

**Technical Migration Dialogue for Southern Africa
Addressing Mixed Migration in Southern Africa:
Linking Protection, Immigration, Border Management and Labour
Migration
Gaborone, Botswana: 16 – 18 August 2016**

Conclusions and Recommendations

At the MDSA Technical Workshop on Addressing Mixed Migration in Southern Africa: Linking Protection, Immigration, Border Management and Labour Migration held in Gaborone, Republic of Botswana from 16 – 18 August 2016, SADC Member States and participating co-operating partners had the opportunity to reflect on, and discuss the progress made since the MDSA Ministerial that was held in Victoria Falls, Republic of Zimbabwe in July 2015.

In particular, Member States and co-operating partners reflected on the extent to which work had been undertaken in relation to the protection of unaccompanied migrant children (a thematic area identified as a priority at the MDSA Ministerial) and the protection of vulnerable migrants in general, as well as the extent to which preliminary work on statelessness, alternatives to detention and voluntary return and reintegration had been undertaken.

Following updates provided by individual Member States as well as co-operating partners during which they reflected on efforts underway and challenges experienced in implementing the activities agreed to in the Regional Action Plan, the following recommendations were put forward for further action, noting that several of the recommended activities are already being undertaken in a preliminary form. Progress on the implementation of these activities will be reported to the next MDSA Ministerial anticipated to be held in the second half of 2017.

1. Protection

1.1 Develop a regional framework document on the protection of vulnerable migrants that can be used as a set of guidelines in the development of a national framework/guidelines in each Member State. Such framework and guidelines must pay particular attention to unaccompanied migrant children

1.2 Establish or utilise existing multi-stakeholder forums at a national level that includes relevant government departments and agencies, civil society organisations and the private sector to facilitate co-operation on the protection of vulnerable migrants, and unaccompanied migrant children in particular. Where appropriate and feasible, extend this level of co-operation across borders by setting up or utilising existing joint cross-border forums

1.3 Develop and adopt appropriate and harmonised tools, mechanisms and SOP's that can be used and implemented in all Member States to facilitate co-operation and co-ordination

1.4 Engage in ongoing capacity-building and training in the use of protection tools and mechanisms that have been or will be developed. This should be done at national level as well as on a multi-country level

1.5 Develop and implement awareness-raising and public education tools pertaining to the issues of vulnerability and protection. This must include awareness-raising and education about how citizens of Member States who have migrated to other countries will also benefit from the protection mechanisms and the ongoing training and capacity-building

1.6 Include the issue of protection in migration policies at a national level

1.7 Develop and implement alternative options to detention through the sharing of existing practices in the region and elsewhere in the world, and through consultations with relevant experts, organisations and institutions

2. Statelessness

2.1 Continue to advocate for the adoption and ratification of the African Charter on the Rights and Welfare of the Child, the domestication and implementation of, and adherence to the reporting obligations of the UN Convention on the Rights of the Child by SADC Member States.

2.2 Member States are encouraged to strengthen their capacity to enhance birth registrations and national identification systems, as well as to develop and maintain a well-functioning Population Register

2.3 Ensure equality between men and women to pass on their nationality to their spouse and children

2.4 Work towards the development and adoption of a SADC Ministerial Declaration/Action Plan on Statelessness

2.5 Member States are encouraged to ratify and domesticate the 1954 UN Convention relating to the Status of Stateless Persons, the 1961 UN Convention on the Reduction of Statelessness and the 1990 UN Convention on the Rights of all Migrant Workers and Members of their Families

3. Labour Migration

3.1 Establish a structure/institution or strengthen and utilise existing structures/institutions at national levels to manage and co-ordinate labour migration

3.2 Develop and harmonise labour migration policies and legislation and ensure that these include provisions for the protection of migrant workers

3.3 Develop and implement mechanisms such as bi- and multilateral discussions, exchange programmes, study-tours and expert inputs and advice to ensure ongoing sharing of information and good practices

3.4 Expedite national consultations on the Regional Bilateral Labour Agreement Guide for Southern Africa, the Regional Guide to Facilitate South-South Labour Mobility within Southern Africa, and the Regional Roadmap on Implementation of Output 2.3 of the Updated SADC Labour Migration Action Plan (2016-2019) with a view to taking it through the formal SADC processes for eventual adoption as official SADC guidelines

3.5 Use the guidelines provided for in the documents referred to in 3.4 above to develop national guidelines and tools to enhance labour mobility and labour market integration

3.6 Consider the establishment of a SADC 'Labour Migration Forum' to facilitate the ongoing exchange of information and good practices and to enhance co-ordination and co-operation

3.7 Work towards the establishment of an Employment Exchange Programme within the SADC region

3.8 Engage with individuals and organisations in the diaspora with regard to labour migration issues

4. Border Management

4.1 Consider reviewing the existing section on Border Security in the Regional Action Plan with a view to develop consistency in terms of purpose and orientation and to expand its scope beyond immigration issues

4.2 Develop a regional template/guidelines to facilitate harmonisation of border management policies, practices and SOP's, including the standardisation of data collection and analysis

4.3 Promote co-operation between law enforcement agencies in responding to cross-border criminal activities

4.4 Promote dialogue between point of entry officials and humanitarian actors to ensure sensitivity to protection issues

4.5 Conduct assessments of existing bilateral and multilateral border management arrangements to determine whether they need to be revised and/or renewed

4.6 Work towards the development of Integrated Border Management Systems, taking into account specific conditions at national levels

4.7 Promote capacity-building on risk-based border management

4.8 Carry out border assessments of the nature and volume of cross-border flows and the capacity of national authorities to manage those flows

5. All Four Thematic Areas

5.1 Prioritise ongoing research, data collection and analysis in each of the thematic areas to better inform the development of policies, guidelines and good practices

5.2 Member States, the SADC Secretariat, the MIDSA Secretariat and co-operating partners should separately and jointly engage in resource mobilization to ensure the implementation of the above activities and recommendations at regional and national levels, as appropriate

5.3 Collect further information on activities being undertaken by Member States and co-operating partners at national and regional levels and compile a comprehensive progress report to be submitted at the MIDSA Ministerial to be held in 2017, and that can also be used for resource mobilisation

5.4 Engage and collaborate with other REC's as well as the AU in the development and implementation of the above activities

6. Ancillary Matters

6.1 Migration Data in Southern Africa

6.1.1 Develop standardized templates for data collection

6.1.2 Ensure that migration data is collected in LFS, as well as censuses and household surveys

6.1.3 Enhance intra- and inter-regional collaboration on data collection and analysis

6.1.4 Develop ongoing interventions for capacity-building and training at national and regional levels

6.1.5 Develop systems and mechanisms for ongoing evaluation of the quality of data and data collection and analysis processes

6.2 Migrants in Countries in Crisis Initiative (MICIC)

6.2.1 Adopt the MICIC Guidelines to improve the protection of migrants in situations of conflict or natural disaster, and adapt their implementation as appropriate to local conditions and contexts

6.2.2 Include the MICIC Guidelines in regional and national action plans

6.2.3 Use the MICIC recommendations to identify, prepare for and respond to the needs of migrants in situations of conflict or natural disasters

6.2.4 Promote the MICIC Guidelines with other stakeholders and enhance co-ordination

6.3 MIDSA Sustainability Plan

6.3.1 Member States are encouraged to translate the recommendations pertaining to MIDSA sustainability in the Action Plan into concrete actions

6.3.2 Member States are requested to enhance their direct or in-kind contribution to MIDSA to ensure sustainability

6.4 Regional Migration Policy Framework

6.4.1 Work towards the development of a Regional Migration Policy Framework that incorporates all the different elements of migration and that can be used to guide the development/revision of national migration policies