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African Union's Migration Governance Framework, the Refugee Crisis and Challenges for Geopolitical Security

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Abstract

This article is an in-depth desk review of migration-related issues in Africa, including new migration trends, triggers of internal displacement and refugee flows, the African Union's migration policy frameworks, emerging threats to geopolitical security, and responsibility-sharing among African sub-regions. It explores the various variables that lead to migration within the African region, the extent to which they interact with one another, and the application of existing migration policy frameworks within the context of responsibility sharing. The article equally examines the African Union's (AU) current and planned migration governance institutions and member states' political will in view of the reality that managing migration is challenging due to its inevitable nature, magnitude, and heterogeneity. Strengthening forums between national, regional, and global actors is essential in order to address regional migration and displacement challenges in a manner consistent with international standards.

Keywords

Migration, Security, Refugees, Governance Framework, African Union

Introduction

The number of forcibly displaced people, including refugees, asylum-seekers and internally displaced people continues to rise and the variety of motivations and the range of destinations has also expanded (Zetter 2014) in the last two decades. Sub-Saharan Africa hosts more than a quarter of the world's refugee population (Flahaux and De Haas, 2016) and has the world's highest concentration of internally displaced persons (Croll, 2009) but the existing narrative discounts the fact that the majority of African migration occurs within the continent. The long-held account of African migrants depicts frustrated and desperate people in overcrowded boats surging into Europe on a seemingly endless tide. Rather, sub-Saharan African migration has, for a long time, remained overwhelmingly

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intra-continental with more than two-thirds of all migrants from Sub-Saharan Africa migrating to other countries within sub-Saharan Africa. Migratory movements within and from Africa are expected to increase in the coming years (Adepoju 2016) due to a variety of demographic, economic and political factors.

No continent is immune to the challenge of forced displacement in the twenty-first century, but the global distribution of refugees is heavily skewed towards the less developed regions. For instance, 87 percent of all refugees do not find refuge in Europe, North America or Australia, according to data from the United Nations High Commissioner for Refugees (UNHCR, 2018a). Instead, refugees usually move to the immediate vicinity of their countries of origin and, hence, mostly remain developing countries (Schneiderheinze et al 2018). At the end of 2022, 70 percent of refugees and other people in need of international protection lived in countries neighboring their countries of origin (UNHCR, 2023). Regional organizations' potential comparative advantages in facilitating "orderly, safe, regular and responsible migration and mobility of people" (Sustainable Development Goal (SDG 10.7) in regional contexts and beyond are beginning to be recognized (Dick and Schraven, 2018). In Africa, migration is now in the forefront of political discussions, especially in countries where people have been displaced through conflict or climatic change, or where people move in search of economic and social opportunities that do not exist in their countries of origin.

Over the years, armed conflict, insecurity, environmental degradation, as well as deteriorating political, socio-economic and environmental conditions, have been significant root causes of mass migration in Africa (African Union, 2018). Decentralized forms of violence like terrorism, urban riots, and small insurgencies in state peripheries have also been on the rise (GIGA Focus, 2018). For instance, in the face of acute violence in South Sudan, Somalia, the Central African Republic, Libya, the Democratic Republic of Congo and the Sahel, the AU is trying to balance the competing imperatives of (a) protecting substantial refugee and internally displaced populations; (b) facilitating easier continental economic migration via the African passport; (c) preventing both deadly trans-regional crossings and the re-emergence of overt slavery; and (d) placating concerns about the implications of incoming migration for national security and unemployment in Africa, Europe and beyond (Mickler, 2018). African governments are good at committing their countries to regional pacts about migration but "slow to provide migrants with protected status and economic opportunities similar to those enjoyed by their own citizens" (Parshotam, 2018). In this regard, this article explores the ways in which various factors lead to migration within the African continent, and the extent to which they interact with each other in a seemingly peculiar trend on one hand, and the implementation of existing migration policy frameworks within the context of responsibility-sharing on the other hand. The effectiveness of migration governance at local, regional, and national levels, and then beyond the regional sphere is also examined.

Statement of the Problem

The study of regional migration governance only recently gained magnitude as an object of academic inquiry. However, there is a growing recognition that forced migration or tackling its foundational causes needs to be better understood at the regional level. In Africa, forced migration makes up a great portion of population movement. While much of the discourse in the field of migration over the years has focused on migratory movements to Europe and other continents, little academic research is dedicated to migration within the continent arising from protracted conflicts, political instability, humanitarian catastrophes and unfavorable economic environments. Refugee flows in Africa seem to receive considerably less attention, except for the intervention of humanitarian agencies. The Horn of Africa is host to some of the world's largest refugee populations and migratory flows, and this problem has assumed unprecedented proportions in recent years. According to the United Nations, developing countries, mostly in Africa, are taking in a disproportionate number of refugees, currently eighty percent of the world's refugee population. Africa is home to 54 countries and 1.4 billion people and poses the central development challenge for the next generation in terms of geopolitical security, given the fact that accurate information on migration is insufficient, due to lack or easy avoidance of border controls, the lack of systematic, harmonized and comparable records and census procedures, and also the lack of a single definition of a migrant.

Study Questions

In spite of the creation of regional legal instruments to manage migration in its "Migration Policy Framework for Africa," the continent is still being affected by various streams of population distribution and redistribution arising from aforementioned factors. From this, some questions arise naturally. What are the peculiarities associated with the push factors in African sub-regions and the efforts of national governments in addressing them? Though a consensus-driven instrument, how well-equipped is the African Union's (AU) migration policy framework to address and regulate voluntary and forced migration on the continent? What are the innovative ways by which African countries can demonstrate regional solidarity and responsibility sharing in response to protracted situations of displacement? Are there legal instruments or mechanisms to hold states accountable for their failure to deliver on the migration governance framework? Are the legally and politically permissible ways to enhance the protection of refugees, asylum seekers, and internally displaced persons being observed by African governments?

Objectives and Study Rationale

Since the challenge of governing migration lies in its inevitability, volume, and heterogeneity, this study investigates the African Union's current and planned migration governance institutions and the political will among member-states. It employs a desk study

approach and focuses on how political and security architecture can be enhanced in order to address significant refugee movements throughout the continent. It investigates new migration patterns on the continent, factors precipitating refugee flows and displacements, current analysis of the African Union migration policy framework, emerging challenges for African geopolitical security, and responsibility-sharing among African sub-regions. It also suggests policy recommendations for both national and regional authorities on new approaches to address the issues of forced migration and proper enforcement of extant laws.

New Migration Trends and Patterns in Africa

Migration is a term that encompasses a wide variety of movements and situations involving diverse people with various backgrounds (Mcauliffe and Ruhs, 2017). Migration is a global phenomenon which affects all countries of origin, transit and destination, positively or negatively. Migration, according to Crépeau and Atak (2016), exposes tensions between a number of parameters, including state sovereignty, border security, economic logics of globalization, integration and the values relating to protection of migrants' rights. Today, the term 'forced migration', encompasses people who were compelled to move from their land due to environmental disasters, environmental degradation and development projects in addition to other vulnerable groups, including refugees and Internally Displaced Persons (IDPs).

Though migration policy remains largely within the power of sovereign states, migration governance on international and (trans-) regional levels has emerged as a response to tackling this trans-boundary issue (Kunz, Lavenex, and Panizzon 2011). The majority of refugees are hosted in developing countries, with refugees often fleeing to poorer areas where the host community may also be vulnerable. The fact that regional migration is generally less costly and therefore more accessible for the relatively poor compared to intercontinental migration accounts for this trend.

The African continent is generally characterized by diverse migratory patterns and has a long history of intra-regional and inter-regional migration flows (European Commission, 2018). In many parts of the continent, communities are spread across two or three nation-states. Consequently, movement is often not limited by political boundaries (African Union Commission, 2018). Conflict and violence have played a much larger role in shaping postcolonial migration in East, Central, and southern Africa. Today Africa's refugee and internally displaced crisis stretches from the Lake Chad Basin through the Great Lakes Region to the Horn of Africa (Mcauliffe and Ruhs, 2017). In the Horn of Africa includes Kenya, Ethiopia, Djibouti, Somalia, Eritrea, and Sudan and has been known for decades as one of the hottest geographical spaces of internal dissidence and interstate conflicts. This region offers an advantageous landscape for terrorist organizations and networks to flourish (Joel, 2001). Repeated conflicts and civil war have displaced thousands

of people from the region. Curiously, about 50 percent of all cross-border migrants move within the IGAD region, compared to 93 percent in the ECOWAS area and 71 percent in the SADC region (IGAD 2013, p. 7).

Today, the African region faces immense challenges due to forced displacement, and having many more internally displaced persons (IDPs) than refugees. There are nearly five times as many IDPs in this region. The largest regional increase of forcibly displaced people in the world took place in sub-Saharan Africa, as it reached a new high of 18.4 million in 2017, up sharply from 14.1 million in 2016 (UNHCR, 2018). Environmental displacement involving 1.1 million people took place in 33 African countries in 2015, caused largely by floods, “destroying thousands of buildings and homes, damaging roads and bridges, upsetting food and irrigation systems, and disrupting education and health services” (Dahir, 2016). It should be noted that despite their reputation under international law as a legitimate concern that would warrant the creation of a humanitarian organization, internally displaced persons experience tragedy similar to refugees (Dieng, 2017).

In a specific instance in Ethiopia, more than 1.4 million people were internally displaced in the country in the first half of 2018. This was more than any other country, outpacing the world’s worst conflict zones including Syria, Afghanistan and the Democratic Republic of Congo (MacDiarmid, 2018). South Sudan is a country with one of the youngest populations in the world and produces one of the highest numbers of refugees in the world. Of the UNHCR’s six priority situations worldwide, three are in Africa: Burundi, Nigeria and South Sudan. By the end of May 2018, close to 2.6 million South Sudanese fled the country (Maunganidze, 2018). Eritrea, a small country in the Horn of Africa, has had tens of thousands of its citizens leave the country over the last 10 years. Many of those fleeing Eritrea are primarily young men and women who were forced into indefinite national service (Runde, 2018).

Over the last decade, a salient trend in African migration has been the rise in irregular migration. Apart from forced migration occasioned by conflicts and other humanitarian crisis, poor socio-economic conditions, such as low wages, high levels of unemployment, rural underdevelopment, poverty and lack of opportunity fuel out-migration in Africa. Nearly four-in-five displaced persons (79%) living in sub-Saharan Africa came from just five nations in 2017: Democratic Republic of the Congo, South Sudan, Somalia, Nigeria and Central African Republic (IDMC, 2018).

Contrary to popular belief, more than 80 percent of African migration today takes place within Africa, either intraregional (particularly within the West, East, and Southern African regions) or interregional (from West Africa to Southern Africa, East/Horn of Africa to Southern Africa, and Central Africa to Southern Africa and West Africa) (IOM, 2017). Adepoju (2008) places African migratory movements in four broad categories: (a)

labor migration to and within West Africa and Central Africa; (b) refugee flows in East Africa; (c) labor migration from southern African countries to South Africa; and (d) irregular cross-border migration of specific ethnic groups and pastoral peoples in West and East Africa, which Adepoju describes as probably the most common form of migration in Africa.

Many migrants from the Sahel region head to Algeria and Morocco with the primary objective of crossing to Europe. Rather than staying only briefly in Morocco or Algeria, an increasing number of migrants now stay for years. Algeria and Morocco also attract thousands of regular migrants (Abebe, 2017b). As far back as the 1980s and 90s, countries such as South Africa, Angola, Mozambique and even Namibia remained the primary host countries for refugees. Several million Mozambicans, fleeing a civil war that devastated their country, were hosted by virtually every neighboring country. Tanzania, for example, has hosted successive waves of refugees from countries such as Burundi, DRC, Mozambique and Rwanda. South Africans found refuge not only in immediate neighboring countries, but also in African states, which included Tanzania, Zimbabwe, Zambia and others (Schneider, 1999). In the Great Lakes region, large numbers of refugees from Burundi, DRC and Rwanda have been engaging in a highly complex pattern of flight and return throughout the past two decades (Long and Crisp, 2011).

Three decades later, Africa is still one of the main refugee generating and hosting continents in the world. For decades, the continent has been home to millions of refugees. Today, refugee flows from one African country to another continue and in some regions, the problem has assumed unprecedented proportions (Rutinwa, 1999), posing certain social, economic and political challenges for policy makers in future migration management. Long-term refugees are a direct consequence and it is imperative to critically analyze the geopolitics of their displacement (Rutinwa, 1999).

African Union Migration Policy Frameworks for IDPs and Refugees

National and international responses to the growing challenges of migration have gained ground over the years. As a matter of fact, migration is more systematically being incorporated into the development agendas of international and national actors. Regional migration regimes, both as an object of academic enquiry and in political discussions, have received increasing attention in the last two decades. Today, the migration management is one of the most critical challenges for states and it requires “well planned migration policies, which are developed and implemented through a whole of government approach, as well as deepened cooperation with destination countries” (European Commission, 2018). The legal basis for regional refugee protection arrangements varies depending on the region and the circumstances. For the sub-regions in Africa, migration is an integral part

of the agenda for regional economic integration that has also made headway in the past decade. There are various migration policy frameworks and regimes on the African continent. These include policies developed by the African Union (AU) and the various regional economic communities, as well as those adopted by the AU in agreement with the European Union. Africa's migration frameworks, as noted by Abebe (2017a) comprise legal, policy and coordination frameworks aimed at enhancing legal migration in a comprehensive manner.

Global migration governance can be defined as the norms and organizational structures that regulate and facilitate states' and other actors' responses to migration. Its primary purpose is to ensure that states work collectively in ways that make them able to fulfill their objectives better than they would be able to acting alone (Betts and Kainz, 2017). The global governance of refugee protection is centered on the 1951 Refugee Convention, which grants protection in signatory states to individuals who are "persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion" (Article 1; United Nations High Commissioner for Refugees (UNHCR) 2010). The 1969 OAU Africa is one of the first continents to have developed a legal regime on Migration. The Convention Governing the Specific Aspects of Refugee Problems in Africa was the first regional refugee convention in the world and the only relevant binding instrument in the developing world (Abebe, 2017a).

The current AU's overarching approach to migration is articulated in two policy documents: the African Common Position on Migration and Development (African Common Position, 2016), and the Migration Policy Framework for Africa (2016), both adopted by the Executive Council of the AU and necessitated by "increasing migration within and from Africa due to globalization and deteriorating political, socio-economic and environmental conditions on the continent" (Abebe, 2017a). The Migration Policy Framework recognizes that migration is one of the major topics in the 21st century. The framework articulates the AU's position on migration, which is that well-managed migration has the potential to yield significant benefits to origin and destination countries.

The African region has also entered into different global agreements on migration as a fundamental partner. For instance, the first Euro-African Ministerial Conference on Migration and Development held in 2006, primarily addressed the emergency situation along the West African migratory route (Collyer, 2009). It adopted the main tracks of the 'Global Approach to Migration', proposed by the European Commission, which addresses all aspects of migration flows, including the organization of legal migration, the fight against irregular migration and the synergies between migration and development. The Euro-African Dialogue on Migration and Development (Rabat Process) has four thematic pillars: improving border management and combatting irregular migration; organizing mobility and legal migration; promoting international protection; strengthening

the synergies between migration and development. It explicitly hedged both regions to “commit to a partnership between countries of origin, transit and destination, to better manage migration in a comprehensive, holistic and balanced manner, in a spirit of shared responsibility and cooperation” (Long and Crisp, 2011).

Also, as a normative framework to protect and assist internally displaced persons on the continent, the African Union adopted the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) in October 2009. The African Union Convention came into force in 2012 and was “the first continental instrument with legal basis to bind governments to commit to the protection of minimum rights of people forced to flee their homes by conflict, violence, disasters and human rights abuses” (Dieng, 2017). Similar to its predecessor, the Migration Policy Framework for Africa (2018–2030) provides comprehensive policy guidelines to AU Member States and Regional Economic Communities (Elfadil, 2018). These conventions and frameworks address policies governing how member states regulate migrant access to their territories, and the treatment of immigrants within their lands.

The African Union aims to facilitate migration in Africa, as well as tackle issues such as brain drain, brain waste and the security risks of migration. It also aims to criminalize and prosecute those involved in human trafficking and people smuggling in Africa. The Migration Policy Framework calls on member states to “harmonize national legislation with international convention” to ensure the protection of the rights of migrants, including ensuring access to courts, and promoting, “the integration of migrants in host societies in order to foster mutual cultural acceptance and as a means of ensuring the rights of migrants are respected and protected” (African Union Executive Council, 2006). Regional organizations and migration platforms are gradually becoming acknowledged political players on the continent.

Several other regional initiatives are of relevance to the issue of cross-border population movement. Regional communities, such as the Economic Community of West African States (ECOWAS), the East African Community (EAC), and the South African Development Community (SADC), have all pursued freedom of movement policies, albeit with dissimilar impetus and impact (Fioramonti and Nshimbi 2016). For instance, the Migration Dialogue for Southern Africa (MIDSA) was established with the support of IOM in 2000 and now has 15 Southern African member states. Regarding the introduction of norms for the free movement of persons, the Economic Community of West African States (ECOWAS) can be considered a forerunner in Africa. Its (ECOWAS) 33rd summit in 2008 however, marked a turning point in the management of West African migration, with the adoption of the Common Approach of Member States to Migration at Ouagadougou, symbolizing a willingness to start a dialogue of equals with Europe and North Africa. All member-states of ECOWAS have acceded to the Geneva Convention

relating to the Status of Refugees (1951) and its additional Protocol (1967), as well as the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969), which provides for specific measures for refugee movements in Africa (Charrière and Frésia, 2008).

Similarly, the Intergovernmental Authority on Development (IGAD) in East Africa has established a number of initiatives to address mixed migration. Its aim is to maximize protection and save lives, while working towards sustainability and increased government ownership and capacity to respond to needs by reinforcing governments' migration management capacities (Njuki and Abera, 2018). The IGAD region, which comprises Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda, is one of the world's largest refugee producing and hosting areas, with up to 11 million forcefully displaced persons (RMMS, 2017). The countries experience common challenges of movement of mixed migrant populations, whether in search of economic opportunities or as a result of forceful displacement due to civil strife, disasters, such as floods and droughts, amongst other reasons. Thus, it seeks to enhance migration governance and migrants' protection in the region.

Despite these initiatives, there are still major limitations to be addressed with a view to applying existing policies to the migration realities on the ground. What has become evident is that, despite significant progress in the protection of refugees' rights in Africa, an alarming gap remains between policy making and policy implementation. Also, there is a dearth of national policies and strategic plans on Diaspora engagement, with existing policies rarely harmonized within regional and continental frameworks. There should be a concrete mechanism for responsibility sharing, making it possible to place primary responsibility for refugee reception, protection, and assistance on host countries, while the vast majority of countries with much greater capacity are required to take on any new responsibilities. Lastly, the AU, according to Abebe (2017), should work with regional economic communities (RECs) to address the multiplicity of membership by countries in the different RECs.

Forced Migration and Challenges for African Geopolitical Security

The global geo-political prominence of migration has greatly increased in recent times, as the world sees larger numbers of migrants than at any other time in history (European Commission, 2018). Every region in the world currently faces the difficulties of balancing domestic immigration realities with integration aspirations, especially as global migration flows increase (Landau and Achiume, 2015). As identified in previous section, the root causes of migration and mobility in Africa are numerous and inter-related. Specifically, forced migration, related to crises such as armed conflicts and political unrest, continues to grow, increasingly exacerbated by climate change, natural disasters and struggles

for scarce resources (Crépeau and Atak, 2016). Bearing in mind that “the very subject of mobility invites discussions about places, politics and their complex, contingent inter-relations” (Allen et al 2017),

Large spontaneous and unregulated migrant flows can have a significant impact on national and international stability and security, including by hindering states’ ability to exercise effective control over their borders, and creating tensions between origin, transit and destination countries and within local host communities (African Union, 2006). In the Horn of Africa for instance, porous borders and communities split by the same border result in easy internationalization of conflicts. Consequently, security has become an issue that has required, and continues to require, the concerted efforts of all the states found in this region (Kiamba and Waris, 2006).

The growing imbalance between levels of human development and economic growth, and political and social inclusion remains a key threat to stability. Specifically, in addressing the challenges of large influxes of refugees for African geopolitical security, this paper will focus on how to manage the challenge of a steady increase in conflicts that spill over borders, with a coordinated regional approach, which is critical for Africa’s future growth and development. Ordinarily, the geographical proximity of developing countries to areas of conflict naturally accounts for why most refugees are hosted by these countries. People fleeing persecution, war and violence often seek refuge in neighboring countries (European Parliamentary Research Service, 2018).

Unmanaged migration and in particular, irregular migration, may pose both national security and human security threats. Displacement caused by conflict has destabilizing effects on national and regional security, with adverse consequences on the ability of host nations to provide protection to refugees and security to their own nationals (African Union Commission, 2018). The impacts of large influxes of refugees in neighboring countries can be both negative and positive, and the dynamic between positive and negative factors is complex and varies depending on the context. It is generally recognized that there are humanitarian, political, security, and development challenges during the time of displacement and the period after durable solutions have been identified, either in the home country, a neighboring state, or elsewhere (World Development Report 2011).

When forced migrants arrive in large numbers in a economically disadvantaged region, they place an enormous strain on public services, infrastructure and on the states’ budget. There is always a persistent climate of suspicion and tension resulting in intimidation, extortion and harassment of the refugees by the host communities (Halperin, 2003). The refugees are confronted with material hardship, psycho-social stress, sexual and gender-based violence. As observed by Crisp (2000):

These conditions lead them to engage in negative coping mechanisms and survival strategies, such as prostitution, exploitative labour, illegal farming, manipulation of assistance programmes, sundry crimes and substance abuse.

Protracted refugee situations can result in direct security concerns, “including the presence of armed elements within the refugee population and the spill over of conflict across borders, and indirect security concerns, as tensions rise between local populations and refugees over the allocation of scarce resources” (Loescher & Milner, 2005). While today’s refugees are mostly victims of internal conflict, for some communities “migration has become a survival strategy” (Elfadil, 2018). Across much of the continent, geopolitical stability is affected by poverty and social inequities, political and economic restructuring, human rights abuses, population pressures and environmental degradation. These factors are often mutually reinforcing, leading to political tension and conflict. Of the UNHCR’s six priority situations worldwide, three are in Africa: Burundi, Nigeria and South Sudan. In addition, instability, human rights abuses and/or ongoing conflicts in the Central African Republic (CAR), the Democratic Republic of the Congo (DRC), Eritrea, Mali, Somalia and Sudan have worsened the internally displaced and refugee situations in those countries and their regions (Maunganidze, 2018).

Migration is an issue that affects all policy areas, including economics, politics, social policy and security. The presence of refugees contributes to significant security issues for several countries in the region. The roots of insecurity, which exist in Africa’s refugee camps and settlement areas, are varied and numerous. There are a number of domestic concerns for countries that host refugees. The first of these is internal security. Many refugees come from situations of civil war and bring their weapons with them. These are then used by some for crimes, which include armed robbery and poaching (Schneider, 1999). Refugee camps located close to the boundary of the country of origin can provide sanctuary to rebel organizations, and a base from which to carry out operations and fertile grounds for recruitment (Salehyan and Gleditsch 2006).

Limited resources, weak public institutions, and long land borders severely impede the control of migration in many African countries, resulting in large numbers of undocumented migrants (Ratha et al 2011). However, given the official figures from international organizations, the refugee flow in Africa is alarming, as it dominates the world’s top ten countries of forcibly displaced people (Refugee Council of Australia, 2018). According to UNHCR (2018), an unprecedented 68.5 million people around the world have been forced from their homeland. Among them are nearly 25.4 million refugees, over half of whom are under the age of 18. There are also an estimated 10 million stateless people who have been denied a nationality and access to basic rights such as education, healthcare, employment and freedom of movement. Over 50 percent of the world’s

refugees came from three countries: Syria, Afghanistan and Somalia (Ruaudel and Morrison-Métois, 2017).

In Africa, conflict and insecurity in Iraq, South Sudan, the Democratic Republic of the Congo (DRC), Central African Republic, and Myanmar have also caused millions to flee their homes. The refugee population in sub-Saharan Africa increased by 1.1 million (22 per cent) during 2017, mainly due to the crisis in South Sudan, from where more than 1 million people fled primarily to Sudan and Uganda. With 6.3 million refugees, this region hosted almost one-third of the world's refugee population (UNHCR, 2018). By 2017, Cameroon, Chad, the Democratic Republic of the Congo, Ethiopia, Kenya, Sudan, and Uganda, hosted 4.9 million refugees, 28 percent of the global total (AU, 2017).

Though, the vast majority of the world's refugees never directly engage in political violence, this alone should not lead scholars and practitioners to neglect the possible security consequences that often accompany refugee flows (Salehyan and Gleditsch, n.d). It should be noted that protracted refugee situations, as we have in some African countries, are predicated on the intersectionality of domestic economics, politics and social factors. In most cases, they are the result of political actions, both in the country of origin and in the country of asylum. They are neither natural, nor inevitable consequences of involuntary population flows (Jamal, 2003). Refugees from neighboring countries can increase the risk of subsequent conflict in host and origin countries.

Border management systems are coming under increasing pressure from large flows of persons moving across national borders in Africa. Specifically, building capacities to distinguish between persons having legitimate versus non-legitimate reasons for entry and/or stay has remained a serious challenge to border management mechanisms and personnel (Mbite, 2012). The securitization of borders is best exemplified in the convergence of geopolitics, as observable in some conflict-prone African countries where refugee influx is constant. Given the fact that the lines of conflict frequently run across state boundaries, due to the various ethnic and cultural ties of the affected communities, as most vividly seen in the Great Lakes region and West Africa, the issue of border security is predominant in the affected countries. The existential threat faced by humanitarian actors attempting to reach and help vulnerable persons is another indicator of securitization dynamics (Donnelly, 2017) when it comes to the protection of refugees.

Refugee Crisis and Responsibility-Sharing in Africa

There has been increasing pressure from various stakeholders for greater collaboration between humanitarian and development actors in addressing issues related to forced displacement. In a globalized world, sharing global responsibility for global issues is the fair thing to do (Amnesty International, n.d). There appears to be the recognition of a need to improve both international cooperation and the way the burden and the responsibility

are shared with regard to protection granted to refugees among various countries. At a time when solidarity and responsibility sharing are needed more than ever, states are pre-occupied by security concerns stemming from international terrorism, and there is a new emphasis on border control (Nicholson and Kumin, 2017). Past experiences show that regional bodies can play an effective role in establishing harmonized systems and policies, as well as collaboration mechanisms to address migration challenges and can focus on the gap between regional policies and national level implementation (European Commission, 2018).

Security and refugee protection are not mutually exclusive. An important starting point is to recognize that refugees are themselves fleeing from persecution and violence. What is needed is an integrated response to asylum and migration flows that enables states to identify persons entering their territory, and to respond to protection needs, as well as to security concerns in line with their obligations under international law (Nicholson and Kumin, 2017). Protecting refugees is a matter of customary international law and a legal obligation assumed by the countries that have ratified the 1951 Geneva Refugee Convention (hereafter, the convention) or its 1967 Protocol. The convention imposes a range of obligations on these states, most importantly the principle of non-refoulement, which prohibits them from returning refugees back to a situation of risk (European Parliamentary Research Service, 2018). Responsibility sharing is essential largely because the costs associated with protecting and assisting refugees and displaced persons are unequally placed (Martin et al 2018). Thus, this section briefly investigates the shared responsibilities of different actors, in this case, national governments, regional bodies, refugee-led organizations and international agencies, in meeting the needs of the most vulnerable migrants with particular reference to refugee settlement, return and reintegration in African sub-regions.

It is observable that there are challenges in responding collectively to large-scale movements of refugees and displaced persons on the continent, given the protracted nature of most of the conflicts producing these vulnerable groups. First, as earlier noted, solutions to displacement crises across the world cannot be reached without international cooperation. In Africa, limited financial and political commitment to refugee issues (evident in constant program failures) has always been at the fore front of responsibility sharing for refugees. The history of refugee protection in Africa is full of examples of development oriented refugee programs that did not succeed. Jamal (2003) contends that “the lack of international commitment to refugee care, protection and solutions is at the crux of the protracted refugee problem in Africa”. Jamal further explains that states may be taken to task for refoulement but not for underfunding programs, because refugee protection is a legal obligation but international burden sharing is ‘only’ an international principle. Indeed, honoring many of the global and regional commitments has been left at the realm of moral responsibility.

Second, on many occasions, particularly at moments of acute migratory flows, compliance with regional migration policy has proven to be costly for national governments, making migration in Africa reactive, rather than being proactive. The argument by African leaders suggests that African countries bear a responsibility to host refugees and migrants disproportionate to their resources (ISS Africa, 2016). While low and middle income countries host most international refugees, most humanitarian assistance is ultimately paid for by high income country governments (MEDAM, 2017). This scenario also resonates within African sub-regions, where only a few countries regularly make financial commitments. For responsibility sharing to be meaningful, Martin et al (2018), contend that “states must commit to contributions they can deliver and know they have the backing of relevant constituencies in fulfilling their commitments.”

Third, to complement the existing legal framework for refugee protection and solutions, it is argued that “there is a potential in the whole of society approach to include the three options of voluntary repatriation, resettlement, and local integration on an equal standing” (The Danish Refugee Council, 2017). One of the most meaningful ways in which states can share responsibility for refugees and gain from their presence is by providing safe, legal pathways for them to reach the state and restart their lives (McMonagle, 2017). Countries bordering conflict and crisis zones should not be left unaccompanied in taking responsibility for the displaced, as exemplified in Uganda or Ethiopia in relation to South Sudan. In order to overcome collective action failure, effective responsibility sharing requires a range of complementary mechanisms, including analytical, political, and operational, rather than the creation of a single legal mechanism or centralized allocation system (Betts, Costello and Zaun, 2017)

Lastly, given the fact that responsibility sharing should cover all aspects of refugee response, including maintaining adequate protection and assistance, finding and promoting predictable, and comprehensive and long-term durable solutions, the AU migration policy framework must incorporate all these dimensions and enforce the legal basis for cooperation. For now, it appears the needed regional approaches for joint border management, information gathering and sharing are not deeply rooted in practice. On the positive side however, Uganda along with some other African countries is leading the way with more progressive policies, embracing approaches that enable refugees to become self-reliant, while supporting host communities (World Bank, 2017).

Recommendations

Given the fact that the nature of security threats has substantially changed in the post-Cold war era, this requires new regional and international responses to strengthening the security of African citizens (GIGA Focus, 2018). Within the context of forced migration, the pressure coming out of Africa is structural, with both security and economic

dimensions that need to be taken into account (Vimont, 2015). The recurring question has always been whether “governments and societies are ready for a shift in mentality that challenges long-held stereotypes and accepts people from other cultures” (Malka, 2018). The inability to respond appropriately to the large-scale internal displacement risks further conflict, triggering more refugee flows. Bearing in mind that one size does not fit all, the best practice is evidence based policies, responsive to the refugee crisis on the continent. The Migration Policy Framework for Africa (AU, 2006) emphasizes that well-managed migration holds benefits for both origin and designation countries. This paper advocates collective commitment to resolving the protection needs of refugees and other displaced people through a range of options and opportunities. As aptly captured by Ruauudel and Morrison-Métois (2017):

Key policy objectives of interventions often include to prevent or contain the root causes of violent conflict leading to displacement; stabilize the economies of impacted countries; help countries of first displacement better accommodate growing refugee populations; assist countries of transit including in the area of border control; support voluntary returns; and undertake other development efforts to ultimately reduce secondary displacement.

There is a need for better cooperation between government, security, development, humanitarian and peacebuilding actors, throughout all phases, to prevent the (re-) emergence of violent conflicts and to facilitate peaceful transformation of existing conflicts (Perrinet et al 2018). The “whole-of-society approach” (Glennie and Rabitowitz, 2013) is a current buzzword in migration management, which acknowledges the important role that relevant stakeholders play in support of national efforts towards the sustainable management of refugees. These stakeholders include individuals, families, communities, voluntary associations and, where appropriate, the private sector and industry.

Democratization and Political Change

Solutions to conflicts and other causes of displacement and humanitarian crisis is fundamentally a political issue. Ultimately, Jamal (2003) posits that “refugee situations are best addressed by dealing with political causes”. When refugee problems are manifestly linked to conflict over the political make up of society, political change is indispensable for solving them. Although the mass movement of people outside their countries as a result of war is a humanitarian problem, Tunda (2016) asserts that a political solution, achieved through dialogue between countries, is one of the tools that can resolve crises. Specifically, the geo-political stakes inherent in a refugee situation are such that the security of camps and border areas cannot be reduced to a mere question of law enforcement (Canadian Council for Refugees, 2000).

Without participatory democracy, rule of law, as well as economic and social development, the endless migration flows from countries of origin may continue unabated. The need to mainstream migration into other sectoral policies is imperative. The respect of constitutions by governments would protect the rights of their citizens and strengthen democracy in the region against current faulty political arrangements, often exacerbated by weak state capacity and bad governance. Election related conflicts should be significantly addressed because they have been a recurrent trigger of crises and conflicts in Africa over the years.

Inclusive Development Initiatives

The humanitarian-development nexus can provide the building blocks for achieving longer-term solutions. For an effective refugee response to be achieved, a greater engagement of development actors in refugee response is required. Inclusive development, if undertaken correctly, can potentially support all dimensions of sustainability, including coping with rising pressure on resources and population increases experienced in Africa. Also, more investments must be made at the national and regional levels in sustainable development, peacebuilding, to address the impacts of climate change and disaster risk reduction (IDMC, 2018). African countries should design implementation roadmaps linked to their development, and trade and investment policies (Abebe, 2018). At the moment, agenda 2063 brings to its understanding of the *Africa we Want* (African Union, 2014) the idea that development cannot be disassociated from conflict prevention. In addition to mediation and peacekeeping, regional and sub-regional organizations should continue to play a critical role in capacity development. Also, to curb irregular migration and attract citizens in diaspora, national governments should create the necessary political, social and economic conditions such as an enabling policy environment, democracy and good governance. Overall, building an inclusive and people centered vision of peace, one that addresses the root causes of violence and promotes rule of law, good governance and human rights, is central to the inclusive development being projected in this paper.

Conflict Prevention and Enforcement of Regional Policies

The drivers of conflict and violence in Africa include young populations, high unemployment, lack of equal opportunities, urbanization, poverty, inequality, an excessive number of guns, and bad governance and corruption (du Plessis and Kaspersen, 2016). The African Union (AU) has developed several conflict prevention initiatives since its inception in 2002 (de Carvalho, 2017) and the assumption is that the AU would be more effective in handling longer term trends and challenges related to conflicts by dealing with their root causes (ibid). Despite being a clear priority for the African Union (AU), conflict prevention faces many challenges in terms of both its institutionalization and political effectiveness (Bedzigui, 2018). Regional economic communities and the AU must take

ownership and responsibility for refugees' protection by being more accountable, equitable and responsive to their needs. The AU needs to clearly set out its strategic priorities and define its role in peace and security, and put in place appropriate legal and political mechanisms to ensure member states comply with existing policies on migration. Regional and national authorities should be more pro-active in conflict prevention efforts, and be effective in crisis intervention and with the adoption of sanctions. Refugee policy and protection practices should take into account security concerns and relevant government departments should consider establishing a national secretariat to coordinate this policy.

Migration Data and Research

Migration is inevitable, and needs to be governed in an integrated manner. As referred to earlier, African countries lack adequate systems to capture information on the different categories of migrants present in their territory. The absence of national and regional migration data presents a serious obstacle for an effective migration management. Building an evidence based migration narrative, according to Abebe (2018), is important for African migration governance. The keys to achieving this are better information and accurate data systems, including on migration trends, demographics, labor markets, education, health, environmental degradation, climate change and crises. In other words, national governments should strengthen data gathering, share migration related data and information, provide training, and maintain sustained dialogue on factors, trends and characteristics of internal migration and the geographical distribution of population. African governments need to initiate the basic functions of governing, such as effective the documentation of populations and cross-border management through cooperation between states' sub-regional and regional agencies, and the international community in particular.

Holistic Refugee Policy

The longer displacement lasts, the more difficult it is to find sustainable solutions. Policies that seek to harness the strategic potential of migration, grounded in African realities are needed to address the challenges raised in this paper. The African region can, as a matter of practicability, key into the United Nations' 2016 New York Declaration for Refugees and Migrants, which lays out a vision for a world in which refugees can thrive and responsibility is shared on a global scale. To make its vision a reality, the Declaration proposes a Comprehensive Refugee Response Framework (CRRF), which forms the basis for a Global Compact on Refugees. The CRRF promises better support for countries that host refugees (Okoth, 2018). Countries participating in the CRRF pledge to improve refugees' access to education, health and other social services, as well as employment (European Parliamentary Research Service, 2018). The right step in this regard is the Common African Position (CAP) on the GCM, adopted in January 2018, which aims to reflect Africa's united stance and voice in the development of the GCM. What is needed

and central to other recommendations, however, is the capacity of the African Union to strengthen regional implementation and monitoring mechanisms to improve the national implementation of regional and sub-regional policies on the continent. Indeed, states are encouraged to adopt and incorporate the international instruments pertaining to the protection of refugees into national policies. Overall, the AU policy responses to refugee crisis should be seen to be holistically addressing the human security of those who need it most, people fleeing violent conflicts and other life-threatening situations.

Tackling Root Causes

Situations of displacement become protracted when the causes of displacement are not addressed or remain unresolved. In conflict situations lingering conditions of insecurity may prevent refugees and internally displaced persons from returning home (Mbite, 2012). Given that the overwhelming majority of refugees are not in Europe or other developed countries, Betts (2018) contends that it makes sense to invest in supporting refugees where they are, especially in African states with progressive approaches. Beyond immediate short-term efforts to improve refugee protections, stronger emphasis should be placed on supporting Africa to tackle the root causes of the refugee crises (Maung-a-nidze, 2018). These include deteriorating political, socio-economic and environmental conditions, as well as armed conflict, insecurity, environmental degradation and endemic poverty. In other words, this means countries should work on preventing the drivers of mass forced movement. According to Bonaventure Rutinwa, this would entail a 'political and economic agenda aimed at eliminating ethnic strife and conflict; curtailing the arms trade; establishing a firm foundation for democratic institutions and governance; respect for human rights; and the promotion of economic development and social progress (cited in Schneider, 1999). Similarly, having become an inevitable phenomenon, African governments should harness the potential rewards of integrating skilled labor into their economic space, rather than focusing on security centered policies aimed at blocking illegal migration. The opportunity for governments therefore, as aptly submitted by Malka (2018), is "to articulate migration policies that attract educated migrants from sub-Saharan Africa with specific skills to fill sectors that lack capable workforces." No doubt, policies that can enhance refugee self-reliance, expand resettlement and other solutions capable of creating conditions conducive to voluntary return are needed to address migration crisis on the continent.


Conclusion

With a special focus on Africa, this paper reviews the limited but growing literature on the legal and policy frameworks that guide states in receiving, protecting, and hosting refugees with a view to making protection and solutions available for refugees and internally displaced persons. Refugee problems are caused by a variety of reasons, factors and

forces, and therefore, for migration to deliver benefits for migrants, countries of origin, and countries of destination, it must be governed (MEDAM, 2017). The paper also subscribes to the idea that forums between national, regional and global actors should be intensified while technical and financial capacities of regional organizations ought to be improved with a view to effectively undertake regional migratory challenges in line with the regulatory requirements at the global level (Dick et al, 2018). The interests of key participants within the framework of a single integrated strategy for migration and refugees protection should be the focus of regional cooperation arrangements like African Union and other sub-regional associations on the continent.

There is the need for AU member-states to domesticate and implement the peace processes inherent in the African policy frameworks to ensure the disarmament, demobilization, and reintegration of former combatants in conflict zones. Member states should maintain open government policies, where there exist formal plans to intake refugees and show more commitments to implement these policies. A comprehensive approach to managing forced population movements does not require sanctimoniousness or evasive rhetoric. Finally, the trans-border movements of people (voluntary or forced) must be viewed and accepted for what they are, an integral part of the relationships between societies. Therefore, origin and destination governments, as well as other stakeholders should take responsibility.

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