German Council on Foreign Relations

No. 17
September 2021

DGAP REPORT

Migration Policy in South Africa:

Lessons from Africa's Migration Magnet for European Policymakers

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Preface

This paper is published as part of the project "From Here to EU: How to Talk about Migration in Africa? An Awareness Campaign for European Policymakers." The one-year project is led by the Migration Program of the German Council on Foreign Relations (DGAP) and funded by Stiftung Mercator.

GOALS

This project aims to inform German and European policymakers about migration debates and policies in select African countries to inform their present and future communication with representatives from that continent. The results aim to inform the 6th European Union – African Union summit.

Its research provides insights on migration policies and their framing in five significant countries of origin, transit, and destination of migrants in Africa: Egypt, Ethiopia, Ghana, Tunisia, and South Africa. Drawing lessons from these national contexts, the project develops policy recommendations for German and European politicians, policy experts, and practitioners to foster a more constructive debate about future African-European cooperation on migration.

OUTPUTS

1. Two closed-door expert conferences under the Chatham House Rule that brought together policymakers and experts from Brussels and Berlin with African country experts in the fall of 2020
2. Four country case studies, authored by African country experts on migration policies and practices in Egypt, Ghana, Tunisia, and South Africa
3. One summary analysis, authored by DGAP experts, that distills the main lessons from the country case studies and the Chatham House discussions
4. One online event to present the main findings of the project and link it to other initiatives in the growing field of migration cooperation between Europe and Africa

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Key Recommendations

South Africa's migration policy and practice mirror developments in other countries of destination for migrants: South Africa faces increased immigration and growing anti-migrant sentiments, leading policymakers to adopt policies that prefer deterrence over inclusivity. Just like other major migration magnets, South Africa is open to free movement in principle, but is wary of the impact it would have on its domestic job market. Since all these challenges are familiar to European policymakers, they should look more closely at the migration successes (and failures) of their "other" African neighbor.

- German and European policymakers have a strong interest in supporting not only South Africa's capacity to absorb migrants but also broader efforts toward regional integration in the Southern African Development Community (SADC). Concretely, European policymakers should support the harmonization of national entry requirements and border processes in southern Africa and the creation of circular labor migration schemes that may help limit irregular migration. Even slow progress on regional mobility would send a strong signal to other such African endeavors – including in regional economic communities closer to Europe.

- German and European policymakers should look toward South Africa to see themselves: South Africa began to securitize its migration policies years before Europe did – and here, as in Europe, the benefits remain hazy. To say the least, it is unclear whether South Africa's deterrence of new arrivals or reduced asylum capacities have actually resulted in fewer arrivals. What is clear is that the deterrent approach has put the migration system under strain, reduced its functioning, and increased the likelihood that migrants resort to irregular routes. An honest appraisal of the drawbacks of European states' own securitized approaches would be fruitful.

- German and European policymakers should look beyond the obvious migration partners they have been pursuing in Northern and Western Africa. They should start structured migration conversations with countries that might be more removed geographically, but whose power as migration magnets stretch a long way, as they are able to shape mobility across the African continent and beyond. South Africa may not be Europe's closest African neighbor, but it can – and should — become an important migration partner on the continent.

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1 INTRODUCTION

Migration is an important feature of South Africa's history. The country is built[1] on migration – whether it is migrants within the country moving from rural to urban and industrialized regions, or those from neighboring countries that venture to South Africa as contract laborers, in search of work and a better life for themselves and their families.

For a long time, South Africa has been the primary destination country in the region, but migration patterns have changed since the 1990s. With the relaxation of apartheid policies starting in 1990, leading to the end of the apartheid system in 1994, South Africa moved toward a more inclusive, diverse, and open society, and more regular migration from other African countries emerged.[2]

Yet, despite this long history, migration and the place of migrants in South Africa remain contested both in policy and practice. This is noticeable in how migrants are spoken of and dealt with.[3] Migration myths abound: The current discourse on migration in South Africa often depicts immigrants as responsible for crime in the country, a strain on resources, and claims they take up opportunities that ought to be reserved for South Africans. Nuance tends to lack. At its worst, xenophobic sentiments manifest as targeted violence toward foreign nationals, primarily from other African countries.

South African migration policy and practice mirrors developments in other destination regions in Africa, Europe, and globally. In the face of high immigration rates, especially when coupled with a fragile domestic job market, governments in destination countries tend to resort to restrictive immigration and protection regimes. Migration becomes a salient and contentious issue and can fuel misconceptions and anti-migrant sentiments. Host to a fifth of all migrants in sub-Saharan Africa,[4] South Africa is no exception. While it benefits from foreign labor, South Africa has been imposing more stringent labor migration regulations and border management. South Africa's post-1994 crime wave in the country, partly associated with growing numbers of migrant workers and refugees, led authorities to drastically restrict access to asylum and permanent residency and to increase migrant returns.[5] These actions show a largely inward-looking stance on migration management that prefers securitization to inclusivity and regional integration, but they have done little to decrease long-standing problems like corruption and mounting backlogs in the country's asylum system.

This paper shows South Africa as an example for other countries of destination of migration, in- and outside the African continent. In doing so, the paper asks three questions: To what extent does the South African case show similarities with Europe as a destination of migration? How much is South Africa illustrative of the challenges of other destination countries in Africa? And what can European and German policymakers learn from South Africa's experience?

The first section outlines how five common traits of major regions of destination for migrants have defined South Africa's migration policy in recent years: increased levels of immigration, the debate around irregular migration, the rise of xenophobia, the predominance of deterrent policies, and the difficulty to reconcile national and regional migration policies with regards to free movement. The second section offers concrete recommendations on what European policymakers can learn from the experiences of South Africa and what they can do to support better functioning migration policies in the primary destination region in Africa. South Africa may not be Europe's closest neighbor, but the challenges they share as migration magnets should nudge Europeans to learn from its experience, identify areas of common interest, and leverage the relationship more strategically.

While the primary focus of this paper is on South African policy and practice as adopted and implemented by the state, the perspectives of the larger South African society are also reflected. Perceptions do not always translate to reality, but the case of South Africa demonstrates how perceptions can frustrate policy efforts toward a cohesive and

1 The country's economic hub, Johannesburg, was the center of the gold rush in South Africa. It relied on the contract labor of migrants (from within and out of South Africa). The term "built" in this context recognizes how migrant labor not only serviced the mines in the then Witwatersrand, but also built the country's economic powerhouse and urban spaces.

2 There are several distinct migration types that are covered in this case study under the broad umbrella of migration. It is important to highlight these from the outset as "migrants" will be used interchangeably to refer to immigrants seeking and/or who have already acquired permanent residence; temporary migrants (either as temporary residents for purposes of work or study, visitors, and circular migrants); contract workers; asylum seekers and refugees; and undocumented migrants; of all genders.

3 See for instance: Sonke Gender Justice and Scalabrini Centre of Cape Town, *Reporting on Migration in South Africa: A Guide for Journalists and Editors*, Sonke Gender Justice, Scalabrini Centre of Cape Town, African Centre for Migration and Society, Consortium for Refugees and Migrants South Africa, and Lawyers for Human Rights: South Africa (2019): http://www.migration.org.za/wp-content/uploads/2019/10/Migration-Journalist-Guide_final-hi-res.pdf; and Cayley Clifford, "How to talk about migration in South Africa," *Africa Check* (May 18, 2020): https://africacheck.org/factsheets/factsheet-how-to-talk-about-migration-in-south-africa (both accessed November 30, 2020).

4 United Nations, Department of Economic and Social Affairs, Population Division, 2019. International Migrant Stock 2019 (United Nations database, POP/DB/MIG/Stock/Rev. 2019): https://www.un.org/en/development/desa/population/migration/data/estimates2/estimates19.asp (accessed November 30, 2020).

5 Belinda Dodson and Jonathan Crush, "Migration Governance and Migrant Rights in the Southern African Development Community (SADC): Attempts at Harmonization in a Disharmonious Region," United Nations Research Institute for Social Development (October 2015): https://www.unrisd.org/80256B3C005BCCF9/(httpAuxPages)/0CDF578939EEC5ACC1257EE300393CF1/$file/Dodson%20and%20Crush.pdf (accessed November 30, 2020).

inclusive society. There are other key issues that are part of South Africa's migration discussions, such as issues of asylum-seeking, international protection, brain drain, internal migration, trafficking, and smuggling, which are certainly areas of concern in South Africa today, but they fall outside the scope of this case study.

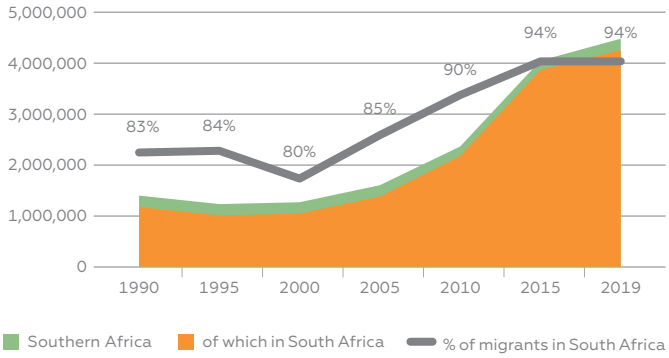
2 SOUTH AFRICA AS A DESTINATION COUNTRY: FIVE CLASSIC FEATURES

2.1 Booming Migration to South Africa: The Making of a Migration Magnet

The demand for workers has made South Africa the main destination country in Africa. Historically, regional mobility to South Africa was primarily triggered by the increased demand for labor in extractive industries.[6] Between 1940 and 1980, for example, an estimated 1.5 million migrants from neighboring countries were contracted to work as miners and farm workers, and during the decade of 1990–2000 another 1.7 million workers were recruited from Botswana, Mozambique, Lesotho, and Eswatini (formerly Swaziland) via the Employment Bureau of Africa.[7]

More than nine out of ten migrants in Southern Africa live in South Africa alone – more than 4.2 million out of the total 4.5 million migrants

FIG. 1: INTERNATIONAL MIGRANTS IN SOUTHERN AFRICA (1990–2019)



Source: United Nations, Department of Economic and Social Affairs, Population Division, 2019. International Migrant Stock 2019 (United Nations database, POP/DB/MIG/Stock/Rev. 2019).

Today, migration is a key part of the regional dynamics of Southern Africa, where mobility remains primarily circular.[8] South Africa is host to the lion's share of all migrants in the region. More than nine out of ten migrants in Southern Africa live in South Africa alone – more than 4.2 million out of the total 4.5 million migrants (see Figure 1). About a fifth of all 23 million migrants in sub-Saharan Africa reside in South Africa. This means Sout Africa has the tenth highest net immigration and emigration levels in the world.[9]

While the decline in mining employment displaced many migrant workers in labor-intensive and unregulated economic sectors such as domestic work, construction, and agriculture, important migration corridors that link semi-skilled migrants with South African mines and farms remain, for example Mozambique–South Africa and Zimbabwe–South Africa. Today's largest diasporas in South Africa are a result of these long-standing regional migration flows. Seven out of every ten foreign-born in South Africa hail from Zimbabwe, Mozambique, and Lesotho, with smaller shares of migrants from other parts of Southern Africa, as well as West and East Africa, and Western Europe, especially the United Kingdom (UK) (see Figure 2). The political stability in post-apartheid South Africa also offered a haven to

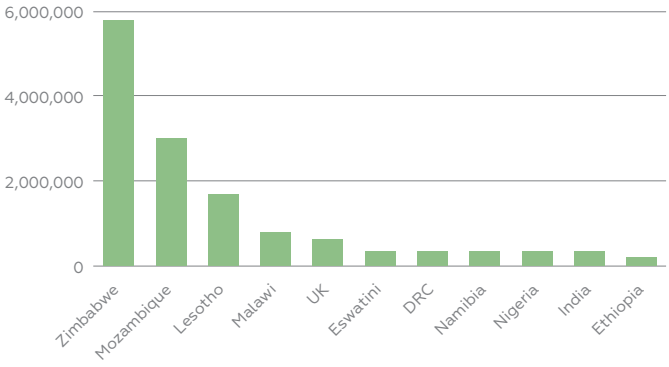
6 Aurelia Segatti, "The Southern African Development Community: a walk away from the free movement of persons?," in *Migration, Free Movement and Regional Integration*, ed. Sonja Nita, Antoine Pécoud, Philippe De Lombaerde, Kate Neyts and Joshua Gartland (Paris, 2017), pp. 47–94: https://cris.unu.edu/sites/cris.unu.edu/files/Migration%20free%20movement%20and%20regional%20integration_0.pdf (accessed November 30, 2020).

7 Sergio Carciotto and Edmond Akwasi Agyeman,"The African Approach to Regional Integration and Migration," *Scalabrini Institute for Human Mobility in Africa (SIHMA)* (December 2017), p. 12: https://sihma.org.za/reports/SIHMA_African-Approach-to-Regional-Integration-Migration-WEB.pdf (accessed November 30, 2020).

8 Circular migration was systematically engineered in South Africa following the requirement for non-South African migrant workers to work for two years as stipulated by contractual labor laws and return to their home country before returning for another two-year contractual stint. See Timothy Tahane, "International Labor Migration in Southern Africa," in *The Unsettled Relationship: Labor Migration and Economic Development*, ed. Demetrios Papademetriou and Philip Martin (Westport, Connecticut, 1991).

9 United Nations, Department of Economic and Social Affairs, Population Division, *International Migration 2019: Report* (2019), p. 25: https://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/InternationalMigration2019_Report.pdf (accessed November 30, 2020).

FIG. 2: SOUTH AFRICA'S TOP 11 FOREIGN POPULATIONS (2016)



Source: Statistics South Africa, Community Survey 2016. Statistical release P0301.

refugees fleeing conflicts in nearby countries, such as Mozambique and Angola, or further afield, such as the Democratic Republic of Congo (DRC).[10]

Women make up sizable shares of migrants: In 2019, women accounted for more than 44 percent of international migrants in South Africa.[11] At the regional level, it is estimated that 70 percent of informal cross-border traders are women and account for up to 40 percent of all trade[12] in the Southern African Development Community (SADC).[13] Data from the 2011 national census and the 2012 and 2017 Quarterly Labor Force Surveys (QLFS) shows that about one in four migrant women in South Africa work as domestic workers,[14] often with little or no labor protection.[15]

2.2 Irregular Migration: Unclear Scope, Contentious Debate

Irregular migration is a topic of heated debate in South Africa, but its scope remains unclear. Reliable data is scarce, and official estimates vary widely from 500,000 to over 2.2 million people living irregularly in South Africa (a much higher guesstimate of 11 million is unlikely). Given the country's population of around 60 million, undocumented migrants are estimated to account for between less than 1 percent to around 4 percent of the total population.[16]

The fracturing of the contracted foreign labor system has contributed to spontaneous and informal cross-border movements.[17] In the absence of legal pathways, many low-skilled migrants from the rest of Africa either enter the country unlawfully, or without sufficient documentation, or violate their visa conditions after entering lawfully by taking up employment on visitors' visas or by overstaying – including migrants from within the sub-region as well as from outside, most notably from the Horn of Africa.

As elsewhere, irregular migrants tend to be more vulnerable to discrimination and exploitation from corrupt state officials, but this problem is particularly pronounced in South Africa.[18] Reports suggest corruption is rampant among officials in the Department of Home Affairs. Evidence shows that migrants experience corruption at multiple stages of the documentation process[19] and that existing laws and norms are fueling the illicit document market. Despite clear efforts to tackle the problem over the years,[20] employees at Home Affairs themselves estimate that as many as 85 percent of staff members participate in

10 Azwimpheleli Langalanga, "A tale of two continents: Comparing migration experiences in South Africa & Germany," South African Institute of International Affairs (SAIIA) (July 3, 2019): https://saiia.org.za/research/a-tale-of-two-continents-comparing-migration-experiences-in-south-africa-germany (accessed December 1, 2020).

11 United Nations, Department of Economic and Social Affairs, Population Division, *International Migration 2019: Report* (see note 10).

12 United Nations Conference on Trade and Development, *Economic Development in Africa Report 2018 : Migration for Structural Transformation* (2018), p. 85: https://www.icafrica.org/fileadmin/documents/Publications/Economic_Development_in_Africa_Report_2018.pdf (accessed November 30, 2020).

13 SADC is a regional economic community. Its member states include Angola, Botswana, Comoros, Democratic Republic of Congo (DRC), Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, the United Republic of Tanzania, Zambia, and Zimbabwe.

14 Risenga Malulek, "Migration Dynamics of Women, Children and the Elderly in South Africa," *Statistics South Africa* (2020), p. 58: http://www.statssa.gov.za/publications/Report-03-51-04/Report-03-51-042020.pdf (accessed November 30, 2020).

15 Kudakwashe Vanyoro, "Regularising Labour Migration Of Zimbabwean Domestic Workers In South Africa," ACMS Policy Brief, African Centre for Migration and Society, University of the Witwatersrand Johannesburg (July 2019): https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/14941/2018-19-3-acms-regularising-labour-migration-of-zimbabwean-domestic-workers-in-south-africa.pdf?sequence=1&isAllowed=y (accessed November 30, 2020).

16 Gopolang Makou, "11 million undocumented migrants in SA? Police commissioner's figure 'doesn't make sense,'" *AfricaCheck* (September 13, 2018): https://africacheck.org/spot-check/11-million-undocumented-migrants-in-sa-police-commissioners-figure-doesnt-make-sense (accessed December 1, 2020).

17 Jonathan Crush, Theresa Ulicki, Teke Tseane, and Elizabeth Jansen van Veuren, "Undermining Labour: The Rise of Sub-contracting in South African Gold Mines," *Journal of South African Studies* (August 4, 2010), pp. 5–31: https://www.tandfonline.com/doi/abs/10.1080/03057070120029482 (accessed December 2, 2020).

18 Ottilia Anna Maunganidze and Julian Formica, "Freedom of movement in Southern Africa: A SADC (pipe)dream?" ISS South Africa Reports, Institute for Security Studies (ISS) (November 2018), p. 4: https://issafrica.s3.amazonaws.com/site/uploads/sar-17.pdf (accessed December 1, 2020).

19 Roni Amit, "Queue Here for Corruption: Measuring Irregularities in South Africa's Asylum System," *Lawyers for Human Rights and The African Centre for Migration & Society Report 2015,* (July 30, 2015): https://www.regionalmms.org/images/sector/Measuring%20irregularties%20in%20South%20Africa's%20asylum%20system.pdf (accessed December 1, 2020).

20 Xinhua, "S. Africa's home affairs minister vows to end corruption," (February 27, 2020): http://www.xinhuanet.com/english/2020-02/27/c_138824956.htm (accessed December 1, 2020).

corruption.[21] Home Affairs also claims that irregular migration leads to corruption.[22]

The current dire situation of irregular migrants is rooted in a history of denial of access to residency and citizenship for African migrants. For most of South Africa's history, undocumented migration from the region was sanctioned by the state and at times incorporated into labor supply schemes. Until the 1960s, people from Botswana, Lesotho, and Eswatini could move freely in and out of South Africa and reside and work in South Africa. But during apartheid, immigration was shaped by a "two-gate" policy.[23] Migration of white people was considered desirable and thus they were allowed access through the "front gate" as their presence did not threaten the "European culture" the apartheid state sought to encourage. Meanwhile, African migrants often entered the country through the "back gate," only tolerated as they satisfied the demand for labor in mining and agriculture. This "back gate" was characterized by policing, detention, and deportation. This was further compounded by policies restricting access to Black South Africans outside of the "homelands."[24]

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2.3 Xenophobic Language and Attacks Are Widespread

Xenophobia and anti-migrant sentiments are widespread in South Africa. For instance, in a national survey of South African citizens conducted in 2001 by the Southern African Migration Programme (SAMP), close to half of respondents felt that migrants were a "criminal threat," 37 percent thought they were a threat to jobs and the economy, and 29 percent considered them a health threat.[25]

Economic worries echo particularly in the marginalized and poor Black majority under the strain of poverty, inequality, and the lack of opportunities: Unemployment sits precariously at 29.1 percent as of 2020,[26] with higher rates among youth.[27] Migrants and refugees in South Africa are often accused of "stealing" jobs from locals,[28] especially as unemployment among foreign nationals is well below the national rate.

Research findings counter this narrative. The 2014 Migrating for Work Research Consortium (MiWORC),[29] the 2018

21 Theresa Alfaro-Velcamp, Robert H. McLaughlin, Gahlia Brogneri, Matthew Skade, and Mark Shaw, "Getting angry with honest people: The illicit market for immigrant 'papers' in Cape Town, South Africa," *Migration Studies* (July 1, 2017), pp. 216–236.

22 Department of Home Affairs (DHA), "White Paper on International Migration for South Africa" (July 2017): http://www.dha.gov.za/WhitePaperonInternationalMigration-20170602.pdf (accessed December 1, 2020).

23 DHA, "White Paper on International Migration for South Africa," (see note 23); Aurelia Segatti, "Reforming South African Immigration Policy in the Post-Apartheid Period (1990–2010)," in *Contemporary Migration to South Africa: A Regional Development Issue*, ed. Aurelia Segatti and Loren Landau (Washington, DC, 2011), p. 35; see also Davida McDonald, Lephopho Thomas, and Hikecelia Golden, *The Lives and Times of African Migrants and Immigrants in Post-Apartheid South Africa*, Southern African Migration Project (New York, 1999).

24 The apartheid system of institutionalized segregation restricted the rights of Black South Africans, including freedom of movement. As of the 1950s, the majority of Black South Africans was displaced to so-called homelands in the North-Eastern and Eastern parts of the country, separated according to their ethnicity, and stripped of their South African citizenship. The formal end of the homelands in 1994 triggered a period of intense internal rural-urban migration. See: Azwimpheleli Langalanga, "A tale of two continents: Comparing migration experiences in South Africa & Germany," Occasional Papers: Migration, South African Institute of International Affairs (SAIIA) (July 3, 2019): https://saiia.org.za/research/a-tale-of-two-continents-comparing-migration-experiences-in-south-africa-germany (accessed December 1, 2020).

25 Jonathan Crush and Vincent Williams, "Criminal Tendencies: Immigrants and Illegality in South Africa," SAMP Migration Policy Brief No. 10, Southern African Migration Programme (2002): https://scholars.wlu.ca/cgi/viewcontent.cgi?article=1067&context=samp (accessed December 2, 2020).

26 Stats SA, "Work & Labour Force," Department: Statistics South Africa, Republic of South Africa (2020): http://www.statssa.gov.za/?page_id=737&id=1 (accessed December 1, 2020).

27 Stats SA, "Vulnerability of youth in the South African labour market," Department: Statistics South Africa, Republic of South Africa (June 24, 2020): http://www.statssa.gov.za/?p=13379 (accessed December 1, 2020); Lauren Graham and Leila Patel, "South Africa has taken steps to help young jobless people. Here's what's working," *The Conversation* (June 15, 2020): https://theconversation.com/south-africa-has-taken-steps-to-help-young-jobless-people-heres-whats-working-140666 (accessed December 1, 2020).

28 Felix Banda and Aquilina Mawadza,"'Foreigners are stealing our birth right': Moral panics and the discursive construction of Zimbabwean immigrants in South African media," *Discourse and Communication* (November 19, 2014): https://journals.sagepub.com/doi/10.1177/1750481314555263 (accessed December 1, 2020).

29 In 2014, MiWORC found (based on Stats SA data) that 80 percent of the working population aged between 15 and 64 were "non-migrants" (people born in South Africa), 16 percent were "internal migrants" from other parts of the country, and just 4 percent could be defined as "international migrants." See: Migrating for Work Research Consortium (MiWORC), *Report 5* and *Report 6* (2014): http://www.miworc.org.za/docs/MiWORC-Report-5.pdf; http://www.miworc.org.za/docs/MiWORC-Report-6.pdf (accessed December 1, 2020).

OECD-ILO study,[30] and the 2018 Stats South Africa report on labor market outcomes[31] all show that while unemployment among migrants is lower than among South Africans, it does not automatically follow that they are "stealing" jobs from South Africans, since they often take on jobs locals are unwilling to perform in the service, agricultural, construction, and to a lesser extent today, mining sectors. As in other destination countries around the world, migrants tend to find employment in precarious and unregulated environments due to lower entry costs,[32] but also due to multiple barriers in accessing the formal labor market, including difficulties in obtaining and renewing their legal documentation, accessing financial services, and opening bank accounts.[33]

Xenophobic sentiment also marks the language and terms South Africans use to talk about migrants. Non-citizens are referred to as "aliens" or "foreigners," but the pejorative colloquial "*makwerekwere*" is also common.[34] Public discourse tends to conjure images of mass migration with metaphors of "waves," "floods," and "swamps" supposedly inundating the country. The climate of hostility is further sustained by media reporting[35] and political discourse.[36] Politicians have, for instance, alleged that undocumented migrants are responsible for the inability of the state to effectively deliver to the public, for increased crime and violence in communities, and for other societal issues.[37] The adoption in 2019 of an action plan to combat xenophobia has done little to effectively combat xenophobic speech.[38]

Violent physical attacks on non-nationals are commonplace in South Africa – particularly against African foreign nationals and those from South Asia. In May 2008, a series of violent outbreaks against foreign nationals marked a peak in a sustained climate of xenophobia in the country. More than 60 were killed, over 600 injured, and tens of thousands were displaced and sought sanctuary in churches and police stations, particularly in and around the urban centers of Cape Town and Johannesburg.[39] Police forces were late to respond, and few cases were eventually prosecuted.[40]

Many even consider the violence justified: The 2017 Human Sciences Research Council's Social Attitudes Survey found that 71 percent of the South African public identified the threat posed by immigrants as the main explanation for anti-immigrant violence; a third of the respondents answered that xenophobia is a response to the criminal activities of foreigners; and close to 40 percent answered that it was in response to the economic activities of foreigners.[41]

30 OECD, *How Immigrants Contribute to South Africa's Economy* (Paris, 2018): https://www.oecd-ilibrary.org/docserver/9789264085398-en.pdf?expires=1606987157&id=id&accname=guest&checksum=F366104A78D11FDCCADE0551D4E20E49 (accessed December 2, 2020).

31 Stats SA, "Labour market outcomes 2012 and 2017 of migrant populations in South Africa," Department: Statistics South Africa, Republic of South Africa (2019): http://www.statssa.gov.za/publications/02-11-04/02-11-042017.pdf (accessed December 2, 2020).

32 Further, research by the Gauteng City-Region Observatory (GCRO) suggests that while there are many foreigners working in the informal sector, they do not dominate it. According to GCRO data, 18 percent of informal sector business owners in Gauteng (the most populous province in the country, accounting for just under a quarter of the total population) come from another country; the remaining 82 percent were South African (28 percent having moved to the province from elsewhere in South Africa and 54 percent being born in Gauteng). Interestingly, the research also shows that international migrants contribute to the economy by renting shops from South Africans, providing employment to locals, and paying VAT. International migrants were more likely to employ locals than their migrant counterparts, with each international migrant creating at least two jobs for nationals. Gauteng City-Region Observatory (GCRO), "Informal Sector enterprise and employment in Gauteng," GCRO Data Brief No. 6 (January 2015): https://cdn.gcro.ac.za/media/documents/gcro_data_brief_informal_sector_enterprise_and_employment.pdf (accessed December 1, 2020).

33 Jonathan Crush et al., "Benign Neglect or Active Destruction? A Critical Analysis of Refugee and Informal Sector Policy and Practice in South Africa," *African Human Mobility Review (AHMR)* (2017): http://sihma.org.za/journals/1_Benign-Neglect-or-Active-Destruction.pdf (accessed December 1, 2020).

34 Ottilia Anna Maunganidze, "'I Am a Kwerekwere': Life as a foreigner in xenophobic South Africa," *Foreign Policy* (April 21, 2015): https://foreignpolicy.com/2015/04/21/i-am-a-kwerekwere-xenophobia-south-africa (accessed December 2, 2020).

35 In 2002, SAMP argued that the skewed focus on the "lawbreakers" over the unjustness or inappropriateness of the laws broken is at the heart of the problem. Crush and Williams, "Criminal Tendencies: Immigrants and Illegality in South Africa" (see note 26).

36 Human Rights Watch, *Prohibited Persons: Abuse of Undocumented Migrants, Asylum-Seekers, and Refugees in South Africa* (March 1998): https://www.hrw.org/legacy/reports98/sareport (accessed December 1, 2020).

37 "Joburg Mayor Herman Mashaba: Foreigners not the responsibility of the city," *Eyewitness News* (July 24, 2017): http://ewn.co.za/2017/07/24/joburg-mayor-mashaba-foreigners-not-the-responsibility-of-the-city (accessed April 26, 2019).

38 Human Rights Watch, "South Africa: Widespread Xenophobic Violence" (September 17, 2020): https://www.hrw.org/news/2020/09/17/south-africa-widespread-xenophobic-violence (accessed December 1, 2020).

39 Amnesty International, *Amnesty International Report 2009 – South Africa* (May 28, 2009): https://www.refworld.org/docid/4a1fadc05f.html (accessed December 1, 2020).

40 Amanda Dissel and Cheryl Frank, *Policing and Human Rights: Assessing southern African countries' compliance with the SARPCCO Code of Conduct for Police Officials*, African Policing Civilian Oversight Forum (Cape Town, 2012), p. 125.

41 Tove van Lennep, "Migration I: Public opinion versus reality on immigrants in South Africa," HSF Briefs, Helen Suzman Foundation (September 17, 2019): https://hsf.org.za/publications/hsf-briefs/public-opinion-versus-reality-on-immigrants-in-south-africa (accessed December 1, 2020).

The Layers of Migration Governance in South Africa

Multiple actors shape migration policy and debates in South Africa (see Figure 3). At the national level, the Department of Home Affairs (DHA) leads on migration matters. It is responsible for all civic and immigration matters, including the management and regulation of migration in and out of the country. Other entities perform duties linked to migration and migrants' presence, including the Department of International Relations and Cooperation (DIRCO), the Department of Social Development (DSD), Statistics South Africa (Stats SA), the Department of Human Settlements (DHS), the Department of Health (DoH), the South African Police Services (SAPS), the South African National Defense Forces (SANDF), and the South African Revenue Service (SARS).

All these actors convene under the Inter-Ministerial Committee (IMC) on Population Policy, which provides a space for coordination on issues of migration and urbanization.[42] In spite of this coordination effort, tensions between actors and their respective mandates can arise.[43]

In addition to the national government, provincial and metropolitan governments also play a key role in migration issues. For instance, in the Gauteng Province (which contains the capital Pretoria and the country's economic hub Johannesburg), the provincial government, its executive departments, the cities of Ekurhuleni, Johannesburg, and Tshwane, the mayoral offices, and local councilors all work with the national government on policy development.

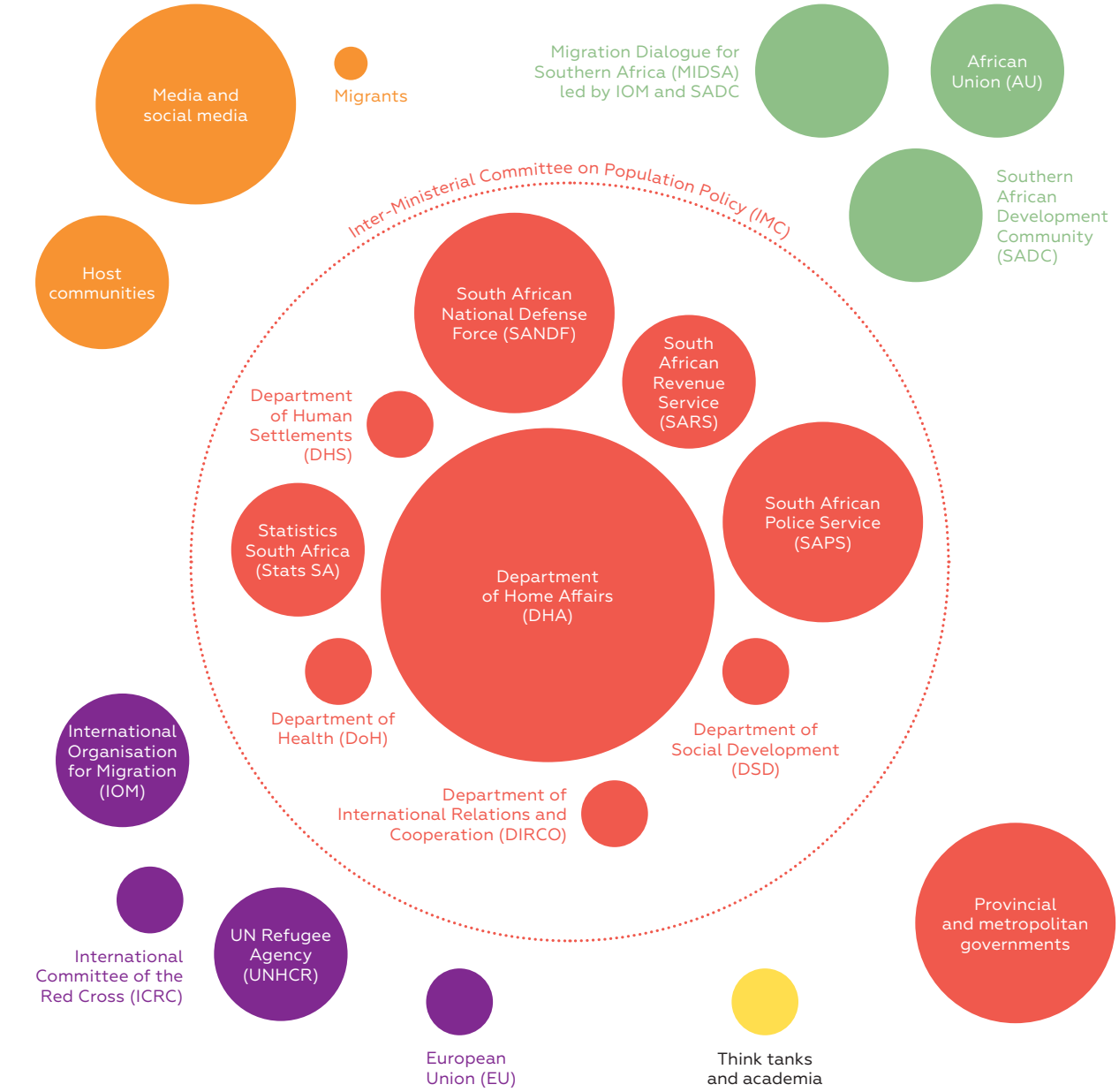
Several other actors outside of government also inform policy. These include traditional media, social media, host and migrant communities, think tanks, and academia.[44] Regional and continental intergovernmental actors, such as the Southern African Development Community (SADC), the Migration Dialogue for Southern Africa (an IOM-SADC joint policy process on migration), and the African Union shape migration discourses and policies at regional and national levels. Lastly, international actors play a role as donors, advocates, and service providers – namely, the IOM, the UN Refugee Agency, the ICRC, the EU, and European foundations based in the country.

42 The Institute for Security Studies sits on the advisory expert group for migration and urbanization convened by Stats SA and the Department of Social Development under the auspices of the Inter-Ministerial Committee. Other non-governmental entities in the group include the UN Refugee Agency, the International Organization for Migration, the African Centre for Migration and Society, and the University of KwaZulu Natal.

43 For example, the Department of Home Affairs (DHA) identifies the challenge of capturing accurate data on the number of migrants in the country due to an unspecified number of irregular migrants, many of whom are undocumented. At the same time, other actors, such as Department of Social Development (DSD), argue for better disaggregated data to cater specific services. In the case of the DSD, data on migrant children is crucial in the provision of services to the underage population in the country.

44 Notable think tanks include the Institute for Security Studies (ISS), the Scalabrini Centre and the Scalabrini Institute for Human Mobility in Africa, the African Centre for Migration and Society at the University of the Witwatersrand, the Southern African Migration Programme (SAMP), the Zimbabwe Exiles Forum, the Consortium for Refugees and Migrants in South Africa, and the Gauteng Region City Observatory.

FIG. 3: THE LAYERS OF MIGRATION GOVERNANCE IN SOUTH AFRICA



Source: author's compilation

2.4 South Africa's Migration Policy Regime: Enforcement and Deterrence First

South African migration policy, while balanced on paper, in practice tends to tilt to the side of deterrence and enforcement. South Africa's current vision for migration policy is articulated in the 2017 White Paper on International Migration produced by the Department of Home Affairs (DHA).[45] The paper comprehensively encompasses all areas related to in- and outward migration. It promotes a balanced approach recognizing the opportunities of regional and international migration on the one hand, and the shortcomings of the current system on the other hand.

Overall, the White Paper puts forward six key approaches. First, it sets out a risk-based and securitized approach to migration to safeguard South Africa's sovereignty and the safety of its citizens. Second, it seeks to uproot a system that perpetuates irregular migration and in turn "leads to unacceptable levels of corruption, human rights abuses and national security risks." Third, it points out the problem of national attitudes toward migration. Fourth, it addresses the gaps between South African legislation and SADC objectives. Fifth, it intends to end a system that perpetuates "colonial patterns of labor production and trade" by reserving the right to migrate for those with high levels of skills and capital. Sixth, it aims to expand high-skilled immigration, while affirming a national preference for employment.[46]

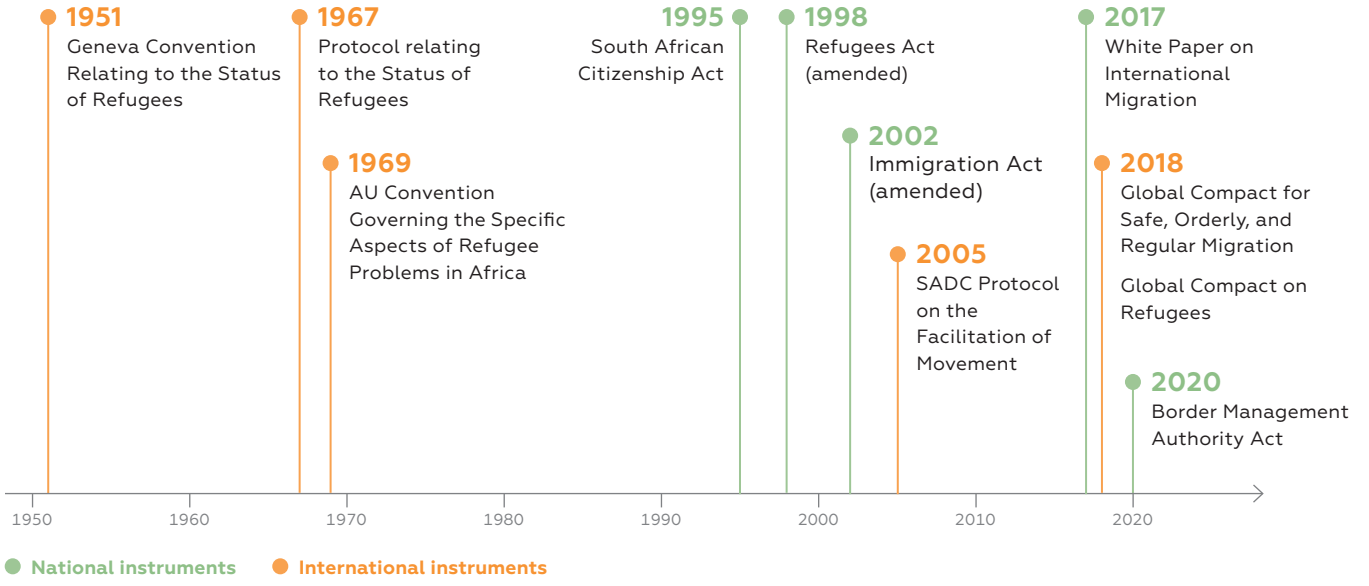
The White Paper is supposed to serve as a blueprint for revising and updating existing legislation: The 1998 Refugees Act and the 2002 Immigration Act have already been amended accordingly, the 1995 Citizenship Act is in the review process, and the Border Management Authority Act is one of the new laws that the country has adopted since the White Paper (see Figure 4).

But the laws that have been revised or drafted on the base of the White Paper do not show the balanced approach of the paper, but rather a more heavy-handed approach. The effects of this approach are visible in three central areas: immigration, asylum, and border management.

Immigration: Increased Detention of Irregular Migrants

The 2018 Immigration Act Amendment Bill (which contains the proposed amendments to the 2002 Immigration Act that have yet to be passed into law) adds provisions on the detention of "illegal foreigners" for purposes of deportation. While the measures are presented as solutions to

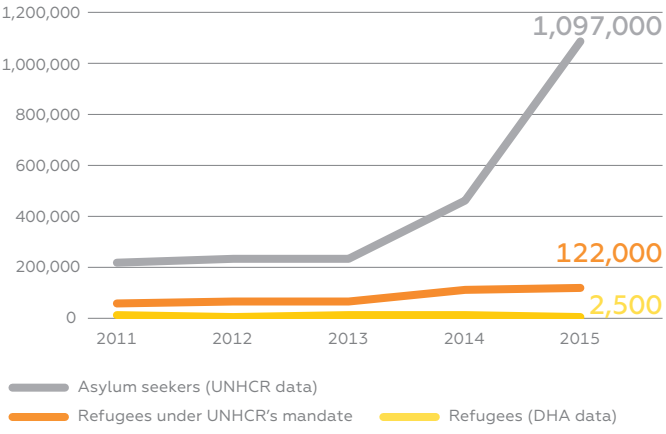
FIG. 4: A SNAPSHOT OF SOUTH AFRICA'S MIGRATION POLICY FRAMEWORK



45 For an overview of the actors of migration in South Africa, see the text box pp.11-12.
46 DHA, "White Paper on International Migration for South Africa" (see note 23).

an overwhelmed immigration system, three worries come with this "detain and deport policy." First, the Department of Home Affairs has a poor record with regards to running detention centers. In 2014, the South African Human Rights Commission detailed human rights abuses at the Lindela Repatriation Centre, including procedural violations, inhumane and unsafe conditions, violence, and the unlawful detention of high numbers of people.[47] Second, the detention approach runs against the Common African Position on the Global Compact for Migration issued by the African Union. The Position specifically calls on all countries to discourage and abolish the utilization of migrant detention facilities regardless of migrants' legal statuses given the risks of human rights violations.[48] Third, evidence shows that detention does not actually deter migration. Instead, it pushes migrants to take greater risks. This might weaken other migration management outcomes, such as reducing the resolution of cases, shifting resources, and clogging the court systems.[49]

FIG. 5: REFUGEE POPULATION IN SOUTH AFRICA (2011–2015)



Source: Amnesty International, Living in Limbo: Rights of Asylum Seekers Denied (2019) and UNHCR (2020).

Refugee and Asylum Processes: Deterring Access to Protection

South Africa's asylum and refugee system is hard to access for multiple reasons. First, wait times are long and decision quality is patchy. The country's refugee processing system is riddled with a heavy backlog – although it has largely deflated from one million in 2016 to more than 150,000 today.[50] [51] Most asylum seekers wait for multiple years while their applications are being processed, leading to ever-growing numbers of asylum seekers (Figure 5). At the same time, the country has a particularly high rejection rate of 90 percent of asylum applications. While the government uses this figure to justify its restrictive measures,[52] refugee advocates and others challenge the poor quality of refugee status determination processes and outcomes. Between 2016 and 2017, over 1,200 immigration and 1,900 asylum litigation cases were brought against the DHA.[53] Recent statements from judges who overturned rejections have included strong indictments about the state of the asylum system. These include labelling it as "incompetent"[54] and "deplorable" and accusing DHA officials of "showing blatant disregard for the law, dereliction of duty and bad faith."[55]

The DHA seems to follow the logic that reducing the incentive for migrants to apply for asylum would decrease the number of claims and allow for a more transparent and responsive system.[56] But this rationale derives from the flawed assumption that the asylum system suffers from a high number of applicants, and not from the flawed processing itself.

47 "SA: Joint statement by Civil Society Organisations, in response to the SAHRC investigation into alleged human rights infringements and reduced access to health care at the Lindela Repatriation Centre," *Polity* (September 23, 2014): https://www.polity.org.za/article/sa-joint-statement-by-civil-society-organisations-in-response-to-the-sahrc-investigation-into-alleged-human-rights-infringements-and-reduced-access-to-health-care-at-the-lindela-repatriation-centre-23092014-2014-09-23 (accessed December 2, 2020).

48 African Union, "Common African Position on the Global Compact for Safe, Orderly and Regular Migration," adopted January 2018.

49 Robyn Sampson, "Does Detention Deter? Reframing Immigration Detention in Response to Irregular Migration," Briefing Paper, International Detention Coalition (April 2015): https://idcoalition.org/wp-content/uploads/2015/04/Briefing-Paper_Does-Detention-Deter_April-2015-A4_web.pdf (accessed December 2, 2020).

50 Siyavuya Mzantsi, "SA's Alarming Asylum Seeker Backlog," *Cape Times* (June 20, 2016): https://www.iol.co.za/capetimes/news/sas-alarming-asylum-seeker-backlog-2036664 (accessed December 2, 2020).

51 Marvin Charles, "Home Affairs signs deal with UN refugee agency to deal with asylum seekers backlog," *News24* (March 22, 2021): https://www.news24.com/news24/southafrica/news/home-affairs-signs-deal-with-un-refugee-agency-to-deal-with-asylum-seekers-backlog-20210322 (accessed May 13, 2021).

52 DHA, "White Paper on International Migration for South Africa" (see note 23).

53 Parliamentary Monitoring Group, "Litigation against Department of Home Affairs" (November 7, 2017): https://pmg.org.za/committee-meeting/25419 (accessed December 1, 2020).

54 African News Agency, "High Court Berate Refugee Adjudication Process," *IOL* (July 16, 2018): https://www.iol.co.za/news/south-africa/gauteng/high-court-berates-refugee-adjudication-process-16052875 (accessed December 1, 2020).

55 Carmel Rickard, "Refugee wins asylum after 10 years in legal limbo," *Mail & Guardian* (February 27, 2015): https://mg.co.za/article/2015-02-26-refugee-wins-asylum-after-10-years-in-legal-limbo (accessed December 1, 2020).

56 Ibid.

Second, the DHA has also made it harder for asylum seekers to lodge their applications and renew their documentations at the so-called Refugee Reception Offices. Starting in 2011, it closed or restricted access to the offices located in urban centers, forcing applicants to resort to those located in border areas, and putting the remaining offices under more pressure.[57] The 2017 White Paper went further, proposing the creation of asylum-processing centers, where asylum seekers would remain for the duration of the determination process. The DHA goes to great lengths to not label these as detention centers, yet the proposed methods mirror detention facilities in everything but name. The human rights costs are high and well-documented, and so are the financial costs.[58] Building a single processing center costs about R 298 million (€17,600,000)[59] – excluding operation costs.

Lastly, legislation also tries to decrease the attractiveness of applying for asylum in South Africa. The 2017 Amendment of the Refugee Act, for instance, removed the automatic right for asylum seekers to work, study, or conduct business. Other key amendments expanded the grounds under which refugee status can be withdrawn (i.e., by seeking consular services with their embassies) and grant authority to the DHA to close or designate a Refugee Reception Office.[60]

Border Management: Arming the "Detain and Deport" Policy

The task of managing South Africa's borders rests with at least seven different government departments working at ports of entry (air, land, and sea). This has proven taxing given the volume of migration in and out of South Africa. The 2020 Border Management Authority Act[61] therefore establishes a single authority to oversee all aspects of the border environment – the Border Management Authority (BMA) will fall under the authority of the DHA, making it the leading agency for all border-related matters. The BMA Act entered into force in July 2020, and its implementation is being phased in over 15 years.

In principle, the establishment of the BMA is a positive step toward ensuring effective and coherent management of borders and ports of entry. However, there are serious concerns raised by other government authorities (such as the police, defense forces, and the revenue service) as well as by think tanks (such as the ISS[62]) about the capacity of the DHA to lead the initiative and about the securitization of borders and the threat of corruption and abuses more broadly. A key concern is that the establishment of the BMA fuels South Africa's longstanding "detain and deport" policy – in spite of its high human and financial cost and its questionable effectiveness.[63]

2.5 Hesitation Toward Regional Free Movement

Not unlike other migration magnets on the African continent and beyond, South Africa's stance on regional integration and free movement is marked by protectionist concerns. About 75 percent of all African migrants in Southern Africa are from within the region.[64] As the main recipient of regional migration, South Africa worries about potential spikes in immigration from neighboring countries. This sometimes hinders constructive dialogue with other SADC countries: South Africa prefers bilateral and smaller multilateral arrangements on labor mobility. To this end, it established three Joint Permanent Commissions (JPCs) with Botswana, Lesotho, and Eswatini and concluded four memoranda of understanding on labor migration with Botswana, Lesotho, Eswatini, and Namibia.[65] It is important to note that other larger economies within the regional bloc, like Botswana and Namibia, are also somewhat reluctant to regional free movement.[66]

57 Khangelani Moyo and Franzisca Zanker, "Political Contestations within South African Migration Governance," *Arnold Bergstraesser Institut* (December 2020): https://www.arnold-bergstraesser.de/sites/default/files/political_contestations_within_south_african_migration_governance_moyo_and_zanker.pdf (accessed January 8, 2020).

58 Ibid.

59 DHA, "White Paper on International Migration for South Africa" (see note 23).

60 "Refugees Amendment Act 2017 (Act No. 11 of 2017)," *Government Gazette* (December 18, 2017): www.saflii.org/za/legis/num_act/raa201711o2017g41343231.pdf (accessed November 30, 2020).

61 "The Border Management Authority Act (Act No. 2 of 2020)," *Government Gazette* (July 21, 2020): https://www.gov.za/sites/default/files/gcis_document/202007/43536gon799.pdf (accessed November 30, 2020).

62 "Border Management Authority Bill B9B-2016: Institute for Security Studies briefing," Meeting Summary, Parliamentary Monitoring Group (April 17, 2018): https://pmg.org.za/committee-meeting/26111 (accessed November 30, 2020).

63 Dodson and Crush, "Migration Governance and Migrant Rights in the Southern African Development Community (SADC)" (see note 6).

64 Maunganidze and Formica, "Freedom of movement in Southern Africa: A SADC (pipe)dream?" (see note 19), p. 4.

65 Chris Changwe Nshimbi and Lorenzo Fioramonti, "A Region Without Borders? Policy Frameworks for Regional Labour Migration Towards South Africa," MiWORC Report No. 1, African Centre for Migration & Society, University of the Witwatersrand (2013): https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2518432 (accessed December 2, 2020).

66 Segatti, "The Southern African Development Community: a walk away from the free movement of persons?" (see note 7), pp. 47–94.

South African migration policies are not sufficiently aligned with its commitment to increase freedom of movement on the continent.

The publication of the 2017 White Paper seemed to indicate some willingness from South Africa to progress on regional integration. The paper concedes that South African migration policies are not sufficiently aligned with its commitment to increase freedom of movement on the continent.[67] The paper attempts to remedy this and address the issue of irregular migration from neighboring countries by proposing the introduction of new visa options for low-skilled and semi-skilled migrants from the SADC region. These include an SADC special work visa, an SADC traders' visa, and an SADC small medium enterprise visa for self-employed people and small business owners.[68]

But the White Paper also makes other diverging proposals that would hinder rather than help regional mobility. For instance, it suggests the adoption of a point-based skilled immigration policy, based on the experiences of Australia, Canada, and New Zealand, to replace the current employer-driven approach, combined with a critical skills list or quota. Such a strategy would effectively make low-skilled migration – which makes up a large share of overall mobility in the region – more difficult.

Regional policies are ambiguous, too. Eighty percent of SADC citizens benefit from visa waivers or short-stay visas upon arrival (up to 90 days) in other SADC member states, thanks to the 2005 SADC Protocol on the Facilitation of Movement of Persons (see Figure 6).[69] Additional SADC protocols facilitate the mobility of certain categories of people, such as diplomats and students.[70] In effect, however, the 2005 protocol encourages member states to resort to bilateral agreements, especially in border-related matters, which then take precedence over the non-binding protocol.[71] The result is that long-term regional migration is curtailed: To remain in another SADC country beyond the 90-day period, migrants must comply with national legislations and undergo bureaucratic, lengthy, and expensive verification. Those unable to provide the necessary documents may overstay their visas or choose irregular routes as an alternative.[72]

The trend is clear across the region: Governments do not seem ready to invest in regional integration on migration. Few countries within the region have made substantive progress toward a regional harmonization of immigration procedures, despite the work of the IOM-SADC Migration Dialogue for Southern Africa (MIDSA).[73] Here again, the security lens might dampen the political appetite for free movement within SADC.[74] Member states often resort to "emergency measures" to manage migration,[75] even more so when serious security challenges exist, such as the violent extremism and terrorism in parts of northern Mozambique.[76] Yet the dominant approach of "securitization seems to have derailed the capacity of regional governance to lower transaction costs and produce win-win outcomes"[77] – all of them cornerstones of functioning and mutually beneficial free movement systems.

67 DHA, "White Paper on International Migration for South Africa" (see note 23).

68 Ibid.

69 Maunganidze and Formica, "Freedom of movement in Southern Africa: A SADC (pipe)dream?" (see note 19).

70 Dodson and Crush, "Migration Governance and Migrant Rights in the Southern African Development Community (SADC)" (see note 6).

71 Aurelia Segatti, "Migration to South Africa: Regional Challenges versus National Instruments and Interests," in *Contemporary Migration to South Africa: A Regional Development Issue*, ed. Aurelia Segatti and Loren Landau (Washington, DC, August 2011).

72 Maunganidze and Formica, "Freedom of movement in Southern Africa: A SADC (pipe)dream?" (see note 19).

73 Segatti, "The Southern African Development Community: a walk away from the free movement of persons?" (see note 7).

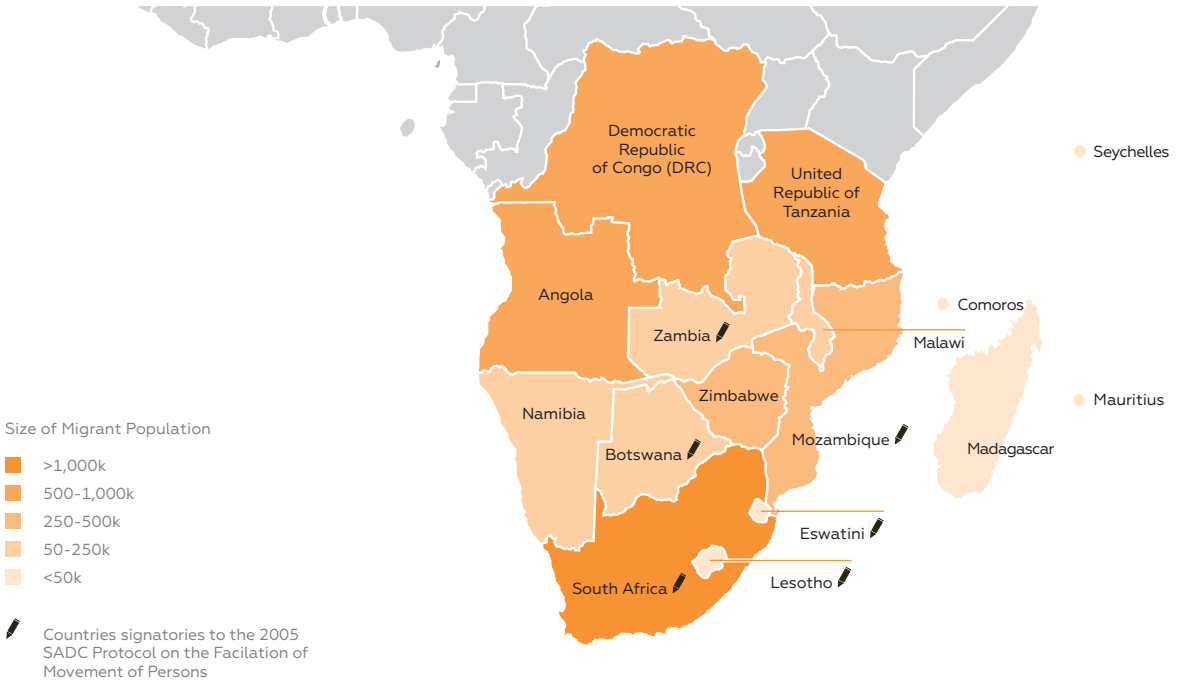
74 The fact that the SADC Protocol on the Facilitation of Movement of Persons falls under the regional bloc's Organ on Politics, Defense, and Security Cooperation reinforces a risk-based approach to migration that focuses more on territorial integrity than on the potential of free movement to boost economic development in the region and lays the ground for the criminalization of migrants.

75 Segatti, "The Southern African Development Community: a walk away from the free movement of persons?" (see note 7).

76 Peter Fabricius, "Is another Boko Haram or al-Shabaab erupting in Mozambique?" *ISS Today* (June 14, 2018): https://issafrica.org/iss-today/is-another-boko-haram-or-al-shabaab-erupting-in-mozambique (accessed December 2, 2020) and Vincent Williams and Lizzie Carr, "The Draft Protocol on the Facilitation of Movement of Persons in SADC: Implications for State Parties," Migration Policy Brief No. 18, South African Migration Project (SAMP) (January 1, 2006): https://www.africaportal.org/publications/the-draft-protocol-on-the-facilitation-of-movement-of-persons-in-sadc-implications-for-state-parties (accessed December 2, 2020).

77 Rebekka Hannes, ed., *Regional Migration Governance in the African Continent. Current State of affairs and the way forward*, Stiftung Entwicklung und Frieden (sef:)/ Development and Peace Foundation (Bonn, October 2016), p. 29: https://www.sef-bonn.org/fileadmin/SEF-Dateiliste/04_Publikationen/Weitere_Publikationen/Sonderpublikationen/sb_studie-2016_en.pdf (accessed November 30, 2020).

FIG.6: MIGRATION AND FREE MOVEMENT IN THE SADC REGION



Source: United Nations, Department of Economic and Social Affairs. Population Division (2019). International Migrant Stock 2019 (United Nations database, POP/DB/MIG/Stock/Rev.2019).

3 RECOMMENDATIONS

Migration policy in South Africa may sound foreign to European ears, but this report shows that many elements of South Africa's migration policies and debates should sound familiar, be it securitization, increasingly toxic attitudes toward migration, flawed protection systems, or controversial efforts to harmonize migration regimes across regions.

The following recommendations identify lessons learned from South Africa's experience and highlight common areas of interest that German and European politicians, policy experts, and practitioners should consider in their discussions with South African counterparts.

1. Recognize a Peer When You See One

South Africa is one of the main destinations for migrants and refugees in Africa. Policymakers in Germany and Europe of course are aware that migration flows in Africa go well beyond northbound migration to European shores. However, their approach to African countries often remains tainted by stereotypes of African countries as primarily sending or transit countries, seeing past the many destination countries – some of them long-standing (such as South Africa) and some of them emerging (such as Morocco, Tunisia, or Ghana). The fact that most movement in Africa is regional and circular, and a few magnets across the continent receive the lion's share of African migrants, is acknowledged rhetorically but not always politically.

Acknowledging the peer status of African countries when it comes to migration issues might go a long way in improving the communication between the continents. This matters now more than ever given that Europeans are entering a critical moment for their relations with African partners – with the EU Comprehensive Strategy with Africa and the implementation of the post-Cotonou agreement with the Organization of African, Caribbean, and Pacific (OACP) countries.

2. Learn from Our Mistakes: Assess the Costs of Securitized Approaches to Migration

As this report has shown, South Africa has heavily restricted access to immigration and asylum and has invested in border management and deportations. Yet given the lack of available data, it is unclear whether this policy has actually reduced migrant arrivals. South African authorities recognize the policy is costly, and rights organizations claim it does not comply with refugee rights. Yet authorities have done little to address the shortcomings of the system, especially backlogs and corruption, which have in fact worsened as Refugee Reception Offices have closed and/or are operating at reduced capacity.

South Africa's experience should invite policymakers in Europe to reflect on the costs securitized approaches to migration management may have, especially if they do not improve their ailing asylum systems in parallel. This is crucial globally as the number of migrants and refugees are at record levels and, due to the pandemic and resulting economic crises, are likely to continue increasing in the coming years.[78]

3. Words Matter: Avoid Contemptuous Language When Speaking About Migration

South Africa's experience demonstrates how public perceptions of migration and official discourses and policies intertwine. Pejorative terms like "alien" and the colloquial "makwerekwere" within the South African context have permeated public perceptions and further fuel xenophobic sentiments. Terms have an impact on the perception of migration, the policies that regulate it, and ultimately on the experiences of migrants themselves.

Policymakers in Europe too should refrain from using pejorative terms as well as images that draw an alarmist view on migration. These include references to floods, waves, or mass migration to speak about arrivals from the African continent. More neutral terms include "mobile people," "people on the move," or "arrivals."

4. Support Regional and Continental Integration in Africa

Just like European integration was decades in the making, and remains at times contested, regional integration in Africa is not a given. Within SADC, South Africa tends to prefer bilateral and small-scale migration agreements, thus diminishing SADC's efforts to regulate migration regionally. Yet, however limiting and cumbersome for migrants, these arrangements have provided some level of free movement and labor circulation that would not be guaranteed otherwise.

European policymakers have rightly invested in reinforcing the capacity of regional economic communities to boost free movement across the continent – particularly in regions closer to home such as in Western Africa. They should not, however, underestimate the weight of other regional migration hubs on the continent. If leading economies like South Africa may be more reluctant to shed protectionist policies, even slow progress on their part regarding regional mobility would send a strong signal and potentially inspire positive change in other parts of Africa – perhaps more so than European-funded projects.

European policymakers should therefore continue to support regional integration efforts, but they should adjust their approach. The European integration project can do little to appease the security and economic fears of Southern African policymakers. Europeans should not ignore these concerns – which are widely shared across the continent – but actively address them. Concretely, they should aid attempts to harmonize entry requirements, to exchange good practices on border management and return, and to create circular labor migration schemes that may help prevent irregular migration – for instance, through the Migration Dialogue for Southern Africa (MIDSA), the SADC, and the SADC-EU Dialogue. Europeans could also consider additional support for data collection capacity to increase policymakers' awareness on migration and foster evidence-based policies. Investing in regional free movement in Southern Africa is paramount to achieve the promise of a barrier-free continent, as foreseen by the African Union's African Continental Free Trade Area (AfCFTA) and the Protocol on Free Movement. This ambitious goal also squarely aligns with the EU's interest in circular migration within Africa and simply cannot be completed without regional migration playmakers like South Africa.

EU policymakers should thus look beyond the obvious migration partners it has been pursuing in Northern and Western Africa. They should start structured migration conversations with countries that might be more removed geographically, but whose power as migration magnets stretch a long way, as they are able to shape mobility across the African continent and beyond. South Africa may not be Europe's closest African neighbor, but it can – and should – become an important migration partner on the continent.

78 UNHCR, *Global Trends: Forced Displacement in 2017* (June 2018): https://www.unhcr.org/5b27be547.pdf (accessed December 2, 2020).

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Publisher
Deutsche Gesellschaft für
Auswärtige Politik e.V.

ISSN 1866-9182

Editor Bernadette Geyer

Layout Anna-Maria Roch

Design Concept WeDo

Photo of the Editor
© DGAP