Intraregional Trade and Restrictions on the Movement of People

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The regional economic communities (RECs) in Africa have been established to streamline transactions within their respective subregions. In addition to the free movement of capital, intraregional trade and development strategies require the free movement of people across national boundaries. At one level, people need to be able to easily cross borders to explore opportunities and determine the feasibility of efforts to engage in trade. At another level, the free movement of labor allows for the optimal utilization of human capital as skills go to regions, industries and countries where they command the highest value. Extortion and abuse at the borders are some of the many barriers that prevent the mobility of people intraregionally in Sub-Saharan Africa. In this policy brief, we focus on two issues: the inconsistent implementation of the REC protocols; and irregular or illicit migration flows, which we believe can be improved by increasing policy coordination and border management capacity between trading partners.

Varied Levels of Implementation of Migration Protocols

Each REC has proposed protocols on the free movement of people. However, not all member states have signed on to the migration regulations. Implementation of migration policies is varied (see table 1), and even when in place the policies are not always enforced. Nevertheless, some RECs have made more progress than others. For example, the Economic Commission of West Africa States (ECOWAS) has a higher level of harmonization compared with the rest of the continent, and since 1993 the rights to entry, residence and establishment have been confirmed for all member states. ECOWAS passports have replaced national versions for regional travel, and member states are now able to enter and exit ECOWAS countries without much delay in processing at airports. However, the reliability and efficiency of passport processing at land border crossings are variable. ECOWAS nationals still require entry visas when traveling over land and experience harassment across borders when setting up businesses. The East African Community (EAC) also has a harmonized passport. In an effort to encourage ease of movement, Kenya and Rwanda recently made it acceptable to cross their mutual borders with only an identification card, and in 2010 the two countries entered into a reciprocal agreement waiving the work permit fee.

In contrast to the ECOWAS and the EAC, the migration policy of the Southern African Development Community (SADC) is at the other end of the spectrum for implementation. In 1994, South Africa and Zimbabwe both refused to abolish visa requirements for SADC member nations, despite the fact that all other members supported the elimination of visa requirements. However, there are still five holdout countries to abolishing work permits. Although South Africa currently allows SADC members to have 90-day transit/visitor stays and SADC truckers are permitted a 15-day stay, all in all, South Africa has maintained its iron-door border position for workers from other countries. The difficulty of traveling is magnified when it occurs between RECs. For example, business travelers from Senegal to Nairobi are not allowed expedited services; and other countries, such as Chad, require a visa that can take up to 10 weeks to process (Consular Services 2011).

Table 1. Implementation of Migration Policy in Interregional Organizations

Interregional Organization	Protocol	Countries That Have Implemented Freedom of Movement Protocol	Common Passport	Universal Tourist Visa	Rights of Establishment (for Business)
AMU	Article 2 of treaty 1989	3 out of 5	No	No	No
CEN-SAD	Paragraph 2 treaty 1991	Unclear	Visa waived for diplomats and certain professions	No	Right of Residence (not ratified)
EAC	Article 7	3 out of 5	Yes, EAC passport	In progress	Yes (2 out of 5 implemented)
ECCAS	Articles 4 and 40 of treaty and protocol in appendix VII	4 out of 11	Travel books, cards, special line in airport	In progress	YES (4 out of 11 implemented)
ECOWAS	Protocol n0 A/P/.1/5/79	All, 13 out of 13	Yes, ECOWAS passport, travelers' checks	No	YES
CEMAC	Arête, June 29, 2005	4 out of 6	NO	NO	NO
COMESA	Article 164	None	NO	NO	NO
SADC	Article 14	7 out of 15	Yes, but visa still required in SA and Zimbabwe after 90 days	In progress	NO
UEMOA	Article 4	All, 6 out of 6	Harmonized with ECOWAS	No	Yes

Note: AMU = Arab Maghreb Union; CEN-SAD = Community of Sahel-Saharan States; EAC = East African Community; ECCAS = Economic Community of Central African States; ECOWAS = Economic Community of West African States; CEMAC = Communauté Economique et Monétaire de l'Afrique Centrale; COMESA = Common Market for Eastern and Southern Africa; SADC = Southern African Development Community; UEMOA = Union Economique et Monétaire Ouest Africaine.

Sources: ARIA V 2011 (forthcoming), RECs' respective Web sites for tourist "univisa" and passport information.

Managing Illicit and Irregular Migration

Many nations are reluctant to allow increased freedom of mobility of nationals from certain countries due to concerns about the negative consequences of illicit migration—that is, human trafficking, organized crime and terrorism. Additionally, nations fear that irregular migration—from people seeking refuge, asylum or relief from economic crises—will shock the security, stability and economy of the state that is absorbing the immigrants. According to the United Nations Development Program (2010), of the 29 million emigrants from Africa, 2.3 million are recognized as refugees displaced mainly by war, drought or other natural disasters. South Africa experienced a series of xenophobic riots when a large influx of Zimbabweans migrated to escape declining economic conditions. Kenya and Ethiopia received influxes of Somali nationals during the 2011 famine in the Horn of Africa, ultimately depleting the two nations' emergency food reserves. Countries need a refined system for moving business people, traders and those who want to spend money legitimately while avoiding crime, drugs and terrorism. Refugee situations will continue to occur, but strong contingency planning and improved border management can help prevent the need to shut down borders completely.

Coordination of Protocol and Border Management

The coordination of migration protocol and improved border management facilitate the mobility of people. A few examples of improved coordination at the border level are the One Stop Border Posts (OSBP). The COMESA initiated the first OSBP on the Zambia-Zimbabwe border in Chirundu in 2009. In Chirundu, the creation of a passenger-only lane separate from commercial traffic has helped speed the movement of people (Trademark SA 2010). The South Africa–Mozambique OSBP in Lebombo will be exclusively dedicated to passengers, expediting taxi and bus traffic across the borders. A joint border patrol and diplomatic missions with improved capacity and technology will also help facilitate movement with a high level of security against illicit and irregular migration.

What Is the Holdup?

What is the holdup in improving the movement of people across borders? First of all, reforms of border management and protocols are costly, and governments do not want to give up the revenue and jobs generated by immigration control and customs fees. One way to encourage the members of the RECs to open up their borders uniformly would be to replace the revenue that was created previously by visa fees. One source of revenue in the pipeline are tourist visas for nonmembers, such as the much-hyped SADC "univisa," but these efforts need to be prioritized to come to fruition. New border technology and infrastructure, such as scanners, cameras, satellites, roads and bridges, are also costly.

A possible solution is to get firms in the private sector to buy into the improvements, enticing them with the benefits of being involved with the design of borders from the beginning of the project. For example, the Walvis Bay Corridor Group is a public–private partnership (PPP) that has reduced bottlenecks from Walvis Bay, Namibia, to the Democratic Republic of the Congo by improving infrastructure and establishing protocol, such as the single administration document that replaces multiple forms easing the burden on border staff and private transportation employees. With regard to the movement of people, the group has developed the Safe Trade and Transport Program to provide health, safety and security to the human resource component of intraregional trade. This program has set up wellness clinics along the corridor to prevent and mitigate the effects of HIV/AIDS on the trucker population (Walvis Bay Corridor Group 2011). PPPs have also been used to finance projects in the European Union. The Channel Tunnel rail link between the United Kingdom and France is an example that has had relative success, and the Perpignan–Figueiras rail link on the border of France and Spain has also been touted as a model PPP (Van Der Geest and Nunez-Ferrer 2011).

If intraregional trade is to become a reality in Africa, the free movement of people must be realized in parallel with free trade. Although both issues require complex negotiations, the real solutions will create arrangements with high value to all stakeholders—both private and public.

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