

# HORN OF AFRICA BULLETIN

July-August 2015 Volume 26 Issue 4

## Contents

1. Migration Priorities and Normative and Institutional Frameworks In the IGAD Region
2. Migration and Asylum in the Horn of Africa: Causes, Factors and Possible Solutions
3. To and From the Horn of Africa: the Case of Intra-Regional Migration in South Sudan
4. A New EU migration Agenda: the Valetta Conference
5. Resources



The Horn of Africa Bulletin is a publication of the  
Life & Peace Institute

**Editorial information**

This publication is produced by the Life & Peace Institute (LPI) with support from the Bread for the World, Swedish International Development Cooperation Agency (Sida) and Church of Sweden International Department. The donors are not involved in the production and are not responsible for the contents of the publication.

**Editorial principles**

The Horn of Africa Bulletin is a regional policy periodical, monitoring and analysing key peace and security issues in the Horn with a view to inform and provide alternative analysis on on-going debates and generate policy dialogue around matters of conflict transformation and peacebuilding. The material published in HAB represents a variety of sources and does not necessarily express the views of the LPI.

**Comment policy**

All comments posted are moderated before publication.

**Feedback and subscriptions**

For subscription matters, feedback and suggestions contact LPI's regional programme on [HAB@life-peace.org](mailto:HAB@life-peace.org).

For more LPI publications and resources, please visit [www.life-peace.org/resources/](http://www.life-peace.org/resources/)

**About Life & Peace Institute**

Since its formation, LPI has carried out programmes for conflict transformation in a variety of countries, conducted research, and produced numerous publications on nonviolent conflict transformation and the role of religion in conflict and peacebuilding. The main focus of our work has been on Africa, with the Horn of Africa Programme being established and well-known in the 1990s, not least our work in Somalia. Other initiatives have been carried out in Congo-Brazzaville, Croatia, Sri Lanka and East Timor. We have strengthened the capacity of our civil society partners to address the conflicts in their own context, in some of the most difficult and war-torn countries.

Currently, we run conflict transformation programmes in the Horn of Africa and Great Lakes regions in partnership with local civil society organisations and universities in Somalia, Sudan, Ethiopia, Kenya and the DRC. There is also a common programme including publications, policy work and methodology design based in Sweden.

## Mobility within the Horn of Africa and introducing HAB Forum

The current thematic issue of the Horn of Africa Bulletin (HAB) on migration within the Horn of Africa is seminal and timely. Mobility in the Horn of Africa takes a multiplicity of forms and is central to the livelihoods of millions. The dearth of studies on the issue coupled with the tendency to focus on one form of mobility i.e. refugees, has meant that other types of intraregional mobility have tended to be overlooked. It is, however, important to be sensitive to terminology. It is becoming increasingly common to see the terms 'refugee' and 'migrant' conflated in media and public discourse. The generic term 'migrant' obscures the dire traits that drive migration within and from the Horn and which would make such populations refugees or asylum seekers, protected under international law. This is especially relevant in the current context when political resentments are easily stoked against 'migrants' and impugning motives for migration politically expedient for governments. The authors of the articles in this issue of the HAB often use 'migrant' which our readers should not understand to exclude the category of refugees.

The eclipsing of intra-regional migration by academia has been mirrored by the scant attention devoted to it also in terms of policy. Ironically, this neglect of intra-regional migration also affected the call for submissions for this issue, as the bulk of the submissions overwhelmingly focused on migration from the region to Europe and the Middle East rather than intra-regional migration despite the fact that more than 50% of migrants from IGAD member states migrate within the Horn.

An increasing number of migrants (a substantial proportion of whom originate from the Horn of Africa) risk sexual violation, torture and death in daring the hazardous crossing of the Mediterranean. In 2014, 625 000 people asked for asylum in the EU according to recent figures from Eurostat—an increase of 44% in comparison to 2013. This justifiably raises serious concerns, as it points to a critical state of affairs in the world right now, which is causing people to leave their homes in search of safety. Yet it is often forgotten that more migrants in the Horn of Africa travel to countries in the Horn than migrate to Europe, the Middle East and North America combined (Source: International Organization for Migration). These migrants, (economic migrants, refugees fleeing conflict and natural disasters, etc.) have an underestimated impact both on the countries they originate from as well as their host states. These migrants remit incomes to their families and have a critical impact not only in terms of immediate livelihood needs but also on the larger political economy of the countries they originate from and the host countries. In some countries, migrants occupy critical economic niches. Migrants are also nodes in the networks that facilitate further migration.

The peace and security ramifications of migration within the Horn are also complex and yet to be understood fully. Refugees, for instance, have been tapped for recruitment by insurgent movements in their countries of origin. While fortunately the Horn may have escaped the widespread xenophobic violence that has marred a few other states in Africa, in the long term and if current migration trends persist, new dynamics may emerge. Demographic shifts as a result of migration, potential demands for naturalization and growing economic competition may raise tensions between host societies and migrants in the not too distant future.

States and societies in the Horn have been exemplary in their openness and integration of migrants within their midst and largely, their experiences and practices can justifiably be held up as an example to follow. At the same time, it is undeniable that in the Horn of Africa,

practices and policies towards migration are often ad-hoc, reactive, inconsistent and often implemented in a haphazard manner.

It is also clear that it is in the international community's interest to pay closer attention to the implications of intra-regional migration in the Horn of Africa, as anecdotal evidence and the few studies on the subject, show that intra-regional migration is closely interlinked with and facilitates further migration to Europe and the Middle East. Migrants often transit through states in the Horn before continuing their journey to their ultimate destination. They use their sojourn, which can extend to several months or even years, in the transit state (in the Horn), to either accumulate enough capital to pay off traffickers to facilitate their travel to Europe and the Middle East, or facilitate asylum application requests through embassies.

The four articles in this issue of the HAB were selected to highlight the need to pay attention to intra-regional migration and the host of issues that it brings up.

The article by Mehari Tadelle Maru is a comprehensive and analytical survey of the legal and institutional frameworks on migration in the IGAD (Intergovernmental Authority on Development) region. He identifies the strengths and weaknesses in the current frameworks and underlines the need to move from 'norm-setting to norm-implementation' in the area of migration. Mehari's article is an introduction to the policy and legal frameworks that govern migration in the region. The co-authored article by Ibrahim Farah and Sekou Toure surveys the 'push' and 'pull' factors (political, economic and natural) that drive migration in the Horn region. The article by Mirjam Van Reisen departs from the general theme of the issue in that it is a masterful survey of the key problems besetting the European Union's policies and interventions in the face of increased migration to its shores and also identifies the evolution of EU policy overtime. The article by Kwesi Sansculotte-Greenidge surveys the hitherto neglected subject of labour migration from the region to South Sudan. He links the visibility of the economic role of migrants to the legacy of history and the economic structure of contemporary South Sudan.

The Horn of Africa Regional Program of the Life & Peace Institute is inaugurating the HAB Forums as an interactive platform for an extended discussion on the themes and issues raised in the HAB issues involving concerned stakeholders. The first HAB Forum is dedicated to deepening the discussion on intra-regional migration and will be held on the 30<sup>th</sup> of September, 2015 in Addis Ababa, Ethiopia.

Demessie Fantaye

Editor

Life & Peace Institute

## Migration Priorities and Normative and Institutional Frameworks In the IGAD Region

By Mehari Tadelle Maru

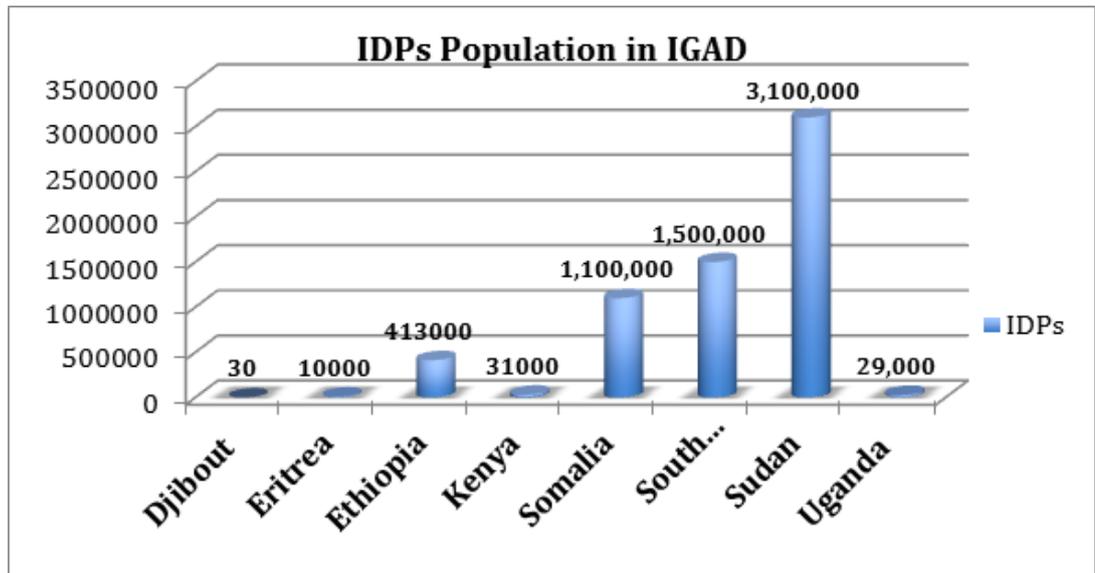
This article examines the state of migration and its governance in the Intergovernmental Authority on Development (IGAD) region, comprising Djibouti, Eritrea, Ethiopia, Kenya, Uganda, Somalia, South Sudan and Sudan. It has three major parts. The first part explains the overall state of migration in the IGAD region. The second section discusses the current institutional framework on migration at the continental and regional level. The third section proposes areas of intervention. The proposed interventions seek to improve inter-state and intra-regional cooperation on migration governance in order to harness benefits from and minimize adverse impacts of migration.

The governance of migration is one of the major global issues of our time. According to the United Nations, globally there are more than 295 million migrants, including 200 million international migrants.<sup>[1]</sup> There are more than 31 million African migrants spread across both Africa and internationally. These numbers are expected to quadruple in 30 years, and by 2050 one in four international migrants will be of African origin. There are currently more than 52 million internally displaced persons (IDPs) world wide,<sup>[2]</sup> and 21.3 million refugees and asylum seekers.<sup>[3]</sup> These numbers exclude IDPs whose flight derives from development-induced displacement and disasters. Thus, when these causes of displacement are all taken into account, the total number of IDPs in Africa exceeds 20 million.<sup>[4]</sup> With mega trends in development project and climate change induced disasters, the number of IDPs is expected to increase.

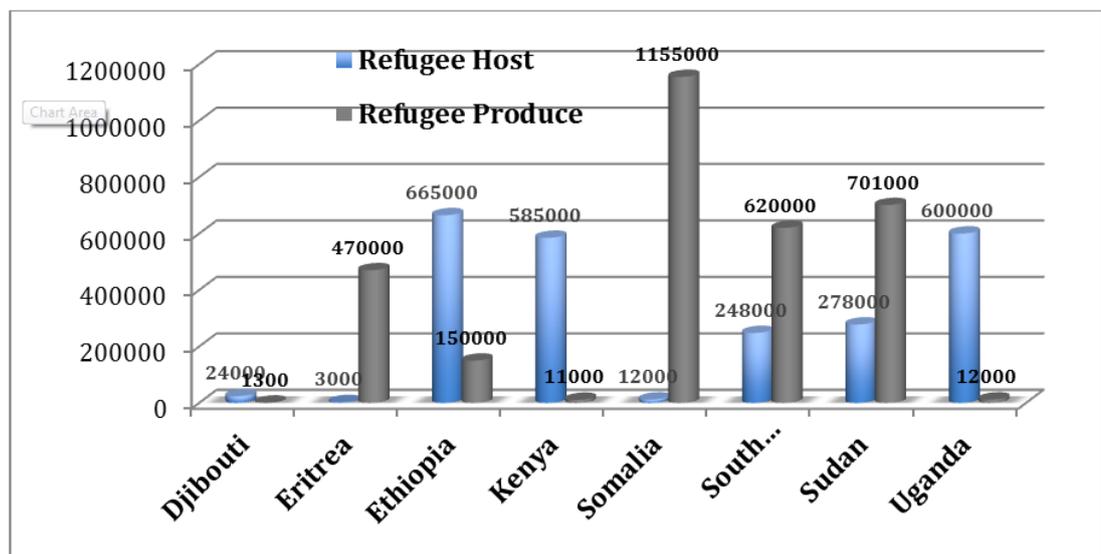
### State of Migration and Trends

Within the IGAD region, forced migration takes several forms. Apart from forced migration due to conflict, there are migrations of peasants due to natural calamities and the seasonal mobility of agro-pastoralist communities. Other factors causing, accelerating and triggering displacement pertain to conflicts, development induced mobility or forceful evictions. Under voluntary migration we could subsume factors such as the quest for opportunity, advances in transport and communication technologies and kin community influences that also encourage and entice mobility of young people.

Excluding pastoralist mobility and those displaced due to natural and man-made disasters and development projects, the IGAD region currently produces 6.5 million IDPs, 88 % in Sudan, South Sudan and Somalia. <sup>[5]</sup> This constitutes more than 17 % of the global and half of Africa's IDPs are in the Horn of Africa. <sup>[6]</sup> It also hosts 2.46 million refugees, while at the same time producing 3.12 million refugees. In relative terms, the region hosts 12 % and produces 15 % of the world's refugees, carrying far more than its share of the global burden. As the fifth largest host, Ethiopia alone hosts 665,000 refugees.<sup>[7]</sup>



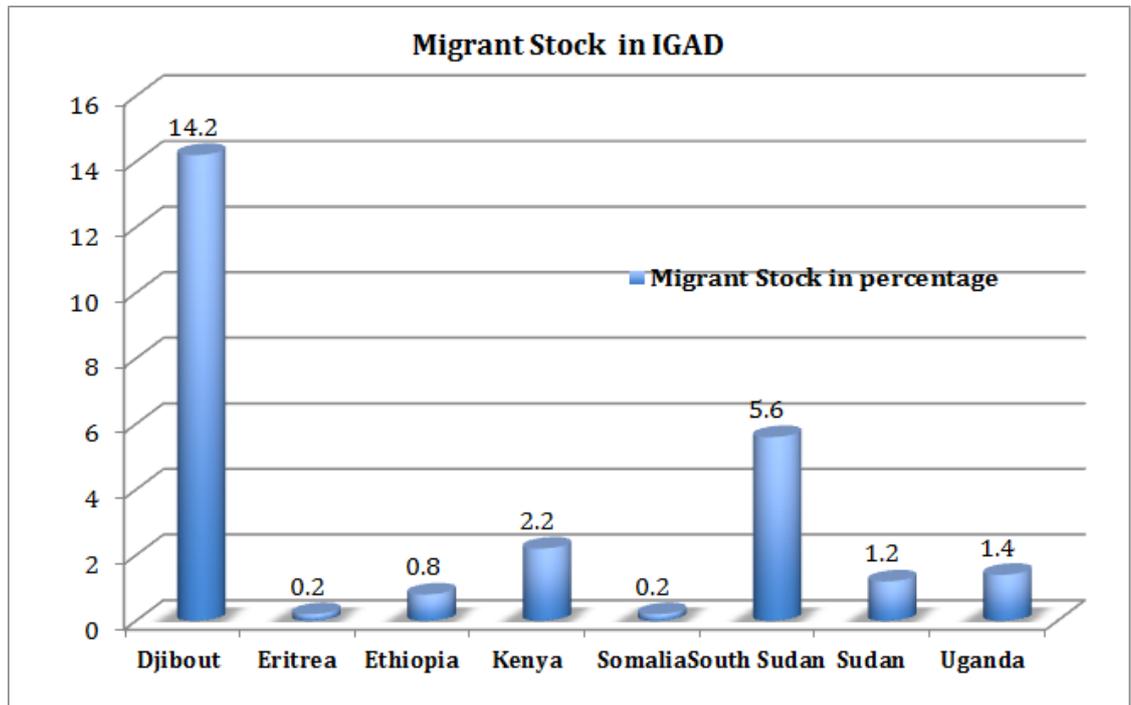
Data Source: IDMC, Compiled: Mehari Taddele Maru



Data Source: UNHCR, Compiled: Mehari Taddele Maru

### International Migrants and Intra-regional Migration in the IGAD Region

Of the 31 million Africans estimated to be living outside Africa, 8 million, or around 26%, are from the IGAD region.<sup>[8]</sup> 50% of these 8 million people migrate within the region, while 46% migrate to developed countries (Europe, the USA, and Canada), and 4% migrate to the Middle East. Similarly, the international migrant stock in the region is even lower at average of 3.2 percentage of the total population of the region. Djibouti with 14.2 % of its population has the highest international migrant stock, while Somalia and Eritrea have the lowest at 0.2 % of their population.



Data source: UN DSA Compiled: Mehari Taddele Maru

### **Normative and Institutional Framework: Developments within the AU and other RECs**

The AU Migration Policy Framework for Africa (2006) and the African Common Position on Migration and Development (2006) enable mainstreaming migration into development activities at national, regional and continental levels. At the continental level, the necessary framework conditions are all in place. However, implementation challenges are being encountered at the RECs and AU Commission levels. Since 2008, in order to address the challenges of implementation, the AU Commission has been implementing the AU Commission Action Plan on Migration.

A significant contribution of Africa to international law, the Kampala Convention propels Africa to the forefront of international norm-setting. It responds to a widely held consensus that IDPs have been the most neglected of vulnerable groups without specific, sufficient and effective legal protection in international law, while other similar categories such as refugees have been receiving protection and assistance. The Convention aims to address the legal and institutional protection gap in regional governance of internal displacement.

The AU norms aims at ensuring that migration is *voluntary and legal*. Migration needs to be voluntary to ensure that persons are not forced to flee due to push factors. States, accordingly, have the duty to ensure that people are not compelled to migrate when possible by eliminating, and when necessary preventing all push factors. Migration must be legal because migrants need to respect the laws of the country to which they migrate and would accordingly be accorded protection.

## **IGAD Normative and Institutional Framework on Migration**

IGAD initiatives and interventions on migration have been based on the Agreement establishing the IGAD. The Agreement prioritizes the creation of an enabling environment for the free movement of Persons. Among the aims and objectives of IGAD under Article 7 of the Agreement is the promotion of free movement of goods, services, and people and the establishment of residence. More specifically, Article 13 (A) concerning Areas of Cooperation identifies a number of key items that provide the required framework for IGAD in pursuit of regional economic integration namely: facilitating the free movement and right of residence of their nationals in the region; and promoting social and cultural exchanges as an effective means of consolidating regional cooperation and understanding.

### **IGAD-Regional Migration Policy Framework**

Since 2009, IGAD has been actively engaged with the migration agenda. The core IGAD normative instrument on migration is the IGAD's Regional Migration Policy Framework.<sup>[9]</sup> As a framework it focuses on measures to strengthen the normative, institutional and collaborative frameworks for managing migration in the region. It provides a comprehensive and integrated policy guideline on the following thematic issues and in relation to migration: a) Labor migration, b) Border Management, c) Irregular Migration, d) Forced Displacement, e) Human Rights of Migrants, f) Internal Migration, g) Migration Data, h) Migration and Development, and i) Inter-State co-operation and partnerships. It also highlights other social ramifications of migration including migration and health, environment, gender, conflict etc. Furthermore, it advances specific recommendations for MSs to adapt and implement.

### **IGAD Minimum Integration Plan (MIP)**

The IGAD has also developed a Minimum Integration Plan (MIP) in the IGAD region with its correspondent Free Trade Agreement. This is a continental AUC programme that all the RECs are required to implement. Furthermore, with COMESA and EAC, IGAD has been implementing the Regional Political Integration and Human Security Support Programme (RPIHSSP) hosted at IGAD Secretariat in Djibouti.

### **Draft Protocol on the Free Movement of Persons**

IGAD does not have a free movement regime. Currently, free movement of persons in the IGAD region is being implemented among the member states at the bilateral level and it is not harmonized at the regional level. Since, July 2010, Kenya and Uganda have signed the East African Community Common Market Protocol on the free movement of persons. An extraordinary example of political will in a region troubled by mutually assured destabilisation, for over four decades, Ethiopia and Kenya, have waived visa requirements for the nationals of the other state. Ethiopia and Djibouti have a similar bilateral agreement. However, MSs are lukewarm about implementing more robust agreed upon protocol. Restrictive travel and visa requirements are still imposed on some of the nationals of other member states.

With the overall objective of progressively eliminating obstacles to the movement of persons into and within the region, in April 2012, IGAD has developed and presented a Protocol on the Free Movement of Persons for MSs to consider.<sup>[10]</sup> Gradually, the protocol aims to grant both permanent and temporary residence and the right to work in the other IGAD MSs. Drawing heavily on the experiences of the other RECs, IGAD aims at developing a Progressive Implementation Plan within a specific timeframe; and a model national law for the ratification and domestication of the Protocol on the Free Movement of Persons.

### **Challenges in Migration Governance**

Despite the presence of normative frameworks, governance of migration faces several challenges. Some of the challenges are related to the fact that governments in the region perceive migration as a threat and a problem. They also perceive migration as a consequence of extreme poverty and hence assume that declining levels of poverty will reduce migration and mobility via unsafe routes. Nevertheless, mobility may increase with more disposable income.

In a bare outline style, the challenges related to migration can be divided into the following six categories: *Urgency gap* related to the low level of urgency and importance accorded to migration at the national level in IGAD; *Policy-Implementation gap* referring to the low level of implementation of the well crafted AU and IGAD policy documents; *Comprehensiveness gap* related to the current fragmented and *ad hoc* approach to migration governance; *Knowledge gap* related to limitations in understanding the complexity, determinants and trends of migration and on how to govern migration, *Capability gap* attributed to the meagre resources allocated to migration governance and institutional inadequacies, *Collaboration gap* related to the cross-cutting nature of migration that involves several national and regional authorities with mandate on foreign affairs, security, border, customs, social and labour, tourism, immigration, and gender etc and associated challenges.

### **Conclusion**

No region in the world is more familiar with the negative effects of forced migration. The IGAD region exhibits more displacement than mobility; there are three times more IDPs than refugees, and more importantly it hosts and produces more refugees and IDPs than anywhere else in the world. This makes the IGAD region a key player in providing assistance in kind and protection to displaced persons. With political will, policy clarity and resources, IGAD MSs, constituting the largest source and host of migrants including forced migrants, could play a vital role in harnessing the benefits of and tackling the harms associated with migration.

Over time migration and implications and impact will deepen. However, migration is not yet a top priority for countries in IGAD region. Border and migration management regimes are weak, under staffed, ill equipped and regional technical cooperation is minimal; borders are porous and will remain the same for some years (even decades) to come. If states are prepared, migration's developmental contribution could be

harnessed, while its harms decreased and mitigated. If not, we will see more death, xenophobic attacks and massive deportation of migrants and quarrels between countries of destination, transit and origin.

### **Switch attention from norm-setting to norm-implementation**

Since its establishment, the IGAD, like AU, has focused on norm-setting and, to some extent, on norm-diffusion. While these developments in policy frameworks mark a high level of achievement for the IGAD, the success in the norm-setting sphere needs to be matched by efforts to effectively implement the norms.

### **Invest on the game changers in migration governance: states and local communities**

Game changers in migration governance are states and local authorities and communities. Thus, IGAD needs to move one level down and coordinate joint activities with member states and the IGAD Action Plan (2013) on Migration (IMAP)[\[11\]](#) provides detailed guide for this shift of mission.

### **Shift from ad hoc and fragmented approach to comprehensive national normative, institutional and collaborative framework**

A serious challenge in the management of migration in the region concerns the lack of normative, institutional and collaborative framework on migration at the national level. With the exception of Uganda, countries in the IGAD region lack a comprehensive national policy on migration. Some states have laws governing aspects of migration particularly criminal laws governing human trafficking. And others have policies governing IDPs and labour migration. Uganda and Kenya are working to adopt a policy on migration.[\[12\]](#)

### **IGAD and the AU Priority: Conduct National Consultative Conferences**

IGAD and the AU need to conduct National Consultative Conferences (NCCs) for each selected member state for being largest producers or host of migrants collaboratively with governments concerned and gradually covering all MSs. The NCCs will offer unique opportunities to foster greater understanding, policy coherence, and cooperation for effective responses in migration management. More crucially, the NCCs will also allow the identification of national priorities peculiar to specific countries and drivers of the migration and mobility agenda. They can also serve as a forum to facilitate the establishment of national inter-ministerial taskforces or coordinating mechanisms on relevant migration issues.

**Mehari Tadelle Maru** was formerly with the ISS (Institute of Security Studies) and is a consultant with extensive experience on issues of peace and security in the Horn of Africa. He can be reached at [mehari.maru@gmail.com](mailto:mehari.maru@gmail.com)

## References

- [1] UN Department of Economic and Social Affairs, Data on International Migration, available from <http://www.un.org/en/development/desa/population/migration/data/index.shtml> (accessed 22 August 2014).
- [2] Mehari Taddele Maru (2014) *The Kampala Convention and Its Contributions to International Law: Legal Analyses and Interpretations of the African Union Convention on the Protection and Assistance of Internally Displaced Persons*, Eleven International Publishers, The Hague, available from <http://www.elevenpub.com/law/catalogus/the-kampala-convention-and-its-contributions-to-international-law-1> (accessed 12 August 2015).
- [3] UNHCR Global Trends 2014, A Year of Crises, available from <http://www.unhcr.org/4fd6f87f9.html> (accessed 27 July 2015).
- [4] UNHCR Global Trends 2014, A Year of Crises, available from <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e4838e6&submit=GO> (accessed 22 August 2015).
- [5] IDMC, Latest Update of IDPs (by May 2015), available from <http://www.internal-displacement.org/global-figures> (accessed 22 August 2015).
- [6] Ibid.
- [7] UNHCR Global Trends 2014, A Year of Crises, available from <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e4838e6&submit=GO> (accessed 22 August 2015).
- [8] UN Department of Economic and Social Affairs, Data on International Migration, available from <http://www.un.org/en/development/desa/population/migration/data/index.shtml> (accessed 22 August 2014).
- [9] See IGAD- Regional Migration Policy Framework, available from [http://igad.int/index.php?option=com\\_content&view=category&layout=blog&id=63&Itemid=159](http://igad.int/index.php?option=com_content&view=category&layout=blog&id=63&Itemid=159) (accessed 22 August 2015).
- [10] Final Report Validation Workshop of The Study on The Development of the IGAD Protocol on Free Movement of Persons, 4<sup>th</sup> -5<sup>th</sup> April 2012, Nairobi, Kenya; and Final Conclusions and Recommendations Validation Workshop of The Study on the Development of The IGAD Protocol on Free Movement of Persons, 4<sup>th</sup> -5<sup>th</sup> April 2012.
- [11] IGAD Migration Action Plan, available from [http://igad.int/index.php?option=com\\_content&view=article&id=722:member-states-discuss-the-action-plan-2014-2018-for-the-regional-migration-policy-framework&catid=63:migration&Itemid=159](http://igad.int/index.php?option=com_content&view=article&id=722:member-states-discuss-the-action-plan-2014-2018-for-the-regional-migration-policy-framework&catid=63:migration&Itemid=159) (accessed 22 August 2015).

[12] IGAD, *Migration and Human Security in the ESA Region, the state of play on Mechanisms and Gaps, A Baseline Survey Report*, TCH, February 2012.



REGIONAL PERSPECTIVES

## Migration and Asylum in the Horn of Africa: Causes, Factors and Possible Solutions

By Ibrahim Farah, Sekou Toure Otondi

Migration across the east and Horn of Africa sub-region is not a novel phenomenon. Nevertheless, it is contemporary idiosyncratic migration patterns and trends within and across the east and Horn of Africa sub-region that this article aims to contextualize.

According to International Organization for Migration, (IOM), the Horn of Africa sub-region is currently one of the regions with a high number of internally displaced persons (IDPs).

This fact explains the large number of migrants who are not only seeking refuge in relatively stable neighboring countries, but crossing into Europe as well.[1] Although Syria is the point of origin for most of the migrants crossing into Europe, Eritrea and Somalia have also made the headlines as the second and third largest contributors of irregular migrants to Europe as of June 2015.[2] The fundamental question, therefore, is what factors explain the high number of migrants within the sub-region; at times causing them to make treacherous sojourns across deserts and seas to far-flung regions, such as Europe?

### Migration and asylum: Causes and factors

One of the obvious perennial factors that have resulted in increased migration within and across the sub-region has been conflicts and wars. The Horn of Africa has consistently been classified as one of the most volatile sub-regions across the globe,[3] with the number of IDPs standing at 1.3 million, following the escalation of violence in South Sudan in December 2013.<sup>4</sup> The South Sudan crisis has further been compounded by the two-decade plus long Somali conflict; which has also seen over 1 million Somalis seeking refuge, mostly in Kenya and Ethiopia, with a further 1.1 million being internally displaced. Conflicts have been a significant 'push' factor for a range of migratory pattern in the sub-region and beyond.

Other than the protracted wars, periodic electoral violence has also significantly contributed to increased migration within the sub-region. Tensions and conflicts have tended to escalate during election cycles sometimes triggering long-term violence. This pattern of displacement of perceived 'outsiders' who are thought to be supporters of either opposing political camps was witnessed in Kenya after the 2007 elections; famously known as the 2007-2008 post-election violence. A similar escalation of tensions was observed during the 2013 elections despite the absence of election-induced

violence. Increased tensions have also become synonymous with elections in Kenya, and similar trends are likely to be experienced in subsequent years. In Burundi, latest reports by UNHCR indicate that over 180,000<sup>[5]</sup> refugees have fled, mostly to Tanzania and other neighboring countries, as a result of election-related violence, escalating socio-economic and political strains in the region.

The issue of poverty due to weak regional economies and its close association to human trafficking has also significantly contributed to migration across the sub-region. Chronic poverty has led to increased number of migrants from the Horn of Africa seeking 'economic asylum' mainly in Europe. The prospect of employment and good life in Europe has seen a huge number of young and highly educated Africans pay human traffickers to traverse the sub-region and onto Europe. This factor has been further accentuated by globalization and information technology. The ubiquity of media images of Western culture and lifestyles, due to the denser and expanding reach of information communication technology, has been a critical 'pull' factor and incentive pushing youth to migrate from the region. The desire to escape from poverty has led to thriving human trafficking and smuggling networks across the sub-region. According to the UN refugee agency, UNHCR, there were between 25,000 and 30,000 victims of human trafficking in the sub-region between 2009 and 2013, generating around USD 622 million in ransom during that particular period.<sup>[6]</sup>

Other factors that have led to increased migration within and across the sub-region include the issue of bad governance. The fragile state system coupled with authoritarian regimes across the sub-region, has led to an influx of refugees and asylum seekers across the sub-region. Eritrea, with its allegedly poor human rights record, currently ranks as the largest producer of asylum seekers and migrants from the sub-region to neighboring countries and to Europe. According to Human Rights Watch, Eritrea's oppressive laws — which make it compulsory for youths to be conscripted in the national service — have led to increased hemorrhage across its borders.<sup>[7]</sup> By the end of 2014, for example, Eritreans constituted 95 percent of trafficked victims from the sub-region, with the rest being Ethiopians, Somalis and Sudanese.<sup>[8]</sup> Most of the migrants who successfully cross into Europe have to tolerate oppressive policies aimed at deterring asylum seekers, sometimes in total contravention of international law.

The influx of migrants and asylum seekers has created myriad challenges for both migrants and their host countries. There have been suspicions and tensions between refugees and residents in the host countries. In most cases, refugees are considered the primary cause of varied socio-economic and political problems afflicting their host countries. The case of Somali refugees, following sustained terror attacks in Kenya by *Al-shabaab*, is a clear example.<sup>[9]</sup> For the Horn of Africa, one of the aspects of the crisis due to increased legal and illegal migration has not only been the loss of lives across the deserts and the seas, but also the hemorrhage of the youth and the educated who constitute the sub-region's most productive labour force.

Across Europe, the infiltration of migrants, mostly from the east and Horn of Africa sub-region and the Middle East, has seen increased pressure on European governments to

formulate stringent policies aimed at restricting the inflow of irregular migrants.[10]

### **Possible solutions**

Several measures can be introduced to curtail the challenges of illegal migration across the sub-region and beyond. However, the complex and dynamic factors that contribute to refugee problems cannot be solely contained by individual national governments. There is, therefore, a need for a multifaceted policy approach from state and non-state actors to the irregular migrant and asylum problems.

Foreign and security policy coordination by countries across the sub-region is, but, essential. Governments across the region should coordinate their policies with regional and international regimes dealing with migration. The need for a coordinated foreign policy on migration is essential because refugees' home countries contribute to the migration crisis; either by default or design. The Khartoum Process,[11] which brings together the African Union (AU) and the European Union (EU) and regional governments, in combating human trafficking across the sub-region, is already a step in the right direction.

Nevertheless, priority also needs to be given to the gradual integration of functional institutions dealing with migration and asylum issues across the sub-region. This will help in streamlining legal and policy issues on migration and asylum. The opening up of borders, for example, is likely to enhance free flow of factors of production, thus spurring economic growth and impeding economic asylums seekers. Other bolder steps can also be taken; for example empowering governments in fragile and/or failed States as they haltingly try to re-establish themselves.

**Ibrahim Farah**, a former lecturer from the University of Nairobi, is the founder of the Mogadishu-based Justice & Peace Network (Maandeeq- JPN). Dr. Farah, a Nairobi-based academic, has been engaged in Somali affairs for the past two and a half decades through the delivery of aid, political analysis as well as academic and policy research. His areas of interest include foreign policy analysis and conflict studies in Africa and the Middle East; with emphasis on Somalia and the eastern Africa sub-region. He can be reached at [farahiq2002@yahoo.com](mailto:farahiq2002@yahoo.com)

**Sekou Toure Otondi** is a graduate from the University of Nairobi. His areas of interest include foreign policy analysis and migration issues in the east and Horn of Africa sub-region. He can be reached at [toures53@yahoo.com](mailto:toures53@yahoo.com)

### **References**

[1] IOM, Regional Office for Horn and East Africa, *International Organization for Migration Regional Strategy: 2013-2014*, Nairobi, Kenya, p.9.

[2] Jeanne Park, "Europe's Migration Crisis," *Council on Foreign Relations*, April 23, 2015

[3] Goitom Gebreluel and Kjetil Tronvoll, *Is the Horn of Africa facing another collapsing*

*state?* Aljazeera, 15 October, 2013.

[4] UNHCR, *Global Appeal 2015 Update: East and Horn of Africa*, p.2.

[5] Aljazeera, UNHCR: Burundi crisis propels refugee exodus, 27 June, 2015. See also BBC: Burundi's Pierre Nkurunziza warns against vengeance," BBC News Africa: 4 August, 2015.

[6] UNHCR, *UNHCR Strategy and Regional Plan of Action: Smuggling and Trafficking from the East and Horn of Africa, Progress Report*, p.2

[7] Human Rights Watch, *Service for Life: State Repression and Indefinite Conscription in Eritrea*, April 2009, New York, USA, p.25.

[8] Ibid, p.2.

[9] Aljazeera, *Somali refugees urge Kenya not to close Dadaab camp*, 13, April 2015.

[10] Christal Morehouse and Michael Blomfield, *Irregular Migration in Europe*, Migration Policy Institute, Washington D.C, 2011, pp.4-5. Of late, the United Kingdom and France have had difficulties in manning their borders and denying refugees and asylees access to the *Channel Tunnel* in Calais, France. See for example RT News, *British PM urges talks with French president to tackle Calais migrant crisis*, 1 August, 2015.

[11] The Khartoum Process, also known as the EU-Horn of Africa Migration Route Initiative, which was launched on 28 November 2014 in Rome, aims to tackle trafficking and smuggling of migrants between the Horn of Africa and Europe. See Khartoum Process: EU and African Union launch initiative against smuggling of migrants, *ECRE Weekly Bulletin*. 5 December, 2014.



AFRICA,ERITREA,ETHIOPIA,SOUTH SUDAN,SUDAN,UGANDA

## To and From the Horn of Africa: the Case of Intra-Regional Migration in South Sudan

By Kwesi Sansculotte-Greenidge

*Botswana, Malaysia, Burkina Faso – these are not our examples. Dubai even Kuwait these are our examples. Rich oil countries where the citizens get an allowance and foreigners do the manual work”[1]*

According to the International Labour Organisation (ILO), “comprehensive and comparable official national statistics as well as reliable estimates at the regional and global levels of the economically active migrant population are still largely lacking, and short term migration (i.e. migrating for less than 12 months) remains difficult to capture. Access to essential age and sex-disaggregated data, data on labour market needs, occupations and skills, working conditions and wages, and the social protection of

*migrants remain very fragmented and unreliable at national, regional and international levels.”[2]*

Labour migrants are by definition casual and unskilled workers who move systematically from one region to another offering their services on a temporary, usually seasonal, basis - the true proletariat, with control over nothing but their labour and without a hope of controlling the means of production. The pattern of labour migration internationally differs significantly from region to region and state to state. While migrants to South Africa, the Middle East, Western Europe and North America are looking to permanently move to new locations for better quality of life and job opportunities; migrants in areas like South Sudan are looking for jobs that allow them to return home relatively quickly.[3] Although, sufficient research has not been conducted to definitively identify patterns and trends of labour migration in the Horn of Africa, the wave of labour migration to South Sudan was primarily driven by the perceived oil-driven economic boom in South Sudan in a context defined by the near-absence of state regulation and where many labour migrants felt that quick fortunes could be made.

South Sudan is a paradox, a state where the people are fiercely independent, yet the perfect case study for any dependency theorist. Here, where the Arab and African worlds meet, paradoxes are the order of the day. Nowhere is this more the case than when it comes to labour migration and conflict. While statistics are almost impossible to come by or verify, it is estimated that South Sudan with a population of 9 to 11 million, depending on the source used, had anywhere between 500,000 to 1.2 million labour migrants during the 2011-2013 heyday.[4] This would mean that the migrant population could constitute a sizable 4.5%-13% of the population of South Sudan. While numbers have dropped since the outbreak of conflict in December 2013, the overall picture is one where the bulk of the paid wage labour is done by non-South Sudanese. This article seeks to provide the historical context to why the labour migration is so high in South Sudan, outline the current patterns of labour migration in the country and its quite distinct division of labour between various migrant groups and lastly, indicate some possible future implications for relations between migrants and nationals of South Sudan.

### **Historical Backdrop of Labour Migration in South Sudan**

Labour migration, however, cannot be explained only in the context of individual choice and attraction to higher incomes. Several factors such as the socio-economic context, institutional arrangements, political marginalisation, armed conflict, natural disasters and access to and utilisation of resources are motivators for relocation.

In the South Sudanese context, four distinctive phases can be identified as having influenced labour migration trends. These are periods that affected the Sudanese labour market, and arguably explain current patterns in South Sudan[5]:

- The pre-colonial period, during which migration was connected with trade, nomadism and slavery and when Sudan was a net receiving country of migrants, particularly from West Africa and the Arab Peninsula.

- The colonial period when wage labour was set free in the form of circulatory internal migration and the influx of additional migrants from West Africa for agricultural schemes such as Gezira and Blue Nile.
- The period between the mid-1950s and mid-2005s when the wage labour market stabilised and attracted temporary rural-urban migrants besides the seasonal rural-rural ones.
- The post-Comprehensive Peace Agreement (CPA) period.

During the colonial period, the British introduced a series of restrictions that became known as the *Closed District Ordinance Act (1914-1946)*. The rationale was typically colonialist-segregationist on the one hand and bent on preserving a level of isolation that probably never really existed, on the other. Arabs were barred from participating in trading activities, missionary work and administration in the South. The British policy of cordoning off the South, in spite of whatever intentions were behind it, overwhelmingly contributed to South Sudanese political marginalization, economic exploitation and cultural subjugation after Sudan independence. By 1946, the British-imposed “Closed District” policy towards the South became untenable and was subsequently abandoned, opening the door for the North to administer the South as part of one united Sudan. Southerners were overwhelmingly underrepresented in the government, generally underpaid and largely mistreated at workplaces not just in North Sudan, but also in the South, their own backyard.<sup>[6]</sup> The South was left isolated and backward and the South Sudanese were ill-prepared politically, economically, educationally and administratively by the time the British left the Sudan.<sup>[7]</sup>

The relative economic underdevelopment of South Sudan inherited from the colonial period worsened when it was part of the larger Sudanese state. Among several factors, political marginalization of the South coupled with negligible investment in services, education and the economy not only led to the civil war but also further exacerbated the socio-economic situation in the South. At the time of independence the South lagged behind not only the rest of Sudan, but the rest of the world in terms of value-added laborers and market penetration, to the point that the state had to become a net importer of labour.

### **Segmented Labour Migration Patterns in South Sudan**

Currently, South Sudan’s labour migrants occupy largely distinct segments of the political economy. The majority of migrants are from the neighbouring IGAD states, with Uganda, followed by Kenya and Ethiopia topping the list; Eritreans, Sudanese and Somalis are the next most common migrants. While it might be overly simplistic to outline what migrants do in South Sudan, it is clear that there is some division of labour.

Somalis tend to work in the fuel industry, managing logistics, fuel stations and sales to NGOs in South Sudan. A large portion of government officials in Juba also get their fuel from Somali middle men that truck it in from Kenya. The Somalis are some of the few migrants that have set up some kind of roots in South Sudan, with many bringing their families to the Somali quarter in the outskirts of Juba town.

Some Sudanese in South Sudan have been there since prior to the 2011 independence.

Many relatives of army officers, civil servants and petty traders moved to South Sudan during the Southern struggle for independence. The *Jallaba bringers* as traders from Northern Sudan are known, were petty traders and still operate a large number of the *DukAn* (small shops) throughout South Sudan but particularly in Juba.

Ethiopian and Eritrean migrants to South Sudan dominate the same niches in the South Sudan economy. While Eritrean migrants are mainly driven by flight from oppressive laws and the desire to escape the long military service in Eritrea, Ethiopian migrants on the other hand are mainly driven by economic motives either seeking employment, or as investors in the services and construction sectors. Most migrants make their way to the Sudan, where the choice is north to Europe or south to Kampala. While the majority choose the north seeking to travel on to Europe, a large number choose to try their luck in Kampala, a growing hub for Eritreans in Africa. From Kampala many travel to Juba to work in one of two industries: the hotel service sector for women and the water and sanitation transportation sector for men. With a large number of hotels owned or co-financed by Eritreans the hotel industry provides steady employment for thousands of young Eritrean accountants and waitresses. The vast majority of Ethiopians in South Sudan occupy the same segment of the labour market as the Eritreans.

The Kenyans in South Sudan make up a large chunk of the white-collar workers dominating the banking sector and service sector. The Ugandans occupy most of the blue-collar jobs, mechanics, market traders, fruit sellers and street peddlers.

Much of this differentiation in the labour market has more to do with skill sets that migrants arrive with, than with opportunities in South Sudan. Military training as drivers and logisticians served the Eritrean migrants well as they operate heavy-duty trucks in South Sudan. The Somalis who in many cases hold Kenyan nationality and have business in Kenya, possess connections in both states that allow them to traverse the border and bring in fuel. While bribes and coercion are still an issue, connection to power brokers in Kenya and South Sudan shield much of their operations. The lack of opportunities in Uganda renders even petty trade ventures with incredibly low margins not only a viable option, but also an attractive alternative to unemployment in Uganda.

### **International Non-Governmental Organisations as facilitators of labour migration**

Today South Sudan is home to over 250 INGOs (International Non-Governmental Organizations) operating in different locations. The role of INGOs in the labour market is largely understudied. INGOs attract skilled labour and act as intermediaries in the migration of labour across borders. Non-South Sudanese occupy much of the skilled labour in the sector and though there are a number of South Sudanese in all agencies, they are often low ranking staff. The paucity of skills coupled with the flight of educated South Sudanese has meant that much of the high-paying jobs sit with foreigners.

In a rash attempt to remedy the above situation, South Sudan passed a number of poorly written and ill-designed pieces of legislation in 2013 and 2014; the most notorious being Circular No. 007/2014. The country's foreign minister said that the policy was designed

to favor local workers, but only when they were qualified for the jobs. In the end, the decree proved unworkable and was recalled less than a month later.[8]

On a smaller scale, the economic gains through employment in INGOs and the UN system of South Sudanese educated abroad are often resented by the South Sudanese who “stayed and fought”. The business people from neighbouring countries who prospered during the economic reopening of the country during the CPA period also appear to face growing resentment for failing to recruit and train local staff.

Those who have gained least economically from the CPA and independence that ensued include uneducated rural youth. It is those areas most deficient in resources (infrastructure, education, farming or grazing land, water, etc.) or where the exploitation of resources (oil) has had locally negative economic consequences that have been the most affected by conflict in 2011-2012. Price rises and scarcity of goods has been felt disproportionately in states most distant from new supply routes through Kenya and Uganda. They have also been most affected by the arrival of returnees and refugees.

However, these economic stresses do not seem to have precipitated significant ill-will or violence against recent migrants.[9] So far, there have been only been a few isolated incidents of violence against labour migrants from the Horn of Africa. A key factor that explains this situation is that the vast majority of South Sudanese do not operate in the market economy. This can be understood as an outcome of a past history of socio-economic neglect under both colonial rule and later in the period when South Sudan was part of the larger Sudanese state. The civil war only exacerbated this state of affairs. This has led to a situation in the post-CPA period where economic competition between locals and migrants is limited to the small number of South Sudanese working mainly in the NGO sector. Few South Sudanese engage in trade, and while the numbers are growing, few work in the service sector. In effect, the formal sector of the economy has by default become the sphere of migrants from neighbouring states in the Horn of Africa.

### **Future scenarios**

The large numbers of labour migrants in South Sudan and their preponderance in the formal sector of the economy seems set to continue in the foreseeable future. In so far as South Sudan’s political economy is a product of history, structural changes will take time. The current conflict in South Sudan and how it unfolds will however have important ramifications for the migrant population in South Sudan.

In the event that the conflict escalates and worsens, a greater number of migrants may decide to flee the country. This does not necessarily, however, imply that they will be making the decision to return to their countries of origin. Other African countries or journeying on to Europe might seem like more viable options for many. Peace and its attendant reconstruction, or a scenario where the conflict evolves into a continued stalemate, on the other hand, may lead to a situation where even more migrants head to South Sudan.

Whilst all attention, in the short-term, should be placed on the South Sudan peace process and securing immediate peace, there are a number of issues that need to be considered for the sustainability and consolidation of peace of the country and its relations with its neighbours in the region. Among such issues is the necessity, in the longer-term, for caution and foresight (and the dangers of complacency) both on the part of the authorities in South Sudan and the governments of neighbouring states on how to coherently deal with the issue of labour migration in South Sudan given its precarious political economy. Incremental shifts in the socio-economic structure is likely to lead to growing economic competition between native South Sudanese and migrant workers which, over time, might also translate to increased tensions between the citizens and migrants in South Sudan.

**Kwesi Sansculotte Greenidge** was formerly with the ACCORD (African Centre for the Constructive Resolution of Disputes) and currently is the Program Manager Africa, at The Centre for Humanitarian Dialogue (HD Centre). He can be reached on [k.sansculotte@gmail.com](mailto:k.sansculotte@gmail.com)

#### References

*This article relies primarily on the author's observations and impressions during the period October 2011 to March 2014 when he was based in South Sudan as the Sudans Programme Coordinator for African Centre for the Constructive Resolution of Disputes (ACCORD). The lack of references to written sources reflects the absence of written sources on recent labour migration to South Sudan.*

[1] Senior South Sudan government official 2013

[2]

<http://www.ilo.org/global/topics/labour-migration/policy-areas/statistics/lang-en/index.htm>

[3] <http://www.britannica.com/topic/migrant-labour>

[4] Conversation with GoSS official 24.08.2015

[5]

[https://www.bicc.de/fileadmin/Dateien/Publications/other\\_publications/other71/GRAWERT-Making\\_a\\_living\\_Chap6.pdf](https://www.bicc.de/fileadmin/Dateien/Publications/other_publications/other71/GRAWERT-Making_a_living_Chap6.pdf)

[6] Robert, Collins. 2007. Southern Sudan in Historical Perspective. Cornell University Press, Ithaca.

[7] Lazarus Leek Mawut. 1983. Dinka Resistance to Condominium Rule, 1902-1932. Graduate College, University of Khartoum,

[8]

<http://reliefweb.int/report/south-sudan/war-torn-south-sudan-law-passed-limiting-foreign-aid-workers>

[9]

<http://www.international-alert.org/sites/default/files/publications/201207PeaceSouthSudan.pdf>



AFRICA, EUROPE, EUROPEAN UNION, REGIONAL PERSPECTIVES

## A New EU migration Agenda: the Valetta Conference

By Mirjam van Reisen

The EU is confronted with a migration challenge of a scope that it has not seen before. In 2014 and 2015 the number of refugees entering the EU through the Central Mediterranean route has peaked. [1] The number of refugees from Eritrea, increased from 1,889 in 2012 to 35,559 in 2014. [2] The rising numbers of migrants crossing the Mediterranean Sea have exposed critical shortcomings in the current EU's common migration policy. The crisis is a reminder that migration is no longer only an EU internal policy matter, but requires a process that engages African countries.

The largest group of migrants entering through the Central Mediterranean route are Syrian refugees, whilst the second largest group originate from Eritrea, located in the Horn. The UN Commission of Inquiry on Eritrea (COIE) issued a report in June 2015, analysing the root causes for migration of Eritrean refugees. [3] The COIE estimated that 5000 Eritrean refugees were leaving the country each month. The pattern of repression and violations of human rights in Eritrea concurs with the view by international organisations that most asylum-seekers from Eritrea merit asylum. The UN Country of Origin information reflects this analysis and the EU ASEO office follows this international line. In most EU countries these guidelines are followed. [4]

In a bid to respond to the new and increased migration challenge through the Mediterranean Sea route, an international Summit has been called for by the European Council, which will take place on 11 and 12 November 2015 in Valletta (Malta) to discuss migration issues with African and other key countries. The Valletta meeting is expected to focus on assistance to partner countries, to strengthen cooperation on migration and a better targeting of development cooperation and investments in Africa. The organisation of the Valletta Conference is spearheaded by Ambassador Pierre Vimont, as special advisor to EU Commission President, Jean-Claude Juncker.

The EU response to the new migration challenges has been hampered by several problems, which the Valletta Conference could address. This article discusses key issues in relation to the agenda of the Valletta Conference. [5] It identifies four critical areas:

- Internal and external dimensions of EU policy
- Burden-sharing and EU solidarity on migration policy
- The facilitation of migration through ICT

- Incentivising

### **The overall policy setting in the EU: internal and external dimensions**

The EU migration agenda has been largely defined as an internal policy domain. The Valletta Conference seeks to extend the negotiations of migration policy to departing and transit countries. In order to do so effectively, the EU will require deep knowledge of the countries and region concerned, their internal dynamics, the diplomatic possibilities and challenges as well as the security dimensions. The migration and human trafficking challenges in the Horn and northern African region are connected with patterns of cross-border issues relating to government surveillance and repression, organised crime, terrorism and security problems.

This provides important challenges to the EU. The EU institutions involved in the preparations of the Valletta conference will be required to break through vertical policy domains and develop a more coherent horizontal approach to the internal and external dimensions of migration policy. Such a horizontal approach must also subsume the policy domains of external relations, development policy as well as security policy under the comprehensive umbrella of migration policy. Migration policy hitherto seen as predominantly an internal EU policy is no longer a viable option. Various NGO's, but also the UN Special Representative of the UN SG of Migration and development, Peter Sutherland, the UN High Commissioner for refugees Antonio Guterres and the DG of the IOM, Bill Swing, have called upon the EU to be more ambitious and suggested a series of additional measures: 'EU leaders must look beyond the present situation and work closely with transit and origin countries both to alleviate the immediate plight of migrants and refugees and address in a more comprehensive way the many factors that drive them to resort to such desperate journeys by sea. Enforcement alone will not solve the issue of irregular migration, but could increase the risks and abuse faced by migrants and refugees.'<sup>[6]</sup>

In the context of a growing number of Eritrean refugees the European Commission attempted earlier to establish an interdepartmental group on Eritrea. However, due to the vastly different mandates, understanding and frames of the officials representing different parts of the administration, the meetings were not successful and were stopped after a few initial attempts.<sup>[7]</sup> This experience demonstrates the urgency of expanding mechanisms to link internal and external dimensions of migration within an EU policy context.

At the start of his mandate, the new President of the Commission, Jean-Claude Juncker, indicated that external and internal policies should be better integrated. The organisation of a joint meeting of the Ministers of Foreign Affairs and the Ministers of the Interior prepared the European Council of 23 April 2015. This set a clear example of how both internal and external policy angles are being brought together at a political level.<sup>[8]</sup> The Valletta Conference builds on this, with a crucial role given to the High Representative, Federica Mogherini, leading the EU European External Action Service (EEAS).

## **Defining EU responsibilities: the issue of burden-sharing**

The Dublin Convention, which has established the principle that countries of first entry are responsible for the granting of asylum in the EU, is increasingly under discussion. In view of recent developments, it has been especially unsatisfactory that the new Dublin-III Regulation (No. 604/2013) left this principle of responsibility unaltered. The German Experts Council for Migration elaborated an interesting proposal for fair reception burden sharing in Europe as an alternative to the Dublin principle.<sup>[9]</sup>

In preparation for the EU Council of 23 April 2015, the European Commission proposed a system of burden-sharing to respond to the uneven distribution of asylum seekers in Europe.<sup>[10]</sup> This would include resettlement of refugees among European countries. This would help the EU countries on the Northern Mediterranean who receive the largest numbers of migrants as well as those North European countries (such as Sweden and Germany) who receive and support the largest numbers of asylum-seekers.

A policy of burden-sharing would need to be accompanied by sharing of expertise between EU Member States in supporting and integrating asylum-seekers and creating a knowledge base to effectively share these responsibilities. Such a policy would aim to overall increase standards of support to asylum-seekers and ensure that asylum-seekers are processed and supported in all EU Member States. Dutch Minister of Foreign Affairs, Minister Bert Koenders, announced on 26 August 2015 the aspiration for The Netherlands to increase capacities (in terms of assisting asylum seekers) in all EU member States as a means of preparing for increased European burden sharing.<sup>[11]</sup>

## **The role of ICT in migration from Eritrea: mobile money revenue streams**

The classical theory of push and pull factors of migration influences the policy proposals by the EU. This frame of push and pull is also used extensively by the ideologues of the Eritrean military regime to explain motives of Eritrean refugees as economic rather than political.<sup>[12]</sup> However the explanatory power of the push and pull theory seems to be increasingly inadequate.<sup>[13]</sup>

New theoretical frameworks point to the notion of facilitation in explaining new migration patterns. Such facilitation has enabled new ICT innovation which includes communication and mobile money.<sup>[14]</sup> The mobile money provides an important part of income streams of organisations and groups that smuggle and traffic migrants.<sup>[15]</sup>

Mobile money is also an important part of the motivation for migrants. In Eritrea families depend almost entirely on remittances, and increasingly young people, often minors, are sent abroad to help ensure the revenue of the families. In addition to such income streams from refugees are the infamous additional taxation (2% tax or diaspora tax) and the 'voluntary' contributions raised from diaspora communities, often with considerable pressure and even threats. Moreover, the extortion of refugees trafficked and held to ransom is an increasingly widespread problem, affecting refugees in Sudan, South Sudan, Libya and Chad, and rising demands for financial contributions of relatives in diaspora communities.<sup>[16]</sup>

New human trafficking and extortion practices are facilitated by mobile phone communications in which victims of such practices are requested or forced to seek such payments as ransoms for their release.<sup>[17]</sup> Such collection of ransoms is facilitated by mobile phone communications and mobile money transfers. While minors are often lured out of Eritrea by 'no fee' - deals, they are forced to seek financial contributions once they have become dependent upon trafficking networks and are isolated from support systems.<sup>[18]</sup> Collection of financial resources from relatives in the diaspora is then pursued by approaches through mobile phone communication along the routes at critical stages where payments are demanded. The new forms of trafficking are especially of great concern, when extortion is carried out by mobile phone communications with relatives, whilst victims of trafficking are being tortured during such conversations. The emotional pressure of such calls creates pressure for relatives to respond to the demands for payments.

Various dimensions of responsibility in relation to such criminal activities need to be considered, including the responsibility of regulators, governments and private actors with a view to curb such practices.

### **Incentivising**

The European Commission has announced its approach to incentivise positive collaboration of governments in curbing migration, especially focused on Eritrea as the second largest producer of refugees on the Central Mediterranean Route. The European Commission announced an aid package of over 300 million euros for the coming period, in exchange for proposals by the Eritrean government to take action to stop migration.<sup>[19]</sup>

Two actions have been given prominence in this deal. The promise of the Eritrean government to limit the duration of the military conscription which is generally regarded as an important driver of refugees from the country, given the dismal circumstances in the military training camps and the lack of future prospects for the Eritrean military conscripts. While the Danish report claims that the Eritrean government has stated that it would limit the hereto unlimited military conscription<sup>[20]</sup>, sources from within the country have not reported any awareness of such a policy. On the contrary, several reports have mentioned that older people have been called for military training and that this has been disruptive and created fear and anxiety amongst families and communities in Eritrea.<sup>[21]</sup> Secondly it has been reported that the Eritrean government would end the shoot-to-kill policy at the Eritrean-Ethiopian border; however, during a recent visit to the refugee camps at the border, first hand reports were received, stating that newly arriving refugees had been shot and injured.

Various Member States of the EU have sent missions to Asmara, the capital of Eritrea, to seek assurances that the Eritrean government is changing its policies. However, it is questionable whether these new policies are being implemented in the country. Moreover, the overall repressive measures remain in place. For instance the COIE failed to get access into the country to carry out its research and also the UN Special

Rapporteur on Eritrea has not had access into the country. Moreover the political prisoners, such as the journalist writer Dawit Isaac remain in prison and none of the political prisoners have been released so far. Yet the lifting of the repressive measures will be a key factor in curbing migration, as Eritrean refugees flee mostly to escape the overall repression and lack of freedom in the country.[22]

The European Union will therefore need to have a clear policy on incentivising. Without such a clear strategy the risk will be that the EU will fail to curb migration and on the contrary, will support a repressive regime that is exacerbating the outflow of refugees by failing to meet the most basic human rights standards.

### **Conclusion**

The Valletta Conference will provide a critical forum to identify new and imaginative policies on migration and to begin to address some of its root causes. This agenda is challenging. It requires that the EU administration comprehensively address migration and combines understanding of the internal and external dimensions of it. The solidarity of the EU in finding joint approaches poses an equally important challenge, crucial in finding joint solutions for fair burden-sharing and developing effective and sustainable responses to the migration crisis. Looking at root causes that exacerbate the migration, the role of new ICT technologies and money transfer mechanisms should be understood in terms of the facilitation these technologies provide in illegal extortion of migrants, causing unspeakable human suffering. Finally the European Commission needs to develop a clear policy of how to incentivise policies to curb migration and ensure that such incentives are benchmarked in terms of what is needed to effectively decrease the drivers of migration. Development cooperation should be clearly benchmarked. Understanding repression as an important factor in the exodus of migrants is an issue that also needs to be addressed at the Valletta Conference.

**Mirjam van Reisen** is Professor of International Social Responsibility, Tilburg University and Founding Director of the Europe External Policy Advisors (EEPA). She is member of the Dutch Council on International Affairs and chair of the Committee on Development Cooperation. She can be reached at [m.vanreisen@uvt.nl](mailto:m.vanreisen@uvt.nl)

### **References**

[1] Even though the Central Mediterranean route has been widely exposed in the media, the largest number of migrants entering the EU are through overstay and enter the EU illegally (usually by plane).

[2] Frontex, Annual Risk Analysis 2015, p. 16. See:

[http://frontex.europa.eu/assets/Publications/Risk\\_Analysis/Annual\\_Risk\\_Analysis\\_2015.pdf](http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2015.pdf) (accessed 26 August 2015)

[3] Commission of Inquiry on Eritrea, Report 2015 See:

<http://www.ohchr.org/EN/HRBodies/HRC/CoIEritrea/Pages/ReportCoIEritrea.aspx#repor>

t

[4] Reports carried out in a number of EU Member States challenged the Country of Origin Information analysis, notably Denmark and the UK. However the basis of these recent reports has been challenged by human rights organisations and it has been suggested that these reports have been ill-conceived and possibly politically motivated. See: Reisen, van, M. Flawed Danish Migration Report shows Need for Realistic Benchmarked Approach on Eritrea. EEPA: Brussels. 2015. Available on:

<http://www.eepa.be/wcm/320-eeпа-news-and-activities/3704-flawed-danish-migration-report-shows-need-for-realistic-benchmarked-approach-on-eritrea.html>

[5] See:

<http://www.statewatch.org/news/2015/jul/eu-council-november-015-migration-valletta-conference-orientation-debate-10387-15.pdf> (accessed 26 August 2015)

<http://www.consilium.europa.eu/en/policies/migratory-pressures/> (accessed 26 August 2015)

[6] See Press Release 23 April 2015. Joint Statement on Mediterranean Crossings:

<http://www.unhcr.org/5538d9079.html>

[7] In interviews undertaken with EU officials in 2013 the differences in framing of the EU policies towards Eritrea were highlighted. Development cooperation policy was framed from a bilateral government-to-government perspective. The issue of increasing numbers of Eritrean refugees in the region could only be addressed as part of the European Humanitarian policy (ECHO). The human trafficking problem was approached as an internal policy agenda. The problem of the vertical policy making in silos was addressed in a meeting held in 2012 in the European Parliament to discuss the new realities of human trafficking as emerging in the Sinai desert and affecting especially Eritrean refugees.

[8] Despite these efforts, many have indicated that the measures the European Council agreed are to be considered a first step only. Various NGO's, but also the UN Special Representative of the UN SG of Migration and development, Peter Sutherland, the UN High Commissioner for refugees Antonio Guterres and the DG of the IOM, Bill Swing called upon the EU to be more ambitious and suggested a series of additional measures. The Valletta Conference could be seen as a response to these calls.

[9] Sachverständigenrat deutscher Stiftungen für Integration and Migration, European Refugee Policy. Pathways to Fairer Burden-Sharing. *Policy Brief*. SVR GmbH, Berlin: 2013.

[10] Announced by Commissioner Frans Timmermans in the European Parliament. The Vice-President of the European Commission based the proposal on the urgency and emergency of the migration crisis the EU is facing and pointed to the inadequacy of the Dublin III framework in formulating a response to the emerging crisis.

[11] Radio News, 26 August 2015

[12] See for instance in this interview with three YPFDJ members (members of the youth wing of the only political party in Eritrea) in which they explain that the Eritrean refugees are motivated by economic considerations:

<http://dichtbijnederland.nl/page/detail/796476>

[13] Grezel, L., *Eritrean Exodus: Refugee Routes to Europe*, capstone, Amsterdam University College, Amsterdam: 2015.

[14] See Bernal, V. *Diaspora, cyberspace and political imagination: the Eritrean diaspora online*. *Global Networks* 6, 2. 2006. Available on:

<http://www.socsci.uci.edu/~vbernal/bio/Bernal-diaspora.pdf>

[15] Reisen, van M., & Rijken, C., *The Human Trafficking Cycle. Sinai and Beyond*. Wold Publ. Nijmegen. 2013.

[16] Interviews MvR 2015

[17] Reisen, van, M., and Rijken, C., *Sinai Trafficking: Origin and Definition of a New Form of Human Trafficking*. *Cogitatio*. Vol 3. No 1. 2015. Online:

<http://www.cogitatiopress.com/ojs/index.php/socialinclusion/article/view/180>

[18] Interviews carried out in July 2015 in Ethiopia.

[19] International scholars expressed their concern over the policy of incentivising Eritrea to curb migration in a statement sent to EU Commission President Jean-Claude Juncker. The statement is published here:

<http://www.eepa.be/wcm/images/publications/Statement%20on%20Eritrean%20Refugees%20and%20Aid%201%205%202015.pdf>

[20] Danish Immigration Service. *Eritrea - Drivers and Root Causes of Emigration, National Service and the Possibility of Return Country of Origin Information for Use in the Asylum Determination Process Report from the Danish Immigration Service's fact finding missions to Ethiopia and Eritrea*. Copenhagen. 2014.

[21] Interviews 2015.

[22] Reisen, van., M. & Mekonnen, D., *EU development cooperation: the contours of global and national engagement*. In: *Human Rights and Development in the New Millennium. Towards a Theory of Change*. (eds. Gready, P. & Vandenhole, W.) Routledge: London. 2014.



## Resources

## The Compromise on Resolving South Sudan's Conflict: How IGAD's New Peace Offer is Unsustainable

This [article](#) dated the 11<sup>th</sup> of August 2015, is a polemical piece that analyses the gaps and weaknesses of IGAD's latest proposal to end the conflict in South Sudan. The author (Augustino Ting Mayai) analyses the key components of the IGAD proposal and explains their limitation to bring about a long solution to the crisis facing South Sudan. He makes the argument that the IGAD proposal is aimed at achieving an immediate end to the conflict by ensuring incentives for the political elite rather than a comprehensive attempt to tackle South Sudan's deep rooted governance issues. He concludes by arguing that the Arusha model would have been a more viable option to end the conflict. This is a valuable albeit polemical resource which usefully complements the analysis in the International Crisis Group Report.

### South Sudan: Keeping Faith with the IGAD Peace Process

The International Crisis Group [Report](#) titled, 'South Sudan: Keeping Faith With the IGAD Peace Process' is a panoramic and analytical take on the IGAD-PLUS process and the obstacles that it faced deriving from the rivalries between states in the region and weak commitment from the international community. The recent conclusion of a peace agreement between the warring parties in South Sudan (President Salva Kiir signed the agreement on the 26<sup>th</sup> of August, 2015) does not invalidate the analysis contained in this report and in fact provides key insights into the dynamics that could unravel the current agreement. This is a useful and invaluable resource, for those who seek to understand the obstacles to a lasting peace in South Sudan, and the regional rivalries between states in the region.

### Two Fronts, One War: Evolution of the Two Areas Conflict, 2014-15

This is a detailed and comprehensive [assessment](#) of the conflict between the SPLM/A-N (Sudan People's Liberation Movement/Army-North) and the Government of Sudan (North) in Blue Nile and South Kordofan. What recommends this material is not only its comprehensiveness but also its reliance on primary data.

### The African Garrison State: Human Rights and Political Development in Eritrea

This new [book](#) on Eritrea is a useful resource in terms of an update on developments in Eritrea. It would provide useful context and data on the dynamics that are driving the current migration crisis and the exodus from Eritrea.