainable development in Angola, which could be mitigated by a potential "brain gain'' associated with return migration.

The SIHMA study identified the detention and deportation of irregular migrants as a critical element of South African human mobility governance. Hence the assessment of current practices

raises questions about possible violations of human rights and dignity. Moreover, the social integration of migrants, asylum seekers and refugees is often jeopardized by the suspicion and hostility of local communities. Cases of violence against foreigners have been registered.

The four reports have also identified key research issues and gaps to be considered for further studies in the countries concerned. The reports emphasised the need for reliable data and statistics on migration and asylum in the respective countries. To this end, effective mechanisms for the collection and management of primary data should be developed with the active involvement of local academic institutions.

The SIHMA studies on Ghana and Nigeria suggested undertaking further research on the ethical and humanitarian dimensions of migration and asylum governance. In the case of Ghana, a thorough assessment of the possibility of concrete engagement with the Ghanaian diaspora in sustainable national development was highly recommended. Moreover, the study also recommended that researchers in Ghana focus more on regional migration dynamics, aiming at mapping the flows, origins and destinations, and measuring the impact on peace, security, economic development and integration in the region. Finally, it is highly recommended that the gender and family dimensions of Ghanaian immigration and emigration and their relation to human trafficking and development be considered in further studies.

As far as Nigeria is concerned, the researchers highlighted the urgent need for deepening the knowledge on forced migration within the country, focusing on the linkage between internal displacement and international migration. They also recommended that future research on human trafficking for sexual exploitation must consider the linkages between this phenomenon and the traditional cultural and religious practices embedded in the Nigerian society.

In the case of the Angolan study, it was recommended that future research should focus on the impact of recent economic, social and political changes in migration and outward remittances as well as on the effects of return migration on the local economy.

Another important topic that merits further research is how migration policy is being developed, how conflict of interests, hidden agendas, and migration experts are influencing the process of policy making. Likewise, the demonisation of irregular migrants by government and the constant referral to a "silent invasion" represents an area of interest for further research around issues such as national identity, social cohesion and integration.

The report on South Africa suggested conducting further studies to assess the impact and potential of human mobility, focusing particularly on patterns of international and domestic mobility, remittances, migrants' access to health care and migrants' economic contributions. As for forced migration, issues such as unaccompanied minors, detention and deportation of asylum seekers and the impact of refugee cessation processes should be explored.

Some recommendations can be elicited from the conclusions of the four reports. They are addressed to the different stakeholders of human mobility governance in the four selected countries, but they could well prove useful for many other African countries facing similar migration and asylum scenarios.

States

- National governments should dispense with existing narrow "emergency" frameworks, and develop and implement broad ranging and comprehensive migration and asylum programmes. Coherence and coordination of all the actions implemented by the different government agencies should be ensured.

- National and local government should mainstream migration issues into their economic development agendas. Long-term sustainable development plans, which take account of the development potential of international migration should be formulated and implemented.

- Considering the ongoing processes in the different areas of the African continent, the adoption of regional approaches in human mobility governance should be considered as a successful strategy by all the national governments involved.

- The engagement in a more collaborative relationship with local civil society groups constitutes another effective strategy to be adopted by the state authorities to improve their migration and asylum governance.

- Reintegration programmes for migrants and refugees should consider the development potential (financial and human capital) of the returnees, keeping in mind the different experiences of human mobility for example, expatriates, forced migrants and labour migrants.

UN and International Organisations

- Thanks to their expertise and recognised authority, United Nations agencies (e.g., ILO, UNDP and UNHCR) and international organisations (e.g., IOM) should promote bilateral and regional dialogues aimed at fostering co-responsibility, transnational solidarity and national sustainable development.
- The same organisations should instigate and promote dialogue among the different stakeholders within the countries concerned to facilitate the exchange of knowledge and offer capacity building opportunities to government institutions and civil society groups.

Academia

- Local university and research centres should be actively engaged in producing and disseminating properly researched information on human mobility. Specific areas of interest have been identified above. The involvement of young African researchers in such initiatives constitutes an effective strategy. International and national financial resources must be made available for this purpose.
- Studies and research projects should focus on assessing and documenting best practices in migration and asylum governance at the regional, bilateral, national and local levels.

Civil Society Organisations

- While effectively responding to emergencies, civil society organisations should never neglect to consider long term responses aimed at eradicating the root causes of any kind of forced migration.
- Civil society groups should constitute effective networks to strengthen their advocacy and lobbying initiatives. Migrants, asylum seekers, refugees and their families, both collectively and individually, should be actively engaged in the formulation and implementation of programmes concerning their human development.

AUTHORS

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