

REVISED STANDARD JOINT PROGRAMME DOCUMENT

Countries: Angola, Botswana, Comoros, Democratic Republic of the Congo (DRC), Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Zambia and Zimbabwe.

Programme Title: **“Southern Africa Migration Management (SAMM) Project”¹**

Joint Programme Outcome(s): **Improved migration management in Southern Africa and Indian Ocean region**

Programme Duration: (48 months) Anticipated start/end dates: 01/01/2020 31/12/2023 Indirect Management with international organizations (United Nations organizations) Leading Organisation/Administrative Agent: - International Labor Office (ILO) Partners/Participating UN Organisations: - International Organisation for Migration (IOM) - United Nations Office on Drugs and Crime (UNODC) - United Nations High Commissariat for Refugees (UNHCR)	Total estimated budget*: 25.675.395 € Out of which: 1. Funded Budget: 25.675.395 * Total estimated budget includes direct costs and indirect support costs								
	Sources of funded budget in Euros: European Union: 20 000 000 € United Nations contribution (Financial and non-financial): <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">ILO</td><td style="text-align: right;">1.166.795 €</td></tr> <tr> <td>IOM</td><td style="text-align: right;">3.068.600 €</td></tr> <tr> <td>UNODC</td><td style="text-align: right;">1.000.000 €</td></tr> <tr> <td>UNHCR</td><td style="text-align: right;">440.000 €</td></tr> </table>	ILO	1.166.795 €	IOM	3.068.600 €	UNODC	1.000.000 €	UNHCR	440.000 €
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¹ Commission Decision C(2018)4132 of 26/06/2018 refers to this Action as "Strengthening Institutional Mechanisms for Migration Management in the Southern Africa Region"

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Acronyms

AA	Administrative Agent
ACMS	African Centre for Migration and Society at Wits University
APEI	World Bank Accelerated Programme for Economic Integration
AU	African Union
CNES	Comprehensive Monitoring and Evaluation Strategy
COMESA	Common Market for Eastern and Southern Africa
CTA	Chief Technical Advisor
DRC	Democratic Republic of the Congo
EAC	East African Community
EDF	European Development Fund
ELS	Employment and Labour Sector
Eos	Employers Organisations
EU	European Union
GCR	Global Compact on Refugees
GLO.ACT	EU funded Global Action against Trafficking in persons and Smuggling of migrants
GMDAC	IOM's Global Migration Data Centre
GRF	Global Refugees Fora
HLG	High Level Group
HRBA	Human rights-based approach
HTMSS	UNODC's Human Trafficking and Migrant Smuggling Section
ICAT	Inter-Agency Coordination Group Against Trafficking in Persons
ICMPD	International Centre for Migration Policy Development
IDP	Internally Displaced People
ILO	International Labour Organization
ILOSTAT	ILO database on labour statistics
IO	Intermediary objectives
IOC	Indian Ocean Commission
IOM	International Organization for Migration
JCU	Joint Coordination Unit
JLMP	Labour Migration Governance for Development and Integration, (the Joint Labour Migration Programme)
KNOMAD	Global Knowledge Partnership on Migration and Development
KRA	Key Result Areas
MECLEP	Regional Migration Environment and Climate Change Evidence for Policy (project in Southern Africa and Indian Ocean)
MIDCOM	Migration Dialogue of COMESA member states
MIDSA	Migration Dialogue for Southern Africa
MiWORC	ACMS coordinated the Migrating for Work Research Consortium project
MoU	Memorandum of Understanding
PSC	Programme Steering Committee
PUNO	Participating UN Organizations
RCP	COMESA Regional Consultative Process on Migration
REC	Regional Economic Community
RIP	European Union Regional Indicative Programme

RMDHub	Regional Migration Data Hub for Southern Africa
RMMS	Regional Mixed Migration Secretariat
ROSAF	UNODC Regional Office for Southern Africa
RPC	EU-SADC Regional Political Cooperation
SADC	Southern African Development Community
SA-IO	Southern African and Indian Ocean
SDG	Sustainable Development Goal
SO	Specific objective
SOM	Smuggling of Migrants
Stat SA	Statistics South Africa
TIC	Technical Implementation Committee
TIP	Trafficking in Person
TOC	Transnational Organized Crime
TOR	Terms of Reference
UNDESA	United Nation Department on Economic and Social Affairs
UNDG	United Nations Development Group
UNEG	United Nations Evaluation Group
UNHCR	United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs and Crime
UNTOC	United Nations Convention against Transnational Organized Crime

1. Executive Summary

The European Union Regional Indicative Programme (11th EDF RIP) for Eastern Africa, Southern Africa and the Indian Ocean (2014–2020) includes among its objectives the facilitation of legal migration and the prevention of irregular migration. On that basis this action focuses on South-South migration flows, in complementarity to other initiatives developed for the Horn of Africa, the Sahel and North Africa. The comprehensive approach proposed by this Action addresses the specific objectives outlined in the 11th EDF RIP, taking into account the development-security-migration nexus, and also identifying positive spill-over effects of migration on regional integration and regional economic development. Four United Nations Agencies (ILO, IOM, UNODC and UNHCR) will implement the Action.

The overall objective of this programme is to improve migration management in the Southern Africa and Indian Ocean region.

The specific objectives (SO) and key results areas (KRA) of this intervention are:

- SO1: Improved policy environment for labour migration across the region and improved access to legal and efficient means of labour mobility for (prospective) labour migrants.
- KRA1.1: Rights-based legal and efficient channels of labour migration and mobility (including appropriate protection measures for migrant workers) promoted and put in place in the Southern Africa / Indian Ocean region.
- KRA1.2: A Southern African and Indian Ocean migration observatory established and fully operational.
- SO2: Strengthened and informed decision-making as well as management of mixed migration flows, including improved protection of vulnerable migrants in the Southern African and Indian Ocean region.
- KRA2: Evidence-based management strategies and policies to address mixed migration challenges, including assurance of appropriate protection frameworks for vulnerable migrants, are formulated and implemented.

The project targets the following regional organizations: i) Common Market for Eastern and Southern Africa (COMESA), ii) the Southern African Development Community (SADC) and; iii) the Indian Ocean Commission (IOC).

The project focuses on the Southern African Region, and targets the following countries: Angola, Botswana, Comoros, Democratic Republic of the Congo (DRC), Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Zambia and Zimbabwe.

2. Situation Analysis

In Southern Africa and the Indian Ocean, the regional organisations of Common Market for Eastern and Southern Africa (COMESA), the Southern African Development Community (SADC) and the Indian Ocean Commission (IOC) have distinct migration and refugee regimes. COMESA has adopted free movement as its ultimate goal, to be implemented through a phased approach that covers labour movement, services, right of residence and establishment aimed at facilitating trade and investment for development purposes. The COMESA region covers many countries that have faced protracted crises for decades and various sub-regional refugee policy frameworks have been adopted. SADC has preferred the route of facilitation of movement, management of irregular migration, including the fight against trafficking, illegal migration and smuggling of migrants, refugee protection² and support to harmonised, rights-based labour migration policies³. Furthermore, the SADC Secretariat has MoUs with the four UN Agencies, ILO (2007), IOM (2016), UNHCR (1996, superseded by the 2019 one) and UNODC (2016) covering cooperation in various migrant and refugee-related programmes. COMESA and IOC have signed MoUs with IOM (2003 and 2013 respectively). In addition, the Tripartite Free Trade Agreement between COMESA, SADC and the East African Community (EAC), launched in June 2015, focuses essentially on the mobility of business persons and trade in services. For the IOC, free movement is a priority area of intervention in its Strategic Development Programme (2013-2019).

At national level, systematic legislation on specific issues has been developed over the past twenty years, but only few Southern African and Indian Ocean (SA-IO) countries manage refugee and migration issues on the basis of formulated policies, whether comprehensively or per migration category. Existing policies are also unevenly aligned to international, regional and sub-regional standards and frameworks. It is important to note that, in accordance with the SADC Labour Migration Policy Framework, all SADC Member States have committed to develop a labour migration policy by the end of 2020.

The European Agenda on Migration⁴ promotes a comprehensive response to manage all aspects of migration, including irregular migration, trafficking in human beings and smuggling of migrants, as well as legal migration. The Joint Valletta Action Plan (November 2015) sets out a number of priority actions to address the current challenges and opportunities of migration in Africa.

Policy context

The Global Compact for Migration has been adopted by all States targeted in this Action during the international conference held in Marrakech, Morocco, in December 2018. Although it complements existing international commitments of States, it is important to note that it is the first intergovernmental negotiated agreement to cover all dimensions of international migration in a holistic and comprehensive manner. It is a framework composed of 23 objectives that governments can draw from in developing policies and programmes on matters relating to migration management and governance. In its capacity as the coordinator of the UN Migration Network, IOM will work closely with the wider UN system to ensure that coherent and harmonized support is made available for governments for the operationalization of the Global Compact for Migration objectives.

The Global Compact on Refugees (GCR) was adopted by the UN General Assembly on 17 December 2018, with the overarching objective: *'to provide a basis for predictable and equitable burden- and responsibility-sharing among' member states*, and specific objectives of: easing the pressures on host countries; enhancing refugee self-reliance; expanding access to third-country solutions; and supporting conditions in countries of origin for voluntary return in safety and dignity. Its Comprehensive Refugee Response Framework is guided by the principles of predictability, sustainability, innovation and whole society and whole government approaches, where the humanitarian and development nexus is engendered. Moreover, it advocates for the inclusion of refugees in national development plans; investment in refugee hosting areas; and long-term planning for solutions. The GCR provides for the organization of Global Refugee Fora (GRF) every four and two years at ministerial and senior officials levels respectively, to announce concrete pledges and contributions towards GCR objectives; and exchange and build upon good practices.

² Refugee Protection Within Southern Africa – SADC Summit Declaration 1998; and Regional Policy Framework on Management of Refugees and Asylum Seekers 2019.

³ SADC Labour Migration Action Plan 2016-2019; SADC Labour Migration Policy Framework, 2014; Article 19 of the SADC Protocol on Employment and Labour, 2014.

⁴ COM (2015) 240 final, May 2015.

UNHCR does not have the sole mandate pertaining to internally displaced persons (IDPs). In 1972, U.N. General Assembly resolution 2958 (XXVII), requested UNHCR "to continue to participate, at the invitation of the Secretary General, in those humanitarian endeavours of the United Nations for which his Office has particular expertise and experience", and in December 1993, the General Assembly further reinforced this role more inclusively in resolution 48/116⁵. The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention 2009) is the only regional instrument of its nature and came into force on 06 December 2012. As at 28 June 2019, out of the 55 member states of the AU, 28 had ratified it. Out of the 16 beneficiary countries of the project only 6 have ratified it, with its domestication similarly lacking. The increasing numbers and complexities of disasters in the region and to a smaller extent internal conflicts, require significant work to be undertaken on IDPs issues.

With regard to international labour standards for labour migration, a distinction can be made between: i) specific ILO standards on Labour Migration and ii) ILO standards with express provisions on migrant workers.

Specific standards on Labour Migration

The first group includes the Migration for Employment Convention (Revised), 1949 (No. 97) which requires states to facilitate international migration for employment by establishing and maintaining a free assistance and information service for migrant workers, and taking measures against misleading propaganda relating to emigration and immigration. A second standard specifically targeting migrant workers is the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), which provides for measures to combat clandestine and illegal migration while at the same time setting forth the general obligation to respect the basic human rights of all migrant workers.

Standards with express provisions on migrant workers

The second group of standards with express reference to migrant workers are also relevant in the context of the project, and include:

1. C19 Equality of Treatment (Accident Compensation) Convention, 1925
2. C102 Social Security (Minimum Standards) Convention, 1952
3. C118 Equality of Treatment (Social Security) Convention, 1962
4. C121 Employment Injury Benefits Convention, 1964
5. C157 Maintenance of Social Security Rights Convention, 1982
6. C181 Private Employment Agencies Convention, 1997
7. C189 Domestic Workers Convention, 2011 (and R201)
8. R200 HIV and AIDS Recommendation, 2010
9. P29 Protocol to the Forced Labour Convention, 2014 (and R203)

The United Nations Convention against Transnational Organized Crime (UNTOC) is the main international instrument in the fight against transnational organized crime⁶. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Trafficking in Persons Protocol) as well as the Protocol against the Smuggling of Migrants by Land, Sea and Air (Smuggling of Migrants Protocol), both supplementing the UNTOC, represent the first global legally binding instruments with agreed definitions of TiP and SOM respectively. There are now 15⁷ out of the 16 States of the Southern Africa region parties to the TiP Protocol. There are 13 parties to the SoM Protocol⁸. While countries have been slower in enacting SoM legislation in compliance with the Protocol, efforts have gained momentum in recent years. The EU is party to the Convention and its Protocols.

⁵ Through conveying "support for the High Commissioner's efforts, on the basis of specific requests from the Secretary General or the competent principal organs of the United Nations, and with the consent of the concerned state, and taking into account the complementarities of the mandates and expertise of other relevant organizations, to provide humanitarian assistance and protection to persons displaced within their own country in specific situations calling for the Office's particular expertise, especially where such efforts could contribute to the prevention or solution of refugee problems."

⁶ Adopted by the UN General Assembly: 15 November 2000, by resolution 55/25. Entry into force: 29 September 2003, in accordance with article 38: <http://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>

⁷ Angola, Botswana, DRC, Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Zambia, Zimbabwe.

⁸ Angola, Botswana, DRC, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Zambia.

The EU has an advanced policy framework for external relations and development cooperation on migration⁹. The Agenda for Change recognizes that strengthening positive synergies between migration and development is a priority issue for external cooperation, and the EU is fully committed to the Agenda 2030, specifically its aim to “leave no one behind”.

The EU Action Plan against Migrant Smuggling 2015-2020, which was adopted on 27 May 2015 within the first implementing package of the EU Agenda on Migration, sets out concrete actions to prevent and counter migrant smuggling. It has four main guiding pillars to implement a multidisciplinary approach: 1) Improved investigation capacity and prosecution, 2) Enhanced intelligence, 3) Enhanced prevention of smuggling and 4) Stronger cooperation with third countries.

The 1951 UN Refugee Convention and its 1967 Protocol are the international instruments governing refugee issues and the regional instrument in Africa is the 1969 OAU Refugee Convention Governing the Specific Aspects of Refugee Problems in Africa

Regional Overview

The combination of political instability and conflicts, downturn of economic productivity, natural disasters and structurally high levels of unemployment, particularly among the youth and women, have all contributed to profound transformation of migration flows in recent years in the region. Strategic and coordinated strengthening of migration management systems at regional and national level is therefore a necessity, at the same time as ensuring effective protection of forcibly displaced persons and of migrant workers against exploitative and criminal activities, while better serving the diversification of the sub-region’s economies and industrialisation efforts to create optimal peace and stable conditions to fully realise the developmental potential of migration.

Managing labour and mixed migration – data collection and trend monitoring

Migration data are scattered, inconsistent, unreliable, undetailed and rarely available to policy-makers and the public, thus limiting considerably their use for strategy and policy development and monitoring of migration trends¹⁰. Consequently, policy decisions adopted at national, bilateral and sub-regional levels are poorly informed. Over the past years several initiatives¹¹ have taken place across the sub-region to improve availability of migration data, yet the problem persists. Unlike other regions, the SA-IO region has not yet developed a harmonized data collection scheme and would therefore require strengthening of regional and national capacities for data collection, production of reliable migration statistics and coordinated information sharing mechanisms.

Labour migration is shaped by highly organized recruitment systems established by private sector operators and often supported by governments through bilateral labour agreements. Initially concentrated in the mining, agriculture and textiles sectors, migrant workers are also recruited extensively in other sectors such as construction, domestic work, and hospitality and care industries. These sectors, characterised by informality, are not covered by bilateral agreements. In parallel, nationals from the sub-region are increasingly migrating to other regions¹², generally in informal contexts and without adequate social protection frameworks.

It should be noted that decisions in the case of RECs have been made by relevant policy organs and need to be implemented. As the regional organisations have adopted differing regional integration models, their labour migration priorities and policies also differ. SADC provides clear overarching labour migration priorities aligned to international standards¹³ and formulated by member states in the SADC Labour Migration Action Plan (2016-2019) and Social Security Portability Framework (2016). The priorities expressed in the IOC Strategic Partnership (2013) point to synergies with the SADC frameworks on data collection, migration and development, and the fight against migrant workers' exploitation. COMESA is implementing a Protocol on the Gradual

⁹ <http://www.europarl.europa.eu/legislative-train/theme-towards-a-new-policy-on-migration/file-new-migration-partnership-framework-external-component-of-migration-policy>

¹⁰ Migration trends in this context include intra-regional migration flows, migration flows from Northern/Central Africa and Horn of Africa into the Southern Africa (as well as migrants using Southern Africa as a transit destination on their route) as well as migration flows from Europe towards Southern Africa.

¹¹ Efforts include the ILO work on the insertion of standard migration modules and standard reporting templates in SADC Labour Force Surveys (LFS); IOM's work on migration profiles in the IOC region; the migration data component included in the MIDSA Mixed Migration Action Plan (2016); the COMESA meta-data template; the SADC-UNODC regional database on trafficking in persons and; the installation of the ProGressv4 and other versions of the database by UNHCR in most SADC Member states for capturing data on its Persons of Concern (PoC).

¹² E.g. Nationals from Comoros, Madagascar, Malawi, Tanzania, and Zimbabwe migrate to the Middle East where the demand for cheap labour for infrastructure projects and services has considerably increased.

¹³ E.g. ILO Conventions 97 and 143 on migrant workers and COMESA's protocols on labour migration

Relaxation and Eventual Elimination of Visas (Visa protocol) as a trade and investment facilitation tool, which entered into force in 1983. COMESA has also adopted a Protocol on Free Movement of Persons, Labour, Services, Right of Establishment and Residence (Free Movement Protocol), contributing to the developmental potential of regular and legal migration.

The set-up of a regional labour migration observatory would support this implementation, through the provision of independent, authoritative, evidence-based analysis of data on migration and migrants in the region. In turn, this would inform public and policy debates and generate high quality research on migration-related issues allowing for accurate trend monitoring. Analysis of the various existing migration observatories in Africa has shown that none focuses on regular and standardised data collection of labour migration flows in the region, essential to efficient management of these flows. Although the Regional Mixed Migration Secretariat (RMMS)¹⁴ in Kenya provides a useful model, and works on the southern route via Kenya and Tanzania, it does not comprehensively track migration flows to southern Africa and does not focus on labour migration. Other observatories such as those in West Africa are concerned with flows to Europe and there is no comparable organisation covering migration from Central Africa. In terms of managing mixed migration within south-to-south migration, there is no mechanism for data collection and information sharing similar to the observatories that exist in other parts of the continent, such as the Horn of Africa, which is a place of origin for irregular migrants to Southern Africa.

Given the importance of data in the overall migration discourse at all levels, the Regional Migration Data Hub (RMDHub) for Southern Africa was launched in 2017 by IOM in collaboration with SADC member States to fill existing gaps in the region through a collaborative manner. The RMDHub works towards generating scientific evidence and solid knowledge base on migration through data collection, collation and analysis of migration trends, to help advance migration policies at the nation and regional levels in Southern Africa.

Managing mixed migration – curbing irregular migration and protecting vulnerable migrants

Mixed migration flows are complex population movements including refugees, asylum seekers, economic migrants and other migrants, such as unaccompanied minors, environmental migrants, smuggled persons and victims of trafficking as well as stranded migrants. Mixed migration flows are characterized by their irregular nature and the multiplicity of factors driving such movements, as well as the differentiated needs and profiles of people involved.

In that context, human rights violations and lack of protection are a stark reality in the SA-IO region. Vulnerable migrants such as women, children and people with disabilities, but also refugees and internally displaced persons, are systematically exposed to abuse and exploitation. Significant numbers of women and children are being trafficked within the sub-region and beyond for sexual and/or labour exploitation. In line with the African Union Declaration on Refugees, Returnees and Internally Displaced Persons in Africa (Kampala Convention, 2009), RECs and member states should be supported in their efforts at addressing the plight of the forcibly displaced persons.

The only known regional framework related to irregular migration is SADC's Regional Strategy to combat Illegal Migration, Smuggling of Migrants and Trafficking in Persons (2016-2020) and the SADC 10 Year Strategic Action Plan to Combat Trafficking in Persons, especially Women and Children (2009-2019). Faced with continuous inflow of irregular migrants and, in some cases, an increase in the absolute number of migrants, countries tighten restrictions on entry and take measures to force irregular migrants to leave. While this results in some reduction in migratory flows, it also generates in-flows that are more difficult to regulate and poses serious concerns for the protection of the migrants' rights, in particular regarding the many forms of gender-based violence affecting women and girl migrants. Meanwhile numerous persons are submitting asylum applications hoping to be recognized as refugees and overloading and compromising refugee systems across these regions. It is therefore crucial to strengthen migration management through advocating for countries that have not ratified relevant international and regional refugee conventions and protocol, coupled with the development and ratification of protocols that facilitate movement, and the development and implementation of targeted policies and programmes against irregular migration, smuggling of migrants and trafficking in persons, especially women and children. It is also important to create awareness and sensitize stakeholders of all the available regional instruments of the RECs for effective implementation.

¹⁴ Currently the Mixed Migration Center hosted by the Danish Refugee Council.

In line with the 2006 AU Migration Policy Framework for Africa (updated to include an action plan and extended to 2028 in 2018), the sub-region needs to address its fragmented approach to migration management, including through more systemic efforts on data collection, exchange of information and harmonization of policies¹⁵. Such an improved policy environment should necessarily include protective services¹⁶ to vulnerable refugees and migrant groups, and raise awareness along the migration routes of the dangers faced by migrants (in particular in relation to the use of smuggling and trafficking networks).

Smuggling of Migrants (SOM)

Migrant smuggling has been documented along at least five major and several smaller routes in Africa. The first three major routes originate from the same sub region, namely the Horn of Africa. Movements within that sub region are mainly irregular as there are limited options for regular movement. Smugglers facilitate many of these irregular movements. The northward route connects the Horn of Africa via land to North Africa. Upon arrival in North Africa, some of the migrants smuggled along this route continue to Europe along the Central Mediterranean route. The eastward route connects the Horn of Africa to Yemen, crossing the Red Sea or the Arabian Sea. Many of these migrants are then smuggled north to Saudi Arabia or further afield. The southward route heads primarily overland to Southern Africa.

Smuggling along one of the first three major routes in Africa originating from the Horn of Africa, in the last few years, towards Southern Africa appears to have declined somewhat. There are sizable routes from West Africa to South Africa and neighbouring countries. The magnitude of migrant smuggling along the migration routes heading to Southern Africa is difficult to estimate. The number of newly arrived asylum seekers in South Africa has declined sharply since 2010, but not all migrants apply for asylum and some migrant and refugees may not be smuggled. A recent estimate of the number of irregular arrivals from the Horn of Africa in South Africa is more or less 14,050 persons per year, most of whom are smuggled at least for some part of their journey.

According to UNODC Global Study on Smuggling of Migrants (2018), the most widely used route for irregular and smuggled migrants from the Horn of Africa travelling towards South Africa is via Kenya-the United Republic of Tanzania-Zambia-Zimbabwe and then into South Africa. Almost all of the migrants – regardless of route – use smugglers for at least some part of their journey. Most migrants smuggled along the southward route intend to reach South Africa. However, the increased labour opportunities – particularly in the mining, manufacturing and agricultural sectors – in other parts of Southern Africa, including Zambia, Botswana, Malawi and Mozambique, might be leading to enhanced flows towards these countries. Some neighborhoods in major towns along this route are home to many smugglers, and it is possible to procure fraudulent documents there. Smugglers make use of refugee camps, including Dadaab and Kakuma in Kenya, Dzaleka transit camp in Malawi, and Tongogara camp and Nyamapanda reception centre in Zimbabwe to make contacts with migrants.

Trafficking in Person (TiP)

Trafficking in persons and the smuggling of migrants are distinct crimes. The lines between the two may often be blurred though especially when they occur in mixed migration flows. A person may start their journey as an asylum seeker, for example, before seeking the help of smugglers and then being exploited as a victim of trafficking, while in need of refugee protection. According to the SADC regional statistical report (2004-2016), approximately 1,217 victims of TIP were officially reported to law enforcement agencies in the SADC region during the period 2004- 2016/7. It is believed that this is just a small proportion of cases of trafficking in persons as a number of cases are not identified and, therefore, not reported. This is largely because of the complex and hidden nature of the crime. There are also cases where victims are rescued but are not interested in cooperating with law enforcement for purposes of investigation and prosecution of the offence. The UNODC global TIP report (2018) further indicates that in Southern Africa, in addition to victims trafficked domestically and from neighbouring countries, victims from East Asia and South Asia are also detected.

Most of the detected trafficking victims in sub-Saharan Africa continue to be children. More than 50 per cent of the victims detected in 2016 were children, in near equal shares of boys and girls. Child trafficking is far more

¹⁵ An example of such an approach can be found in IGAD, where IOM has initiated the establishment of National Coordination Mechanisms (NCMs) on migration in seven countries in East/Horn of Africa.

¹⁶ Frontline officials need to be able to identify victims of trafficking and smuggling, and adequate referral mechanisms and protection systems need to be put in place and accessed across the region. In a similar way, enhancing their capacities for gender-sensitivity would help to move forward to gender-responsive outcomes during implementation. In parallel, law enforcement and judiciary capabilities need to be reinforced with a view towards establishing common regional approaches.

commonly detected in West Africa than in the rest of sub-Saharan Africa. East African countries detect larger shares of adults, nearly equally split between men and women. On the other hand, countries in Southern Africa tend to detect more women, as well as men and boys in similar numbers. Girls are rarely detected in East and Southern Africa, whereas in West Africa, they are the most frequently detected victim profile.

Countries in West Africa tend to detect far more victims than other countries in sub-Saharan Africa. Therefore, regional analyses regarding the profiles of victims largely reflect data from this sub region. Most of the victims detected in sub-Saharan Africa in 2016 were trafficked for forced labour (63 per cent). Trafficking for sexual exploitation accounted for less than one third of the detected victims. This is similar to findings from previous years. In spite of differing capacities to detect, record, and report victims, the proportions of the different forms of exploitation remain largely the same in West, East and Southern Africa, with a predominance of victims of trafficking for forced labour.

In line with the global pattern, most traffickers are male, but compared to other regions, larger shares of female offenders continue to be reported in sub-Saharan Africa. Most countries reported more male offenders than females. However, Mauritius reported that more females than males were prosecuted. In Côte d'Ivoire, nearly half of all those convicted of trafficking were females. Meanwhile in Kenya and South Africa, equal shares of males and females were convicted.

Data on the citizenships of the persons convicted of trafficking show that most are citizens of the country where they were convicted. For the more than 180 people who were convicted in 13 different countries in sub-Saharan Africa in 2016, 84 per cent were citizens of these countries, while 16 per cent were foreigners. The foreign traffickers were mainly citizens of other countries in the sub region. During the reporting period, victims from sub-Saharan Africa were detected in, or repatriated from more than 60 countries within and outside of Africa. This makes sub-Saharan Africa a relevant origin for detected cases of trafficking in persons globally. Victims from West Africa are frequently detected in Western and Southern Europe, comprising some 15 per cent of the victims detected there. Countries in North Africa also report detecting victims from West Africa.

Gender

Regarding gender-relevant policy frameworks, at the regional level, the Protocol on Gender and Development was adopted in 2008 by SADC. The Protocol brings together all international (and regional) commitments on gender and identifies specific targets and goals for the region that are often beyond the internationally agreed standards. The Protocol was revised in 2015 and adopted by the SADC Council of Ministers in 2016. COMESA also has a Gender policy which was adopted by the COMESA Council of Ministers in May 2002. The policy is being mainstreamed in all COMESA programmes. At the EU level, this project is aligned to the EU Gender Action Plan 2016-2020 that stresses the need for the full realization of women's and girls' full and equal enjoyment of all human rights and fundamental freedoms and the achievement of gender equality and the empowerment of women and girls.¹⁷

Regarding gender-sensitive data, SADC (2014-2016) research on trafficking in persons shows that 71% of victims of TIP were male, with 15% of them being under the age of 18, whereas 29% of victims were female with 5% of them being under the age of 18. This brings a unique trajectory to trafficking in persons trends in the region, in that men, especially those of the working -age appear to be most vulnerable to trafficking in persons, as compared to the global trend where women and children are said to be the most vulnerable. US State Department (2016) Trafficking in Persons report lists most countries in the region as countries with significant incidences of trafficking and limited responsive measures in place. UNODC (2018) identifies Southern Africa as the primary destination for trafficked women, boys and girls mainly for forced labour (83%) the remaining 17% are trafficked for sexual exploitation. Girls are rarely detected in Southern Africa. In the region, the profile of the traffickers shows equal shares of male and female, based on convictions¹⁸.

All regional organisations and individual member states have mainstreamed gender equality and children and youth rights in their strategic policy, legal and programme instruments. Nearly all countries in the region have also ratified the Convention on the Rights of Persons with Disabilities. However, given specific needs and protection challenges of disabled refugees, migrants, women, children and youth on the move, the programme will together with these specific populations promote strategic partnerships with regional and national level

¹⁷ <https://europa.eu/capacity4dev/public-gender/minisite/eu-gender-action-plan-2016-2020>

¹⁸ UNODC Global report on Trafficking in Persons 2018.

stakeholders with specific focus on their protection and empowerment. A thorough mapping and stocktaking exercise will be undertaken during the inception phase to Data collected in the labour migration observatory will be gender and age-disaggregated and gender-sensitive and inclusive actions will be promoted across the programme. Furthermore, the programme's awareness raising activities will incorporate specific messages to counter xenophobia across the region, which is generally targeting refugees and migrants from within the region.

Gender infuses all aspects of migration, including human trafficking and migrant smuggling: from (1) the factors that contribute to risky migration decisions, including inequitable access to resources and gender-based violence, to (2) conceptualizations of the problem, often reflecting stereotypes based on gender, race, culture, religion or a combination of these factors, to (3) the nature of laws and policies developed to deal with the phenomenon, and (4) the protection and support offered to victims of trafficking, smuggled migrants and other vulnerable migrants.

In responding to these crimes, criminal justice systems face internal challenges and discrimination related to gender. These include poor representation of women in professional criminal justice roles; sex segregation of jobs and roles; tolerance and perpetuation of negative gender stereotypes in the workplace; different working conditions and benefits for men and women; gender discrimination in the access that men and women have to professional development opportunities; and work place harassment.

Within this integrated approach, the Programme will develop and implement responses to gender and vulnerability issues that focus specifically on the particular characteristics of TIP and SOM, and the responses to them. In particular, the Programme will work to eliminate discrimination in the treatment of smuggled migrants and other vulnerable migrants, victims of trafficking and witnesses based on gender (male, female or transgender) or sexual orientation. Key issues include laws that do not recognize the agency of those in need of protection; stigmatization of those who have faced sexual exploitation; men's traditionally unequal access to protection and support services; and support services that do not meet practical and strategic needs of women, men, boys and girls.

Specifically, the Project will strive to:

- Provide equitable access to project resources and opportunities to men and women, both individually and in groups;
- Take measures to ensure women and men's equitable access to, and full participation in, power structures and decision-making in the project;
- Contribute to the goal of gender equality in staffing;
- Include gender assessments as part of the situation analysis for training and assessments, where appropriate;
- Generate and disseminate gender-disaggregated data through monitoring and evaluation in the process of the implementation of its logical framework and related targets; and
- Define the implementation and monitoring requirements concerning gender in agreements with any potential partner organizations.

Children

Many of the issues affecting children are similar to those for adults. In addition, however, there are a number of other important factors to consider. Children in migration require specific protection as they are exposed to high risks of violence along migration routes, including TiP and other forms of exploitation. All children, irrespective of their status, are first and foremost children, who are entitled to all the rights enshrined in the UN Convention on the Rights of the Child and Optional Protocols. The child's best interests must be the primary consideration in all actions or decisions concerning children.

Support will be provided to strengthen child rights-based approaches for child victims of trafficking and smuggled children, especially unaccompanied or separated children, under an integrated child protection systems approach. The aim is to ensure that (1) children have access to special protection measures in accordance with their rights and needs (shelter, health care, counselling, assistance for reintegration), (2) appropriate mechanisms for their identification and referral are in place, and (3) authorities have the knowledge and skills to treat them in due consideration of their rights and entitlements to protection, return and reintegration.

Most migrants smuggled to South Africa from the Horn of Africa are young men, between the ages of 18 and 35. The share of females might be higher among Somalis than Ethiopians. The ‘typical’ smuggler on this route is an 18 to 40-year-old man. However, some women have also taken part in smuggling rings. Somali smugglers usually work with fellow clansmen throughout the network. Smugglers may live in or visit home villages in Ethiopia and Somalia and/or destination areas and take charge of a specific group of migrants.¹⁹ In 2014, IOM noted that the number of unaccompanied children in mixed migration flows from the Horn of Africa appeared to be increasing.²⁰

According to the UNODC Global SOM report (2018), an estimated, 13,400-14,050 migrants from the Horn of Africa – primarily Ethiopia and Somalia - irregularly enter South Africa every year. This represents a decline from the 2008/2009 estimate of 17,000-20,000. Considering that some migrants stop on the way and never reach South Africa, the number of those leaving the Horn of Africa and travelling southward is probably higher. Moreover, the multitude of routes and absence of any specific crossing points where numbers can be recorded makes magnitude estimates particularly difficult.

Stakeholder analysis

1. The Regional Economic Commissions’ secretariats will collaborate with the EU Delegations in Botswana, Zambia and Mauritius to oversee implementation and provide strategic guidance through the Steering Committee²¹.
2. National administrations of the targeted member states of COMESA, IOC and SADC regions will be key stakeholders to ensure domestication at national level, and are the main target for capacity building;
3. ILO, IOM, UNODC and UNHCR will implement this action in line with their specific mandates and ongoing projects and activities in the region.
4. Migration Dialogue for Southern Africa (MIDSA) and the COMESA Regional Consultative Process on Migration (RCP) are mechanisms to strengthen policy dialogue on the areas and issues addressed by the programme.
5. Academic institutions, research think tanks, other relevant non-state actors and International Cooperating Partners involved in migration, migration research and transnational crime will be privileged partners for sustainability.

SAMM project and SDGs

- Target 5.2: Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.
- Target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.
- Target 10.7: Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.
- Target 16.2: End abuse, exploitation, trafficking and all forms of violence and torture against children.
- Target 17: Strengthen the means of implementation and revitalize the global partnership for sustainable development.

Human Rights

The project pursues a victim and migrant centred, rights-based and gender-specific approach. A human rights-based approach (HRBA), “identifies rights-holders and their entitlements and corresponding duty-bearers and their obligations, and works towards strengthening the capacities of rights-holders to make their claims and of duty-bearers to meet their obligations.”²²

¹⁹ UNODC Global SOM report (2018)

²⁰ UNODC Global Study on Smuggling of Migrants 2018

²¹ In a letter, dated 11/12/2018 SADC indicated that SADC cooperation with United Nations would continue based on the existing frameworks with the UN Agencies.

²² <http://hrbportal.org/faq/what-is-a-human-rights-based-approach>

The human rights-based approach will underpin all aspects of the project's work and will be reinforced by the development and piloting of tools to assist staff in undertaking human rights and gender assessments. Law enforcement officials are often the first point of contact for trafficked persons and smuggled migrants and it is essential that they have the knowledge, skills and motivation to treat them in an appropriate, humane and gender-sensitive manner, taking into account their vulnerable state at all stages of the criminal justice process. Officials also need to be able to refer them to the correct services. This will involve close collaboration with other, non-criminal justice actors. Further, it is essential that victims and witnesses be provided with protection and support in accessing justice, including through remedy and reparation.

Infectious Diseases and Epidemics Affecting Mobile Populations

Mobility is recognized as an aggravating factor of vulnerability for infectious diseases. The relationship between refugees and migration; and HIV/AIDS in the region is well established, as HIV/AIDS prevalence is greatest in high mobility areas. RECs have developed HIV/AIDS strategies, policy guidelines and regional standards to target migrant populations especially the youth, women, children and truck drivers; vulnerability of labour to HIV/AIDS is higher due to often substandard living conditions and exploitative working conditions. Furthermore, migrant workers, particularly those whose status is irregular, rarely have the same entitlements as nationals to health/social insurance schemes that would facilitate access to health services. In addition, recent assessments among Mozambican mine workers in South Africa have indicated a high incidence of tuberculosis (combined with high levels of HIV infections) and the need for facilitated access to adequate health care along with cooperation among countries in the region to establish an effective continuum of care to combat this infections within migrant populations but also their families and communities in their country of origin.

3. Strategy and lessons learned

Unevenly developed and poorly implemented labour and mixed migration frameworks with limited alignment to international standards and gender-sensitivity can be improved through the availability of better data and through improved systems. The labour and migration frameworks currently rely on scattered data which are underutilized. This leads to multiple forms of human rights abuses, decent work deficits and exploitation. Through the implementation of legitimately adopted common priorities²³ on the one hand and building of capacity among regional organizations, national institutions and social partners towards policy development and implementation on the other hand, a more systemic approach towards management of both labour and mixed migration flows and improved opportunities for labour mobility is expected to be established. The project is organized around two complementary components that will both allow for the production of targeted qualitative research across the region.

In the Labour Migration component, proposed outputs are at the level of policy development and implementation or deepening of strategy and legislation development through a combination of activities to strengthen capacity among public employment services as well as private employment agencies and to enhance the role of social partners. The activities will prioritise support to existing areas of synergies between the SADC Labour Migration Action Plan and the IOC Strategic Development Programme (SDP) as well as the relevant COMESA protocols. Such areas include the development of explicit labour migration policies, improved data collection and management, better social security, strengthening of the capacity of public employment services, and enhancement of the role of the social partners, and the implementation of regional qualification frameworks. In the area of labour migration policy development and implementation, the project will start with a stocktaking exercise including with regard to major elements of these policies such as social protection, recruitment, etc.

The establishment of a Southern African and Indian Ocean Labour Migration Observatory will be critical to collect and provide harmonised reliable data and analysis of statistical data and labour migration indicators in order to effectively inform labour migration policy formulation and collective labour migration management at the regional level. The observatory will support the data collection, analysis, interpretation and storage of requested data by all SADC member states as indicated in the 2017 SADC Meeting of Ministers of Labour, Employment, and Social Partners (ELS), which instructed for the development of a profile of the SADC labour market and to report on labour market trends and policy developments. To implement these decisions statistical

²³ The priorities were formulated by RECs and member states in politically validated sub-regional frameworks and action plans (e.g. MIDS/MIDCOM) that are aligned to international standards and African Union frameworks on migration.

information on labour migration and migrants' characteristics will be systematically collected at regular intervals for longitudinal comparability.

Some statistics exist (or can be generated) but because data are often scattered, outdated and underutilised a large number of national and regional labour migration frameworks, policies and plans are poorly informed. Without an observatory based in the Southern African region, focusing on labour migration flows in/to the region, the aim of the project will be compromised by inadequate information.

The observatory will be composed of a network of relevant national statistics institutions from participating member states, technically supported by inter alia the existing (and potential) networks of academics and research centres, providing the decision makers with reliable information. As a primary data collection source the observatory will also feed into the ILO database on labour statistics (ILOSTAT), the United Nations Department on Economic and Social Affairs (UNDESA), IOM's Global Migration Data Centre (GMDAC) and IOM's Regional Migration Data Hub (RMDHub) mechanisms.

For the purposes of timely data collection and effective data sharing, formulation of collective policies and management of labour migration flows it is important that this observatory is located in the region. The statistical offices of South Africa and Mauritius have been identified as the only ones in the region having the required minimal technical and human capacity to perform this mandate. The observatory's location will be decided at steering committee level in the initial stage of the project on the basis of an in-depth assessment.

The observatory is expected to contribute to raising awareness on the positive developmental aspects of legal migration and thereby contribute to economic development and job opportunities for (young) people of the region. The observatory will supply data and analysis for the development of a regional qualification framework and skills recognitions mechanisms which will contribute to better functioning labour markets. At a later stage, when trust is built, the observatory could be further developed to include data on irregular and mixed migration flows, if agreed, by the member states. Given the advantage of the capacity in statistics that South Africa holds in its national statistics service, Statistics South Africa (Stats SA), the country will play a key role, as is already the case, in capacitating the other National Statistics Agencies in migration and labour migration data gathering analysis. This will include both labour survey data and administrative data.

For the **Mixed Migration component**, the region will build on the systems, information and experiences being established in respective member states. As a major receiving country of irregular migrants, South Africa will play a prominent role through the active sharing of its experience with mixed migration management systems influencing and impacting the other SADC member states. South Africa's experience in the on-going development of an international migration policy under the Department of Home Affairs which will provide a framework for the management of regular and irregular mixed migration into the country will impact on the design of management systems of mixed migration in the whole region. This will allow other member states to benefit from South Africa's experience, and from its already well-developed systems ensuring sustainability and institutional memory. This will be in addition to the development of a regional database and a regional or intra-regional mechanism for information sharing on migration within the context of south to south migration.

Through the current action, effective contribution will be provided towards the protection and assistance to vulnerable migrants who have been stranded, exploited and exposed to other types of risks. The UN agencies involved will work with national governments and regional institutions to develop evidence-based mixed migration interventions to protect the rights of migrants based on international best practices. The outcome of this work is for governments to demonstrate a sustainable commitment to protecting vulnerable migrants and for migrants to have greater confidence in the migration protection systems in the Region.

Lessons learned

Experiences show that regional bodies can play an effective role in establishing harmonised systems and policies as well as collaboration mechanisms to address migration challenges and can address the gap between regional policies and national level implementation. Past experience of each of the implementing partners (ILO, IOM, UNODC and UNHCR) when working with Regional Economic Commissions will also be used and capitalized throughout the project, allowing cross fertilization even between Labour and mix-migration.

4. Result framework

Programme location and duration

The project will be implemented in the Southern African and Indian Ocean Region.

The implementation period of the project is 48 months.

Target groups

Target groups include:

- (i) Regional Economic Commissions units/ sectors responsible for Migration, Governmental authorities in charge of migration and migration data (including statistical agencies), judicial, prosecutorial and law enforcement officials and representatives of the legislative power and legal practitioners in the target countries who will benefit from increased capacity and expertise, as well as strengthened cooperation networks to deal with migration governance, migration management (including trafficking and smuggling).
- (ii) Civil society organizations working in this area which will benefit from increased capacities and improved mechanisms for prevention, victim/migrant assistance, as well as enhanced cooperation with criminal justice authorities. Other external partners, who would benefit from the UN's work in promoting legal development, and evidence-informed national plans and strategies, including networks of universities and think tanks.
- (iii) Workers and employers organization of the sub region at national and regional levels.

The **final beneficiaries** of the project are:

- (iv) Citizens of Southern Africa and Indian Ocean region , migrants, labour migrants, asylum- seekers, refugees, f local communities, private sector, trade unions. and
- (v) The most vulnerable groups of migrants (women, children, and persons with disabilities, people living with HIV and AIDS and indigenous populations) will be specifically considered. This will be ensured through the participation the in the assistance, reintegration and protection processes, as well as in other decision-making processes that concern them.
- (vi) Actual and potential victims of trafficking and smuggled migrants, including women and children, who will benefit from improved mechanisms for assistance and rehabilitation and enhanced awareness.

4.1 Objectives

The overall objective of this programme is to improve migration management in the Southern Africa and Indian Ocean region.

The specific objectives (SO) and intermediary outcomes, called in this project key results areas (KRA) of this intervention are:

- SO1: Improved policy environment for labour migration across the region and improved access to legal and efficient means of labour mobility for (prospective) labour migrants (ILO, IOM, UNHCR).**
- KRA1.1: Rights-based legal and efficient channels of labour migration and mobility (including appropriate protection measures for migrant workers) promoted and put in place in the Southern Africa / Indian Ocean region.
- KRA1.2: A Southern African and Indian Ocean migration observatory established and operational.
- SO2: Strengthened and informed decision-making as well as management of mixed migration flows, including improved protection of vulnerable migrants in the Southern African and Indian Ocean region. (ILO, IOM, UNODC, UNHCR).**
- KRA2: Evidence-based management strategies and policies to address mixed migration challenges, including assurance of appropriate protection frameworks for vulnerable migrants, are formulated and implemented.

The following are the key outputs and main activities, foreseen under each Specific Objective (S.O) and each Key Result Areas (KRA):

SO1: Improved policy environment for labour migration across the region and improved access to legal and efficient means of labour mobility for (prospective) labour migrants (ILO, IOM, UNHCR)

KRA1.1: Rights-based legal and efficient channels of labour migration and mobility (including appropriate protection measures for migrant workers) promoted and put in place in the Southern Africa / Indian Ocean region.

Result/output 1.1: National-level labour migration strategies and/or policies, regulatory frameworks and implementation plans formulated, consolidated and implemented.

- 1.1.1** Labour Migration Policy and implementation roadmap development in remaining Southern African countries.
- 1.1.2** Strengthening capacities of National and Regional multi-stakeholder existing national and regional structures.
- 1.1.3** Labour Migration Policies legislations implemented in Southern Africa Member States.
- 1.1.4** Assessment of bottlenecks of implementation for those with LM policy in place.
- 1.1.5** Visibility and sensitization.

Result/output 1.2: Enhanced capacities of regional and national social partners to promote fair recruitment and decent employment for migrant workers.

- 1.2.1** Awareness raising and capacity building activities for private sector through PSF/national employers 'organizations (Eos) on legal requirements concerning the employment relationship by RECs and the particular challenges stemming from labour migration.
- 1.2.2** Technical assistance to private employment agencies, trade unions and employers federations in drafting company charters and policies.
- 1.2.3** Drafting guidance on implementing fair and ethical recruitment frameworks practices in the region based on standards and best practices, including ILO Guidelines on Fair Recruitment and IOM IRIS on ethical recruitment.
- 1.2.4** Workers organization contribution to LM policy formulation and implementation.
- 1.2.5** Visibility and Provision on information and guidance to migrant workers on rights, remediation, etc.

Result/output 1.3: Regional frameworks for cross-border portability of accrued social security benefits is developed and implemented to enhance social protection for migrant workers.

- 1.3.1** Status of Portability of social protection benefits within RECs.
- 1.3.2** Effective financial and regulatory frameworks and policies to facilitate and harmonize remittance transfers are developed and obstacles to remitting removed.
- 1.3.3** Efficient systems to promote the productive use of remittances for an increased development impact put in place.
- 1.3.4** Establish effective and efficient technical operational structures within member states ministries of labour to assist migrant workers and families.

Result/output 1.4: Regional Qualifications Frameworks at REC level is established and implemented for quality assurance and verification of migrant workers' qualifications at various levels.

1.4.1 National Assessments on uptake of RECs regional qualifications framework, inclusive of challenges in implementation.

1.4.2 Pilot RECs alignment to the regional existing frameworks.

Result/output 1.5. Regular consultations and exchange of experiences are facilitated (through existing structures and frameworks) and support is provided to RECs for monitoring of implementation and/or elaboration /completion of their existing labor migration frameworks.

1.5.1 Regional dialogue and knowledge sharing forums on Migration Management in Southern Africa.

1.5.2 Support to Migration Dialogue for Southern Africa (MIDSA) and Migration Dialogue for COMESA (MIDCOM).

1.5.3 Policies and legislations in MS reviewed and formulated within International Labour Standards, African Union Migration Policy Framework and Joint Labour Migration Programme, and RECs existing Labour Migration Policy Framework.

KRA1.2: A Southern African and Indian Ocean migration observatory established and fully operational.

Result/output 2.1: A framework of central LMIS database integrating labour migration module is developed.

2.1.1 A framework of central LMIS database integrating labour migration module is developed (ILO).

2.1.2 List of Minimum indicators is reviewed and includes LM with indicators on refugees (ILO).

2.1.3 Report based on the minimum list of indicators is produced, and shared (ILO).

2.1.4 LM module with refugees is incorporated into the national LFS at least twice in 3 countries from 3 RECs by 2024 (ILO).

Result/output 2.2: Quality statistical on labour migration and migrants profiling are available at regular intervals for longitudinal comparability.

2.2.1 Southern Africa LM information is shared in relevant technical forum.

Result/output 2.3: Comparable migration modules are available in national/regional labour force surveys

2.3.1 Inclusion of migration modules within national labour force surveys.

2.3.2 Technical assistance to equip the LMO with necessary equipment.

Result/output 2.4: Southern Africa and Indian Ocean labour migration analysis and reports are available.

2.4.1 Production of reports.

Result/output 2.5: Regular exchange is taking place on demographic and labour migration data at regional level and along specific corridor of member states.

2.5.1 Linkage of Observatory with IOM RMDHub and GMDAC.

SO2: Strengthened and informed decision-making as well as management of mixed migration flows, including improved protection of vulnerable migrants in the Southern African and Indian Ocean Region. (ILO, IOM, UNODC, UNHCR).

KRA2: Evidence-based management strategies and policies to address mixed migration challenges, including assurance of appropriate protection frameworks for vulnerable migrants, are formulated and implemented.

Result/output 3.1: Relevant government services have the technical and financial capacity to capture, store and manage harmonized cross-border data on mixed migration flows and vulnerable migrants (women, disabled, children and youth).

- 3.1.1** Strengthen capacities of the Regional Economic Commissions Trafficking in Person (TIP) regional data collection system and expand database to include SOM. Make linkages of BMIS on detection of criminality at borders, including relevant connections with national and international watch lists (e.g. INTERPOL databases).
- 3.1.2** Facilitate interregional data sharing amongst LEO on trafficking and smuggling between Regional Economic Commissions.
- 3.1.3** Flow monitoring (DTM-Flow Monitoring Surveys) in identified Flow Monitoring Points, at least 5 reports on mixed migration.
- 3.1.4** Install/ upgrade Border Management Information Systems (BMIS); capacity building on data collection, analysis and data protection, with development of stand-alone training curricula.
- 3.1.5** Capacity building of end users on BMIS and regional TIP-SOM system.
- 3.1.6** Undertake studies to determine the present level of interoperability of the existing national civil registries of relevant member states, with UNHCR's Identity Management Registration System utilizing the PRIMES database for UNHCR's Population of Concern.
- 3.1.7** Determine the necessary technological requirements and capacity building needs to ensure the objectives of harmonizing systems are realized.

Result/output 3.2: National and regional actors have the technical and financial capacities to develop and implement harmonized mixed migration policies.

- 3.2.1** Existing sub-themes in mixed migration (flow monitoring, border management, TIP-SOM, interoperability, existing legal frameworks and capacity) are mapped out and assessed across the Region.
- 3.2.2** Organize consultations, think tanks, brainstorming sessions to increase capacity of Stats SA and 2 other selected National Statistical Authorities on selected mixed migration sub themes.
- 3.2.3** Produce regular policy briefs.
- 3.2.4** Conduct trafficking and smuggling studies, support TIP legislative development and amendments in 5 countries.
- 3.2.5** Support development of SOM policy and legislation in 5 selected countries.
- 3.2.6** Conduct 1 Regional TIP/SOM Study and 2 TIP thematic studies cross-regional studies.
- 3.2.7** Organize consultative meetings on ratification of relevant international and regional instruments.
- 3.2.8** Develop cooperation with existing regional and global migration observatories to develop appropriate research capacity in RECs.
- 3.2.9** Identify academic institutes, think tanks and non-governmental organisations including refugee organisations to collaborate with on mixed flows research.

Result/output 3.3: Existing regional and national platforms assure consultations, exchanges and capacity building on irregular/mixed migration issues.

- 3.3.1 Technical and ministerial MIDSA and MIDCOM: Implementation of MIDSA and MIDCOM recommendations at regional and national levels.
- 3.3.2 Support bilateral dialogue between member States; support inter-regional dialogue between source, transit and destination countries; and as needed multilateral dialogue between 3 or more States affected by a common migration issue.
- 3.3.3 Support annual Regional Protection, Representatives and Refugee Commissioners meetings.

Result/output 3.4: A Regional Mixed Migration Policy Framework ensure adequate protection to vulnerable migrants (addressing trafficking and including refugees, asylum seekers and IDPs).

- 3.4.1 Support existing regional professional networks (reference group for prosecutors; RECs -TIP Net).
- 3.4.2 Establish new networks in support of mixed migration management and TIP-SOM (judges, statisticians).
- 3.4.4 Support sub-regions to adopt and implement the Comprehensive Strategy for Advancing Protection of Refugees and Stateless Persons within Mixed Flows in Africa.
- 3.4.5 Advocate for the implementation of the Global Compact on Refugees by states in the sub-regions.

Result/output 3.5: National referral systems and participatory protection frameworks assure improved protection for irregular migrants and awareness on the risk of irregular migration.

- 3.5.1 Use community response map (CRM).
- 3.5.2 Adoption of NRM and SOPs, training, shelter upgrades (3 countries) and set-up a regional direct assistance fund that includes AVRR for vulnerable migrants including refugees.
- 3.5.3 Raise awareness on NRM, legislation, simplification, translation, dissemination.
- 3.5.4 Mainstream refugee and asylum seekers' rights and responsibilities into awareness raising campaigns.
- 3.5.5 Ensure that the various referral mechanisms for vulnerable asylum seekers and refugees are incorporated into national referral systems; and provide capacity building as required.
- 3.5.6 Mobilize development partners and other stakeholders to engage in protecting and assisting vulnerable asylum seekers and refugees through the whole society approach.

Phases and sequencing

Taking into account the complexity of the project (addressing both labour and mixed migration issues, which suffers from lack of data) and taking into account the scope and complexity of the implementation architecture (4 UN Agencies, 3 Regional Economic Commissions and 16 countries), it is agreed to implement the project in two separate and subsequent phases; an inception phase and a full implementation phase.

Pre-implementation phase (inception phase)

The inception phase will take place during the first 9 months of the project. However, during this period, each implementing UN agency will still have the flexibility to directly start implementation of activities when relevant.

This phase will serve, among others to:

1. Ensuring accountability and confirming management arrangements.
2. Establishing the governance structure.
3. Appointing the project manager.

4. Inducting the project manager and the project team.
5. Establishing relationships and initiating communication.
6. Reviewing project design and update the work plan.
7. Engage with the stakeholders for an induction.
8. Conduct the stocktaking in the various areas of work, and initiate data collection, establish baselines, conduct analytical studies, identification of potential implementing partners, service providers, produce procurement plan, etc.
9. Conduct capacity needs assessment of the different stakeholders and initiate the key required capacity-building program.
10. Conduct an in-depth assessment of the Labour Migration Observatory location and structure.
11. Update the monitoring and evaluation plan and update the logical framework using a theory of change approach and while applying a Comprehensive M&E Strategy (CMES) methodology, which encompasses a participatory theory of change
12. Conduct and evaluability assessment of the project.
13. Facilitate the conversation among the beneficiaries to identify for each result the key criteria for the selection of pilot countries and propose to the relevant structure of the Regional Economic Commissions, a list of potential countries for implementation of the various actions under the program. The final selection of Member States participation to the different outputs will be validated in Regional Economic Commissions existing structures and Forum and in consultation with Member States. However, the project will make all efforts to ensure that beneficiaries' countries can participate on a demand-driven basis during project implementation and subject to availability of resources.

Full implementation phase

The full implementation phase will benefit from the inception phase and will:

1. Implement the activities in the agreed pilot countries.
2. Undertake the agreed research
3. Conduct the communication campaign.
4. Produce the knowledge material, translate it into the main languages and conduct the training for the beneficiaries' countries including outside of the agreed pilot countries, taking advantage of the existing mandatory meeting; structures and forum, to ensure sustainability and ownership.
5. Produce the financial and technical report for the steering committee meetings.
6. Share the knowledge produced by the project in relevant forums.
7. Reflect on the sustainability plan and take appropriate action.

Sustainability of results

This project is relevant for the United Nations' 2030 Agenda for Sustainable Development. It contributes primarily to the progressive achievement of SDG number 16 – the promotion of peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels. Through this project, UN Agencies will support partner countries to fight more effectively the phenomena of human trafficking and migrant smuggling in the region, thereby countering the destabilizing effect of such trafficking flows and the impact they have on development and security. Scaling up the ability and skills of relevant law enforcement and agencies and criminal justice practitioners to adopt a qualitative enforcement approach will help the countries to dismantle criminal networks instead of arresting low-level criminal operatives. This will in turn offset the resulting financing of terrorism and organized criminal activities, including corruption, in addition to increasing number of identified trafficking victims and vulnerable migrants at risk of becoming victims of further crimes such as sexual exploitation or forced labour.

Programme activities will be designed to foster approaches that are feasible and realistic within each operating environment. Capacity building exercises will emphasize low-tech solutions such as the use of mobile phones as cameras and recording devices. Further, the Programme will advocate for support for victims of trafficking, smuggled migrants and other vulnerable migrants based on an understanding of their needs and priorities. This will help ensure that valuable resources are not wasted in providing services that these target groups do not prioritize or do not want.

The programme will avoid activities and approaches that would require substantial financial support after Programme conclusion. It will minimize to the extent possible substitution tasks, which tend to be less “owned” and sustainable in the long-term. Where operational support is essential to ensure successful outcomes, it will be provided only in the context of a clear, written exit strategy agreed with government counterparts.

A participatory and consultative approach will be taken throughout project activities by integrating target groups and project beneficiaries into the planning of activities, as relevant, in order to allow target groups to benefit from and “own” project results. The Programme will promote long-term institutional change, focusing not just on individual knowledge and skills but also the wider operating environment, including processes and procedures for cooperation (1) within the criminal justice system, (2) between national criminal justice agencies, victim support services and other national agencies involved in responding to TIP, SOM and related crimes, and (3) across international borders.

In addition, the programme will target the reinforcement of existing networks, and the support to the establishment of non-existing one from the various relevant stakeholders, from both right holders (Migrant networks, women networks, people living with HIV and AIDS, social partners, etc...) and duty bearers (Practitioners, service providers, Governmental institution, Academic networks, think tank).

5. Management and Coordination Arrangements

The Partners in this action have been identified according to their extensive experience in the fields concerned and in the region. ILO will have a leading role on Specific Objective 1 “Improved policy environment for labour migration across the region and improved access to legal and efficient means of labour mobility for (prospective) labour migrants “ and IOM will have a leading role for the Specific Objective 2 “Strengthened and informed decision-making as well as management of mixed migration flows, including improved protection of vulnerable migrants”.

Policy dialogue and labour migration policy formulation will be carried out with IOM and with UNODC's contribution on combating unfair labour practices and preventing and responding to abuse and fraud in recruitment of labour. ILO will build capacity of social partners and reinforce their roles and responsibilities in the existing framework for fair recruitment processes.

On social protection, ILO will conceptualize, test and assess different methods to implement the regional framework for cross border portability of benefits and will pursue its technical assistance to SADC on the regional qualifications framework for skills recognition, with a contribution from UNHCR on deepening the knowledge on the main constraints for refugees and asylum seekers in this area.

On Specific objective 2 (S.O.2): “Strengthened informed decision-making as well as management of mixed migration flows, including improved protection of vulnerable migrants mixed migration” IOM will map out existing data capture mechanisms including border management information systems. In coordination with UNHCR and UNODC, flow monitoring points will be established in order to produce qualitative and quantitative updates and policy briefs on mixed migration flows and trends in the region with the support of the IOM's Regional Migration Data Hub for Southern Africa, one of several regional hubs that serve as a central repository of migration data and information, and feeds the IOM's Global Migration Data Analysis Centre. IOM, UNHCR and UNODC will support the development of a regional policy framework at SADC level and national policies that are in line with the regional framework. In addition, IOM, UNHCR and UNODC will continue to support the development of national referral mechanisms and standard operating procedures to strengthen support to and protection of vulnerable migrants, refugees and victims of human trafficking and smuggling. Awareness raising will be carried out using IOM's Community Response Map model, amongst other strategies.

Implementation modalities

Under the current Multi-Partners Contribution Agreement, the European Commission entrusted the following UN organizations to implement the Action through indirect management in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012 applicable by virtue of Article 17 of Regulation (EU) No 323/2015:

✓ The International Labour Organisation (ILO), as lead organisation referred to in the Special and General Conditions as “the Organisation”

And

- ✓ The International Organisation for Migration (IOM);
- ✓ The United Nations Office on Drugs and Crime (UNODC);
- ✓ The United Nations High Commissioner for Refugees (UNHCR);

Referred to in the Special and General Conditions as “the Partners”

Institutional implementation

Pursuant to Article 7.1.1 of the Special Conditions, office costs outlined below are necessary for carrying out the Action and are directly attributable to it. They comply with the cost eligibility criteria referred to in Article 18.1 of the General Conditions in Annex II. These costs include but are not limited to, general operating expenses (rental, utilities, internet, communication, consumables, UNDP service costs as per the universal price list, security or rental equipment), contractual services (training, external publication, and technology services), equipment (purchase of furniture and equipment, software), travel (travel from/to field offices/project locations), specific to the project implementation in the field.

ILO

The main ILO Office is based in Pretoria, and houses the Decent Work Team for Eastern and Southern Africa (the technical team). This Office is in coordination with the Offices in Antananarivo (Responsible for Indian Ocean Commission), Lusaka (Responsible for COMESA), ILO Office in Harare and Dar-Es-Salam. The technical backstopping will be provided by the relevant specialists in Pretoria and, whenever needed, additional support will be provided by the relevant Departments in Geneva, and by the ILO training centre in Turin (Italy).

IOM

In order to promote cost efficiency and economies of scale, IOM staff directly working on the project in the project offices will be physically placed in the existing offices and the charging of the actual direct office costs related to their functions (rental of premises, consumables, other office services, etc.), will be based on actual expenditures incurred during the period distributed in proportion to the amount of time spent by the staff on the activities directly linked to the project. The main project offices are based in IOM's Regional office for Southern Africa (Pretoria, South Africa) and country offices in all SADC countries. The Action will be implemented from the country office in Botswana with support from the Regional office. Liaison officers present in each of the Regional Economic Communities' (RECs) Secretariats (COMESA in Lusaka, and IOC in Port Louis) will oversee smooth communication and coordination with the respective RECs. The implementation of the Action is supported by related administrative, logistic and management staff located in IOM's Regional Office and IOM Brussels.

UNODC

The main project offices are based in UNODC Regional Office for Southern Africa - ROSAF (Pretoria, South Africa), and the UNODC Country Offices in Malawi, Mozambique, Zambia and Zimbabwe. The Action will be implemented from Pretoria with regular travel to countries in the region. In addition, the implementation of the Action is supported by related administrative, logistic and management staff located in UNODC ROSAF, UNODC HQ and UNODC Brussels.

UNHCR

The main project office is located in the Regional Bureau for Southern Africa (Pretoria, South Africa) complemented by country operations in Angola, DRC, Malawi, Mozambique, South Africa, Tanzania, Zambia and Zimbabwe. The Action will be effected from Pretoria and the country operations mentioned above with the South Africa Multi-country one covering states where UNHCR does not have physical presence. Additionally, support will be reinforced through administrative, external relations and programme staff situated in UNHCR HQ and UNHCR Brussels.

Staff implementing the Action

Pursuant to Article 7.1.1 of the Special Conditions, the following personnel costs are necessary for carrying out the Action and are directly attributable to it. They comply with the cost eligibility criteria referred to in Article 18.1 of the General Conditions in Annex II.

ILO

The project implementation will be coordinated by an ILO Chief Technical Advisor (CTA) based in Pretoria. Due to the importance of data in this project, it is also proposed to have an international Migrant /Data specialist who would focus on the Labour Migration Observatory. The ILO CTA will ensure communication with the other UN Colleagues, and coordination. He will lead the Technical Implementation Committee (TIC) The project, responsible for the day to day implementation of the project.

The ILO technical team will benefit from the support of ILO staff based in in Port Louis, Gaborone and Lusaka to ensure coordination with the Regional Economic Commissions and fluid communication and to improve ILO availability to different units, Departments of the RECs. Specific profile will be discussed with the relevant Regional Economic Commissions. The CTA, will also have a support unit with a communication Officer, a Monitoring and evaluation Officer. As the ILO will be acting as the Administrative agent (AA) and in order to ensure accurate and timely reporting, the project will have a Financial Officer and a financial assistant.

IOM

The project will be implemented by an IOM project team led by a Project officer based in Pretoria. Under the overall guidance of the Regional Director, s/he will, inter alia, be responsible for the successful implementation of the relevant components of the Action that are under IOM's responsibility. In doing so, s/he will, inter alia, lead the designing, execution, monitoring and reporting for these components of the project. S/he will, inter alia, assign tasks and responsibilities to the other members of the IOM Project Team. S/he will, inter alia, liaise at the strategic and management levels with all project counterparts. He/ she will ensure coordination with the ILO as lead implementing agent of the project and with the other UN agencies (UNODC and UNHCR).

The Project Officer will, inter alia, be supported by a research officer (based in Pretoria) and one liaison officer sitting within IOC Secretariat. The liaison officer will, inter alia, organize all the events foreseen under the project (meetings, training sessions, mentorships, operations, study tours, etc.). This includes being involved in the logistical aspects of all activities and liaising and following up with counterparts at the operational level. The liaison officer will, inter alia, also assist in handling logistical and administrative aspects of the project. S/he will be supported by the resource management unit in the Regional office and in Mauritius. Substantive support will be provided by experts from the Regional Office, based in Pretoria. The research officer and GIS assistant will inter alia, assist with the flow monitoring, research and analysis of data arising from the project and to coordinate the uptake of information to IOM Regional Migration Data Hub, with the Global Migration Data Centre and the Labour Migration Observatory where relevant.

The project will also benefit from the technical support to be provided by five regional thematic specialists that sit within the Regional Office in Pretoria. These specialists cover the following areas: border management, labour migration and development, emergency and post crisis, policy and liaison, migrant protection and assistance. Although not involved in the daily programmatic aspects of this project, they will provide, inter alia, technical expertise for capacity building activities and support in framing the overall strategic direction of the project. The regional media and communications officer will, inter alia, provide the necessary media and communication support as regards the project. He will, inter alia, assist in covering major events both through mainstream and social media as well as support the development of key communication and visibility materials. The regional monitoring and evaluation officer and his team of two national officers will, inter alia, provide oversight on all the monitoring and evaluation aspect of the project. The regional project development officer will, inter alia, assist in the review and finalization of reports and any other documentation to be developed in connection with this project. The financial oversight support will, inter alia, be provided by the administration and finance support team also sitting in the Regional Office in Pretoria.

The Africa Migration Programme team is composed of a project coordinator for the whole of the Continent, he will, inter alia, be the interlink with corresponding Africa wide initiatives. The above-mentioned project team will regularly interface with the project officer for Southern Africa under the Africa Migration Programme and will, inter alia, complement on the different activities with the support of the reporting officer for Africa. The Displacement Tracking Matrix (DTM) coordinator for the Regional Migration Data Hub and the team led by the DTM coordinator will, inter alia, support all the flow monitoring activities to be undertaken under this project.

UNODC

The overall supervisor of the UNODC staff assigned to this project is the UNODC Regional Representative, with the project coordinator as the technical lead. The project will be placed within the Trafficking in Persons and Smuggling of Migrants unit at the UNODC Regional Office for Southern Africa. The Regional Representative, based in UNODC ROSAF (Pretoria, South Africa) will provide direct support to the Action by engaging with Ministers and Heads of national agencies, as well as attending relevant high-level events, meetings and initiatives to raise the profile of the Action, facilitating its implementation, and fostering buy-in and ownership. She will further engage with the EU Delegations on strategic discussions related to the implementation of the Action, as required, and ensure that activities under the Action are in line with UNODC policies pertaining to international conventions and legal instruments.

The Regional Representative will further coordinate with other UN entities and other multilateral and bilateral technical assistance providers at senior level to ensure that activities, as well as other implementers' activities, do not duplicate and that synergies are built, and to ensure the EU visibility of the Action. The project coordinator will drive the implementation of the project and oversee the work of all UNODC staff delegated to the project. The project coordinator will further provide substantive support during implementation.

Furthermore, substantive support will be provided by experts from the Regional Office (ROSAF), based in Pretoria, as well as by UNODC's Human Trafficking and Migrant Smuggling Section (HTMSS), based in UNODC's Headquarters in Vienna, Austria. UNODC HQ will also coordinate work with the relevant thematic, operations sections, including global projects and existing field offices involved in the implementation of the Action:

Expertise at HQ and in the field is required to ensure that the relevant technical know-how and expertise are used for the benefit of the project:

The Desk Officers at the Regional Section for Africa and the Middle East, based in Vienna, will provide direct support to the activities of the Action, notably by liaising with HQ Branches and Sections, be involved in solving Action-specific administrative/financial/political issues and providing guidance on latest UNODC internal policies.

The field direct support functions of the above-mentioned field Office will provide direct support as needed, in application of the UNODC rules and regulations, notably those pertaining to segregation of duties. The services will include procurement, local human resources, IT, finance, etc.

UNHCR

The overall supervisor of the UNHCR staff involved in this project is the Regional Director, with the Deputy Regional Director being the project owner, complemented by the Representative of the South Africa Multi-country Office and with the locus of the project being the Protection Unit. The Regional Director, with the Deputy Regional Director and Representative will lead the high level negotiations with governments, RECs and partners in the region and other relevant events.

A Project Coordinator will manage the implementation of the project and oversee the work of the UNHCR team assigned to the project.

Where necessary the Senior Desk Officer at HQ will be the intermediary with other sections and colleagues at headquarters, including assisting with disentangling blockages and providing guidance on UNHCR policy issues, whilst UNHCR Brussels will provide the required guidance pertaining EU rules and liaison with the European Commission as apropos.

The Finance and Programme Assistants will assist with managing the budget and programming issues and preparing relevant reports.

Various other specialist staff in the Regional Bureau, South Africa Multi-country Office and where UNHCR is represented in Southern Africa will provide their services for meeting UNHCR objectives in the project proportional to what must be achieved.

The specific staff who will be most involved in the project under the contribution of the EU will be: UNOPS Mixed Migration affiliate staff; Snr. Protection Officer; Information Management Officer; Associate Operations Data Management Officer; Program Officer; Snr. Supply Associate; and Admin/Finance Associate; Assistant Program Officer. Under the UNHCR contribution will be the following officials: Deputy Regional Director for Protection; Multi-Country Office Representative; Snr Durable Solutions Officer; Snr Communications Officer; Associate Protection Officer; Protection Associate; Protection Officer; Registration Officer; Snr External Engagement Officer; and External Relations Officer

Complementarity, Synergy and Donor Coordination

The implementation mechanism proposed for this programme will ensure its harmonization with complementary programmes and coordination mechanisms on migration, and gender sensitive synergies will be developed whenever relevant and possible.

The programme will build on the developments reached through the implementation of the various existing cooperation agreements between the implementing partners and the relevant Regional Economic Commissions IOM, ILO, COMESA and IOC on migration management, labour migration policies and legislation, ratification and domestication of Protocols on free movement and data management.

Also close consideration is needed with the several Memoranda of Understanding on areas of interest to this project, such as the Memorandum of Understanding (MoU) between UNHCR and SADC (1996, revised in 2019); ILO and SADC (2017) on the development of SADC's Labour Migration Policy; MoU between ILO and UNHCR (2016) on the promotion of employment opportunities for refugees and other forcibly displaced persons; MoU between UNODC and SADC addressing the challenges posed by illicit trafficking, organised crime, terrorism, corruption, drug abuse and HIV/AIDS; and the MoU between UNODC and IOM to cooperate in areas of trafficking in persons, migrant smuggling and border management, and the implementation of the EU funded Global Action to prevent and address trafficking in persons and smuggling of migrants in 13 countries including South Africa.

The specific national-level legislation on trafficking-in-persons that has been produced under the 2012 EU-SADC Regional Political Cooperation (RPC) programme will also be taken into account.

Under the Pan African Programme three initiatives are relevant: (1) the project "Enhancing African capacity to respond more effectively to transnational organised crime (TOC)", 2016, implemented by the Institute for Security Studies and Interpol. Synergies are expected with the component on migration flows' monitoring and data collection to inform evidence-based decision-making around combating smuggling of migrants and trafficking-in-persons and the results of the study on "Trafficking in Persons in Africa"; (2) the Pan-African Statistics Programme which supports the African Union Commission in the area of labour migration, concretely in the production of the second Labour Migration report (data collection, analysis and drafting); and (3) the programme on "Extending social security access and portability to migrant workers and their families through selected RECs in Africa" with which complementarities will be sought for the implementation of the labour migration component of this project.

Synergies will be developed with the 11th EDF COMESA Trade Facilitation Programme, through its component targeting tripartite/regional negotiations on the movement of business persons/professionals; the implementation of the COMESA visa and free movement Protocols, as well as the COMESA business visa initiative and the development of Mutual Recognition Agreement Frameworks for selected professions.

Given the impact that voluntary return has on the labour market, linkages and complementarities will be developed with the pilot action on voluntary return and sustainable, community-based reintegration, financed by the EU and implemented by IOM, focusing on sustainable return and reintegration in three migration corridors, with a specific focus on priority partner countries in Africa and Asia.

Also the EU funded Global Action against Trafficking in persons and Smuggling of migrants (GLO.ACT) and the Global Action Programme on Migrant Domestic Workers and their Families, implemented by UNODC (2015-2019) and ILO (2013-2017) respectively, offer scope for complementarity.

The World Bank Accelerated Programme for Economic Integration (APEI) addressing labour migration/mobility through easing of work permits and business visas to facilitate cross-border movement of labour and investments will also be looked into in complementarity of activities under SO1, as well as the expertise provided by the Global Knowledge Partnership on Migration and Development (KNOMAD) on migration and development.

On Statistic, the project will also be coordinating with the AU project in partnership with SIDA addressing migration statistics in Africa for institutional cooperation between Statistics Sweden and Regional Economic Commissions (RECs) in Africa.

Close synergies will be forged with the existing Migration Observatories in Africa, particularly with the Regional Mixed Migration Secretariat (RMMS) in Kenya that focuses on data collection and analysis of mixed migration flows in the Horn of Africa but also collects data on migration flows in Kenya and Tanzania; and with the African Centre for Migration and Society (ACMS) at Wits University that conducts research on migration, especially in southern Africa. The ACMS coordinated the Migrating for Work Research Consortium project (MiWORC), which ran from 2012 to 2015. The project was funded by the EU in the framework of the EU-South Africa dialogue facility and focused on the production of quality publications related to labour migration and mobility in South Africa. Although there is no current dialogue on migration under this Dialogue Facility, the project will build on the achievements of the former dialogues on migration that have taken place.

In addition, two regional consultative processes (RCPs) are ongoing in the sub-region. The Migration Dialogue of COMESA member states (MIDCOM) since 2013 brings together member states to identify shared interests, promote inter-state dialogue on migration issues and collaborate on migration approaches. The Migration Dialogue for Southern Africa (MIDSA), launched in 2001, and that of COMESA (MIDCOM) raise awareness on challenges and best practices, and have put different aspects of refugee issues and migration management on the SADC and COMESA agenda, including migration and health, human trafficking, border management, and facilitated movement of persons in light of regional economic integration and trade liberalization.

Organisational set-up and responsibilities

To guarantee ownership and adequate coordination and management of the project activities by the key stakeholders, the following governance structure is proposed taking into consideration the already existing High Level Group (HLG) overseeing the implementation of the 11th EDF EA-SA-IO RIP.

Programme Steering Committee (PSC)

The **Project Steering Committee (PSC)** will be the governing body of the project. The PSC will provide strategic leadership, general policy and overall guidance and oversight on the project; it will also assess and, if necessary, adapt the activities of the project, based on recommendation and proposal from the Technical Implementation Committee (TIC). The PSC will be in charge, among others, of programme oversight, monitoring of implementation, development of synergies and complementarities with other actions and guidance to ensure attainment of the objectives.

The PSC will include representatives from the relevant Regional Economic Commissions, which will be invited to identify their representatives and alternates, as well as the respective chairs (member states) of the REC ministerial councils of labour and home affairs, the respective Delegations to the three sub-regions, as well as all the implementing UN agencies (ILO, IOM, UNODC, UNHCR) invited as observers.

Representatives of regional Non-State Actors with a clear migration mandate may also be included in the PSC, which can invite other participants/stakeholders to attend its meetings where relevant, based on consensus.

PSC meetings will be organised in the region, alternating between Gaborone, Port Louis and Lusaka on a semi-annual basis (ILO, as lead agency, is in charge of logistical organisation of the PSC meetings and will function as secretariat throughout the programme's implementation period).

Technical Implementation Committee (TIC)

A technical Implementation Committee will be responsible for day-to-day management and implementation of activities. The TIC will include, as a minimum, technical level representatives from COMESA, IOC and SADC,

the technical team responsible for implementation from ILO as lead implementing partner, technical level representatives from other agencies (based on involvement through implementation agreements with the lead partner) and non-state actors involved in the implementation of the action (where appropriate and relevant) and technical level representatives from the European Commission as observers. Additional participants and other relevant stakeholders may be invited to the TIC meetings, as appropriate. The TIC will meet at least quarterly to discuss progress on implementation.

6. Fund Management Arrangements among implementing UN Organisations

This UN Joint Programme will follow the pass-through fund management modality according to the United Nations Development Group (UNDG) Guidelines on UN Joint Programming. The ILO, serving as the Administrative Agent (AA) for the Joint Programme, as set out in the Standard Memorandum of Understanding (MoU) for Joint Projects using pass-through fund management, will perform the following functions:

- Establish a separate ledger account under its financial rules and regulations for the receipt and administration of the funds received from donor(s) pursuant to the Administrative Arrangement. This Joint Programme Account will be administered by the AA in accordance with the applicable rules, regulations directives and procedures, including those relating to interest;
- Make disbursements to Participating UN Organizations from the Joint Programme Account, in line with the budget set forth in the Joint Programme Document.

The Participating UN Organizations will:

- Assume full programmatic and financial responsibility and accountability for the funds disbursed by the AA as detailed in the Management Arrangements and Coordination section.
- Establish a separate ledger account under its financial regulations and rules for the receipt and for the receipt and administration of the funds disbursed to it by the AA.
- PUNOs will have dedicated resources to achieve results, including personnel and consultants (technical assistance) that are directly contributing to JP activities, and allocated budgets for associated costs, such as office structure, and operability of field visits for quality assurance.
- Each UN organization is entitled to deduct their indirect costs on contributions received according to their own rules and regulations, considering the size and complexity of the programme. Each UN organization will deduct seven percent as overhead costs equivalent to a maximum of 7% of the total eligible costs the agency.

Coherence across the Programme's components, outputs and synergies will be promoted by:

- Building on thematic linkages between results and locations and organising thematic lessons learning exercises which will also involve counterparts;
- Developing communication and knowledge with the aim of promoting the overall coherence of the Programme. This formal structure will also encourage the development of informal relationships between partners;
- Ensuring that the role of the chief Technical advisor is to focus on coherence and taking advantage of synergies between components;
- Using a joint template for M&E and communications that governs each intervention under the Programme, which will encourage each implementation team to consider the same key cross-cutting issues and facilitate the learning of lessons between components;
- Promoting common resources and sharing facilities and interpreters between components and locations.

7. Risk Register

RISKS AND ASSUMPTIONS Risk	Risk level	Mitigation measures
Absence of strong political commitment may hamper the impact of the action, as technical level outcomes/ outputs are not fully translated into national-level policy frameworks.	H	The Action will be implemented in line with existing MoU and frameworks of cooperation with UN Agencies and will target implementation of existing REC strategies, decisions and recommendation. Regular consultations with stakeholders in the targeted Regional Economic Commissions and region on progress in the implementation of the programme and related national uptake. A specific monitoring and evaluation system will be formulated to guide the performance and impact of the programme on the regions' strategic frameworks. Involvement of non-state actors in the steering structures and where feasible, implementation of activities is expected to contribute to mitigating this risk. Ensuring that the key project outputs feed the existing RECs technical forum, departments and sectors, will facilitate ownership by RECs and member States The High Level Group for the implementation of the 11th EDF RIP will provide additional oversight and guidance on the implementation of the programme.
Weak institutional capacity of the Secretariats and member states to implement the agreed interventions and deliver on the allocated resources.	M	There will be targeted capacity needs assessments and delivery of support to address the capacity constraints as well as raise awareness among stakeholders on the need to implement effectively, absorb resources and demonstrate results in a manner that is commensurate with resources. In particular, the programme is designed to capitalise on COMESA, SADC and IOC's convening capacity and policy implementation. Implementing partners will be entrusted with administrative management of the programme and provide technical support within the structures of the RECs and member states. Implementation capacity will be strengthened at national and sub-national level. These actions will be supported by a sustained effort from the EU in sector policy dialogues with both the partner countries and the RECs.
Political instability may arise in certain countries with an effect on migratory flows in the region	L	The RECs have established mechanisms for conflict prevention and mediation, also supported by the EU. Through the RECs, member states have committed to regional conflict prevention and mitigating measures that can be activated and prevent large-scale migratory movements as a result of political instability.
Assumptions		
The participating regional organisations and member states remain committed to the principle of regional integration as a means of mitigating inequalities between members and generating economic growth and poverty reduction. Democratic accountability and positive peer influence in the region is sufficiently strong to ensure that this risk is minimised.		

8. Monitoring, Evaluation and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partners' responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (ideally semi-annual²⁴ but at least annually) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logframe matrix and a relevant and comprehensive gender sensitive M&E frameworks established under the programme, taking into account the reports mentioned on the logframe matrix. The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

Evaluation

The project will include a *mid-term* evaluation after two years of implementation as well as a *final independent project evaluation* after the completion of the project. Two external, independent evaluators will be hired for that purpose and will undertake country missions which are expected to last three weeks and will be properly budgeted for. The objectives of the evaluations are to measure achievements, including at output, outcome and objective levels, as well as the overall impact and sustainability of the project based on the indicators identified in the logical framework, so that lessons can be learned and serve as the basis for improving project planning, design and management. The final evaluation will be publicly available for all stakeholders in the field for learning purposes.

As a lead agency, ILO evaluation Policy will apply with due regard to United Nations Evaluation Group (UNEG) Norms and Standards and practices for joint evaluation. It is proposed to apply a Comprehensive M&E Strategy (CMES) methodology, which encompasses a participatory theory of change. The purpose of the CMES is to increase credibility and accountability of Project results at the highest level, to be a catalyst for learning (i.e. a knowledge management strategy) and to contribute to build national stakeholders' and partners' capacity in evidence-based M&E. The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process.

By doing so, the evaluation will assess the project's concept and design, implementation, and the extent to which outputs, outcomes and the project objective have been reached. More specifically, the final evaluation will focus on the criteria of: (i) *relevance*; (ii) *efficiency*; (iii) *effectiveness*; (iv) *impact*; and (v) *sustainability*. All key stakeholders and learning partners will be actively involved in the evaluation process.

The required preparations for the independent evaluation, including the Terms of Reference (TORs), timing, venue and dates, will be carried out by ILO, IOM, UNODC and UNHCR in close coordination with the relevant national counterparts, Country, Programme and Regional Offices in the field, as well as relevant Sections/Units.

Reporting

Reporting is a mandatory provision under the Contribution Agreement. As such, all reports submitted under the programme will follow the requirements outlined in Article 3 of the General Conditions of this agreement. Annual reports shall be based on the Annual Work Plan and support requests for replenishment, where relevant; and

Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the log frame matrix and relevant Monitoring and Evaluation frameworks established under the programme. The report shall be laid out in such a way as to allow monitoring

²⁴ Substantive narrative and financial implementation reports are expected to be prepared prior to each Programme Steering Committee meeting; short and concise narrative and financial updates are to be submitted prior to each TIC meeting and/or at quarterly intervals to the RECs and EU Delegation in Botswana (which will be responsible for onward sharing with other relevant EU colleagues).

of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

All reports will be established in English and use the reporting currency of agreement; exchange rates applicable to the reports will be the exchange rates at the time of signature of the agreement.

The ILO will compile and consolidate reports from the other partners and will submit to the European Commission narrative and financial progress reports as stipulated in the Agreement, with particular attention to monitoring and evaluation of the specific results and activities outlined in the project document, annual work-plans and in accordance with stated performance indicators.

9. Communication and Visibility

Visibility will be ensured throughout the implementation of the project through different communication means including - but not limited to - media coverage, printed materials, involvement and participation of the EU in different activities and events, including consultative meetings/workshops, ceremonies and a number of trainings. Public acknowledgement of EU support will be systematic. The visibility will aim to emphasize on the project's contribution and the role of the EU in supporting national and international efforts to promote peace and stability, particularly in combatting human trafficking and migrant smuggling.

In addition, the Organization and the Partners have developed a common Communication and Visibility Plan (Annex VI of the Multi-Partner Contribution Agreement) and will ensure compliance with the EU's Visibility Manual for EU External Actions in accordance with relevant provisions in the EU-UN Financial and Administrative Framework Agreement (FAFA).