

Migration in southern Africa

Migration management initiatives for SADC member states

John O Oucho

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Introduction

Of the five African sub-regions, southern Africa has been the subject of a sustained study of international migration over the last half century. In the heyday of apartheid, South Africa made deliberate efforts to constantly attract and control immigration, benefiting from research undertaken by the Human Sciences Research Council (HSRC), as well as from that commissioned by the International Labour Organisation (ILO) on so-called 'black migration' to the country (Bohning 1981). Since 1997, the country has been the focal point of research by the Southern African Migration Project (SAMP), whose study now covers all the neighbouring countries. The HSRC still reigns as the quasi-government arm of research on, among others, migration.

As a geo-political cum economic entity, the sub-region has become best known by its regional integration flagship, the Southern African Development Community (SADC), which includes Angola and the Democratic Republic of the Congo (DRC) in central Africa and Tanzania in eastern Africa. The SADC's 14 member states have diverse historical backgrounds, development levels and economic and political stages of evolution that occasionally constrain regional integration and have in the past caused them to drift apart while attempting to realise the regional dream: the facilitation of movement of persons within the SADC region. The 14 member states are Angola, Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Seychelles, Swaziland, Tanzania, Zambia, Zimbabwe and the DRC. The SADC's sharing Tanzania with the East African Community (EAC) and certain member states (Mauritius, Swaziland, Zambia, Zimbabwe and the DRC) with the Common Market for Eastern and Southern Africa (COMESA) pits it against competitive counterparts and tests member states' commitment to various issues in regional integration. As international migration lies at the core of regional integration in all African regional

economic communities (RECs), its importance to the SADC cannot be overemphasised.

As an overview, this paper highlights the migration situation in southern Africa without delving into details that appear in the growing body of literature on the subject. It examines voluntary and forced international migration against the backdrop of migration management initiatives launched in the interest of SADC member states after their eventual adoption of the Draft Protocol on Facilitation of Movement of Persons. First, the paper discusses the typology of international migration in southern Africa, giving examples of each in countries of the sub-region to provide a sweeping perspective of voluntary and forced migration. The typology of international migration in southern Africa suggests the existence of both voluntary and forced movements, as well the more elusive undocumented migration on which reliable data are lacking. Labour migration and refugees respectively best represent voluntary and forced migration. Second, the paper succinctly discusses data requirements and shortcomings and underlines the need to assemble reliable data for analyses; the latter are meant to

SADC's 14 member states have diverse historical backgrounds and development levels that occasionally constrain regional integration

inform migration management initiatives, for instance those already championed by the Migration Dialogue in Southern Africa (MIDSA). Third, the paper highlights the current situation of international migration in the sub-region and analyses particular types of migration in each country. The analysis indicates that South Africa, Botswana and Namibia are the favoured countries of destination, a fact that has aroused xenophobia among their citizens and that has been an obstacle to the adoption of the Draft Protocol on the Facilitation of Movement of Persons in the SADC region. The latest development is that the minimum number of nine member states has signed the document, and a few countries are in the process of ratifying it. Against the backdrop of data and situation analysis, the paper explores the significance of the implementation of the SADC protocol for member states as they wait to realise



the goal of regional integration. The paper concludes that linking migration patterns to harmonised legislation and policies could facilitate a smooth implementation of the SADC protocol.

Typology of migration

Table 1 shows a typology of current international migration in southern Africa presented in an earlier work by the author (Oucho 2006:50). Later in the paper, the author analyses the situation of each of these types of international migration in southern Africa but advises readers to benefit from the earlier work (Oucho 2006). Highlights from the table help to put the discussion into the proper perspective. Permanent migration involves members of the white population who have become citizens of or who were born in the southern African countries, as well as non-citizens who have been naturalised or who have been beneficiaries of amnesty. It refers to diverse groups with varied influence on national economies. Labour migration has remained significant as economic fortunes change in the sub-region, with the most buoyant economies, those of South Africa, Botswana and Namibia, commanding

dominance and thus magnetising an influx of workers, both unskilled and skilled, as well as undocumented workers. Refugees and asylum seekers have affected virtually every country as either an origin or a host state. Furthermore, undocumented and irregular migration in the form of human trafficking and human smuggling have risen in recent years, causing much headache to national governments and the SADC as a whole. With increasing cross-border trade by itinerant traders and business persons, albeit not strictly migrants, southern Africa remains a sub-region of movements that increasingly engage the attention of national governments.

Data requirements and shortcomings

Migration scholars have often conceded that the paucity and poor quality of data sources hamper the study of international migration. This problem is compounded by the varied interpretations of the phenomenon, especially as each of the disciplines studies it according to its own tradition. In demography, for instance, the diversity of data sources and theoretical constructs hamper a rigorous analysis of international migration.

Table 1: Typology of current international migration in southern Africa according to typical characteristics and country of origin/destination

Type of migration	Description of migrants	Country of	
		Origin	Destination
Permanent	Permanent residents Naturalised citizens Amnesty beneficiaries	Non-African sources; rest of southern Africa and Africa, Asia and Europe	Botswana, South Africa and Namibia
Labour	Unskilled/semi-skilled ¹ Skilled/professional ²	Rest of southern Africa Rest of southern Africa and Africa	South Africa (for mines and farms), Botswana, South Africa and Namibia
Refugees and asylum seekers	Fleeing home country	Zimbabwe Namibia Swaziland Botswana South Africa	Botswana, South Africa Botswana, South Africa
	Repatriated/returning home	Rest of southern Africa Rest of Africa	South Africa Namibia, Zimbabwe South Africa South Africa, Namibia
	Clandestine (undocumented, trafficked/smuggled)	Mozambique Zimbabwe Swaziland Non-African sources	South Africa South Africa South Africa South Africa
Undocumented/illegal/ clandestine/irregular/unauthorised ³	Migrants lacking documents authorising stay/residence; 'overstayers'; amnesty defaulters for refugee or asylum status	South Africa and Botswana	Rest of southern Africa Rest of Africa
Itinerant traders and business persons	Women traders; smugglers of goods; drug dealers; small arms dealers	Various countries	Various countries

Notes: ¹Temporary contract workers; ²temporary professional transients, 'brain circulation'; ³including 'clandestine/illegal workers' (after Appleyard 1991).

Source: Adapted from Oucho 2006:50, Table 3.1

Two general data sources are used to study voluntary types of international migration: The first involves administrative records containing invaluable data that are rarely analysed by governments, and the second concerns statistical enquiries, including the census and surveys that most countries favour (Table 2). Most of these data sources are available in the southern African countries that have carried out censuses and where SAMP has, over the last decade, made significant inroads into the surveying of migrants vis-à-vis citizens. Southern African migration emerges as the best researched topic in the entire continent; sadly, however, it has been the slowest to include the uninhibited movement of persons.

Although the southern African countries keep virtually similar administrative records, they hardly process the data to provide insights into immigration and emigration. Moreover, some of the entry forms, which are legacies of colonial times, have simply been

adopted without alteration and the information they seek is too outdated to be useful; consequently, these countries do not track immigration successfully. The widespread tradition of failing to analyse the emigration statistics of both foreigners and citizens underscores the countries' inability to account for their absent citizens. This situation will continue until the countries of destination in the developed North feed them with the relevant data. Needless to emphasise, the SADC member states are primarily responsible for collecting reliable data for regular or periodic reports that they can all share to factor international migration into regional integration.

In the category of statistical enquiries, population censuses and sample surveys are well established in southern Africa. Before the 2000 round of censuses, all southern African countries, with the exception of Botswana, adopted a de facto enumeration procedure that sought information on population encountered

Table 2: Sources of data needed to study international migration

Administrative Records	
1.	Population registration (at local, regional and/or national level)
2.	Central registration of foreigners*
3.	Registration of social security, workers' compensation or pension scheme members
4.	Registration of job seekers or unemployment compensation claimants
5.	Border registration of arrivals*
6.	Border registration of departures*
7.	Registration of entry visas*
8.	Registration of exit visas*
9.	Registration of residence permits*
10.	Registration of work permits inside the country*
11.	Registration of work permits abroad
12.	Registration of permits to transfer funds abroad
13.	Registration of permits for foreign currency accounts (for funds earned abroad)*
14.	Registration of refugees/asylum seekers*
15.	Registration of naturalisation*
16.	Registration of deportations*
17.	Registration of regularisation of clandestine residents*
18.	Registration of returning migrants
19.	Registration of placement agencies
Statistical Enquiries	
20.	Population census (or micro-census)**
21.	General household sample survey or labour force sample survey**
22.	Regular establishment survey (modern sector)
23.	Informal sector survey*
24.	Special survey on foreign workers
25.	Special survey on labour contractors and placement agencies
26.	Special survey on nationals working abroad.
* Available in most sub-Saharan African countries.	
** Already carried out in most SADC states under the auspices of SAMP.	

Sources: 'Interdepartmental Project on Migrant Workers 1994-95, ILO Newsletter, No.1, July 1994, p.5; also based on author's knowledge of the work done

on the census night. Botswana stands out as the only country with both de facto and de jure enumeration, the latter asking about individuals' place of usual residence. The advantage of this procedure is that Botswana accounts for its citizens both within and outside the country. Before the SADC member states agreed to hold rounds of censuses in the same year, beginning with the 2000 round, to standardise census schedules or data collection instruments, generate similar data and make comparative analyses of international migration in the region, each country collected the data it deemed appropriate. Even after the SADC framework had been adopted, countries such as Zimbabwe and Lesotho still held their censuses after 2001, in 2002 and 2006 respectively. In future, censuses are bound to be held in staggered fashion unless all SADC member states raise adequate resources and establish a viable institutional base to carry out decennial censuses on schedule.

An examination of migration information compiled by the Integrated Public Use Microdata Series (IPUMS) at the University of Minnesota on the 2000 round of censuses reveals that 11 SADC countries collected similar census data. Only Botswana gathered data on place, including country, of birth; citizenship; and residence, including usual place of dwelling one year preceding the census and that of citizens residing outside the country. All 11 countries had data on place, including county, of birth. In addition to Botswana, the countries of Lesotho, Malawi, Mauritius, Namibia and South Africa sought information on citizenship; apart from Botswana, the countries of Mauritius, Namibia, South Africa and Swaziland gathered information on usual place of residence; Tanzania sought information on residence for about a year preceding the census, and Lesotho, Mauritius, Namibia, South Africa and Swaziland collected data on residence five years before the census date. Only Botswana and Lesotho asked about citizens residing outside the country. Neither Angola nor the DRC has been in a position to undertake any censuses, but they might be able to join the 2010 round.

Clearly, this chequered pattern of collecting data on international migration implies the existence of shortcomings in the analysis and interpretation of results generated by the data. While these defects cause grave concern among planners, researchers and programme implementers, they might not do so among policy makers who often jump to conclusions before understanding the strengths and weaknesses of the statistical products presented to them. If migration researchers shy away from utilising existing data, they might not undertake rigorous analyses and they would

simply be philosophising about a phenomenon whose magnitude of stock and flows indisputably need to be revealed.

The last decade witnessed another important migration data building block in the form of SAMP surveys, several of which have covered South Africa, Mozambique, Lesotho, Botswana, Namibia, Swaziland and Zimbabwe and, recently, Malawi and Zambia. These surveys have captured vital information on skilled immigration and citizen perception and attitude that reveal heightening xenophobia, migrant remittances to countries of origin and potential emigration from what have hitherto been countries of immigration. The SAMP website shows that during 1997 to 2006 period, it presented the findings of these surveys in 44 SAMP Migration Policy Series. Two themes have dominated SAMP research: labour migration and xenophobia. The most popular theme is that of labour migration, in particular the brain drain in the sub-region (McDonald & Crush 2000), skilled immigration to South Africa (Mattes et al 2000) and Botswana (Oucho 2000) and the brain drain from South Africa (Crush 2000) and Zimbabwe

(Tevera & Zinyama 2002; Tevera & Crush 2003; Chikanda 2005). Zimbabwe and South Africa emerge as the greatest losers of well-trained and professional nationals while Botswana has been shown to benefit immensely from the immigration of skilled workers, notably doctors, nurses, teachers and university lecturers. The second important theme is xenophobia, which has been identified as a problem shrouded in myths and realities in cross-border migration within southern Africa (McDonald et al 1998; Crush & Pendleton 2004). In South Africa, Mattes et al (1999) even referred to immigrants in repugnant terms such as 'barbarians' and the foreigners

receive negative press coverage (Danso & McDonald 2000) and are discussed in the context of human rights (Crush 2001); furthermore, Botswana citizens are characterised as xenophobic (Campbell 2003; Campbell & Oucho 2003).

Animated and concentrated work on international migration at the onset of this millennium resulted in the November 2000 coalescing of varied interests: SADC member states, SAMP, International Organisation for Migration (IOM), International Migration Policy (IMP), United Nations High Commissioner for Refugees (UNHCR) and United States Immigration and Naturalisation Service. This process gave birth to MIDSA. The function of MIDSA is to facilitate technical cooperation and to enhance information sharing among SADC member states on migration management, labour migration and irregular movements; bilateral aspects of border control; and the relationship between migration and development. Furthermore, MIDSA is meant to

The chequered pattern of collecting data on international migration implies the existence of shortcomings in the analysis and interpretation of results

harmonise data collection and immigration policy and legislation (IOM 2000). Its success and sustainability depend on, among others, reliable data drawn from research and the sources of data presented in Table 2.

Other sources of data are to be found in different states. Data on refugees and asylum seekers are hard to access and appear to be held safely in bilateral arrangements with the UNHCR. Curiously, although registration data on visas and work permits, as well as permission for financial transactions, border arrivals and departures, are often available, they are seldom analysed to provide latent migration stories. Sadly lacking are reliable data on clandestine migration, whether voluntary or trafficked/smuggled, visa overstayers, amnesty defaulters or any other categories of immigrants without valid entry or residence documents. The same applies to itinerant traders and businesspersons, most of whom are strictly non-migrants. To a large extent, the lack of data provides an opportunity for policymakers and the media to estimate the numbers of undocumented immigrants as suits their convenience.

The pursuit for reliable data may be questioned on three counts: First, how can the southern African countries claim to know the extent of emigration, brain drain and diaspora while they neglect to collect and analyse the necessary data and while they misinterpret the concepts? Second, how can they claim to know how migration redistributes population in the sub-region and in the entire SADC region? Third, how do emigration and immigration affect national economies? These questions require rigorous discussion and are clearly beyond the scope of this paper.

Voluntary and forced migration

The chequered pattern of data collection previously referred to implies that the analysis of trends and patterns of migration in southern Africa is an arduous task. With limited success in assessing immigration, individual countries have made wild guesstimates, albeit pleasing to the ears of policymakers who readily guard their borders, allegedly to prevent their countries being flooded by immigrants who are often described as illegal. Research undertaken by South Africa's HSRC during the apartheid days often exaggerated immigration figures, dubbing most immigrants illegal unless they could prove otherwise; even the process of formulating South Africa's migration policy saw this trend persisting until SAMP and other stakeholders in migration research countered the perception. Posel (2003) cites official statistics provided by the South African Police Service (SAPS) to the effect that there were between 5,5 million and 8 million illegal

immigrants in 1999, while the Department of Home Affairs puts the figure at 4 million. This discrepancy led Standing et al (cited in Posel 2003) to remark that it was unclear how anybody calculated such numbers. A zealous press and certain researchers adopted offensive terms for immigrant groups, such as 'border jumpers', 'illegal immigrants' (often without establishing their immigration status), 'illegal aliens' (McDonald et al 1998), 'black tide' from the North and 'barbarians' (Mattes et al 1999) who allegedly took citizens' jobs and women. They thereby armed policymakers with highly emotive information with which to convince national governments to disregard UN and ILO conventions and protocols, to which they are signatories. Not surprisingly, the SADC draft protocol has suffered the same fate.

This section of the paper highlights two types of international migration in southern Africa. It discusses aspects of voluntary immigration experienced by South Africa and Botswana, two countries that have experienced large-scale voluntary immigration during the past decade, and refers to refugee flows that have declined in the same period. Tables 3 and 4 present information on foreign-born legal immigrants in South Africa and Botswana respectively.

Voluntary migration

For a long time, this form of migration involved the flow of unskilled labour to South Africa, and it later broadened to include skilled and other types of migration in southern Africa. As Table 3 reveals, Mozambique had by far the highest number of foreign-born immigrants in South Africa, according to the 2001 census, followed by Zimbabwe, Lesotho, Namibia, Swaziland

and Malawi in descending order. Within the SADC region, Zimbabwe contributed the highest number of skilled immigrants in the decade spanning 1994 and 2004, but outside the region Nigeria emerged as the principal contributor. The spatial dimension of immigrants' origins underscores why South Africa has been concerned about increased immigration and why its citizens resent the phenomenon.

The situation in Botswana corresponds well with that in South Africa (Table 4). In the 30 years between 1971 and 2001, the percentage of foreigners in Botswana increased steadily from 1,9 per cent in 1971, declined slightly to 1,7 per cent in 1981 and increased again from 2,2 per cent in 1991 to 3,6 per cent in 2001 (Botswana 2001). In the decade between 1981 and 1991, the number of non-African immigrants in Botswana more than doubled from 8 733 in 1981 to 18 538 in 1991; the number of Europeans declined slightly and that of Asians more than quadrupled from 946 in 1981

Although registration data on visas, work permits, border arrivals and departures are often available, they are seldom analysed to provide latent migration stories

Table 3: Foreign-born residents and legal immigrants to South Africa: countries of origin

Country	Foreign-born residents 2001	Legal skilled immigrants 1994–2004
Angola	11 806	48
Botswana	17 819	272
DRC	4 541	625
Lesotho	114 941	1 900
Madagascar	220	—
Malawi	25 090	844
Mauritius	3 500	441
Mozambique	269 669	1 465
Namibia	46 225	128
Swaziland	34 471	616
Tanzania	3 923	62
Zambia	23 550	762
Zimbabwe	131 887	4 980
Other African countries		
Ghana		1 071
Kenya		613
Nigeria		3 124
Uganda		425

Source: Crush et al 2006:4, Tables 1.2 and 1.3

Table 4: African immigrants in Botswana by country of citizenship: 1981–1991

Country of citizenship	Census year				Change	
	1981		1991		1981–1991	
	Number	Percentage	Number	Percentage	Number	Percentage
South Africa	3 807	43,6	6 254	33,7	+2 447	+9,9
Zimbabwe	2 375	27,2	5 308	28,6	+2 933	+1,4
Zambia			2 154	11,6		
Malawi	234	2,7	771	4,2	+537	+1,5
Angola	403	4,6	596	3,2	+193	-1,4
Ghana	93	1,1	569	3,1	+476	+2,0
Lesotho	464	5,3	547	3,0	+83	+2,3
Tanzania			498	2,7		
Rest of Africa	612	7,0	331	1,8	-281	-5,2
Uganda			319	1,7		
Mauritius			316	1,7		
Namibia	521	6,0	310	1,6	-211	-4,4
Kenya			132	0,7		
Swaziland	125	1,4	117	0,6	-8	-0,8
Nigeria	99	1,1	117	0,6	-18	-0,5
Total	8 733	100,0	18 538	99,9	-9 805	-58,9

Source: Oucho 2000:13, Table 1.5

to 4 193 in 1981 (Oucho 2000:13–4). With the exception of Namibia, Swaziland and Nigeria, whose number of immigrants had dwindled between 1981 and 1991, all countries registered an increase. This was the situation before the Zimbabwean political repression and collapse of a previously extremely

vibrant economy brought about an immigration deluge. Surprisingly, the SADC member states have exhibited guarded indifference to the regrettable Zimbabwean situation that has turned Zimbabweans into loathed voluntary and forced immigrants in the SADC region. Contrary to the long-held assumption that Botswana

embraces immigration, Batswana have become even more xenophobic than South Africans, as both press hysteria (Nyamjoh 2002) and research (Campbell 2003; Campbell & Oucho 2003) reveal, forcing skilled immigrants to leave the country for South Africa and Namibia or to return to their home countries. In view of a SAMP National Immigration Policy Survey of the six southern African countries of South Africa, Namibia, Botswana, Zimbabwe, Mozambique and Swaziland, one wonders whether xenophobia directed at immigrants and refugees has become a regional trait of southern Africa (Crush & Pendleton 2004).

In the 2001 Population and Housing Census, immigrants from SADC countries accounted for 98,9 per cent of all immigrants in Botswana, followed by those from unspecified African, east African and central African countries in descending order; immigrants from Asia continued to be dominated by the nationals of south-central Asia (India and Pakistan).

Forced migration

The UNHCR includes the following in the category of forced migration: refugees and asylum seekers who cross international borders; internally displaced persons (IDPs) and returned IDPs who are confined to national territory, returned refugees and asylum seekers; stateless persons; and others in refugee-like situations. Table 5 shows the distribution of these immigrants in the SADC region by 2004.

The exclusion of data on IDPs and returned IDPs, who are known to exist in virtually all SADC member states, is not surprising given that most governments perpetrate an internal displacement of population. For

example, although the displacement of the San people in Botswana has caused uproar in various circles, no data exist on the subject.

Perceptions and policies of immigration and emigration

The SADC countries perceive immigration and emigration differently and have different policies on the subjects (Table 6). Generally, net emigration exists in all SADC countries excepting Mauritius and South Africa, which suggests that emigration is dominant in a majority of the countries. Three countries are almost equally divided into as many categories of immigration policy: *no intervention* (Angola, Mauritius, Mozambique and Zimbabwe), *maintaining* (Namibia, Swaziland and Tanzania) and *lowering* (Botswana, Malawi, South Africa and the DRC).

Significance of the adoption of the southern african development community protocol

The SADC region has witnessed impressive developments in migration management among member states on both a bilateral and a multi-lateral basis. Without underscoring the role of MIDSA in integrating the region in migration management, one needs to acknowledge the involvement of member states in bilateral or multilateral arrangements pertaining to the management of migration across common or second or third borders between neighbours, such as South Africa and Lesotho, Botswana and Zimbabwe, South Africa and Zimbabwe, South Africa and Mozambique, Swaziland and Mozambique and Malawi and Mozambique. Lessons learned during these efforts could aid in charting the uninhibited movement of SADC citizens. Moreover, the lessons

Table 5: Refugees, asylum seekers and returned refugees in the SADC region: 2004^a

Country or territory of asylum (residence)	Refugees	Asylum seekers	Returned refugees	Total
Angola	13 970	929	90 246	105 145
Botswana	2 839	1 034	—	3 873
DRC	199 323	354	13 843	213 520
Malawi	3 682	3 335	—	7 017
Mozambique	623	4 892	—	5 515
Namibia	14 773	2 155	—	16 928
South Africa	27 683	115 224	—	142 907
Swaziland	704	306	—	1 010
Tanzania	602 088	166	2	602 256
Zambia	173 907	84	—	173 991
Zimbabwe	6 884	—	—	—
SADC Total	1 046 476	1 174 955	104 091	1 272 162

Note: ^aIDPs, returned IDPs, stateless persons and various distressed persons have not been included because they were not encountered.

Source: UNHCR 2004, Annex I

Table 6: International migration indicators of southern African countries

Country	Migrant stock		Refugees ('000)	Net migration 2000–2005		Immigration policy			Emigration policy	
	Number '000	% of total population		2004	Number ('000)	Rate/1 000 population	Overall	Highly skilled workers	Non-citizen integration	Overall	Encouraging return of citizens
	2005			2000–2005		2005	2005	2005	2005	2005
Angola	56	14	29	1,9	..	NI	..	NI	No	..
Botswana	80	4,5	3	-1	-0,7	Fall	Fall	Yes	NI	No
DRC	539	0,9	199	-64	-1,2	Fall	..	..	NI	..
Lesotho	6	0,3	..	-7	-4,0	NI	..	..	..	..
Malawi	279	2,2	4	-4	-0,3	Fall	Yes	NI	NI	Yes
Mauritius	21	1,7	..	0	0,0	NI	NI	Yes	NI	No
Mozambique	406	2,1	1	-4	-0,2	NI	..	..	NI	..
Namibia	143	7,1	15	-1	-1	M	M	Yes	NI	No
South Africa	1 106	2,3	28	10	0,2	Fall	M	Yes	Fall	Yes
Swaziland	45	4,4	1	-1	-1,2	M	..	Yes	NI	..
Tanzania	792	2,1	602	-69	-1,9	M	..	NI	..	..
Zambia	275	2,4	174	-13	-1,3	Rise	M	Yes	Fall	Yes
Zimbabwe	511	3,9	7	-10	-0,8	NI	Rise	..	Fall	Yes

Notes: M= Maintain; NI= No intervention

Source: United Nations 2006

themselves constitute subjects worth researching, and they yield results feeding into this goal.

Regional integration is meaningless unless people within a defined area of jurisdiction share experiences, exchange interests and move with their products. Through MIDSA, bilateral or multi-lateral agreements entered into by some states, the SADC member states have been convinced to adopt the 2005 version of the Draft Protocol on Facilitation of Movement of Persons; the protocol took long to reach the current stage where it has been signed by the required minimum number of states and ratified by some, paving the way for its implementation. The previous controversy surrounding the failure to adopt two successive draft protocols has been captured in a critique that raised issues which must have increasingly drawn the attention of the SADC members (Oucho & Crush 2001). By mid-1995, the SADC secretariat prepared the initial Draft Protocol on Free Movement of Persons underlining the movers' rights to entry, residence and establishment and eventually leading to the abolishment of controls of movement in the region. This was rejected by South Africa, Botswana and Namibia; in 1997, South Africa crafted the Draft Protocol on Facilitation of Movement of Persons in the SADC, conveniently dropping the word *right* and diluting the first draft that underscored freedom of movement. The four successive phases of the first SADC protocol were a six-month visa entry period, the right of residence, the right of establishment and the abolition of all controls on the movement of citizens within the SADC. All four phases were replaced with the introduction of 'machine-readable passports' instead of SADC-wide passports on seeking entry; promotion of entry and establishment gave way to 'facilitation' through 'cooperation'; and removal of controls was replaced with 'progressive minimisation' of controls (Oucho & Crush 2001:152–3). The period between 1998 and 2005 thus saw covert moves that ultimately paid off when member states finally adopted a SADC secretariat version of the protocol that merged the SADC protocol of 1995 and the South African version of 1997.

The minimum number of countries' finally signing the protocol in 2005 has paved the way for its ratification, and a minimum number of countries have already ratified it. The implementation of the protocol seems to be assured in the future. It will consist of four phases: entry, residence, establishment and controls at borders (SADC 2005:3). It has several important articles relating to the harmonisation of national laws, statutory rules and regulations; the establishment of national population registers; the adoption of machine-readable passports to ease travel; the harmonisation of the current immigration practices; the bestowal of visa-

free entry for a maximum of 90 days on production of valid travel documents, evidence of sufficient means of support and entry through an official port of entry; the granting of residence in an immigration country; and the granting of immigrants' establishment of an economic activity (see Articles 7, 9, 12, 13, 14, 16 and 18 in SADC 2005). Nonetheless, the SADC position could very well be challenged by national laws and policies. It would appear that critiques by scholars (Oucho 1998; Oucho & Crush 2001) and covert diplomatic negotiations have been recognised at SADC heads of state summits, where an agreement has finally been reached in the interest of regional integration.

The tradition throughout independent Africa has been to establish RECs based on political economy theorising. The SADC, for instance, was modelled on the European Union that set several criteria to sustain regional integration. Similar to all other African RECs, the SADC based regional integration on geography or geo-politics without vetting either the eligibility of member states or their constraints or other criteria. Member states are at different levels of the development, bring along varying degrees of baggage and have diverse potential for contribution to regional integration. Consequently, a level playing field had not been possible among them. To amplify, could the membership of a war-torn DRC compare with that of a stable, developed Botswana? Similar questions will remain at the heart of the regional integration to which states contribute and from which they receive treatment according to their abilities, but all in the interest of the SADC.

Since the Zimbabwean political and economic situation took a downturn, SADC member states have for a long time behaved as though nothing worth their attention in the regional grouping was happening. Zimbabweans have migrated all over southern Africa as economic migrants and refugees, or as both, eliciting highly xenophobic responses in host countries. South Africa, Botswana and Zimbabwe found it necessary to intervene in Lesotho's troubled political waters in 1996 when Lesotho's King Letsie III seized power in a military-backed coup that forced the three countries to become involved through diplomatic pressure and threats of sanctions, making the monarch back down and giving constitutional government a chance (Democracy Coalition Project 2002). Why, then, have they been so reluctant to become involved in the problem of Zimbabwe, a country where a highly undesirable situation has persisted for several years? Although the SADC, with South Africa acting as mediator, recently embarked on facilitating negotiations between the two major parties in Zimbabwe, it has to apply sufficient pressure to force the political leadership review its acts and to desist from persistently repressing its citizens.

Regional
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and move with
their products

With South Africa going out of its way to broker peace in the DRC and in Burundi, it is evident that member states, through peer review and other efforts, can assist each other to realise the peace and security that are necessary for meaningful development to take place. By being mindful of others in the interest of regional integration, member states could contribute substantially to issues that enhance regional integration and contribute to peace. Thus they could pave the way for the uninhibited movement of persons. Once South Africa ratifies the SADC protocol and embarks on its implementation, the country will most likely spearhead its implementation by all other member states.

Conclusion

In future, SADC member states will need to standardise administrative records. In turn, researchers and other migration practitioners should analyse them to generate the results that would inform policy and influence the implementation of the SADC protocol. Botswana's efforts to analyse data on the border registration of arrivals and of work permits place vital information in the public domain and serve as instructive lessons to all other SADC member states. Students of migration should analyse existing data and help in generating additional data that would enrich the understanding of migration patterns in the SADC region. Now that all SADC member states will simultaneously be conducting a 2010 round of census, they should adopt both de facto and de jure enumeration, or either procedure, to collect similar data that will yield useful results. The main purpose of this exercise is to gain deep insights into the magnitude and implications of information for policy formulation and review. Finally, the implementation of the SADC protocol will require built-in monitoring and evaluation mechanisms to generate useful feedback and remove any impediments to the movement of persons. It is time the SADC secretariat commissioned surveys on specific issues that could change public perceptions and pave the way for the implementation of the protocol.

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About this paper

International migration in southern Africa has dominated migration literature in sub-Saharan Africa. As other forms of migration appeared on the scene, Botswana and Namibia joined South Africa as major countries of destination. After a decade of controversy over the Draft Protocol on Facilitation of Movement of Persons, the required minimum number of Southern African Development Community (SADC) member states signed, and some ratified, the protocol and thus paved the way for its implementation. Yet certain shortcomings still persist, for instance the poor quality of data. Although meant to inform SADC of the nature, situation and implications of diverse types of international migration, the data is inadequate and disparate. Furthermore, the institutional structures created to implement the protocol once the requisite number of SADC member states ratifies it are inadequate. Analysis of voluntary and forced migration requires knowledge of different types of migration in the context of national legislation and policies that might need harmonisation to facilitate implementation of the protocol. Against this recent positive development, the SADC could well benefit from an analysis of different data sets, in particular censuses and surveys, and gain insightful perspectives on international migration in its area of jurisdiction.

About the author

PROFESSOR JOHN OUCHO is the Marie Curie Chair, Centre for Research in Ethnic Relations, University of Warwick, Coventry. This paper was presented at the Roundtable Dialogue on Human Security and Migration in Southern Africa, hosted by the Institute for Security Studies and the South African Department of Home Affairs in Pretoria, South Africa, on 25 July 2007.

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