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Implementing the United Nations (UN) Global Compact on Migration: Conflict, Governance, and Human Mobility in Africa/European Union (EU) Relations

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1. Introduction

The University of Johannesburg's (UJ) Institute for Pan-African Thought and Conversation (IPATC), South Africa; the African, Caribbean and Pacific (ACP) Group Secretariat; and the Friedrich Ebert Stiftung (FES) European Union (EU) Office, held a policy dialogue on "Migration in the EU-ACP Partnership After 2020" in Brussels in October 2018.

The meeting focused on facilitating and shaping the implementation of the United Nations (UN) Global Compact for Safe, Orderly, and Regular Migration which was agreed in Marrakesh, Morocco, in December 2018. Building on this project, IPATC hosted a two-day policy dialogue on "Implementation of the United Nations Global Compact on Migration: Conflict, Governance, and Human Mobility in Africa/European Union Relations" in Johannesburg, South Africa, on 5 and 6 October 2019.

This Johannesburg policy dialogue explored areas of convergence between Africa and the EU in the area of migration. Its three key goals were: first, to enhance dialogue and engagement between African and European policymakers and civil society on the challenges of conflict, governance, and migration; second, to offer concrete solutions to policymakers for the effective management of migration; and third, to engage and inform African and European publics about issues relating to migration and the implementation of the UN Global Compact.

About 30 senior officials from the African Union (AU); the European Union; the International Organisation for Migration (IOM); the Office of the UN High Commissioner for Refugees (UNHCR); policy experts; and civil society actors, participated in the Johannesburg dialogue on seven broad themes: Africa's Security and Governance Challenges; The Root Causes of African/European Migration; Implementing the UN Global Compact; The Responsibility of the AU and the EU in Managing Migration; The Role of African and European Civil Society; The Role of the IOM and the UNHCR in Africa/Europe Migration; and The Challenges of Africa/Europe Migration, and Combating Xenophobia in South Africa.

This report is based on presentations and discussions at the Johannesburg policy dialogue in October 2019, as well as the conference concept paper.



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THE AU CONFERENCE CENTRE AND OFFICE COMPLEX (AUCOC) IN ADDIS ABABA, ETHIOPIA SERVES AS THE HEADQUARTERS OF THE AFRICAN UNION.

IMAGE SOURCE - Wikipedia
LINK - https://en.wikipedia.org/wiki/AU_Conference_Center_and_Office_Complex

2. Africa's Security and Governance Challenges

Africa faces several security and governance challenges that have contributed to migration both within, and out of, Africa. In East Africa, South Sudan's five-year civil conflict led to an estimated 383,000 deaths, 1.5 million internally displaced, and 2.5 million refugees. Eritrea is one of the largest exporters of migrants to Europe due to internal repression and a lack of employment opportunities. Ethiopia has over 1 million people internally displaced by local conflicts, even as the government continues to manage discontent in its turbulent Oromia and Amhara regions. Further South, acephalous Somalia has been without an effective central government for three decades.

In Central Africa, the Democratic Republic of the Congo's (DRC) two-decade civil conflict resulted in over 3 million deaths and 4.4 million Internally Displaced Persons (IDPs). The disputed presidential election of Félix Tshisekedi in January 2019 has resulted in political violence, and the eastern Congolese provinces of Ituri and Kivu remain volatile. In the Central African Republic (CAR), religious conflict between Christian and Muslim militias, has resulted in about 640,000 IDPs and nearly 600,000 refugees. Burundi's instability has led to 1,200 deaths and 400,000 IDPs. In Cameroon, an estimated 300,000 people have been internally displaced, while 25,000 refugees have spilled into Nigeria.

In West Africa, Nigeria itself continues to face massive insecurity between herdsmen and farmers, resulting in more deaths in 2018 than the terrorist scourge of Boko Haram and its breakaway Islamic State West Africa Province (ISWAP) which has internally displaced 2 million people and killed an estimated 20,000 Nigerian citizens. Burkina Faso continues to suffer attacks from Islamic militants. Mali's government still spends 22 percent of its national budget on security. Côte d'Ivoire – despite some economic progress – remains fragile following post-electoral violence in 2011 that killed about 3,000 people.

Africa's governance challenges include human rights abuses, restriction of democratic space, electoral violence, and the failure to manage diversity effectively. These issues have sometimes contributed to migration. The marginalisation of minority groups has led to demands for autonomy or secession, and resulted in violence. In countries such as the DRC, Kenya, Zimbabwe, Nigeria, and Togo where elections have been disputed, the failure of institutions such as electoral bodies, the judiciary, the legislature, and/or security forces have further contributed to violence. Other governance challenges include corruption, illicit financial flows, poverty, and inequality which remain persistent across Africa. It is estimated that the continent losses between \$50-80 billion annually through such financial flows.



“ Africa's governance challenges include human rights abuses, restriction of democratic space, electoral violence, and the failure to manage diversity effectively. ”

CENTRAL AFRICAN ARMED FORCES (FACA)
PERSONNEL CONDUCTING JOINT PATROLS WITH
PEACEKEEPERS FROM THE UN'S FORCE IN
BANGASSOU, IN THE SOUTH-EAST OF THE CENTRAL
AFRICAN REPUBLIC IN AUGUST 2018.

IMAGE SOURCE - The Defense Post
PHOTO CREDIT - UN Photo
LINK - <https://thedefensepost.com/2018/11/07/france-proposes-un-peacekeeper-support-central-african-republic-troops/>

3. The Root Causes of African Migration to Europe

Some have argued that the root causes of migration are far removed from actual migration. It is thus increasingly important to move away from conventional and neo-classical approaches to migration that prioritise push and pull factors. The “root causes” discourse has generally focused on material conditions, and from this, Africa/EU migration debates have centred largely around conflict and violence, poor governance, political instability, socio-economic inequalities, climate change, and a lack of solid economic opportunities.

Emerging evidence, however, reveals that African/EU migration has also been a result of greater economic opportunities and the pursuit of a better life by African migrants. This suggests that migration is often voluntary. Socio-economic development in poor countries tends to increase migration rather than reduce it, and this challenges the notion that poverty, conflict, repression, and societal breakdown are the main “root causes” of this phenomenon.

Alternative approaches to migration theory view migration as the outcome of two linear processes: first, the development of aspirations to migrate; and second, the ability to realise these aspirations. Migration is, therefore, not only determined by personal aspirations, but also the capacity to pursue them. Migration aspirations are not simply a function of external factors. Irregular migration is an outcome of a combination of national and international policies, economic circumstances, and political situations that prevent migrants from utilising conventional channels.

A fundamental aspect of human mobility is “migration infrastructure” which encapsulates technologies, institutions, and actors that positively influence such movement. Through migration infrastructure, one can assess the feasibility of migration, and ultimately determine whether or not individuals develop migration aspirations.

There are essentially three possible outcomes from migration aspirations: first, successful migration, where migrants are able physically to move; second, failed migration, in which migrants find themselves in detention centres, for example in Libya where an estimated 7,600 remained in October 2019. Third, migration aspirations are frustrated at the outset and people fail to leave, and they thus find themselves involuntarily immobile. In order to manage migration more effectively, it is critical to focus not only on the root causes, but also on the factors that compel people to consider migrating through irregular channels.

“ African/EU migration has also been a result of greater economic opportunities and the pursuit of a better life by African migrants. ”



WEST AFRICAN MIGRANTS WALK ON TRAIN TRACKS ON THEIR WAY TOWARDS THE BORDER WITH MACEDONIA NEAR EVZONOI, GREECE, IN 2015.

IMAGE SOURCE - The Times of Israel
PHOTO CREDIT - Dalton Bennett/Associated Press
LINK - <https://www.timesofisrael.com/for-african-arab-migrants-gold-ticket-to-europe-lies-via-a-dicey-mountain-pass/>

4. Implementing the United Nations Global Compact on Migration

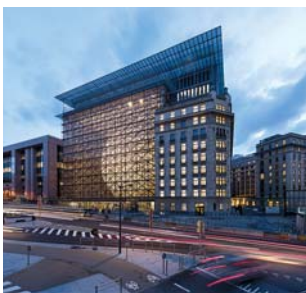
Migration has two “faces”, with divergent views from Africa and Europe on its consequences. While African leaders tend to see the phenomenon as an enabler, European leaders often perceive it as a crisis. Migration, however, is not a problem to be solved, but an issue to be managed. It is a potential development enabler. The 2018 UN Global Compact can be used to combat irregular migration through predictable migration procedures, skills development, mobility partnerships, and the meaningful inclusion of migrants in policy formulation processes.

The UN established a Migration Network in 2018, bringing together 38 UN agencies. The Director-General of the IOM is the Coordinator and Secretariat of the network. An Executive Committee of eight UN agencies provides strategic oversight and is its principal decision-making body. Its members include: the IOM; the UNHCR; the International Labour Organisation (ILO); the Office of the High Commissioner for Human Rights (OHCHR); the UN Children’s Fund

(UNICEF); the UN Department of Economic and Social Affairs (DESA); the UN Development Programme (UNDP); and the UN Office on Drugs and Crime (UNODC). Target 10.7 of the 2016 UN Sustainable Development Goals (SDGs) also focuses on migration and the facilitation of orderly, safe, regular, and responsible migration and mobility, through the implementation of planned and well-managed migration policies.

5. The Responsibility of the AU and the EU in Managing Migration

“ The key objectives of Africa-EU cooperation in the area of migration, human mobility, and employment include promoting effective links between migration and development. ”



THE EU HEADQUARTERS IN BRUSSELS, BELGIUM.

IMAGE SOURCE - Dezeen
LINK - <https://www.dezeen.com/2016/12/16/european-union-headquarters-offices-curveaceous-glowing-lantern-glass-box-brussels-belgium/>

According to critics, the African Union and the European Union are unequally matched. They argue that the notion that both institutions are equal parties at the negotiation table is a fallacy. In theory, AU-EU relations are built on the 2007 Joint Africa/EU Strategy. This is the political channel through which both sides engage in political and policy dialogues, and define the cooperative relationship between the two blocs. The key objectives of Africa-EU cooperation in the area of migration, human mobility, and employment include promoting effective links between migration and development.

The mismatch between the AU and the EU is, however, evident in issues such as size of economies, resources, and capacity. The AU's 55 members have a combined population of 1.1 billion, with a Gross Domestic Product (GDP) of \$2.39 trillion; while the 28-member EU has a population of 508 million, with a GDP of \$17.6 trillion. While the AU had a paltry staff complement of 1,600 and an annual expenditure of \$769 million in 2018; the EU had a staff of 32,546 and an annual budget of \$189 billion in the same year.

The AU remains a fledging, donor-dependent, and weak organisation. EU member states have ceded much control to its Commission in Brussels which has some supranational powers in areas such as migration, development cooperation, foreign policy, security, defence, trade, and justice. According to critics, the EU often imposes its own policies and programmes on the AU, and the latter does not always respect its own decisions. Brussels was also accused of negotiating bilateral migration deals with vulnerable governments in contradiction of African majority decisions.

6. The Role of African and European Civil Society

Civil society organisations are critical to the implementation of the UN Global Compact on Migration. The roles of these actors include: advocacy on the rights of migrants; input into policy and normative frameworks and activities; the provision of services; research, monitoring, learning, and accountability; the implementation of government activities and programmes; promoting dialogue; and contributing to public debates. Civil society organisations in Africa face many challenges. Many suffer from limited funding; technical expertise; human resource deficiencies; regulatory hurdles; and legal restrictions. Some have also faced harassment and intimidation from their governments.

7. The Role of the IOM and the UNHCR in Africa/Europe Migration

For over 70 years, the sphere of international migration has been dominated by two entities: the International Organisation for Migration, and the Office of the United Nations High Commissioner for Refugees. The UNHCR was founded in 1950, and the IOM a year later. Both were born in the aftermath of the Second World War (1939-1945) to address the displacement of largely European populations.

Implementing the United Nations (UN) Global Compact on Migration: Conflict, Governance, and Human Mobility in Africa/European Union (EU) Relations

The IOM cooperates with UN agencies, and has often been perceived to be part of the UN system. In July 2016, the UN General Assembly adopted the *Agreement Concerning the Relationship between the UN and the International Organisation for Migration*. This accord sought to facilitate better coordination between UN agencies and the IOM. In terms of funding, the IOM relies on ad hoc donations from states and inter-governmental organisations, most of which are European. The organisation has thus sometimes been criticised for being too willing to do the bidding of its largely Western donors.

The UN General Assembly delegated the IOM to facilitate the negotiation of the UN Global Compact on Migration. In the area of migration and refugees, the IOM deals directly with the UN Global Compact on Migration, while the UNHCR leads on the UN Global Compact on Refugees. The IOM and the UNHCR have collaborated in the protection of, and assistance to, IDPs. For example, they worked together during the xenophobic attacks in South Africa in 2019, as well as in repatriating Angolan refugees from Zambian refugee settlements in 2016.

The UN Global Compact on Refugees was adopted in December 2018 when the UNHCR presented the document to the UN General Assembly. This is the most direct way in which the agency has been involved in global migration. The four key related objectives of the compact are: first, to ease pressure on host countries and ensure that resources are used effectively; second, enhancing refugee self-reliance and the incorporation of refugees into national education systems and other sectors of society; third, expanding access to third-country solutions; and finally, supporting conditions in countries of origin for the return of refugees in safety and dignity.

8. Combating Xenophobia in South Africa

Despite widespread media coverage of African migration to Europe, about 70 percent of African migration occurs within the continent. Some of these migrants have suffered harm. Between 2008 and 2015, an estimated 350 foreigners, mostly from Zimbabwe, Mozambique, Malawi, and Somalia were killed in xenophobic attacks in South Africa. Xenophobia goes beyond violence and also involves anti-immigrant sentiments, attitudes, and perceptions. Other manifestations can include the denial of access to basic social services, and laws that discriminate against migrants. The perpetrators of xenophobic attacks in South Africa, however, largely go unpunished, and the government's 2019 National Action Plan has not been effective at addressing xenophobic violence. In September 2019, South African mobs again looted and attacked shops owned by Nigerians, Zimbabweans, Zambians, Malawians, and Somalis in Gauteng province.



“ Despite widespread media coverage of African migration to Europe, about 70 percent of African migration occurs within the continent. ”

AN ESTIMATED 1,200 UNDOCUMENTED MIGRANTS DAILY CROSS THE LIMPOPO RIVER AT THE BORDER OF SOUTH AFRICA.

IMAGE SOURCE - The Washington Times

PHOTO CREDIT - Getty Images/File

LINK - <https://www.washingtontimes.com/multimedia/image/20081210-192556-pic-27276223/>

9. Policy Recommendations

The following 10 key policy recommendations emerged from the Johannesburg policy dialogue:

1. European governments must ensure that evidence-based research and policies guide migration debates;
2. African governments should address the root causes of migration that push their citizens to leave their home countries;
3. Labour mobility should be facilitated through free movement accords, visa liberalisation regimes, and labour mobility cooperation: there must be a clear legal pathway to the regularisation of the status of migrants;
4. The 2018 AU Protocol on Free Movements of Persons in Africa should be urgently ratified; the AU must establish the proposed Continental Operation Centre in Sudan to combat irregular migration, as well as its announced African Migration Observatory in Morocco to collect, analyse, and share data on continental initiatives on migration;
5. The Pan-African Forum on Migration (PAFoM) must be strengthened to promote continental dialogue on human mobility between AU member states, civil society, and other stakeholders;
6. The benefits of migration should be shared across different media platforms. African and European policy-makers, experts, and civil society must utilise accurate information to promote the benefits of migration in policy formulation;
7. Migrant deaths must be urgently prevented, and search and rescue operations should not be criminalised;
8. Smuggling and human trafficking – which increasingly target children – should be thoroughly investigated and prosecuted;
9. The detention of migrants should be based on international human rights law, and migrants must have access to basic social services; and
10. African governments should incorporate migration into their development planning, while the more efficient use of remittances from Diaspora communities must be facilitated.



“ African governments should address the root causes of migration that push their citizens to leave their home countries. ”

SOUTH SUDANESE REFUGEES IN THE BIDI BIDI CAMP IN NORTHERN UGANDA CARRY SUPPLIES THEY RECEIVED FROM THE THE UN WORLD FOOD PROGRAMME (WFP).

IMAGE SOURCE - The Washington Times
PHOTO CREDIT - Alda Tsang/Getty Images
LINK - https://www.washingtonpost.com/outlook/we-care-for-refugee-children-in-uganda-its-really-not-that-hard-to-do-it-with-decency/2019/06/28/3b5918ac-98f0-11e9-830a-21b9b36b64ad_story.html