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The MIDSA Secretariat

## Introduction

International migratory movements in Africa have become more complex in recent years and are increasingly mixed in character. These flows consist of complex migratory population movements that include refugees, asylum-seekers, economic migrants and other migrants, as opposed to migratory population movements that consist entirely of one category of migrants.

Individuals taking the hazardous journey south are exposed to severe violations of their human rights, regardless of their status and are in need of assistance. Often they are using the same modes of transport; employing the services of the same people (often, smugglers) and are being exposed to the same risks and abuses. While many of the people in this category move in order to establish new livelihoods, join family members or for educational purposes, others move due to protection concerns that force them to flee their home countries for their own security, or to protect their integrity and dignity and/or that of their families.

The Southern Africa region has increasingly seen mixed movements coming from the East and Horn of Africa and from the Great Lakes Region. Large mixed migratory groups, pushed by war, lack of protection, economic disparity or hope for better livelihood opportunities, have been moving south, transferring through Kenya and/or Tanzania towards Southern Africa. Malawi, Mozambique, Zambia and Zimbabwe are a few of the countries frequently being used as transit and rest-stops, with the majority of individuals on the move aiming for South Africa.

A 2008 IOM Research report estimates that some 50% of the Somali and Ethiopians who manage to reach South Africa in this way will continue to North America, Europe and Australia. However, of the estimated 20,000 Ethiopians and Somalis who take this route every year, many do not manage to reach South Africa, and all suffer great hardship including elements such as starvation and abandonment, physical and sexual abuses, exploitation, lengthy detentions and even death (usually by drowning or suffocation in truck containers). A 2009 study conducted by the Forced Migration Studies Programme at Witwatersrand University on smuggling across the Zimbabwe/South Africa border highlighted that when migrants "contract" smugglers to assist them to enter South Africa, they are unaware of the dangers and risks involved, and as a result smuggling

<sup>1</sup> Including, but not limited to: unaccompanied minors and separated children, smuggled migrants, stateless persons, and victims of trafficking.

<sup>2</sup> IOM, *In Pursuit of the Southern Dream: Victims of Necessity – Assessment of the irregular movement of men from East Africa and the Horn to South Africa*, April 2009.

services rarely correspond with their best interests.

For States, mixed and irregular movements raise legitimate questions concerning the sovereign prerogative and duty to regulate the entry and sojourn or stay of aliens in a country. Such movements may also give rise to actual or perceived threats to national security. The increase in individuals passing down through Southern Africa is forcing States to rethink their immigration and refugee policies as they are experiencing difficulties coping with the larger numbers passing through their borders. One reaction seen throughout the Southern Africa region and further north, is the closing of borders and the deportation of irregular migrants (including asylum-seekers)<sup>3</sup>.

However, the drastic decision to increasingly secure and close borders, by most accounts, has had a limited impact on reducing mixed migration and diminished protection space for genuine asylum-seekers. Moreover, increasingly restrictive borders result in more irregular migration that makes it even more difficult for authorities to regulate by forcing vulnerable migrants to seek entry through increasingly dangerous means. In fact, individuals are increasingly falling victim to trafficking and smuggling networks or relying upon payment of bribes to enter territories in the region and access protection. Much energy has been exerted into putting in place regulatory measures to punish the migrant, who often has few legal immigration alternatives, with insufficient attention paid to clamping down on the criminal elements benefiting financially from the smuggling of migrants and trafficking in persons, and for whom the exploitative facilitation of movement of vulnerable persons has become very lucrative. Deportations to third countries, without proper re-admission agreements, could amount to refoulement, which contravenes international human rights and refugee law<sup>4</sup>.

## II. Regional Response

In the absence of a Regional Migration Protocol, limited formal mechanisms exist in the Southern African Development Community (SADC) region to coordinate migration management, ensure more effective investigation and prosecution of criminal networks that facilitate migrant smuggling and trafficking of persons, and guarantee the protection of vulnerable migrants, refugees, as well

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<sup>3</sup> 2013 has seen an increase in the number of deportations by Mozambique. South Africa is considering implementing a number of policies which it believes will limit the numbers of those seeking asylum in South Africa. In 2011, Zimbabwe announced closing its northern border to stop Somalis and Ethiopians transiting through the country. Kenya had closed its border with Somalia in 2006 and Tanzania has large numbers of migrants in detention.

<sup>4</sup> UN General Assembly, *Convention Relating to the Status of Refugees* ("1951 Convention"), 28 July 1951, *United Nations, Treaty Series*, vol. 189, p. 137, Art. 33.

Member States have however paid increasing attention to the challenges posed by mixed and irregular migration, particularly in the last five years. In September 2010, in Dar es Salaam, hosted by the government of Tanzania in cooperation with IOM and UNHCR, a regional Conference was held among affected states from East and Southern Africa. The Conference was the culmination of a process that began before the conference, most notably through national consultations that were convened in most of the participating countries to discuss the key issues that pertain to addressing mixed and irregular migration. The Conference deliberated on this growing phenomenon among affected countries and was attended by representatives of thirteen Governments.

The objectives of the conference were to better understand the nature, underlying causes and scale of these southbound movements of refugees and migrants; to examine the main challenges in responding to these flows in a protection-sensitive manner, both with regard to individual protection needs and rights under international refugee and human rights law; and to identify actions that could be taken. An Action Plan was drawn up following the Conference to provide a flexible framework for pursuing the implementation of the key recommendations from the Regional Conference, as reflected in the Summary Report.

The Action Plan (2010- 2012) focused on several areas where gaps have been identified: legislative and regulatory framework reform; capacity-building; operations (including a cooperation and coordination components); communication and outreach; data collection and analysis; and regional cooperation and coordination.

These gaps have subsequently been recognized by SADC and its Members States. The SADC Commissioners Sub-Sub Committee for Public Security Commission(SCSSC-PSC), has for instance, been working with IOM and UNHCR in the years following the Dar es Salaam Conference for the implementation of some of the key components of the Action Plan. Member States have on their part taken independent and at times coordinated measures in line with the Action Plan, often with the support of civil society actors and International Organizations such as UNHCR, UNODC and IOM.

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<sup>5</sup> Over 120 participants, including government officials from Burundi, the Democratic Republic of the Congo, Ethiopia, Kenya, Malawi, Mozambique, Rwanda, Somalia, South Africa, Tanzania, Uganda, Zambia and Zimbabwe, and representatives of civil society organizations, international and regional organizations, development partners and the diplomatic community in Dar es Salaam.

<sup>6</sup> *Regional Conference on Refugee Protection and International Migration: Mixed Movements and Irregular Migration from the East and Horn of Africa and Great Lakes Region to Southern Africa.*

### **III. Development of the Current Action Plan**

In July 2014, Member States that participated in the annual Migration Dialogue for Southern Africa (MIDSA) Conference held in Lilongwe, Malawi, took stock of measures taken at national and regional level to address mixed and irregular migration in the region since the Dar es Salaam Conference and reviewed the implementation of the 2010 Dar es Salaam Regional Action Plan. The Conference explored and proposed a common strategy for the region that would increase the effectiveness of measures to address mixed and irregular migration at the national and regional levels.

A follow up workshop in December 2014 in Pretoria worked out the details of the current plan and instructed its transmission to the SADC Secretariat for formal endorsement by Member States. To ensure continuity and in response to assessed needs, it was decided that the plan would have the same focus areas as the Dar es Salaam Action Plan of 2012 namely: legislative and regulatory framework reform; capacity-building; operations (including a cooperation and coordination components); communication and outreach; data collection and analysis; and regional cooperation and coordination.

### **IV. Duration and budget for the Strategic Plan**

The Plan of Action will be implemented over a period of four years, from 2015 to 2018. It will be complemented by annual implementation plans. A detailed implementation plan for each year will be developed taking available resources into account. The total estimated budget for the four years is USD 14,469,000.

### **V. Principles for Addressing Mixed and Irregular Migration**

This Strategic Plan will be guided by the following principles:

#### **Principle 1: Human Rights Based Approach**

The strategic plan is normatively and operationally based on the international standards for human rights. Member States confirm that the treatment of migrants in mixed and irregular migration flows will be in line with this approach to human rights.

National Actors of Member States constituting the public administration and directly linked to it shall assume full participation responsibility and accountability in defining objectives, implementing activities and meeting the outcomes of the strategic plan.

### **Principle 2: Member State ownership**

National Actors of Member States constituting the public administration and directly linked to it shall assume full participation responsibility and accountability in defining objectives, implementing activities and meeting the outcomes of the strategic plan.

### **Principle 3: Gender Sensitivity**

Policies, strategies and programs to mixed and irregular migration will address vulnerabilities and impact that are driven by differences in gender, and take into account existing gender inequalities among boys and girls, men and women.

### **Principle 4: Best Interests of the Child**

Adequate protection of children is the priority of Member States. Intervention efforts should place the child's rights and wellbeing at the center and shall be based on the best interests of the child. Policies, strategies and programs designed at national levels will demonstrate how they will translate into real benefits for the child.

### **Principle 5: Inter-disciplinary coordination and participative approach**

The measures included in the strategic plan are conducted through active participation of all stakeholders by combining the knowledge and expertise between various fields. Member States are responsible for promotion and coordination of the multi-institutional and comprehensive efforts and active participation of all stakeholders in its implementation.

### **Principle 6: Sustainability**

The strategic plan has been conceptualized as a platform with clear, well defined and realistic goals and tasks that lead to the active participation of all stakeholders in their implementation. Member States are responsible for developing a monitoring system evaluating the implementation of the Plan, in regards to both quantity and quality.

## VI. Goal, Purpose and Objectives

### A. Goal

To address the challenges associated with mixed and irregular migration in the SADC Region.

### B. Purpose

The purpose of the Regional Plan of Action is to assist Member States to adopt and implement legislative, regulatory, structural as well as operational measures and enhance their cooperation in holistically addressing mixed and irregular migration in the SADC Region.

### C. Objectives

The objectives of the strategic Plan, as presented under each of the six strategic priorities are to:

#### 1. Legislation and Policy

- ✓ Provide an appropriate legal framework to address the challenges of refugee protection and mixed migration;

#### 2. Capacity Building

- ✓ Build capacity of frontline officials to identify and protect vulnerable migrants;

#### 3. Operations

- ✓ Improve identification of migrants with specific needs and ensure referral to appropriate procedures;

#### 4. Communication and Outreach

- ✓ raise awareness of legal channels of migration, address intolerance and xenophobia and promote integration of migrants;

#### 5. Data collection

- ✓ Generate accurate and reliable data on which to base policy; and

#### 6. Cooperation and coordination

- ✓ strengthen national and regional cooperation and coordination on addressing irregular and mixed migration



## VII. Financing

The Strategic Plan of Action will be financed by resources from Member States, International Co-operating Partners and local community contributions. Funds will be managed and accounted for through mutually agreed financial management and reporting systems, including annual audits. Funders of the strategic plan will be encouraged to channel resources through a Joint Financing and Technical cooperation arrangement to allow effective and efficient use of resources.

Member States, International Co-operating Partners, and Civil Society Organizations will mobilize resources for national level activities, while the MIDSA Secretariat, in cooperation with SADC will mobilize resources for regional initiatives in cooperation with International Co-operating Partners. The indicative budget shown on the table below, represents the financial resources required for the implementation of the Strategic Plan.

Strategic Priority	Sub Activity	Indicative Budget (USD)
Legislation and Policy	International and regional instruments .	315,000
	Bilateral and Regional Frameworks for Migration .	1,115,000
	Regularization .	760,000
	Integration .	555,000
	Refugee Protection .	410,000
	Border Security .	315,000
	Migrant Protection .	1,360,000
	Counter-trafficking and counter-smuggling .	720,000
	Child protection .	340,000
	Detention .	2,075,000

<b>Sub Total</b>		<b>7,965,000</b>
Capacity Building		795,000
<b>Sub Total</b>		<b>795,000</b>
Operations	Profiling and Referral	205,000
	Reception arrangements and services	1,250,000
	Return and Reintegration	1,668,000
<b>Sub Total</b>		<b>3,123,000</b>
Communication and Outreach		1,270,000
<b>Sub Total</b>		<b>1,270,000</b>
Data Collection		346,000
<b>Sub Total</b>		<b>346,000</b>
Cooperation and Coordination		970,000
<b>Sub Total</b>		<b>970,000</b>
<b>Total</b>		<b>14,469,000</b>

## VIII. Implementation

### Approaches to Implementation

At the SADC Secretariat, the Organ on Politics, Defense and Security Affairs Unit will be the primary focal point for the implementation of the Strategic Plan with a role of coordinating relevant SADC Units. A multi-sectoral approach will be adopted at national level. In all cases, efforts will be made to ensure that activities are linked to regional and national plans of Member States, International Co-operating Partners and CSO partners.

### Partnerships and roles

a) SADC Secretariat with support from International Cooperating Partners will facilitate: conceptual leadership; regional policy formulation and ownership by Member States; monitoring and ensuring Member States reporting; and resource mobilization.

**b) International Co-operating Partners, in collaboration with SADC Secretariat will facilitate:** conceptual and technical support at regional and national levels; interface with Governments and civil society for advocacy, offices; resource mobilization; and capacity building of Member States.

**c) Member States will:** provide policy consensus at regional level consistent with global commitments; take ownership and sustain initiatives; implement regional policy and strategic priorities; monitor and evaluate with support from International Cooperating Partners and civil society; mobilize resources locally and internationally; build local implementation capacity; facilitate sharing lessons and experiences at regional and national levels; and mobilize community action.

**d) Civil society /private sector will facilitate:** conceptual and technical support at regional, national and community levels; interface with communities including advocacy, technical support and community mobilization at national and community levels; implementation (direct service delivery) at regional, national and community levels; resource mobilization for regional, national and community implementation; and sharing lessons and experiences at regional, national and community levels

## **IX. Institutional Framework for Monitoring**

Policy oversight for the Strategic Plan will be provided by Ministers Responsible for Migration and/or Immigration in coordination with relevant sector Ministers. Relevant sector ministries will facilitate policy and strategic dialogue and implementation at national level. Primarily, the Ministers in charge of Migration and/or Immigration will review and monitor implementation of aspects of the Strategic Plan that are within their mandates.

The MIDSA Secretariat will coordinate monitoring, evaluation and reporting on progress in the implementation of the Strategic Plan with support of the Organ on Politics Defense and Security Affairs Unit within SADC and other sector programmes at the SADC Secretariat. At national level, coordinating Ministries will vary depending on local arrangements and mandates.

The MIDSA Secretariat will coordinate monitoring, evaluation and reporting on progress in the implementation of the Strategic Plan with support of the Organ on Politics Defense and Security Affairs Unit within SADC and other sector programmes at the SADC Secretariat. At national level, coordinating Ministries will vary depending on local arrangements and mandates.

Mid-term and final evaluations will be conducted.

DRAFT

Annex I: Detailed plan- Southern Africa Strategic Plan of Action to Address Mixed and Irregular Migration (DRAFT) 2015 – 2018

1. Legislative and Policy Measures		Sub Activity	Outputs	Time Frame	Targets	Responsible parties	Indicative Budget (USD)
<b>International and regional instruments</b>							
<i>Aim: To provide an appropriate legal framework to address the challenges of refugee protection and mixed migration</i>							
1.1	Sign ratify and implement the ICESCR, <sup>(1)</sup> CAT optional protocol, <sup>(2)</sup> UNMWC, <sup>(3)</sup> UN Smuggling of Migrants Protocol, Statelessness Conventions and lift reservations to 1951 Refugee Convention	Establish an action group to advocate for ratification and implementation	Instrument signed and ratified	2015-2018	SADC countries that have not ratified the Protocols, international and regional instruments do so	Member States, SADC, International Organizations	135,000
1.2	Sign, ratify and/or implement the SADC Protocol on the Facilitation of Movement of Persons	Establish an action group to identify gaps in ratification and why. Action Group to lobby with at least 2 Member states for ratification  Fulfill the prerequisites of the SADC Protocol on the Facilitation of Movement of Persons e.g. population register and computerization of border management  All activities related to ratification should be budgeted for in 2016/2017 in national budgets	Protocol is ratified  Prerequisites fulfilled	2015-2017  2015-2017	1 SADC Protocol on the Facilitation of Movement of Persons comes into effect	Member States, SADC, International Organizations	180,000
Sub Total							315,000
<b>Bilateral and Regional Frameworks for Migration</b>							
<i>Aim: To increase regular channels for migration and develop a common approach to low skilled workers and domestic workers</i>							
1.3	Conduct research on labour market needs and prevalence of migrant labour in certain sectors, including low-skilled work and domestic work	Establish an action group to advocate for meetings and creation of new opportunities. At national level the group composition to include: Immigration department and Ministry of Labour. At the regional level 4 countries (Zambia, Namibia, DRC and Madagascar)	Data on labour market needs and migrant workers in low-skilled and domestic work available	2015	One regional and at least five national labour market assessments completed	Member States, SADC - ELS, International Organizations	535,000
1.4	Convene meetings between sending and destination countries to elaborate MOUs and bilateral agreements formalizing the exchange of labour		MOUs and bilateral agreement on labour exchange agreed also for low skilled work and domestic work	2015-2018	At least five MOUs signed	Member States, International Organizations	135,000
1.5	Create new opportunities for legal migration by expanding coverage of work permits to low-skilled activities and domestic work		New work permit regime for low-skilled work and domestic work adopted	2015-2018	At least 5 countries adopt new work permit regime	Member States, International Organizations	445,000
Sub Total							1,115,000
<b>Regularization</b>							
<i>Aim: To provide routes out of irregularity and facilitate regularization of status</i>							
1.6	Review possibilities for regularising irregular migrants.	Conduct a multidisciplinary research and advocate for regularization	Process of review conducted.	2015-2016	National Research undertaken by 2015 in all countries.	Member States,	180,000
1.7	Review possibilities for regularizing former refugees in the country.		Regularisation programmes for former refugees and irregular migrants implemented.	2015-2017	At least 4 countries have implemented the regularization programmes.	SADC, IOM, UNHCR, UNODC & other International Organizations	220,000
1.8	Issue identification and enabling documents by countries of origin and destination necessary to facilitate regularization		Issuing of identification and enabling documents to regularised migrants.	2015-2017	At least 4 countries have issued identification and enabling documents.	Member States	360,000
Sub Total							760,000

1. ICESCR: International Covenant on Economic, Social and Cultural Rights  
 2. CAT: Convention Against Torture  
 3. UNMWC: United Nations Migrant Workers Convention ( International Convention on the Protection of the Rights of All Migrant Workers

Integration						
Aim: To provide greater opportunities for integration with a view to relaxing rules on citizenship/residency						
	Review possibilities for integrating irregular migrants.	Conduct a multidisciplinary research and advocate for integration and relaxation of citizenship/residence rights	Process of review conducted.	2015-2016	National Research undertaken by 2015 by all countries.	Member States, 180,000
1.9			Process of review conducted.	2015-2016	National Research undertaken by 2015 by all countries.	Member States, 180,000
1.10	Review possibilities for integrating former refugees in the country.		integration programmes for former refugees and irregular migrants implemented.	2015-2018	At least 4 countries have implemented the integration programmes.	SADC, IOM, UNHCR, UNODC & other International Organizations 220,000
1.11	Review law and policy on rights to citizenship or residency with a view to relaxing rules where there is marriage or birth to a citizen.		Law and policy on citizenship or residence rights following marriage and birth amended.	2018	At least 7 countries amended legislation and policy	Member States 155,000
Sub Total						555,000
Refugee Protection						
Aim: To develop a common regional approach to asylum seekers and refugees including greater opportunities for self-reliance of refugees and freedom of movement outside of refugee camps						
1.12	Conduct research and share practices on non-encampment practices of other countries including South Africa and Angola	Member States with non-encampment policies to share experience	Research conducted and practices shared	2015-2017	1 research	Member States with non-encampment policies to share, International Organizations 90,000
1.13	Implement a more liberal and efficient 'gate-pass' regime in those countries with encampment policies for refugees	Initiate National Consultations among the relevant national actors and Draft national gate pass regime	Gate passes issued for a minimum of 30 days on expanded list of grounds.	2015-2016	At least 5 countries to introduce relaxed 'gate pass' regimes	Member States, International Organizations 70,000
1.14	Review restrictions on access to work for refugees with a view to decreasing restrictions and offering work permits to refugees for low-skilled work	Initiate National Consultations among the relevant national actors Propose modifications of the restrictions	Work permits available to refugees for low skilled work	2015-2017	At least 5 countries make work permits available to refugees for low skilled work	Member States, International Organizations 180,000
1.15	Review law and policy providing for the detention of refugees without valid permits or authorisations	Initiate National Consultations among the relevant national actors Ascertain which states Criminalize refugees without valid permits	Law on criminalisation of refugees without valid permits or authorisations reviewed and amended	2015-2016	At least 5 countries amend laws to decriminalize refugees without valid permits :	Member States, International Organizations 70,000
Sub Total						410,000
Border Security						
Aim: To ensure that humanitarian assistance to migrants is prioritised by border management						
1.16	Conduct research on newly emerging security concerns in the region and their impact on the protection of vulnerable migrants.	Create advocacy groups to raise awareness amongst Member States on the impact of securitization of borders on human rights of migrants, including proliferation of organised crime.	research findings available	2015-2016	1 regional research on border security	SADC, Member States, International Organizations 180,000
1.17	Develop a policy (or SADC declaration) on making humanitarian assistance for migrants a priority over border control during crises	Regional consultations held for the formulation of regional policy statement or declaration	Coherent policy is adopted recognising the primacy of human rights in border control and destination countries refrain from exerting pressure on transit/origin countries to close their borders or not to readmit third country nationals	2016-2018	1 regional declaration or policy on the primacy of human rights at borders	SADC, Member States, International Organizations 135,000
Sub Total						315,000

• Migrant Protection						
Aim: To ensure effective investigation of complaints by migrants and prosecution of perpetrators						
1.18	Review law and policy to ensure that migrants may report abuse without risking arrest and deportation.	Amended law and policy in relation to reporting of abuse of migrants	2015-2018	At least 8 countries amended legislation and policy	Member States	180,000
1.19	Issue guidance to law enforcement officials to ensure that migrants may report abuse without risking arrest and deportation.	Guidance issued to law enforcement officials with respect to migrants access to complaint mechanisms	2015-2017	At least 8 countries issue guidance for law enforcement officer	Member states	25,000
1.20	Conduct training for law enforcement officials to address intolerance of migrants and reinforce duty to investigate complaints of abuse by migrants with due diligence.	Training conducted and law enforcement officials aware of their duties with respect to migrants' complaints	2015-2017	At least 8 countries have trained law enforcement officials	Member States, SADC, IOM, UNHCR, UNODC & other International Organizations	220,000
1.21	Conduct training for prosecutors to address intolerance of migrants and reinforce duty to prosecute abuse of migrants with due diligence.	Training conducted and prosecutors aware of their duties with respect to migrant abuses	2015-17	At least 8 countries have trained prosecutors	Member States, SADC, IOM, UNHCR, UNODC & other International Organizations	220,000
1.22	Support Civil Society Organizations and national structures with human rights mandates to provide assistance to abused and exploited migrants	Civil society and national structures with human rights mandates are supported to provide assistance to abused and exploited migrants	2015-2018	At least 8 countries provide support to civil society and national structures	Member States, SADC, IOM, UNHCR, UNODC & other International Organizations	715,000
Sub Total						1,360,000
• Counter-trafficking and counter-smuggling						
Aim: To ensure that perpetrators of human trafficking and smuggling are subject to criminal proceedings						
1.23	Review law and policy which criminalises smuggled and trafficked people for their illegal entry and stay	Legislation introduced or amended to decriminalize illegal entry and stay by smuggled and trafficked individuals	2018 (for Smuggling) 2016 (For Trafficking)	4 countries decriminalize illegal entry and stay by trafficked and smuggled individuals	Member States	135,000
1.24	Review law and policy that authorises routine detention of smuggled and trafficked people to ensure that they are not subject to criminalisation or routine detention	Legislation introduced or amended to criminalize human trafficking and smuggling	2018 (for Smuggling) 2016 (For Trafficking)	At least 8 countries have legislation that criminalizes trafficking and smuggling	Member States	220,000
1.25	Establish as criminal offences trafficking in persons and smuggling of migrants.	Creation of effective procedures for granting permits to victims of trafficking	2016-2017	4 countries have procedures for granting permits to trafficked victims	Member States, SADC, IOM, UNHCR, UNODC & other International Organizations	45,000
1.26	Create effective procedures for granting permits to victims of trafficking to allow them to remain in host countries and ensure their access to assistance and protection	Training conducted and law enforcement officials aware of investigation of trafficking and smuggling cases	2015-17	At least 4 countries have trained law enforcement officials on investigation	Member States, SADC, IOM, UNHCR, UNODC & other International Organizations	160,000
1.27	Conduct training for law enforcement officials to investigate human trafficking and smuggling	Training conducted for prosecutors on investigating trafficking and smuggling cases	2015-17	8 countries have trained prosecutors on prosecution	Member States, SADC, IOM, UNHCR, UNODC & other International Organizations	160,000
1.28	Conduct training for prosecutors to prosecute traffickers and smugglers					
Sub Total						720,000

• Child Protection						
Aim: To improve protection of unaccompanied, separated, and other vulnerable migrant children						
	Review and modify national policies to ensure speedy best interest determinations after arrival, including family reunification	Create national-level committees/working groups to carry out review of existing best interest determination processes Member states to define who vulnerable migrant children are and specific provision for migrant children in need of care and protection.	Creation of formal best interest determination processes.	2016-17	At least 5 countries have instituted best interest determination processes	Member States, SADC, IOM, UNHCR, UNODC, Save the Children & other International Organizations
1.29						90,000
1.30	Review practices on safe return of unaccompanied, separated, and other vulnerable migrant children in the region and develop guidelines to provide for dignified return.	Establish action group to review practices and develop guidelines	Guidelines on safe return adopted	2016-2018	At least 5 countries adopt guidelines on safe return	25,000
1.31	Conclude agreements with countries of return/origin to provide for dignified return for child migrants		Agreements concluded	2016-17	At least 5 countries have concluded agreements	45,000
1.32	Facilitate children's access to documentation to make their migration and stay as safe as possible	Carry out studies on migration processes for children	Countries issue documentation to migrant children in need	2015-2018	At least 5 countries issue documentation to migrant children in need	135,000
1.33	Develop regional guidance on how to carry out best interest determinations			2015-2016	1 guideline produced for the region	45,000
Sub-Total						
340,000						
• Detention						
Aim: To reduce the detention of migrants in the SADC region, ensure oversight in detention facilities and explore alternatives to detention						
	Provide guidance to law enforcement to avoid the detention of asylum seekers/victims of trafficking/children and vulnerable migrants	Create a working group to develop the guidance	Guidance on avoiding detention produced and disseminated	2016	At least 8 countries provide guidance to law enforcement officers on avoiding the detention of vulnerable migrants	Member States, International Organizations
1.34						140,000
1.35	Provide training to law enforcement officers and detention guards on the need to refrain from the use of force against migrants following their detention.		Law enforcement aware of their duties	2015-2016	8 countries train law enforcement officials on refraining from use of force against detained migrants	160,000
1.36	Review the law to ensure that the grounds for immigration detention are exhaustively defined and that the law provides for the right of a person to be informed of reasons for detention, the right to challenge detention and the right to legal assistance.	International organisation to provide expert assistance on global/regional best practices to inform the law revision process by 2016	Law reviewed to reflect ground for detention and the rights of detained migrants	2015-2018	At least 8 countries revise laws to reflect ground for detention and the rights of detained migrants	50,000
1.37	Prepare information in migrant languages on rights of persons in detention and right to challenge detention and post this information in places of detention		Migrant aware raising materials on detention prepared and disseminated of their rights	2015-18	At least 8 countries sensitize migrants on detention and related rights	135,000
1.38	Review policy and practise to ensure that civil society, IO's, lawyers, consular officials and human rights mechanisms have regular access to detainees and are able to screen, educate and negotiate the release of detainees where possible	International organisation to provide expert assistance on global/regional best practices to inform the law revision process 2016	Policy and law reviewed to reflect access to detainees and intervention by non-state actors	2015-2018	At least 8 Member states have reviewed law and policy on access and intervention by non-state actors to detainees	50,000
1.39	Institute mechanisms to ensure that detention is subject to periodic judicial review	Processes for the remission of sentences of migrants detained for immigration offences to be reviewed	Mechanism for periodic review in place	2017-2018	At least 8 Member States Review mechanisms established	180,000



1.40	Establish/strengthen independent monitoring mechanism with regular access to detention facilities to investigate complaints and hold perpetrators to account.	Conduct research on practices in SADC countries to monitor report on and investigate complaints in detention facilities detaining migrants, refugees and asylum seekers	SADC countries' practices on monitoring detentions and investigating complaints reviewed	2015-2016	1 Research conducted with Recommendations on SADC Practices on monitoring detentions and investigating complaints	Member States, International Organizations	180,000	
1.41	Ensure that persons detained for immigration-related matters are not detained alongside persons for criminal offences and ensure that conditions of detention comply with international standards	Conduct research on practices in SADC countries to monitor report on and investigate complaints in detention facilities detaining migrants, refugees and asylum seekers	Oversight mechanisms established/strengthened to monitor conditions in detention	2015-2017	Oversight mechanisms established/strengthened in at least 8 countries	Member States, International Organizations	220,000	
1.42	Raise awareness on alternatives to detention and exchange practice on usage in other countries	Create action group to advocate for alternatives to detention, invite experts to present etc.	Research completed with recommendations to alternatives to detention	2016	At least 6 countries implement measures to improve immigration detention	Member States	670,000	
1.43	establish differentiated processes to enable various alternatives to detention	Research on viable alternatives to detention per country	Awareness raising efforts carried out on alternatives to detention	2016-2017	1 regional research on alternatives to detention	SADC, Member States, International Organizations, Non Governmental Organizations	45,000	
			Alternatives to detention applied in SADC countries	2017-2018	Advocacy conducted in at least 8 countries on alternatives to detention	Member States, International Organizations	110,000	
					At least 6 Member States establish mechanisms for alternatives for detention:	Member States, International Organizations	135,000	
<b>2. Capacity Building</b>							Sub Total	2,075,000
<i>Aim: To build capacity of frontline officials to identify and protect vulnerable migrants</i>								
2.1	Conduct joint mixed migration training on the basis of the materials developed by IOM and UNHCR to build capacity of frontline officials to identify and protect vulnerable migrants. Training should include implementation of screening tools and referral mechanisms developed under section 3.	Frontline officials capacity to identify and refer to the appropriate procedures enhanced	2015-2016	All SADC countries have trained officials	All SADC countries have trained officials	SADC, Member States, International Organizations	445,000	
2.2	Conduct specialised training for social workers on case management of unaccompanied and separated minors, including on safe return	Social workers capacity enhanced	2015-2016	All SADC countries have trained social workers	All SADC countries have trained social workers	SADC, Member States, International Organization	310,000	
2.3	Share existing regional training material/curriculum with all countries in the SADC region to ensure standardization of capacity building efforts/approach	Capacity building tools in the region standardized	2016-2017	All SADC countries have a standardized curriculum	All SADC countries have a standardized curriculum	SADC, Member States, International Organization	40,000	
<b>3. Operations</b>							Sub Total	795,000
<i>Aim: To improve identification of migrants with specific needs and ensure referral to appropriate procedures</i>								
<b>• Profiling and Referral</b>								
3.1	Review and adapt existing profiling, screening tools and referral mechanisms in use in the region to ensure identification of the needs and procedures applicable to new arrivals.	Create a working group at the national level to review and adapt profiling, screening and referral tools	2015-2016	Screening tools and SOPs for referral developed	All SADC Countries have screening tools and SOPs	Member States, International Organizations	135,000	
3.2	Develop strategies to reinforce the availability of trained interpreters for frontline officials in contact with migrants	Countries which have developed screening and referral tools as well as SOPs to share with other countries	2015-2016	Interpreter tools available to enhance quality of screening of migrants	All SADC Countries have interpretation tools to assist interpreters	Member States, International Organizations	70,000	
Sub Total							205,000	

• Reception arrangements and services							
Aim: to ensure proper processing of individual cases on arrival and enable the identification of the immediate needs of migrants							
3.3	Establish reception arrangements				All SADC Countries have facilities that can serve as reception areas	Member States, International Organizations, Non Governmental Organizations	670,000
3.4	Provide counselling to new arrivals on legal migration and right to seek asylum and their human rights				New arrivals have access to direct assistance and information on arrival		
3.5	Provide information to new arrivals on access to services including healthcare, shelter, safety and education				All SADC Countries have counseling services and standardized information packages for new arrivals	Member States, International Organizations, Non Governmental Organizations	310,000
3.6	Review law and policy to ensure that healthcare is accessible to all, including irregular status migrants and amend law and policy to ensure that medical personnel are not discriminating against irregular status migrants in the provision of healthcare				All SADC Countries have laws and policy that guarantee access to healthcare	Member States	270,000
						Sub Total	1,250,000
• Return and Reintegration							
Aim: to increase possibilities for voluntary return for all migrants and ensure that return of migrants not in need of international protection is conducted in accordance with international norms.							
3.7	Develop national frameworks for voluntary return	Develop SOPs to improve the coordination of voluntary returns	Conduct research and gather information on practices incentivising voluntary return to allow people to depart with personal belongings and securing outstanding wage claims and implement such practices.	Voluntary returns are conducted in accordance with international norms and the respect for the rights of migrants are enhanced	All SADC Countries have national frameworks for voluntary return	Member States, International Organizations	310,000
3.8	Develop guidance and SOPs on procedures to be followed in expelling or deporting migrants	IOM to provide assistance in developing the guidance, research and SOPs		A Regional SOP on humane removals developed and distributed	One Regional SOP on removal	Member States, International Organizations	18,000
3.9	Conclude bilateral agreements with States on return and readmission of persons not in need of international protection			Persons not in need of international protection have the possibility of return and readmission to countries of origin	All SADC countries conclude atleast one bilateral agreement on return and readmission of persons	Member States	160,000
3.10	Train frontline officials to refrain from using excessive force at the border – in line with UN Basic Principles on Use of Force and Firearms –reflected in the SOPs			Border officials in SADC member states trained on non-use of excessive force at the border – in line with UN Basic Principles on Use of Force and Firearms –reflected in the SOPs	All SADC countries conduct trainings for frontline officials on the UN basic principles on use of Force and Firearms	Member States, International Organizations	180,000
3.11	Provide reintegration assistance for returnees	Arrange regular meetings between countries to discuss return		Reintegration assistance made available to vulnerable migrants	All SADC Countries provide reintegration assistance to vulnerable migrants	Member States, International Organizations	1,000,000
						Sub Total	1,668,000

4. Communication and Outreach							
Aim: To raise awareness of legal channels of migration, address intolerance and xenophobia and promote integration of migrants							
4.1	4.1 Conduct awareness raising campaigns/events to address intolerance of migrants and encourage citizens to report violations of rights of migrants		Campaigns conducted to address intolerance of migrants	2015-2018	At least 8 Member States conduct national campaigns to address intolerance of migrants	Member States, International Organizations	400,000
4.2	Conduct awareness raising on legal channels of migration and dangers of irregular migration	Set up action group to assess impact and evaluate results of awareness campaigns including possible negative effects	Campaigns conducted on legal channels of migration and dangers of irregular migration		At least 8 Member States conduct national campaigns on legal channels of migration and dangers of irregular migration	Member States, International Organizations	400,000
4.3	Conduct awareness raising activities to ensure that medical personnel do not discriminate against irregular status migrants in the provision of healthcare	Promote the use of social media and outreach to the youth	Medical personnel provide care to non citizens on an equal basis with nationals		All SADC Countries conduct awareness raising among medical personnel	Member States, International Organizations	135,000
4.4	Conduct awareness raising activities amongst migrants on rights to access healthcare, shelter, safety and education where appropriate		Migrants knowledgeable on how to access services		All SADC Countries have migrant sensitization packages	Member States, International Organizations, Civil Society Organizations	335,000
						Sub Total	1,270,000
5. Data Collection							
Aim: To generate accurate and reliable data on which to base policy							
5.1	Develop common standards for data collection in the region.		Common standards and protocols for data collection developed	2016-2017	1 regional Common standard for data collection	Member States, International Organizations, Academia	18,000
5.2	Develop data sharing standards within countries /across the SADC region and with third party countries	Develop relationships with universities, research institutes and civil society to support research on migration.	Common standards and protocols for data sharing developed	2016-2017	1 regional Common standard for data sharing	Member States, International Organizations Academia	18,000
5.3	Produce regular research on emerging trends on irregular and mixed migration in the region		Updated research available regularly	2015-2018	Periodic research report on thematic areas of irregular and mixed migration	Member States, International Organizations Academia	310,000
						Sub Total	346,000

6. Cooperation and Coordination							
Aim: To strengthen national and regional cooperation and coordination on addressing irregular and mixed migration							
6.1	Establish institutional mechanisms on irregular and mixed migration	National stakeholders that constitute the mechanism identified and TORs drawn up	Task forces meet regularly and provide guidance to national efforts	2015-2018	At least 8 countries have institutional mechanisms in place	Member States, International Organizations	140,000
6.2	Organise joint cross-border trainings between immigration officials and other relevant stakeholders.	Cross border training curriculum developed and tested	Cross border training conducted on addressing irregular and mixed flows at border points	2015-2017	At least 8 countries take part in cross border trainings	Member States, International Organizations	110,000
6.3	Regional consultation: Consolidate existing consultative processes on irregular and mixed migration working closely with SADC Ministerial Committee of the Organ (MCO)	Assessment of regional consultations on irregular and mixed migration carried out with recommendations on aligning these processes	a single and coherent regional consultative process exists on irregular and mixed migration in SADC	2016-2018	1 consultative and sustainable process with regular meetings	Member States, International Organizations	270,000
6.4	Harmonization: Develop and Harmonize policies and procedures to address irregular and mixed migration	Provide countries with a regional framework to guide members states as they put in place policies and procedures	Policies and procedures across SADC are consistent	2016-2018	Policies and procedures in at least 8 countries are consistent	Member States, International Organizations	180,000
	Establish a dedicated and functional migration desk to coordinate regional responses to migration related challenges under the SADC Secretariat		A migration desk is established under the SADC Secretariat	2015-2016	A full staffed and functional SADC migration desk established	Member States, International Organizations	90,000
6.5	Joint operations: multi country criminal investigations and sting operations conducted against smuggling and trafficking networks involving relevant actors	establish cooperation platforms with INTERPOL and SARPCO	Periodic meetings among law enforcement leading to joint investigations and sting operations conducted	2015-2018	At least 5 joint operations conducted	Member States, International Organizations	110,000
6.6	Mutual Legal Assistance: create frameworks for mutual legal assistance for the investigation and prosecution of smuggling and trafficking networks.	assessment as to the availability and efficiency of existing mutual legal assistance tools to be conducted	Mutual legal assistance tools put in place for the investigation and prosecution of traffickers and smugglers	2015-2018	At least 8 countries have mutual legal assistance tools	Member States, International Organizations	70,000
Sub Total							970,000
Total							14,469,000