

AFRICAN HUMAN MOBILITY REVIEW

Volume 1 Number 2 May – August 2015

An Evaluation of the Determinants of Remittances: Evidence from Nigeria

International Migration in Sub-Saharan Africa: A Call for a Global Research Agenda

Impact of Remittances on Economic Growth: Evidence from Selected West African Countries (Cameroon, Cape Verde, Nigeria and Senegal)

Failed Asylum Seekers in South Africa: Policy and Practice



Scalabrini Institute
for Human Mobility
in Africa

AHMR

Chief Editor

Dr Mulugeta F. Dinbabo University of the Western Cape, South Africa

Board Members

Dr Beneberu Assefa Wondimagegnhu Bahir Dar University, Ethiopia

Dr Delali Margaret Badasu University of Ghana, Ghana

Dr Edmond Agyeman University of Education, Winneba, Ghana

Dr Ernest Angu Pineteh Cape Peninsula University of Technology, South Africa

Dr Joseph Yaro University of Ghana, Ghana

Prof Laurence Piper University of the Western Cape, South Africa

Dr Linda Oucho African Migration and Development Policy Centre, Kenya

Prof Loren Landau University of Witwatersrand, South Africa

Dr Lothar Smith Radboud University, Netherlands

Dr Meselu Alamnie Mulugeta Bahir Dar University, Ethiopia

Prof Raul Delgado Wise Universidad Autónoma de Zacatecas, Mexico

Dr Razack Karriem University of the Western Cape, South Africa

Dr Sharon Penderis University of the Western Cape, South Africa

Prof Shimelis Gulema Stony Brook University, New York

Prof Thomas Faist Bielefeld University, Germany

AHMR is an interdisciplinary peer-reviewed on-line journal created to encourage and facilitate the study of all aspects (socio-economic, political, legislative and developmental) of Human Mobility in Africa. Through the publication of original research, policy discussions and evidence research papers, AHMR provides a comprehensive forum devoted exclusively to the analysis of contemporaneous trends, migration patterns and some of the most important migration-related issues. AHMR is published by the Scalabrini Institute for Human Mobility in Africa (SIHMA) a member of the Network of the Scalabrinian Centers for Migration Studies, with institutions in New York, Paris, Rome, Buenos Aires, Basel, Sao Paulo and Manila.

Articles and reviews in AHMR reflect the opinions of the contributors.

All rights reserved. No part of this publication may be reproduced without the written permission from the publisher. ISSN 2410-7972 (online) ISSN 2411-6955 (print)

Copyright © 2015 by the SCALABRINI INSTITUTE FOR HUMAN MOBILITY IN AFRICA

47, Commercial St, 8001 Cape Town – South Africa

Tel. 0027 021 465 6433 Email: editor@sihma.org.za

Webpage: www.sihma.org.za

African Human Mobility Review

Volume 1 Number 2 May – August, 2015

ARTICLES

- 130 An Evaluation of the Determinants of Remittances: Evidence from Nigeria
Temitope J. Laniran & Daniel A. Adeniyi
- 154 International Migration in Sub-Saharan Africa: A Call for a Global Research Agenda
Mulugeta F. Dinbabo & Sergio Carciotto
- 178 Impact of Remittances on Economic Growth: Evidence from Selected West African Countries (Cameroon, Cape Verde, Nigeria and Senegal)
Muriel Animwaa Adarkwa
- 203 Failed Asylum Seekers in South Africa: Policy and Practice
Corey Johnson

An Evaluation of the Determinants of Remittances: Evidence from Nigeria

Temitope J. Laniran and Daniel A. Adeniyi***

Abstract

International remittances have grown to become an integral source of finance for development. Existing literature posits that there is an association between remittances and growth in developing countries. Economic growth models highlight the importance of capital accumulation and high level financial flows, the inadequacy of which characterizes developing countries and often explains their fate. It is argued that remittances will provide a panacea to the serious poverty experienced in such developing economies by increasing financial flows and household income, which in turn stimulates consumption, savings, economic growth and ultimately development. The robustness of this relationship is, however, often questioned. Indeed, the propensity of remittances to achieve these aspirations very much hinges on the determining factors motivating the remitters and the magnitude of the remittances. Hence, given the significant flows of remittances to the developing countries, this study attempts an analysis of the determinants of remittances to Nigeria. Key macroeconomic variables with theoretical potentials of influencing the level of remittances received were subjected to econometric model testing using time series data from 1980 to 2013. The results indicate that the level of remittances received is more a function of portfolio motives than other macroeconomic factors.

Keywords: migration, motivation, investment, growth, development

*Graduate Assistant at the Centre for Petroleum, Energy Economics and Law, University of Ibadan, Nigeria and a Doctoral Researcher at the Bradford Centre for International Development, University of Bradford, United Kingdom. Email: lanirantemitope@gmail.com

**Associate Programme Officer at the Centre for Petroleum, Energy Economics and Law, University of Ibadan, Nigeria and a Doctoral Researcher at the Institute for Social Development, University of the Western Cape, South Africa. Email: adeolu.adeniyi@yahoo.com

Introduction

International remittances have increasingly grown to become an integral source of finance for development. Remittances represent a vital source of income for poor households and a significant contributor to the gross domestic product (GDP) of nations, especially developing countries. Evidence abounds that money sent home by emigrants makes up quite a large share of the revenue of most developing economies, sometimes larger than that of official development assistance (Gupta, 2005; Hagen-Zanker & Siegel, 2007; Singh et al., 2010; Costantinescu & Schiff, 2014; World Bank 2014a; 2014b). Irrespective of the financial crisis plaguing the world, globally remittances have grown rapidly, especially between 1990 and 2000, and then trebled in the following decade, reaching US\$335 billion in 2008 and US\$489 billion in 2011 (UNCTAD, 2012). In 2013, remittances to developing countries accounted for 74.5% of global remittances; these countries received remittance inflows in the region of US\$404 billion. This figure was three times the size of official development assistance and, with the exception of China, remittance flows to developing countries were significantly larger than total foreign direct investment (World Bank, 2014a).

It is indeed a truism that poverty is pervasive throughout the world and often palpable in most developing countries. Globally, it is estimated that 14.5% of the world's population live in conditions of extreme poverty. In Nigeria, the situation is much worse, as 62% of the nation's population are in extreme poverty (World Bank, 2015). When living standards are low and chances of improvement few and far between, people resort to leaving the shores of their own country in search of better opportunities. Migration and remittances thus go hand in hand as migrants transfer funds back to their country of origin from their destination country. The number of emigrants from Nigeria as a percentage of the population, according to the World Bank (2011), was 0.6% as at 2010. In 2013 Nigeria received remittance inflows of around US\$21 billion (World Bank, 2014b), representing 0.4% of the nation's GDP. Evidently therefore, remittances to Nigeria represent a significant source of foreign exchange.

Few studies have been carried out on the determinants of remittances to Nigeria. Most of these studies have tended to lay emphasis either on the micro level or have distinguished the determinants of remittances to urban or rural

areas. However, the macroeconomic determinants of remittances to Nigeria remain relatively unknown. This study seeks to assess the macroeconomic determinants of international remittances in Nigeria.

Background to Remittances in Nigeria

Over the years, migrants' remittances to Nigeria have increased steadily and have now become a significant proportion of the financial inflows into the nation. This is partly due to the increasing numbers of Nigerians in diaspora, for, as Constantinescu and Schiff (2014) point out, an increase in international migration is a major factor driving the growth of global remittances. Nigeria has a population of about 173 million (World Bank, 2014a), accounting for nearly one-fourth of the total population in sub-Saharan Africa and ranking as the seventh most populous nation in the world (World Bank, 2014b).

Among the developing economies, Nigeria is the fifth largest recipient of remittances and the largest in Africa, receiving a total of US\$21 billion in remittances in 2013. Indeed, Nigeria became the largest recipient of remittances in sub-Saharan Africa in 1990, and since 2006 has been the largest recipient in Africa, including North Africa (Nyamongo et al., 2012). According to the World Bank (2014a), Nigeria's remittance receipts in 2014 were projected to be US\$22.3 billion. This represents an amount that is US\$14.4 billion higher than the combined sum received by the other top ten largest recipients of remittances in sub-Saharan Africa. Second to Nigeria, in sub-Saharan Africa, is Senegal with total remittance receipts of US\$1.7 billion – just 7.6% of the total remittances to Nigeria. The foregoing has made Nigeria a consistent feature in the remittance discourse.

Determinants of Remittance: a Review of the Literature

The international remittance literature has highlighted several motives driving migrants to send remittances and these are usually addressed at the micro or macro level. At the micro level, on the one hand, the three rationales that motivate migrants' remittances are altruism, self-interest and contractual motives. On the other hand, remittances are categorized at the macro level based on the assumption that flows of international remittances can be countercyclical, procyclical or acyclical.

The altruism rationale holds that remittance flows increase as the migrants' income as well as extent of altruism increases and vice versa. It also predicts that a 1% increase in the migrant's income associated with a 1% decrease in

the recipient's income will increase transfer by 1%. This implies that high income migrants will remit more and low income recipients will obtain more. Remittances also increase both by the extent of closeness between the migrant and the receiving household and the migrant's aim to return. Also, as the number of migrants in a family increases the remittances from a given migrant decrease (Funkhouser, 1995). While some studies have found the foregoing to be true (see, for example, Lucas & Stark, 1985; Carling, 2008), quite a few studies have opposed the altruistic motive for sending remittances. Altonji et al. (1997) using data on personal private transfers and accounting for cash constraints, number of relatives, and uncertainty, rejected the null hypothesis and estimated a transfer-income derivate. Their results showed that consumption allocation was dependent on the allocation of income.

Remittances for self-interest are usually motivated by the desire to enhance social status, keep the connection with parents for inheritance purposes, or as investment either towards the future or with the intention of returning back to the home country. For instance, the investment may take the form of harnessing the human capital of the migrant's own children by remitting money to fund their education back home. Furthermore, a migrant may remit home to his parent in a bid to ensure that he is also taken care of in his old age or he may desire to invest in housing or livestock at home, in which case a family member back home may serve as the agent. While the latter is what Hagen-Zanker and Siegel (2007) refer to as the demonstration effect, the former has the effect of enhancing the migrant's social status at home.

Remittances could also be driven by contractual motives, in which case remittances serve either as a form of exchange, loan repayment or co-insurance. In an effort to evade the problem of market failures in the home country, the new economics of labour migration (NELM) theory posits that a migrant leaves his or her home country to enter a non-correlated labour market to take advantage of the opportunities in the host country. Such migrants help their households in the home country to overcome shocks while the migrants may also receive support during times of unemployment in the host country. As such, remittances are bound to increase in response to shocks or a reduction in income of households. Aggregate remittances, Singh et al. (2010) note, would thus be a function of income in the home country, wages in the host country and the total number of migrants. Remittances may also be seen as a form of loan repayments used in investing in human capital or expenses acquired in the process of migrating. The exchange theory is such

that the quantity transferred increases as the quantity of services rendered increases but it reacts indefinitely to an exogenous increase in the beneficiary's prior-transfer income.

From the foregoing, the altruistic and exchange motive thus differ in terms of possibility for remittance. Cox et al. (1998) held that in the altruistic scenario the prospect of transfer lowers with the receiver's income but this is not so in the exchange scenario. This is because public transfers do not crowd out private transfers but rather prompt an increase in private flows received by recipients. However, if imperfect information exists, the migrants' wages might be fixed according to an evaluation of their efficiency. On the other hand, since recipients are protected against economic downturn through remittances, this may lead to moral menace (reducing their search for a job, reduction in labour output or investing in risky ventures) due to information asymmetry.

In a study that focused on altruism versus exchange (repaying loans for educational expenses) from parents to their offspring and vice versa in Peru over the 1980s, Cox et al. (1998) controlled for marital status, sex, education and for transitory and permanent transfers. Their probit result indicated that child-to-parent transfer was inversely related to the parent's income. They thus concluded that the exchange framework was stronger than that of altruism. They further found evidence transfers are in most cases to the sick and unemployed, which is consistent with the altruistic motive. They also found that private and public transfers are supplements rather than substitutes, in contrast to Jensen (2004), who argued that public transfers crowd out private flows in South Africa.

Becker (1974; 1991) examined the economics of households and the allocation of income among members of the family using the family as the unit of economic measurement. In a bid to analyse the "bequeath behaviour" of parents, he found that in making economic decisions, parents consider their children's reduced future utility. Aggarwal and Horowitz (2002) on the other hand aimed at deriving a model to test the assumptions related to the altruism and insurance motivations for remitting using data from Guyana. They found that the remittances of individual migrants reduce as the number of migrants in a household increases. This implies that remittances were motivated more by altruism than insurance - to boost consumption levels and induce reciprocity.

In another vein, remittances are categorized at the macroeconomic level on the basis that remittance flows can be countercyclical, procyclical or acyclical. Remittance flows are classified as countercyclical if they serve as insurance, family safety nets or compensatory transfers (Gupta et al., 2009; Singh et al., 2010). It is assumed that remittances will act counter-cyclically in response to periods of hardship in the home country, hence migrants will remit more to their households during such periods. Remittances are procyclical if they are driven by investment and profit motives, and acyclical if driven by implicit motives such as family aid and other social responsibilities (Giuliano & Ruiz-Arranz, 2009). Remittances behaving procyclically are premised on the “optimization of investment” motive of migrants. This is what is referred to as the portfolio approach, in which case remittances respond positively to favourable macroeconomic indicators in the migrant’s home country.

Indeed, empirical evidence on the relationship between the cyclicity of remittances and (economic) conditions in the countries of origin has been inconclusive. In terms of the association between remittances and income in countries of origin, some studies (such as El Sakka & McNabb, 1999; Chami et al., 2005; Mishra, 2005; Bouhga-Hagbe, 2006; Yang & Choi, 2007; Buch & Kuckulenz, 2009; Singh et al., 2010) have found a negative relationship between the two phenomena, hence there is evidence of counter-cyclicality as remittances increase with a reduction in income in the home country. On the other hand, some studies found evidence that remittances behaved either procyclically (see, for instance, IMF, 2005; Lueth & Ruiz-Arranz, 2007; Lin, 2011; Constantinescu & Schiff, 2014) or acyclically (Sayan, 2006; Yang, 2008). Remittances were also found to have increased in response to natural disasters (Clark & Wallsten, 2003; Gupta, 2005; Ratha, 2006; Yang & Choi, 2007; Yang, 2008; Jackman, 2013) and economic crisis (Hysenbegasi & Pozo, 2002; Kapur & McHale, 2005; Halliday, 2006). Similarly, Black et al. (2004) observed an increase in remittance flows to Ivory Coast during periods of conflict. Nabar-Bhaduri (2013) noted that remittances increased significantly to Sri Lanka since the 1980s in response to the civil war that broke out in 1983. The World Bank (2014a) observed an increase in remittance receipts to Haiti in response to an earthquake and to Pakistan as a result of devastating floods in 2010.

Empirical conclusions on the relationship between other related macroeconomic indicators and remittances have also been a mixed bag. While El-Sakka and McNabb (1999) and Singh et al. (2010) found a negative and

significant relationship between interest rate differentials, Adams (2009) observed a significantly positive relationship between investment-induced remittances and real interest rates. Gupta (2005) and Chami et al. (2009), however, found in India and the developing countries respectively, that remittances and interest rates were not significantly correlated. In terms of exchange rate, Yang (2008) noted that Filipino emigrants sent less money when the Philippines currency depreciated. Contrastingly, Lin (2011) observed that remittances reduced in Tonga as the country's currency appreciated. Straubhaar (1986) and Chami et al. (2008), however, found that exchange rate variations did not affect flows of remittances.

Investigating the relationship between financial development and remittances, Freund and Spatafora (2008) used both transaction costs and the presence of a dual exchange rate system as proxies for financial development and observed that they both have a significant effect in reducing remittance flows. Using the presence of a black market exchange premium as a proxy for financial development, El-Sakka and McNabb (1999) observed a negative relationship between the foregoing and remittances. Evidently, the relationship between inflation and remittances in the literature is also not homogeneous. While El-Sakka and McNabb (1999) observed that remittance flows to Egypt increased with the country's inflation, Buch and Kuckulenz (2009) in their study of remittances to developing countries found an insignificant relationship between remittances and inflation. The latter authors opined that bad macroeconomic conditions could lead to emigration while they could inherently also reduce the origin country's rate of return. The foregoing, they concluded, may inadvertently lead to a vagueness of the effect of inflation on remittances.

Although a number of studies have been carried out on the determinants of remittances in Nigeria, most of these have focused on the microeconomic determinants of remittances (see for instance, Nwosu et al., 2012; Olowa et al., 2012). Nevertheless, Ajayi et al. (2009) and Ojapinwa (2012) analysed the macroeconomic determinants of remittances in Nigeria using the OLS method. The OLS approach is however prone to endogeneity problems. This research attempts an analysis of the macroeconomic determinants of remittances using the vector error correction model.

Methodology

The methodological approach utilized is a log specified model. The series used for the analysis are annual time series data expressed in natural logarithms with the sample period 1980–2013, and were sourced from the World Bank and the International Monetary Fund. The variables were log transformed considering the exponential growth pattern of some of the observations so as to avoid spuriousness in the relationship. Each variable was subjected to unit roots testing, using the Philip Perron (PP) unit root test. This choice is based on the advantage of PP test specifically when dealing with financial observations. PP test is unique in dealing with serial correlation and heteroskedasticity in errors. It corrects for serial correlation and heteroskedasticity in the errors by directly modifying the test statistics. PP unit root test is robust to general forms of heteroskedasticity in the error term u_t , and does not require specified lag length. The Johansen co-integration test was then carried out to determine if the series are co-integrated. The presence of co-integration suggests long-run relationships among variables. Based on the finding of the unit root test and order of integration of the observations, we carried out a Vector Error Correction (VEC) analysis. This is consistent with Huana and Vargas-Silva (2005). They argued that the vector error correction model (VECM) is robust enough to handle endogeneity challenges between macroeconomic determinant variables and remittances. A crucial methodological issue in the literature on remittance determinants is the problem of non-stationarity. If there are at least two non-stationary series, chances are high for a spurious regression, albeit still having a reasonably high R^2 value suggesting goodness of fit of model. Consequently, we identified the use of the ordinary least square as a weakness of some of the existing literature on remittance determinants using time series (see El-Sakka & McNabb, 1999; Aydas et al., 2005; Ajayi et al., 2009; Ojapinwa, 2012). We also tested for causality using the Granger causality test framework.

The empirical model used is derived from previous studies such as Buch and Kuckulenz (2009) and Singh et al. (2010), and this was adapted to suit the Nigerian context. Although Buch and Kuckulnez (2009) made use of illiteracy rate, population and age dependency ratio, we made use of school enrolment on the presumption that it gives an insight into the former variables. We also introduced home country deposit rate to our analysis. This is based on the classic theory of savings which has its foundation on two cornerstones; Say's

law of supply and the quantity theory of money. These theories posit that Savings (S) and Investment (I) are equal. That is,

$$S = I \dots\dots\dots (1)$$

Both savings and investment are functions of interest rate (r);

$$S = f(r) \dots\dots\dots (2)$$

$$I = f(r) \dots\dots\dots (3)$$

$$S = f(r); \text{ and } \frac{dS}{dr} > 0 \dots\dots\dots (4)$$

$$I = f(r); \text{ and } \frac{dI}{dr} > 0 \dots\dots\dots (5)$$

Given that an individual's income is either consumed or saved. Keynes (1936) wrote in his general theory that "saving and investment are necessarily equal".

$$S_t = Y_t - C_t \dots\dots\dots (6)$$

$$I_t = Y_t - C_t \dots\dots\dots (7)$$

Therefore S=I

It is logical to say that the marginal propensity to consume (MPC) and the marginal propensity to save (MPS) must be equal to unity.

That is,

$$MPC + MPS = 1 \dots\dots\dots (8)$$

$$MPS = 1 - MPC \dots\dots\dots (9)$$

Going further, we presume that the home country's deposit rate can influence emigrants to keep their savings in their home country.

The model is specified as follows:

$$RR = f(Y, CPI, DCC, DR, ER, FD, IRD, SE, TT) \dots\dots\dots(10)$$

$$RR = \alpha_0 + \alpha_1 Y + \alpha_2 CPI + \alpha_3 DCC + \alpha_4 DR + \alpha_5 ER + \alpha_6 FD + \alpha_7 IRD + \alpha_8 SE + \alpha_9 TT + \epsilon_t \dots(11)$$

The model was therefore log transformed to derive:

$$LRR = \alpha_0 + \alpha_1 LY + \alpha_2 LCPI + \alpha_3 LDCC + \alpha_4 LDR + \alpha_5 LER + \alpha_6 LFD + \alpha_7 LIRD + \alpha_8 LSE + \alpha_9 LTT + \epsilon_t \dots(12)$$

Where RR = Remittances

Y=Income per capita

I= Inflation

DCC = Domestic credit

DR = Deposit rate

ER = Exchange rate

FD = Financial deepening

IRD = Interest rate differential

SE = Secondary school enrolment

TT = Openness

α_0 = constant

ϵ_t = Error term

Research Findings and Presentations

Correlation Analysis

Theoretically, migrants may remit money to help stabilize the income of their relatives and loved ones at home. We therefore expect that income levels will increase as remittances increase. Also it is expected that as school enrolment increases, capacity to remit will increase but the need to remit will reduce over

time. Ideally, it is expected that the need to remit will reduce as domestic credit increases on the assumption that the economy will have more liquid currency in circulation boosting domestic income levels through increased investment, hence, more jobs. As inflation increases there will be a need to remit more as money loses value. Also, as the value of domestic currency appreciates, more remittances will be needed to keep up with the reducing value of foreign currency to domestic currency. It is important to note that, for economies with inadequate domestic production of goods and services, the consumption pattern is often skewed towards importation. For such economies, fluctuations in exchange rates are bound to have implications for inflation. In the event of appreciation in the value of foreign currency, it is expected that more units of domestic currency will be needed to purchase a unit of foreign currency for the purpose of importation for consumption. The additional cost will therefore be spread over each unit of good. In the case of deposit rate, the expected relationship becomes more dependent on the motive for remitting. If remitting is altruistic, not much impact on the deposit rate will be expected.

From our study, data for remittances are found to be positively correlated with most of the other variables and significantly correlated with some but not all the variables (Table 2). We found a positive and significant correlation between remittance levels and income, exchange rate, interest rate differential, secondary enrolment and openness, while the relationship between remittances and deposit rate was positive but insignificant. On the other hand, we found a negative and insignificant correlation between remittances and inflation, domestic credit as well as financial deepening.

Unit Root Test

Based on the nature of the data used, as indicated in Table 1, we observe an upward trend in the series, meaning that the means of the time series change over time and signalling the possibility of the data not being stationary in its natural form. To adjust for this, we transformed the series to first differenced logarithmic form. In validating these statistically, we subjected the data to a formal stationarity test using Philip Perron (PP) unit root test. We subjected the variables to PP test individually. We tested for the symptoms of unit roots following the systematic procedure advanced by Enders (1995). The results reveal that the variables are not stationary at level. The result for the first differenced series of all the variables revealed they are stationary, inferring

they are of order 1 I(1). The results of the PP unit root test are presented in Table 3.

Co-integration Test

We then proceeded to subject the data to a co-integration test. The co-integration test signifies whether a long-run relationship exists between the variables of the model, hence a signal for causality (Engle & Granger, 1987; Hendry, 1986; Gujarati & Porter, 2009). The rule of thumb in co-integration testing suggests that based on likelihood ratio, trace statistics and Max-eigen values greater than their critical value connotes a rejection of the null hypothesis. This is in addition to the assumption that probability values should be less than 0.05. From the result presented in Table 4, it is clear that co-integrating equations exist. Using the trace test, it indicates eight co-integrating equations at the 0.05 level. The Max-eigen value test indicates six co-integrating equations at the 0.05 level. We thus conclude, based on the results, that a long-run relationship exists among the variables.

The normalized co integrating coefficients (standard error in parentheses) is therefore specified as:

LRR	LY	LI	LDCC	LDR	LER	LFD	LIRD	LSE	LTT
1.00	70.8	-	6.67	13.0	2.95	-	5.52	-	-
000	4808	3.42	9664	1552	2473	14.0	2407	36.4	44.6
		6853				8619		0867	9625
	(3.18	(0.27	(0.57	(0.60	(0.21	(1.16	(0.30	(1.58	(1.53
	402)	411)	523)	773)	800)	606)	587)	111)	508)

The foregoing implies that, in the long run, there is a positive relationship between remittance and income, domestic credit, deposit rate and exchange rate as well as interest rate differential, while there is an inverse relationship between remittance and inflation, financial deepening, school enrolment and openness.

Vector Error Correction Analysis

The vector error correction analysis result, as depicted in Table 5, shows that in the short run there is an inverse relationship between exchange rate,

domestic credit, first lag of remittance and second lag of income. The other variables have a positive relationship with remittance.

The coefficient of the error-correction term (ECMt-1) reflects the speed of adjustment from the short-run period to the long-run period. This is statistically significant and negative, as expected. The ECMt-1 value of -0.096817 implies remittance received is corrected from the short-run towards long-run equilibrium by about 9.7% annually.

The short-run equation is specified as follows:

$$\begin{aligned} \text{DLRR} = & -12.76427 + -0.215412 \text{DLRR} (-1) + 0.303173 \text{DLRR} (-2) + 2.683970 \\ & \text{DLY} (-1) - 3.163380 \text{DLY} (-2) + 0.303133 \text{DLI} - 1.458292 \text{DLDC} + 0.287024 \\ & \text{DLDR} - 0.545621 \text{DLER} + 1.391185 \text{DLFD} + 0.343712 \text{DLIRD} + 1.131100 \text{DLSE} \\ & + 1.871654 \text{DLTT} - 0.096817 (\text{ECMt-1}) \end{aligned}$$

In terms of diagnostic statistics in the short run, the estimated R square is approximately 56% and a moderate F-statics value is 1.67 suggesting an overall good fit and significance of the estimated model. Therefore, fitness of the model is accepted empirically. However, we attribute the difference existing in the long run and short run to disturbances/shocks that occur in the short run but are absent in the long run.

Granger Causality Test

After establishing that there exists a co-integrating relationship among our variables and specifying the error corrected model, we went a step further to identify if there is a causal relationship among our exogenous variables and remittances, and where it exists to identify its nature. This was done by employing the pairwise Granger causality test. The result is reported in Table 6.

We test whether the exogenous variables individually do not cause remittance and vice versa. Hence, we set up a null hypothesis to test 'non-causality'; that the variables (income, inflation, domestic credit, deposit rate, exchange rate, financial deepening, interest rate differential, secondary enrolment and openness) do not cause remittance.

$H_0: \delta = 0$ (Y, CPI, DCC, DR, ER, FD, IRD, SE, TT does not granger-cause RR)

From the result, not much causality exists between the exogenous variables and remittance. We find, however, that where causality exists, it is unidirectional. This was found between exchange rate, deposit rate, openness and remittances. We find that the direction of the causality runs from the exogenous variables to remittance.

Therefore, we reject the null hypothesis and accept the alternative hypothesis for the variables of exchange rate, deposit rate and openness, and conclude that they do cause remittance flows to Nigeria.

Discussion

Our research finds heterogeneity among the remittance determinant dynamics in Nigeria. For income, we find a positive relationship for remittance and income levels in the long run and the first lag of the short run but negative for the second lag. The positive relationship is consistent with Lianos (1997) and El-Sakka and McNabb (1999). Similarly Omobitan (2012) found a positive relationship for remittance and income level for Nigeria. This suggests deviance from altruistic remittance, and an indication that remittance flow is procyclical.

The results reveal an inverse relationship between remittance and inflation in the long run. Interestingly, the short run reveals a positive relationship. The short-run relationship suggests that remittances received increase as price level in the recipient economy goes up. This is in consonance with the findings of El-Sakka and McNabb (1999). They opined that remittance increases with a country's price level using the Egyptian example. This suggests that remittance can serve as a response to day-to-day economic activities that affect recipients such as price fluctuations. However, the long-run result with an inverse relationship suggests a procyclical situation. This conforms with the findings on remittance to Latin America and the Caribbean from the USA by Aydas et al. (2005) and Orozco and Lowell (2005). Orozco (2004) argued however that magnitude of remittance is not affected by changes in price levels, using the case of the Dominican Republic.

The coefficient for domestic credit is negative in the short run and positive in the long run. The result corroborates the findings of Gani and Sharma (2013). They find an inverse relationship for lower-middle-income economies, but for upper-middle-income economies the relationship is positive. It is expected

that in the long run countries grow to a steady state (Barro & Sala-i-Martin, 2004). This suggests that, as countries grow, domestic credit grows, thus explaining the long-run positive relationship. This explains our finding on the relationship between income and remittance. Migrants may remit to their home countries in order to invest in their growing economies.

We find a positive correlation between remittance and deposit rate. Similarly the long and short run are positive with a causal relationship running from deposit rate to remittance. This suggests a portfolio motive for remitting. Our findings suggest remittances are procyclical rather than countercyclical. We find a strong correlation between exchange rate and remittance and a causal relationship running from exchange rate and remittance. In the short run, we find an inverse relationship between remittance and exchange rate, inferring that, as domestic currency appreciates, remittance levels reduce. However, in the long run, we find a positive relationship for exchange rate, implying that as domestic currency depreciates migrants find it lucrative to remit. Yang (2008) found that Filipino migrants sent less foreign currency when the Asian financial crisis led to the depreciation of the Filipino peso, suggesting that migrants have a specified range of amounts of money they intend their families to receive. Our findings therefore reflect the possibilities of an investment portfolio choice in the home country (see Singh et al., 2010). Mouhoud, Oudinet and Unan (2008) opined that it is only when motivation to remit is altruistic that migrants will increase remittance in the face of currency depreciation in the country of origin.

We find an inverse correlation and long-run relationship for financial deepening and remittance, but a positive short-run relationship. Fajnzylber and Lopez (2007) found a positive coefficient for remittance but when it is in interaction with financial deepening it becomes negative; they suggested remittances can be substituted for by financial depth in stimulating economic growth. This suggests that remittances boost economic growth in developing economies with an underdeveloped financial system (see also Giuliano & Ruiz-Arranz, 2005).

We find a positive relationship for remittance and interest rate differential in all periods. This corroborates with the findings of Mouhoud et al. (2008). They opined that the impact of interest rates in determining remittance levels occurs mostly on investment motivation. They argued that it is expected to have a positive coefficient for investment motives since it depicts the deviation

of domestic interest rate from the international interest rate which in this study was captured with the LIBOR.

We also controlled for level of skill and education as an insight into the wage level of potential migrants using school enrolment level. We expect a positive coefficient since better education levels will attract better remuneration in the host country and as such improve migrants' capacity to remit funds. We find an inverse relationship in the long run and a positive relationship in the short run. Buch and Kuckulenz (2009) opined that, since education is often used as a proxy for development level in an economy, chances are that high illiteracy level (i.e., low school enrolment) will increase the need for remittances. Going further, we propose that since education is a process involving time, it is possible to find what was derived from our analysis; that in the short run, an increase in educational level will lead to better wage-earning abilities, hence increasing remittance level. In the long run we find the inverse of the foregoing. Since better education attracts better wages, and education is a proxy for development, we conclude that there would be less drive to migrate in the long run as the recipient economy develops.

Our findings on openness reveal a positive relationship in the short run but an inverse relationship in the long run. The positive relationship in the short run attests to the high uncertainty associated with developing economies like Nigeria in connection with the benefits of openness for robust economic policies addressing the competitiveness of Nigeria in the global world. This aligns with the works of Omobitan (2012). While openness is usually linked with liberalization and is often seen as a catalyst for national income, remittances on the other hand improve the income levels of the recipients' households. There is, however, contradicting evidence as to whether openness itself is good or bad. Although most discussion on the subject gives the impression that openness is a tool for growth in developing economies (see Easterly, 2001; Shafaeddin, 2005), systematic quantification attempts have however failed in identifying openness as a crucial driver of growth for developing economies (Rodriguez & Rodrick, 1999; Bouet et al., 2006). Sundaram and Von Armin (2008) argued further that it can distract developing economies from industrializing. Drawing from the literature, it can be deduced that economies can optimize openness if they have some form of comparative advantage, as witnessed in China and India (Pacheco-Lopez & Thirwall, 2009). Alessandrini et al. (2011) alluded to the Indian experience

claiming that openness helped in improving India's specialization in industries with medium- to high-technology content thereby generating a comparative advantage in them and enjoying a global growth in demand.

Pacheco-López and Thirlwall (2009) argued that there can be gains from specialization and openness, but they noted however that the gains depend on the achievement of two basic conditions which are rarely met. The first is that the process of resources reallocation should not disrupt full employment. They backed this with Keynes's (1936) assertion that if people lose their jobs in one sector as a result of specialization and free trade, the other sectors should be able to absorb them. The other notion is that the trade liberalization process in itself does not alter the balance of payments equilibrium, although they noted that evidence abounds in many developing countries for imports rising above exports. This explains the long-run inverse relationship between remittance and openness. We conclude that if openness follows the conditions put forward by Pacheco-Lopez and Thirlwall, (2009), then there will be less need to remit as recipient household income levels will increase with openness.

Conclusion

This paper analyses the determinants of remittances to Nigeria using data from 1980 to 2013. The literature is inconclusive on the selected variables, hence this study. Our findings indicate that remittance receipts in Nigeria are largely influenced by portfolio options rather than altruism as they seem to respond positively to differentials in exchange rate, deposit rate and interest rate. In other words, remittance flows to Nigeria are procyclical in nature rather than countercyclical. The study further indicates that remittances appear to respond to the level of openness in the home country. We also find causality running from deposit rate, exchange rate and openness in Nigeria.

This paper does not capture the contributions of remittances to economic development or welfare, as this can be done best using disaggregated data. Furthermore, our data captures largely the formal channel leaving informal channels uncaptured. According to Ratha (2006), informal channels account for about 50% of remittances. This data challenge remains a bane of remittance studies at the macro level and warrants caution in policy formation. Boothroyd and Chapman (1988) highlight this as a common issue in the academic and research environment, especially in the fields of development

issues and developing economies. Perhaps access to more robust data in future will provide better insight into the foregoing phenomena.

ACKNOWLEDGEMENTS

The authors acknowledge the insightful comments of Saheed Layiwola Bello of the Centre for Petroleum, Energy Economics and Law, University of Ibadan, Nigeria.

References

- Adams, R. H. 2009. The determinants of international remittances in developing countries. *World Development*, 37(1): 93-103.
- Aggarwal, R., and Horowitz, A. 2002. Are international remittances altruism or insurance? Evidence from Guyana using multiple-migrant households. *World Development*, 30(11): 2033-2044.
- Ajayi, M.A., Ijaiya, M.A., Ijaiya, G.T., Bello, R.A., and Adeyemo, S.L. 2009. International remittances and well-being in Sub-Saharan Africa. *Journal of Economics and International Finance*, 1(3): 78-84.
- Alessandrini, M., Fattouh, B., Ferrarini, B., and Scaramozzino, P. 2011. Tariff liberalization and trade specialization: Lessons from India. *Journal of Comparative Economics*, 39(4): 499-513.
- Altonji, J.G., Hayashi, F., and Kotlikoff, L. 1997. Parental altruism and inter vivos transfers: Theory and evidence. *Journal of Political Economy*, 105: 1121-1166.
- Aydas, O.T., Neyapti, B., and Metin-Ozcan, K. 2005. Determinants of workers' remittances: The case of Turkey. *Emerging Markets Finance and Trade*, 41(3): 53-69.
- Barro, R. and Sala-i-Martin, X. 2004. *Economic Growth*. 2nd edn. Cambridge, MA: MIT Press.
- Becker, G. 1991. *A Treatise of the Family*. Cambridge, MA: Harvard University Press.
- Becker, G.S. 1974. A theory of social interactions. *Journal of Political Economy*, 82: 1063-1094.

Black, R., Ammassari, S., Mouillesseaux, S. and Rajkotian, R. 2004. Migration and Pro-Poor Policy in West Africa. *Working Paper C8*. Brighton, Sussex: Centre for Migration Research, University of Sussex.

Boothroyd, R. and Chapman, W. 1988. Threats to data quality in developing country settings. *Comparative Education Review*, 32(4): 416-429.

Bouet, A., Mevel, S., and Orden, D. 2006. More or less ambition in the Doha round: Winners and losers from trade liberalization with a development perspective. *The World Economy*: 1253-1280.

Bouhga-Hagbe, J. 2006. Altruism and workers' remittances: Evidence from selected countries in the Middle East and Central Asia. *IMF Working Paper 06/130*. Washington D.C.: International Monetary Fund.

Buch, C., and Kuckulenz, A. 2009. Worker remittances and capital flows to developing countries. *International Migration*, 48(5): 89-117.

Carling, J. 2008. The determinants of migrant remittances. *Oxford Review of Economic Policy*, 24(3): 581-598.

Chami, R., Barajas, T., Casimano, F., Fullenkamp, C., Gapen, M., and Montiel, P. 2008. Macroeconomic consequences of remittances. *IMF Occasional Paper No. 259*. Washington D.C.: International Monetary Fund.

Chami, R., Fullenkamp, C., and Gapen, M. 2009. *Measuring Workers' Remittances: What Should Be Kept In and What Should Be Left Out?* Washington D.C.: International Monetary Fund.

Chami, R., Fullenkamp, C., and Jahjah, S. 2005. Are Immigrant Remittance Flows a Source of Capital for Development? *IMF Staff Papers*. Volume 52, No. 1, Washington D.C.: International Monetary Fund.

Clarke, G., and Wallsten, S. 2003. Do Remittances Act Like Insurance? Evidence from a Natural Disaster in Jamaica. *World Bank Working Paper*. Washington D.C.: The World Bank.

Constantinescu, I.C., and Schiff, M. 2014. Remittances, FDI and ODA: Stability, cyclicity and stabilising impact in developing countries. *International Journal of Migration and Residential Mobility*, 1(1), 84-106.

- Cox, D., Eserb, Z., and Jimenez, E. 1998. Motives for private transfers over the life cycle: An analytical framework and evidence for Peru. *Journal of Development Economics*, 55(1), 57-80.
- Easterly, W. 2001. The lost decades: Developing countries' stagnation in spite of policy reform 1980-1998. *Journal of Economic Growth*, 6(2), 135-157.
- El-Sakka, M.I., and McNabb, R. 1999. The macroeconomic determinants of emigrant remittances. *World Development*, 27(8), 1493-1502.
- Enders, W. 1995. *Applied Econometric Time Series*. New York: John Wiley & Sons.
- Engle, R.F., and Granger, C.W. 1987. Co-integration and error-correlation: Representation estimation and testing. *Econometrica*, 65.
- Fajnzylber, P., and Lopez, J. H. 2007. *Close to Home: The Development Impact of Remittances in Latin America*, mimeo. Washington D.C.: The World Bank.
- Freund, C., and Spatafora, N. 2008. Remittances, transaction costs and informality. *Journal of Development Economics*, 86(2): 356-366.
- Funkhouser, E. 1995. Remittances from international migration: A comparison of El Salvador and Nicaragua. *Review of Economics and Statistics*, 77(1): 137-146.
- Gani, A., and Sharma, B. 2013. Remittances and Credit Provided by the Banking Sector in Developing Countries. 93 pp. *International Review of Business Research Papers*, 9(3), 85-98.
- Giuliano, P., and Ruiz-Arranz, M. 2009. Remittances, financial development and growth. *Journal of Development Economics*, 90(1): 144-152.
- Gujarati, D.N., and Porter, D.C. 2009. *Basic Econometrics*. 5th ed.. New York: McGraw Hill.
- Gupta, P. 2005. Macroeconomic Determinants of Remittances: Evidence from India. *IMF Working Paper No. 05/224*. Washington D.C.: International Monetary Fund.

Gupta, S., Pattillo, C.A., and Wagh, S. 2009. Effect of remittances on poverty and financial development in Sub-Saharan Africa. *World Development*, 37(1): 105-115.

Hagen-Zanker, J., and Siegel, M. 2007. The Determinants of Remittances: A Review of Literature. *MGSOG Working Paper 2007/WP003*. Maastricht: Maastricht Graduate School of Governance.

Halliday, T. 2006. Migration, risk and liquidity constraints in El Salvador. *Economic Development and Cultural Change*, 54(4): 893-925.

Hendry, D.F. 1986. Econometric modelling with cointegrated variables: an overview. *Oxford Bulletin of Economics and Statistics*, 48(3): 201-212.

Huang, P., and Vargas-Silva, C. 2005. Macroeconomic Determinants of Workers' Remittances: Host vs. Home Country's Economic Conditions. *EconPapers: International Finance*.

Hysenbegasi, A., and Pozo, S. 2002. *What Prompts Workers to Remit? Evidence using a Panel of Latin American and Caribbean Nations*. Kalamazoo, MI: Western Michigan University.

IMF. 2005. *World Economic Outlook*. Washington D.C.: International Monetary Fund.

Jackman, M. 2013. Macroeconomic determinants of remittance volatility: an empirical test. *International Migration*, 51(S1): e36-e52.

Jensen, R.T. 2004. Do private transfers displace the benefits of public transfers? Evidence from South Africa. *Journal of Public Economics*, 88(1): 89-112.

Kapur, D., and McHale, J. 2005. *Give Us Your Best and Brightest: The Global Hunt for Talent and its Impact on the Developing World*. Washington D.C.: Center for Global Development and Brookings Institution.

Keynes, J.M. 1936. *The General Theory of Employment, Interest, and Money*. New York: Harcourt Brace.

Lianos, T.P. 1997. Factors determining migrant remittances: The case of Greece. *International Migration Review*, 31(1): 72-87.

Lin, H.H. 2011. Determinants of Remittances: Evidence from Tonga. *IMF Working Paper WP/11/18*. Washington D.C.: International Monetary Fund.

Lucas, R.E., and Stark, O. 1985. Motivations to remit: Evidence from Botswana. *Journal of Political Economy*, 93(5): 901-918.

Lueth, E., and Ruiz-Arranz, M. 2007. A Gravity Model of Workers' Remittances. *IMF Working Paper 06/290*. Washington D.C.: International Monetary Fund.

Mishra, P. 2005. *Macroeconomic Impact of Remittances in the Caribbean*. Washington D.C.: International Monetary Fund.

Mouhoud, E.M., Oudinet, J., and Unan, E. 2008. *Macroeconomic Determinants of Migrants' Remittances in the Southern and Eastern Mediterranean Countries*. Paris: Centre d'Economie de l'Université de Paris Nord.

Nabar-Bhaduri, S. 2013. Migration, remittances, development, and the civil conflict in Sri Lanka. In *Remittance Flows to Post-Conflict States: Perspectives on Human Security and Development*. Boston: The Frederick S. Pardee Center for the Study of the Longer-Range Future.

Nwosu, O.E., Fonta, M.W., Aneke, G., and Yuni, N.D. 2012. Microeconomic determinants of migrant remittances to Nigerian households. *Economics Bulletin*, 32(4): 3425-3438.

Nyamongo, E.M., Misati, R.N., Kipyegon, L., and Ndirangu, L. 2012. Remittances, financial development and economic growth in Africa. *Journal of Economics and Business*, 64: 240-260, 64, 240-260.

Ojapinwa, T.V. 2012. Determinants of migrants' remittances in Nigeria: An econometrics analysis. *International Journal of Humanities and Social Science*, 2(14): 295-301.

Olowa, O.W., Awoyemi, T.T., and Omonona, B.T. 2012. Determinants of remittance receipts in rural Nigeria. *The Social Sciences*, 7(1): 117-124.

Omobitan, O.A. 2012. Reconciling international migrants' remittances flow determinants: The case of Nigeria. *European Scientific Journal*, 8(19).

Orozco, M. 2004. Determinants of Remittance Transfers: The Case of the Dominican Republic, January 1999 to September 2003. *Draft Research Notes on Determinants of Remittances Project*. Washington, DC: Inter-American Dialogue.

Orozco, M., and Lowell, B. 2005. *Transnational Engagement, Remittances and their Relationship to Development in Latin America and the Caribbean*. Washington D.C.: Institute for the Study of International Migration, Georgetown University.

Pacheco-López, P., and Thirlwall, A. 2009. Has Trade Liberalisation in Poor Countries Delivered the Promises Expected? *Studies in Economics 0911*, Department of Economics, University of Kent.

Ratha, D. 2006. Trends, Determinants and Macroeconomic Effects of Remittances. In *Global Economic Prospects 2006: Economic Implications of Remittances and Migration*. Washington D.C.: The World Bank.

Rodríguez, F., and Rodrik, D. 1999. Trade Policy and Economic Growth: A Skeptic's Guide to the Cross-national Evidence. *NBER Working Paper, 7081*, National Bureau of Economic Research: Cambridge, MA.

Sayan, S. 2006. Business Cycles and Workers' Remittances: How Do Migrant Workers Respond to Cyclical Movements of GDP at Home? *IMF Working Paper WP/06/52*. Washington D.C.: International Monetary Fund.

Shafaeddin, M. 2005. Towards an alternative perspective on trade and industrial policies. *Development and Change*, 36(6): 1143-1162.

Singh, R. J., Haacker, M., Lee, K. W., and Le Goff, M. 2010. Determinants and macroeconomic impact of remittances in Sub-Saharan Africa. *Journal of African Economies*, 20(2): 312-340.

Straubhaar, T. 1986. The determinants of remittances: The case of Turkey. *Weltwirtschaftliches Archiv*, 122(4): 728-740.

UNCTAD. 2011. *Report of the Expert Meeting on Maximizing the Development Impact of Remittances*. Geneva: United Nations Conference on Trade and Development.

World Bank. 2011. *Migration and Remittances Factbook*. Washington D.C.: The World Bank.

World Bank. 2014a. *Migration and Development Brief. Issue 23*. Washington D.C.: The World Bank.

World Bank. 2014b. *Migration and Development Brief, Issue 22*. Washington D.C.: The World Bank.

World Bank. 2015. *Ending Poverty and Sharing Prosperity. Global Monitoring Report 2014/2015*. Washington D.C.: The World Bank.

Yang, D. 2008. International migration, remittances, and household investment: Evidence from Philippine migrants' exchange rate shocks. *The Economic Journal*, 118: 591-630.

Yang, D., and Choi, H. 2007. Are remittances insurance? Evidence from rainfall shocks in the Philippines. *World Bank Economic Review*, 21(2): 219-248.

International Migration in Sub-Saharan Africa: A Call for a Global Research Agenda

Mulugeta F. Dinbabo and Sergio Carciotto***

Abstract

Research on international migration has brought about remarkable awareness within the global research community, stimulating some theorists and policy-makers to talk about 'international migration' as a field for research. A number of research organizations have also adopted various methods of inquiry to examine and change their research agendas and practices. Although much is known about international migration, there are still many unanswered questions. Formulating a comprehensive agenda that is well informed by research can have a real influence on the lives of migrants throughout the world. It is also believed that the outcome of this research will help the ways in which concerned organizations think and act while dealing with the situation of international migrants. This research is aimed at drawing an inclusive research agenda that is better informed by distinguishable human rights requirements. The research agenda presented here is the result of the contribution of nearly 35 purposely selected researchers from various organizations working in the area of international migration in sub-Saharan Africa. The knowledge base that is produced from this study can yield data and information to governmental and

* Senior Lecturer at the Institute for Social Development, Faculty of Economic & Management Science, University of the Western Cape (UWC), South Africa. He holds a PhD in Development Studies from the University of the Western Cape, South Africa. mdinbabo@uwc.ac.za

** Director of the Scalabrini Institute for Human Mobility in Africa, PhD Candidate in Political Studies at the University of Cape Town. He holds an MA in Development Studies from the University of the Western Cape, South Africa. director@sihma.org.za

This Paper was presented at the Human Development and Capability Association (HDCA) 2015 Conference: 'Capabilities on the Move: Mobility and Aspirations'. Washington, D.C. USA September 10-13, 2015.

non-governmental organizations that are dealing with international migration in sub-Saharan Africa.

Keywords: international migration, sub-Saharan Africa, policy makers, research agenda

Introduction

The ever increasing worldwide human movement, the growth and complexity of migratory practice and its effect on migrants, families and communities have all contributed to make international migration a major area for academics and researchers from various disciplines. International migration is an escalating practice of our times with millions of people flowing across geographical boundaries (Hatton, 1995; Lee, 1966; Maddala & Kajal, 2009). Nevertheless, human mobility in sub-Saharan Africa (SSA) has a long history spanning several centuries. The region has a highly mobile population composed of nomads, frontier workers, highly skilled professionals, refugees and undocumented migrants (Adepoju, 2000).

The discourse around migration patterns in SSA is dominated by myths and false assumptions. First, the widespread perception that migrants from SSA countries are ready to flock onto the shores of Europe is contradicted by official data from the World Bank showing that migration in SSA is largely characterized by intra-regional movements which account for 65 per cent of the total population of migrants who move to other African countries (Ratha et al., 2011). Second, the impression that SSA countries are urbanizing at a fast pace with a massive influx of rural migrants is also deceptive. The rapid population growth of African towns and large cities due to a natural increase of the population in fact cannot be directly linked to migration. On average, the rate of urbanization in the SSA region is estimated to be 2 per cent with the exception of a few countries (Burkina Faso, Ghana and Cameroon) which are urbanizing faster and others (Zambia, Ivory Coast, Central African Republic and Mali) which have even faced a process of de-urbanization (UN-Habitat, 2014). A reduced contribution of net in-migration to urban growth it is not caused by less internal mobility though but rather by 'significant rates of circular migration' (Potts, 2009). This means that migrants are no longer residing in urban areas for long periods of time as it has become more difficult for them to secure employment and a decent standard of living in a highly informalized urban economy. Therefore, circular migration in the SSA represents an enduring mobility pattern and a family survival strategy for

rural migrants. Third, to dispel the myth that poverty reduction, economic growth and human development will halt migrants it is necessary to point out that development might lead to an increased level of migration. In 2014, the SSA region sustained a growth of 4.3 per cent (World Bank, 2014) driven by an increase in the internal demand for goods and services, investment in mining activities, infrastructure for transport and communication and improvement of agricultural productivity (IMF, 2014). This widespread growth in the per capita GDP has also improved the Human Development Index (HDI) of many countries in the region, meaning that more people had access to water, health care and education services. A higher level of human development will not only increase social, human and material capital but will also boost people's aspirations to move, leading to more migration (de Haas, 2010; 2011; Flahaux & de Haas, 2014).

Finally, SSA is largely depicted as a region where people are forced to flee because of conflicts and social unrest. Despite the fact that four of the five countries with the highest number of refugees per USD of GDP per capita belong to the SSA region (Ethiopia, Kenya, Chad and South Sudan), refugees account only for 16 per cent of the total population of international migrants in Africa (UNHCR 2013).

Debunking myths around migration patterns in SSA allows us to reflect on the more realistic trends of this phenomenon. Human mobility in SSA is characterized by sub-regional movements between neighbouring countries and is driven primarily by economic factors rather than by conflicts. Forms of circular labour migration, complemented by 'less structured forms of mobility', both at domestic and international level, also reveal an increase in the percentage of migrant women as in the case of Southern Africa (ACMS, 2015, 4).

As the vast majority of those who move are labour migrants, expectations were raised to achieve regional integration and remove restrictions to free movements in SSA. On the contrary, many African states have promoted restrictive immigration policies in the attempt to reduce the influx of undocumented migrants. These measures, driven by security concerns, have led to the exploitation of migrants and to the systematic violation of their basic rights. It is, therefore, necessary to reflect on a global research agenda for SSA

informed by distinguishable human rights requirements and to identify the founding principles of an ethical paradigm of migration.

In the following sections, this paper presents the methodological approach used (section 2), elaborates the theoretical and conceptual framework of a rights-based approach (RBA) to international migration (section 3), and analyses the experience of researchers and development of a rights-based global agenda (section 4). The final section provides conclusions.

Research Methodology

The research methodology employed a mix of secondary data analysis and field data collection to understand the issues involved in international migration in SSA. According to Bryman (2008), in the social sciences the mixed methods approach enables a thorough investigation of the phenomenon under study and therefore remains highly relevant in generating knowledge for policy making purposes. In general, a purposefully selected group of 35 researchers from fourteen SSA countries¹ and 25 organizations in SSA were interviewed using a semi-structured questionnaire. These included researchers and institutions involved in research on international migration, representatives of civil associations, and associations undertaking research on international migration. This empirical research helped to examine the different views, ideas; experiences and perspectives of the participants towards international migration in SSA: a call for a global research agenda.

Theoretical and Conceptual Framework

A rights-based approach is a theoretical and conceptual model that helps to examine disparities which lie at the centre of social and economic development problems and entrench prejudiced practices impeding development progress (Cornwall & Nyamu-Musembi, 2004; UNHCR, 2002). It also strives to develop awareness among institutions, civil society organizations, governments and other pertinent stakeholders on how to fulfil their duties, to respect and protect human rights, and to empower individuals and communities to claim their rights (UNICEF, 2007).

In a RBA, the plans, policies and processes of development are attached in a system of rights and corresponding obligations established by international

¹ Angola, Cameron, Democratic Republic of Congo, Ethiopia, Ghana, Kenya, Malawi, Nigeria, Rwanda, Somalia, South Africa, Tanzania, Uganda and Zimbabwe.

law. This helps promote equality among citizens and brings about sustainable development/empowerment, especially for the most marginalized groups of people, in order to take part in policy development, and also to hold accountable those who have a duty to act (Cornwall & Nyamu-Musembi, 2004).

This methodology warrants the participation of all stakeholders, transparency and accountability, and the awareness of the rights of the historically excluded people. It strives to examine disparities which lie at the heart of development problems and discriminations that hinder growth (Cornwall & Nyamu-Musembi, 2004). The rationale for a RBA is usually a blend of two major points. First, the intrinsic rationale acknowledges that an RBA is the right thing to do from a moral perspective. In this regard, Baggio (2007) noted that although it is not possible to identify universally applicable methods for the governance of migration, it is feasible to identify some universal principles that constitute the basis for an ethical approach to migration policies and practices. He suggested five principles that firmly respond to moral obligations: (i) Promotion of Human Rights and Human Dignity; (ii) Superiority of the Common Good, summarized as the superiority of the common good over personal interests and individualism; (iii) Universal Destination of Goods and Solidarity which represents the moral duty of many religions to be supportive towards disadvantaged people and also refers to the principle of philanthropy and solidarity; (iv) Global Stewardship and Co-Responsibility, an ethical principle based on the collective duty of the proper use and development of natural and environmental resources. According to this principle, everyone is free to access resources where they are as there is a moral obligation on those who have more to share with those who have less; (v) Global Citizenship, a principle based on the concept of 'global fraternity' which strongly undermines contemporary immigration policies whose main pillars are national sovereignty and the security of nationals. Underlying the paradoxes of a globalized world where goods and capital can move freely while human beings are often constrained, these principles constitute the backbone of an ethical paradigm to assess the contemporary scenario of human mobility.

Second, an active foundation identifies that a RBA leads to better and more sustainable social and economic development outcomes (UNHCR, 2002). In general, RBA comprises the incorporation of rights, rules, values, and ethics in policy, identification, planning, implementation, and evaluation to help ensure that the programme respects rights, in every direction, and encourages their further awareness where possible.

According to UNICEF (2007, cited in Dinbabo (2013)), a human rights based approach is all about capacity building, and enabling people to claim their rights and enhancing the ability of individuals and institutions who are accountable for respecting, safeguarding and rewarding rights. Dinbabo (2013) further indicates that providing people with the opportunities to participate will ensure ownership and decision making that impacts on their human rights. As Cholewinsky and Taran (2010: 18) suggested, 'a right-based approach to migration is placement of universal rights norms defined by the relevant international instruments as central premises of national migration legislation, policy, and practice founded on the rule of law'. In addition, how a RBA is implemented appears to have more to do with the context and objectives of an agency or organisation than the definition of the approach. The Office of the United Nations High Commissioner for Human Rights (OHCHR) gives a definition of rights-based approach:

A human rights-based approach to migration means that all migrants are right-holders, and therefore they are entitled to participate in the design and delivery of migration policies, to challenge abuse and human rights violations, and to demand accountability. Ultimately, many migrants will remain on the periphery of development, literally and conceptually, unless they are enabled to participate equally in development. (OHCHR, 2013: 8).

The recognition by international organizations and civil society groups of the importance of promoting, protecting and upholding migrants' fundamental rights has compelled them to urge states, in both sending and receiving countries, to adhere to international human and labour standards. In part, this major change has been the outcome of an increasing appreciation that needs-based or service-delivery methods have failed to significantly decrease the problem (Ledogar, 1993; Oestreich, 1998; Woll, 2000; UNICEF, 2007; Dinbabo, 2011) but is also motivated by the numerous human rights violations reported by media which often target vulnerable groups. The International Labour Organization (ILO) has identified several highly vulnerable categories including: women workers, especially those involved in domestic service, temporary and seasonal migrant workers, children, migrant workers in irregular status and victims of trafficking (ILO, 2010).

It can be argued that the RBA is not free from pitfalls; Munch and Hyland (2013) challenged the dominant paradigm, advocated by international organizations, of a RBA to migration based on universalistic individual rights

promoted by Western countries. They suggested an alternative and transformative model which affirms the central role of regional integration and social movements, in particular trade unions, to legitimate labour rights for all migrants independently from the dominant human rights discourse. Baggio (2015) criticized the fact that the RBA is based only on the Enlightenment ideals of freedom and equality but not on ‘fraternity’ or ‘brotherhood’. He further noticed that the RBA’s conceptual framework is limited to the prevention and punishment of human rights violations but does not express the duty of individuals, groups, societies and states to promote the welfare of every person, family and collectivity (ibid.).

International Legal Frameworks/Instruments

The RBA to migration is informed by a set of international standards found in international instruments and conventions that provide basic rights to all human beings and in some cases apply specifically to migrant workers. Moreover, these sets of rights are applicable to all individuals regardless of their immigration status, documented or undocumented. For example, numerous studies (O’Manique, 1990; Ledogar, 1993; Oestreich, 1998; Woll, 2000; O’Donnell, 2004; Few, Brown & Tompkins, 2007; UNICEF, 2007; Moeckli, 2012; Dinbabo, 2013; Dinbabo & Nyasulu, 2015) show that the relationship between migration and human rights can be found at all stages in the migratory cycle: in the country of origin, during transit, and in the country of destination. When a migrant crosses a border, the act that defines international migration, international legal instruments intersecting migration and human rights become enforceable.

Three major intercontinental legal instruments, developed by the United Nations, comprise the International Bill of Human Rights namely: (i) the 1948 Universal Declaration of Human Rights; (ii) the 1966 International Covenant of Economic, Social and Cultural Rights, and (iii) the 1966 International Covenant on Civil and Political Rights. Article 13 of the Universal Declaration of Human Rights states that “Everyone has the right to leave any country, including his own, and to return to his country”. This right guarantees the right of emigration covering not only immigrants, refugees and asylum seekers, but also internally displaced persons, economic migrants or even students. Dinbabo and Nyasulu (2015) show that if a migrant entered a country or remained there without authorization that does not nullify the state’s duty under international law to protect his or her basic rights without any

discrimination, for example, against torture, degrading treatment, or forced labour.

A RBA is characterized by seven fundamental principles (see Figure 1) including the universality and inalienability of human rights and equality and non-discrimination of all individuals which underlie labour and human rights. According to Moeckli (2012), equality and non-discrimination means that all human beings, regardless of colour, race, religion, etc. are equal as human beings and, by virtue of the intrinsic self-esteem of any individual, they are eligible to exercise their rights without discrimination. A RBA requires a specific effort to target unfairness and discrimination; protections need to be included in all kinds of legal tools to protect the rights and well-being of neglected groups of people.

ILO Conventions and Recommendations set labour standards and rights at work which aim to provide a 'common framework to regulate the rights and duties of labour migrants' (Nshimbi & Fioramonti, 2013: 10). The 1998 ILO Declaration on Fundamental Principles and Rights at Work is based on eight conventions which make explicit the 'human rights at work' (ILO 2010:120) and is articulated in four different categories: (i) freedom of association and the right to collective bargaining²; (ii) the abolition of forced labour³; (iii) equality and non-discrimination in employment and occupation⁴; (iv) the elimination of child labour⁵ (ILO 2007: 1). Two ILO Conventions and their accompanying Recommendations specifically deal with migrant workers. These are the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). These two international legal instruments provide the standard for giving a direction on what should constitute the basic elements of major labour migration policy, the safeguarding of workers, the establishment of their potentials in order to measure and facilitate as well as to control migration movements. Furthermore, they aim to control the situations in which labour

² Freedom of Association and Protection of the Right to Organise Convention, 1948 (No 87); Right to Organise and Collective Bargaining Convention, 1949 (No 98).

³ Forced Labour Convention, 1957 (No. 105); Abolition of Forced Labour Convention, 1957 (No. 105).

⁴ Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Equal Remuneration Convention, 1951 (No. 100).

⁵ Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).

migration for employment occurs and labour trafficking, and try to control any kinds of illegal employment of migrants with the aim of preventing and eliminating abuses (ILO, 2007).

A further useful tool developed by the ILO is the Multilateral Framework on Labour Migration: non-binding principles and guidelines for a RBA to labour immigration which provides a 'collection of principles, guidelines and best practices on labour migration policy, derived from relevant international instruments and a global review of labour migration policies and practices of ILO constituents' (ILO, 2006: iv). In particular, Principle 8 of the framework deals with the protection of migrant workers as a cornerstone of a RBA to labour migration:

The human rights of all migrant workers, regardless of their status, should be promoted and protected. In particular, all migrant workers should benefit from the principles and rights in the 1998 ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, which are reflected in the eight fundamental ILO Conventions and the relevant United Nations human rights Convention. (ILO, 2006: 15).

Another relevant international instrument that deals with the protection of migrant workers' rights is the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW) which form, together with the two ILO Conventions (No. 97 and No. 143) the International Charter on Migration (Cholewinsky & Turan, 2010: 20). Other binding UN instruments are the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination and the 2000 UN Convention against Transnational Organized Crime and its two protocols, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

In addition to the ICRMW and the ILO Conventions, the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol protect the rights of refugees and all people in need of international protection. The Convention is 'both a status and rights-based instrument and is underpinned by a number of fundamental principles, most notably non-discrimination, non-penalization and *non-refoulement*' (UNHCR, 2010: 3).

Figure 1. The seven principles of a rights-based approach

Source: Adapted from Dinbabo (2013: 13)

Regional Legal Frameworks/Instruments

Amongst the regional human rights instruments, the African Charter on Human and Peoples' Rights⁶ adopted in 1981 by the Organization of African Unity (OAU) aims at establishing a framework for the promotion and protection of human and people's rights in the African continent. The Charter lists a set of basic human rights applicable to all human beings of which some are particularly relevant to migrants. Article 12(2) and Article 15 respectively state that: 'every individual shall have the right to leave any country including his own, and to return to his country' and that 'every individual shall have the right to work under equitable and satisfactory conditions, and shall receive equal pay for equal work.' Furthermore, the right of non-discrimination is enshrined in Article 2, while the rights to access basic health care and education for all individuals are promoted respectively by Articles 16 and 17 of the Charter.

A second regional pillar legal instrument for the RBA to migration is the Migration Policy Framework for Africa (MPFA) which deals with nine key migration issues including migrants' human and labour rights (AU 2006: 1). The document invites states to 'incorporate provisions from ILO Conventions No 97 and No 143 and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families into national

⁶ <http://www1.umn.edu/humanrts/instree/z1afchar.htm>

legislation’, as well as ‘to promote respect for and protection of the rights of labour migrants including combating discrimination and xenophobia through inter alia civic education and awareness raising activities’ (AU, 2006: 8). The MPFA enlists the upholding of the humanitarian principles of migration amongst states’ key priorities and clearly states that:

Ensuring the effective protection of the human rights of migrants is a fundamental component of a comprehensive and balanced migration management system [...] Safeguarding the human rights of migrants implies the effective application of norms enshrined in human rights instruments of general applicability as well as the ratification and enforcement of instruments specifically relevant to the treatment of migrants (AU, 2006: 24).

The MFPA, which is not legally binding, also recommends states should meet their humanitarian obligations to refugees by adopting adequate national policies and to strengthen mechanisms to protect internally displaced people and victims of trafficking. Issues relating to the protection and non-discrimination of refugees are also addressed by the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.

The Economic Community of West African States (ECOWAS): comprises 15 states⁷ and currently its regional policy framework on migration is regulated by the ECOWAS Treaty and the 1979 ECOWAS Protocol on Free Movement of Persons, Residence and Establishment both of which protect the right to freedom of movement (right of entry), right of residence and right of establishment (Atsenuwa & Adepoju, 2010). The Protocol had a 15-year, three-phase implementation process gradually to abolish visa requirements for ECOWAS citizens, promote the right of residence and lastly the right of establishment and seek employment. The ECOWAS Common Approach to Migration, adopted in 2008, is a regional programmatic document which reaffirms the applicability of basic human rights expressed in all adopted international legal instruments to migrants, including women and victims of trafficking, and refugees. Amongst its objectives the ECOWAS Common Approach to Migration seeks to: (i) formulate an active integration policy for migrants from ECOWAS member states; (ii) combat exclusion and xenophobia; (iii) encourage member states and their EU partners to ratify the UN

⁷ Benin, Burkina Faso, Cape Verde, Cote d’Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.

Convention on the Rights of Migrants; (iv) put in place regional mechanism to monitor the UN Convention on the Rights of Migrants and (v) put in place mechanisms for granting rights of residence and establishment to refugees from ECOWAS countries (ECOWAS, 2008: 10).

The East African Community (EAC): comprises five states of which Kenya, Tanzania and Uganda were the founding members,⁸ joined in 1999 by Burundi and Rwanda. All member states signed the Treaty for the Establishment of the East African Community⁹ committing themselves to strengthen their political and socio-cultural ties and to achieve full economic integration and sub-regional cooperation (EAC, 2009a). The EAC regional legislative framework also comprises the Protocol on the Establishment of the EAC Common Market which came into force in 2010, upon ratification of all member states, and allowed free movement of goods, capital and labour among partner states (Nshimbi & Fioramonti, 2013). The Protocol guarantees the rights of establishment and residence for all EAC citizens and their families and reiterates the importance of non-discrimination as one of its underlying principles (EAC, 2009b). In particular, Article 3 and Article 10(2) of the Protocol call for the observation of the principle of non-discrimination respectively for non-nationals, citizens and foreign workers in relation to remuneration and other conditions at work (ibid.). Moreover, to reduce the constraints regarding the portability of social security benefits, an additional annex on social security was drafted with the ILO's technical assistance (ILO, 2010).

The Southern African Development Community (SADC): comprises 15 member states.¹⁰ Despite the declared objectives of the 1992 SADC Treaty to promote regional cooperation and to reduce obstacles to the free movement of capital, goods, services and people (SADC 1992) very little has been achieved so far by member states. The 1995 Draft Protocol on the Free Movement of Persons in the Southern African Development Community, a three-phase process which envisioned the possibility for SADC citizens to 'enter freely the territory of a

⁹ The Treaty was ratified by Kenya, Uganda and Tanzania in 2000. Burundi and Rwanda acceded and became full members in 2007. <http://www.eac.int/treaty/>

¹⁰ Angola, Botswana, Democratic Republic of Congo (DRC), Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

Member State for the purpose of seeking employment' (SADC, 1996) encountered fierce resistance from Botswana, Namibia and, in particular, South Africa. The implementation of the 'free movement' provision was, in fact, considered by the authorities to be detrimental for the socio-economic conditions and the social well-being of South African citizens (Oucho & Crush, 2001). In 2005, the Free Movement Protocol was replaced by the Protocol on the Facilitation of Movement of Persons which established a visa-free system for SADC countries and aimed at harmonizing immigration practices (SADC, 2005). The Protocol, which is a binding document, was signed by 13 member states¹¹ but has not come into force yet because it requires a minimum of two-thirds to ratify it.¹² The timid progress to eliminate obstacles to free movement and to draft a regional labour migration policy reveals that 'migration is not a key priority of member states compared with more prominent issues such as border control and the fight against irregular migration' (Segatti, 2011: 29).

Empirical Data Presentation and Analysis

Examining researchers' experiences with a RBA to research in international migration in the context of SSA is considered an important element in this study. In this regard, McIntyre, Byrd and Foxx (1996) argue that analysing researchers' experiences is an important component in social science. Garibaldi (1992) notes that most social science research projects have incorporated more and more experience analysis into their research programmes. Field data analysis indicated that the majority of respondents were familiar with the RBA framework. There was constant mention of rights-based research that the majority of the respondents had previously employed to advocate for socio-economic and political rights of international migrants and marginalized groups of people through their organizations. They also indicated that a rights-based research approach to international migration is very relevant in the context of SSA. However, participants in the research made it clear that the modalities of implementation of a rights-based research approach to international migration are not clear.

In this regard, the survey participants indicated that there is a need for increased awareness, collaboration and networking, amongst government and non-government offices, private service providers, community based

¹¹ Madagascar and Seychelles did not sign the Protocol

¹² The document was ratified by South Africa, Botswana, Mozambique, Swaziland and Zambia.

organisations and churches in communities, and research organizations, in terms of effectively utilizing a rights-based research approach to international migration.

Based on information obtained, some of the respondents indicated that looking at research on international migrants through a 'rights' lens helped them in designing a new way of devising a research framework and in orienting themselves progressively towards addressing rights through advocacy and via strengthening of civil society. Researchers also raised their concern about the general lack of a sound theoretical framework and strong empirical basis for a rights-based research approach to migration. Some also raised their concern about the researchers' expertise in rights-based research approach, methodology and scarcity of research findings and evaluation strategies.

In sum, each of the respondents' cases demonstrates that the rights-based research approach will need to develop its in-house capacity to assess, interpret, and synthesize information about the rights issues that underpin economic, social, political and cultural matters and to design programmes that seek to address them. In this regard, several respondents indicated their opinions, suggestions and views on the development of a human rights measurement framework. Some respondents also suggested the need for understanding and building consensus within the international rights-based research approach

Strengths: several respondents stated that a rights-based research approach to migration helped in deepening the focus on disadvantaged and socially marginalized migrants as well as fostering respect and dignity and enhancing the opportunities of neglected migrants. A large number of respondents also indicated that the presence of the basic rights contained in the two International Covenants, i.e., the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) are important tools in terms of undertaking research on the rights of the migrants. An exclusive response received from a few of the researchers indicated that the strengths of the rights-based research approach is reinforced by important international legal instruments, as emerged from respondents' observations:

...the adoption of the Universal Declaration of Human Rights in 1948 was the first occasion on which the organized community of nations ... made a Declaration of human rights and fundamental freedoms....

...it is conceived as "a common standard of achievement for all peoples and all nations," the Universal Declaration ... has become just that: a yardstick by which to measure the degree of respect for, and compliance with, international human rights standards...

...it is one of the basic instruments of human rights states a common understanding of the peoples of the world concerning the inalienable and inviolable rights of all members of the human family and constitutes an obligation for the members of the international community...

....The human rights declaration consists of 30 articles setting forth the civil and political, and economic, social and cultural rights to which all persons are entitled, without discrimination. This means international migrants are part of the beneficiaries of the human rights declaration...

...characterizes these rights as indispensable for human dignity and the free development of personality, and indicates that they are to be realized "through national effort and international cooperation." At the same time, it points out the limitations of realization, the extent of which depends on the resources of each State....

Weaknesses: a number of respondents indicated that the main weakness is a very poor collaborative research network. Respondents believed that a pan-African research network on rights-based research approach to international migration would bring a platform for sharing research outputs and experiences. Respondents also believed that collaborative research networks are helpful in designing and developing the research capacity of smaller, emerging researchers and institutions in SSA. According to them, collaborative research networks encourage these institutions and researchers to become familiar with a research system focussed on results by partnering with similar organizations in areas of common interest. Respondents indicated that such kinds of partnership will benefit all of the stakeholders involved.

Opportunities: almost all the respondents agreed about the existence of various types of legislative and policy framework as an opportunity to undertake rights based research on international migration. In this regard, respondents indicated that, in fact, a significant number of SSA countries have either completed or are in the process of completing major law reforms on migrants. This, therefore, shows a great opportunity to work in the field and commitment

for the furtherance of international migrants' rights on the continent. For example, respondents pointed out that, continentally, the African Union seeks to build an African Economic Community (AEC) and regards eight African Regional Economic Communities (RECs) as crucial in realizing an AEC. To achieve this, the Abuja Treaty (Paragraph 2 (i) Article 4) encourages member states eventually to do away with barriers "to the free movement of persons, goods, services and capital and the right of residence and establishment." The Abuja Treaty's Article 6(e) even fleshes out four activities for establishing an African Common Market (ACM). Additionally, Article 71(e) implores AU members to adopt employment policies that enable people to move freely within Africa. In order to achieve this, Article 71(e) urges members to establish and strengthen labor exchanges that make possible the harnessing of available skilled labour of a member state in other AU states where such labour is needed but is in short supply. The AU's hope is that Africa will be an economic community by 2028.

As an opportunity, respondents further indicated that the two migration policy frameworks in Africa, namely, the African Common Position on Migration and Development (ACPM) and the Migration Policy Framework for Africa (MPFA), warrant some attention. The ACPM promotes prioritization of migration-related policy, recommendations and actions on national, continental and international levels. Similarly, the MPFA underscores the significant role that migration plays in development and appeals to all African Regional Economic Communities members to craft policies designed to boost continental development. Unfortunately, the MPFA is but a reference document that is not legally binding from which AU members and RECs can borrow issues that they consider valuable and appropriate to their migration settings.

However, some of the researchers also indicated that the degree to which these instruments and laws will improve international migrants' lives depends greatly on how state parties implement them and adopt domestic measures to comply with their international obligations. A number of respondents commented that the list of adverse factors with which the implementation and enforcement of migration laws has to contend, especially in Africa, is still very long.

Challenges: analyses of the feedback of numerous respondents indicated that despite the theoretical strength of this method, as was stated in the earlier section, some of the respondents indicated that the RBA to international

migration is not free from pitfalls. According to them, there are problems of operationalization and consensus about the RBA among researchers, and its practical implementation in the context of Africa. For example, some respondents indicated that although values of human rights notions such as non-discrimination and equality are not special values only for developed countries, it is assumed that human rights dialogue is not as operational in Africa as in Europe due to its origin in the West. Some respondents also pointed out that a RBA to international migration remains perceived in international law as rights enforceable only against the state or its agents. Some respondents also indicated their feelings about the progressive breaches of human rights which are taking place in SSA because of the actions of non-state actors. In general, they believed that human rights violations occur at different levels.

The above evidence suggests that there are opportunities and challenges for conducting a rights-based research approach to international migrants in SSA. However, the researchers stated that research should be aimed at strengthening the resilience of vulnerable migrants, which is particularly relevant if participatory approaches and tools are used. In general, a rights-based research approach to international migration has to be linked with state agencies, NGOs and the private sector to bring the voice of civil society to SSA forums. Respondents also indicated that a rights-based research approach should influence the political agenda in SSA on a range of migrants' rights issues.

Key Priorities for a Global Research Agenda

Respondents suggested that despite the numerous laws, legal instruments, and policy frameworks, to which most governments in SSA may have acceded, the promotion of migrants rights issues for many countries still remains under-explored. In this regard, several researchers in SSA indicated that a global research agenda on migrants' rights should be considered. According to them, the rights of international migrants globally and in the SSA context received thoughtful focus and attention after the 1948 Universal Declaration of Human Rights, the 1994 International Convention on Civil and Political Rights and the 1981 African Charter on Human and Peoples' Rights. According to the respondents, these international and continental legal instruments establish that governments must ensure that all human rights should be protected.

The result of the field data assessment demonstrates a great demand for urgent action on planning a rights-based global research agenda that responds to the present international migrants' rights situation. In general, the research process identified two interrelated gaps that hinder the successful implementation of a rights-based research agenda. First, insufficient networking, communication and synergy between researchers, practitioners, government officials, funding agencies, research organizations and NGOs. Second, an inadequate understanding of the theoretical and conceptual framework of rights-based research exists among scholars in the field. Within the framework of the aforementioned analysis, the study finally brings into focus major observations gained from the analysis and provides key priorities for a global research agenda in SSA. The following is a summary of a research agenda that has been suggested by most researchers in SSA countries.

- *Analysis of legal and policy research agendas in the SSA context should be embedded in an approach which is informed by justice and restorative justice practices, as well as focused on especially vulnerable groups (unaccompanied minors, migrants deprived of their liberty, etc.).*
- *Assessing where opportunities and gaps exist for ensuring that the rights of migrants are included (migrants' access to social services, e.g. health care and grants).*
- *Evaluating diversion and programming for migrants at risk or in conflict with the law. There is a great need for research into the regulation of issues of migrants at risk and prevailing conditions that threaten them, which, it is suggested, is an area of weakness in the region as a whole.*
- *Identifying factors determining migration in SSA, social exclusion and xenophobia; and undertaking comparative analysis of policies and practices governing migration in SSA.*
- *Examining the integration of research on migrants' rights in SSA as an integral part of mainstream African social science research and*

research on the possibility of developing a network of African researchers.

- *Exploring migrants as victims of family violence, including: data collection on victims, particularly over time; family violence prevention and intervention measures.*
- *Assessing gender and migration. Increasing feminization of migration is unveiling a potential risk (of abuses, exploitation and sexual harassment of women).*

Conclusion

This article seeks to provide a thoughtful understanding of a rights-based approach (RBA) to international migration with a focus on sub-Saharan Africa (SSA). It also suggests the need for a research agenda predicated on the principle of human rights and intertwined with social and economic development. The findings reveal the necessity to address some of the asymmetries of international migration, such as the tension between sovereignty rights and human rights which often leads to the exclusion of non-citizens from social protection, labour rights and human rights.

In this regard, the role of national and regional networking groups comprising researchers, NGOs, practitioners, trade unions, civil society organizations and social movements can contribute to advancing migrants' rights by exercising pressure from the bottom on both states and non-state actors to uphold and enforce international human rights law. Moreover, there is an urgent need to identify universal and widely accepted principles able to inform national and regional migration policies. We suggest that such an ethical paradigm should be based on the following five principles: (i) Promotion of Human Rights and Human Dignity; (ii) Superiority of the Common Good; (iii) Universal Destination of Goods and Solidarity; (iv) Global Stewardship and Co-Responsibility and (v) Global Citizenship.

Building an effective institutional base that drives the design of international migration in sub-Saharan Africa, including establishing networks, publication of the research outputs, facilitating conferences, seminars, workshops, and capacity building programmes should be undertaken. Researchers must have access to data, research outputs, and outcome information so that the impact of international migration in SSA can be evaluated and improved and a

standard scientific methodology can be incorporated into the evaluation of technical advances in international migration.

References

Adepoju, A., 2000. Issues and recent trends in international migration in sub-Saharan Africa. *International Social Science Journal*, 52(165): 383-394.

ACMS, 2015. African Centre for Migration and Societies, *Migration, Mobility & Social Integration: Southern African Trends and Their Implications*. Presentations to the Portfolio Committee for Home Affairs, 5 May 2015. Available from: <http://bit.ly/1eqVzcu> (Accessed on 15 June 2015).

Atsenuwa, A.V., and Adepoju, A., 2010. *Rights of African Migrants and Deportees: A Nigerian Case Study*. Justice Without Borders Project & OSIWA. Available from:

AU, 2006. African Union, *The Migration Policy Framework for Africa*. Available from: <http://bit.ly/1Mr3xAn> (Accessed on 24 June 2015).

Baggio, F., 2007. Migrants on sale in East and Southeast Asia: An urgent call for the ethicization of migration policies. In: Caloz-Tschopp, M.C. and Dasen, P. (Eds.). *Mondialisation, migration et droits de l'homme: un nouveau paradigme pour la recherche et la citoyenneté. Globalization, migration and human rights: a new paradigm for research and citizenship*, Volume I. Brussels: Bruylant.

Baggio, F., 2015. Reflections on EU border policies: human mobility and borders – ethical perspectives. In: Van der Velde, M. and Van Naerssen, T. (Eds.). *Mobility and Migration Choices: Thresholds to Crossing Borders*. Farnham: Ashgate. Ch. 12.

Bryman, A. and Bell, E., 2007. *Business Research Methods*, 2nd edn. Oxford: Oxford University Press.

Cholewinski, R., and Taran, P., 2009. Migration, governance and human rights: contemporary dilemmas in the era of globalization. *Refugee Survey Quarterly*, 28(4): 1-33.

Cornwall, A., and Nyamu-Musembi, C., 2004. Putting the 'rights-based approach' to development into perspective. *Third World Quarterly*, 25(8): 1415-1437.

- de Haas, H., 2010. Migration and development: A theoretical review. *International Migration Review*, 44(1): 227-264.
- de Haas, H., 2011. Mediterranean migration futures: Patterns, drivers and scenarios. *Global Environmental Change*, 21(1): S59-S69.
- Dinbabo, M. and Nyasulu, T., 2015. Macroeconomic determinants: analysis of 'pull' factors of international migration in South Africa. *African Human Mobility Review (AHMR)*, 1(1): 27-52.
- Dinbabo, M., 2011. *Social Welfare Policies and Child Poverty in South Africa: a Micro simulation Model on the Child Support Grant*. PhD Thesis, University of the Western Cape, Cape Town, South Africa.
- Dinbabo, M., 2013. Child rights in sub-Saharan Africa: a call for a Rights-Based Global Research Agenda. *Journal of Social Work*, 48(1): 271-293.
- EAC, 2009a. East African Community, *Treaty for the Establishment of the East African Community*. Available from: (Accessed on 22 June 2015).
- EAC, 2009b. East African Community. *The East African Community Common Market (Free Movements of Workers) Regulations*. Available from: <http://bit.ly/1I16hyR> (Accessed on 22 June 2015).
- ECOWAS, 2008. Economic Community of West African States, *ECOWAS Common Approach to Migration*. Available from: <http://www.unhcr.org/49e47c8f11.pdf> (Accessed on 2 July 2015).
- Few, R., Brown, K., and Tompkins, E.L., 2007. Public participation and climate change adaptation: avoiding the illusion of inclusion. *Climate Policy*, 7(1): 46-59.
- Flahaux, M. L. and de Haas H., 2014. African Migration: Exploring the Role of Development and States. Working Paper 105, November 2014. Oxford: International Migration Institute.
- Garibaldi, A. M., 1992. Educating and motivating African American males to succeed. *Journal of Negro Education*, 61(1): 4-11.
- Hatton, T.J., 1995. A model of U.K. migration, 1870–1913. *Review of Economics and Statistics*, 77: 407-415.
- ILO, 2006. International Labour Organization, *Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based*

approach to labour migration. Available from: <http://bit.ly/1eqSRnc> (Accessed on 15 June 2015).

ILO, 2007. International Labour Organization, *Rights, Labour Migration and Development: the ILO Approach*. May 2007. Background Note for the Global Forum on Migration and Development.

ILO, 2010. International Labour Organization. *International Labour Migration: A Rights-based Approach*. Available from: <http://bit.ly/1SHOaTD> (Accessed on 15 June 2015).

IMF, 2014. International Monetary Fund, *Regional Economic Outlook. Sub-Saharan Africa*. Available from: <http://bit.ly/1KsszQ9> (Accessed on June 14 2015).

Ledogar, R.J., 1995. Implementing the Convention on the Rights of the Child through national programmes of action for children. In: J.R. Himes (Ed.) *Implementing the Convention on the Rights of the Child*. Leiden: Brill. Ch.3.

Lee, E. S., 1966. A theory of migration. *Demography*, 3(1): 47-57.

Maddala, G.S., and Kajal, L., 2009. *Introduction to Econometrics*, 4th Edn. New York: Wiley.

Magesan, A., 2013. Human rights treaty ratification of aid receiving countries. *World Development*, 45: 175-188.

McIntyre, D.J., Byrd, D.M., and Foxx, S.M., 1996. Field and laboratory experiences. In: Sikula, J., BATTERY, T.J. and Guyton, E. (Eds.), *Handbook of Research on Teacher Education*. 2nd edn. New York: Macmillan (pp.171-193).

Moeckli, D., 2012. *Strategic Trends 2010: Key Developments in Global Affairs*. Zurich: Center for Security Studies.

Nielsen, R.A., 2013. Rewarding human rights? Selective aid sanctions against repressive states. *International Studies Quarterly*, 57(4): 791-803.

Nshimbi, C.C., and Fioramonti, L., 2013. *MiWORC Report No. 1. A Region without Borders? Policy frameworks for regional labour migration towards South Africa*. Johannesburg: African Centre for Migration & Society.

O'Donnell, G.A., 2004. Why the rule of law matters. *Journal of Democracy*, 15(4): 32-46.

Oestreich, J.E., 1998. UNICEF and the implementation of the Convention on the Rights of the Child. *Global Governance*, 4: 183-198.

O'Manique, J., 1990. Universal and inalienable rights: A search for foundations. *Human Rights Quarterly*, 14(3): 465-485.

Oucho, J.O., and Crush, J. 2001. Contra free movement: South Africa and SADC Migration Protocols. *Africa Today*, 48(3): 139-158.

OHCHR, 2013. United Nations High Commissioner for Human Rights. *Migrants, Migration, Human Rights and the Post-2015 UN Development Agenda*. Geneva, Switzerland 22 May 2013.

Potts, D., 2009. The slowing of sub-Saharan Africa's urbanization: Evidence and implications for urban livelihoods. *Environment and Urbanization*, 21(1): 253-259.

Ratha, D., et al., 2011. *Leveraging Migration for Africa: Remittances, Skills, and Investments*. Washington D.C.: The World Bank.

SADC, 1992. Southern African Development Community, *Treaty of the Southern African Development Community*. Available from: <http://bit.ly/1U0UYhE> (Accessed on 15 June 2015).

SADC, 1996. Southern African Development Community, *Draft Protocol on the Free Movement of Persons in the Southern African Development Community*. Available from: <http://bit.ly/1LJBwF3> (Accessed on 15 June 2015).

SADC, 2005. Southern African Development Community, *Protocol on the Facilitation of Movement of Persons in the Southern African Development Community*. Available from: <http://bit.ly/1MQfVYG> (Accessed on 15 June 2015).

Segatti, A., 2014. Regional Integration Policy and Migration Reform in SADC Countries. In: Streiff-Fenart, J. and Segatti, A. (Eds.) *The Challenge of the Threshold: Border Closures and Migration Movements in Africa*. Plymouth: Lexington Books.

UN-Habitat, 2014. *The State of African Cities: Re-imagining Sustainable Urban Transitions*. Available from: <http://bit.ly/1IoUv53> (Accessed on 17 July 2015).

UNHCR, 2002. *Livelihood Options in Refugee Situations. A Handbook for Promoting Sound Agricultural Practices*. Geneva: United Nations.

UNHCR, 2010. United Nations High Commissioner for Refugees, *Convention and Protocol Relating to the Status of Refugee*. Geneva: United Nations.

UNHCR, 2013. United Nations High Commissioner for Refugees, *Statistical Yearbook 2013*. Available from: www.unhcr.org/statistics (Accessed on 17 July 2015). UNICEF, 2007. United Nations Children's Fund, *Annual Report*. New York: UNICEF.

Woll, J., 2000. *Real Images: Soviet Cinemas and the Thaw*. London: IB Tauris.

World Bank, 2014. Available from: <http://www.worldbank.org/en/region/afr> (Accessed on 25 July 2015).

Impact of Remittances on Economic Growth: Evidence from Selected West African Countries (Cameroon, Cape Verde, Nigeria and Senegal)

Muriel Animwaa Adarkwa*

Abstract

Remittances from abroad play a key role in the development of many West African countries. Remittances tend to increase the income of recipients, reduce shortage of foreign exchange and help alleviate poverty. This research examines the impact of remittances on economic growth in four selected West African countries: Cameroon, Cape Verde, Nigeria and Senegal. Using developmentalist, structuralist and pluralist views on remittances, a linear regression was run on time series data from the World Bank database for the period 2000–2010. After a critical analysis of the impact of remittances on economic growth in these four countries, it was found that inflow of remittances to Senegal and Nigeria has a positive effect on these countries' gross domestic product whereas for Cape Verde and Cameroon it had a negative effect. Cameroon benefitted the least from remittances and Nigeria benefitted the most within the period. One contribution of this study is the finding that remittance inflows need to be invested in productive sectors. Even if remittances continue to increase, without investment in productive sectors they cannot have any meaningful impact on economic growth in these countries.

Keywords: Cameroon, Cape Verde, Gross Domestic Product, Nigeria, Remittance Inflows, Remittance outflows, Senegal.

Introduction

Globally, there has been a steady rise in the number of migrants. The number of migrants increased rapidly between 2000 and 2010. According to the International Migration Report (2013), between 2000 and 2010 there were 4.6 million new migrants annually, compared with an average of 2 million per

* Candidate in MA Development Studies, Institute for Social Development, Faculty of Economic & Management Science, University of the Western Cape (UWC), South Africa.

annum between 1990 and 2000 and 3.6 million per annum from 2010 to 2013. Migration has positive and negative impacts on 'home' and 'host' countries, but one generally positive benefit of migration is financial remittances.

Over the past decade, remittances to developing countries from their nationals living abroad have grown steadily, reaching an estimated US\$404 billion in 2013 and out-performing official development assistance (World Bank, 2014). This figure excludes the money transferred through informal channels which cannot be captured and hence is not recorded. Migrants' remittances currently rank as the second largest source of external inflows to developing countries (World Bank, 2014). This increase in remittances to developing countries can be attributed to the increase in the number of people settling abroad; and faster, easier and cheaper modes of transferring money around the world today (Imai et al., 2012; World Bank, 2014). Previous research on the areas of outward migration has shown that countries with higher remittance inflows have higher growth rates and lower poverty indices (Fajnzylber & Lopez, 2007). This is because remittances tend to increase the income of recipients in the home country who in turn decide whether to invest or spend the money in the domestic economy. It further assists countries to reduce the problem of shortage of foreign exchange which is sometimes needed urgently by governments to fund import bills (Siddique, 2010). In smaller developing countries, significant remittance inflows account for more than a quarter of their gross domestic product (GDP) (Pop, 2011). With insights such as this, it becomes important to find out if indeed remittances have any impact on economic growth.

This paper examines the impact of remittances on economic growth in the home countries of migrants, based on four selected countries in West Africa: Cameroon, Cape Verde, Nigeria and Senegal. The study uses data from the World Bank for the period from 2000 to 2010. This period was chosen because, compared with the years before 2000 and after 2010, the number of people who emigrated from their home countries reached a peak of 4.6 million per annum during this period (International Migration Report, 2013). The next section gives a general introduction on the four selected countries. Section 3 discusses the theoretical framework used and section 4 discusses the result of the data analysis. The study then concludes and gives recommendations.

Background and Contextualization

In recent times, research on the role of remittances in development has surged due to increasing evidence of its positive impacts on the economies of developing countries. Despite the fact that remittances to sub-Saharan Africa have been growing at a far slower pace than those of countries in other regions, research has shown that they contribute equally positive benefits to sub-Saharan African countries. Remittances are driven by migration. According to Tolentino and Peixoto (2011), sub-Saharan Africa has the most unstable migration flows compared with other regions in the world, although the West African sub-region has been the least volatile within the region, recording positive growth rates recorded in migrant numbers. There are many reasons why West Africans emigrate. Among them are: economic difficulties, political instability and conflicts, and increased poverty (Nyamwange, 2013).

In 2013, inflows of remittances to sub-Saharan Africa increased by 3.5% (World Bank, 2014). The increase was not distributed evenly across the continent, however. East African countries experienced significant gains in remittance inflows while those in the West Africa sub-region experienced only a marginal increase (World Bank, 2014). Despite this, organizationally, the Economic Community of West African States (ECOWAS) ranks second in terms of the collective value of remittances in-flows by member-states falling behind the Southern African Development Community (SADC). Research has shown that, despite the West African countries receiving relatively less in remittances, the impact of remittances on the economies of those countries has been positive (UNECA, 2013). Remittances have helped the region reduce poverty – its most pressing challenge –, supplemented household incomes, provided working capital and, above all, created multiplier effects within the economy through increased spending (UNECA, 2013).

Nigeria is the recipient of the greatest volume of remittances in West Africa and sub-Saharan Africa as a whole (Maimbo & Ratha, 2005; World Bank, 2014). It receives between 30% and 60% of all the remittances to the West African sub-region and its remittances rank second as a foreign exchange earner after oil exports (Orozco, 2003; World Bank, 2014). Cape Verde and Senegal, like Nigeria, in turn rank among the top recipients of remittances in West Africa. As a small island nation, Cape Verde's economy is heavily dependent on remittances and this can be seen in their contribution to the country's GDP (Pop, 2011). According to official estimates, about one-third of the population

of Cape Verde live abroad, although some scholars place the figure well above that, arguing even that the number of emigrants exceeds the total resident population of Cape Verde (Carling, 2002; Pop, 2011).

Remittances to Senegal more than trebled from 2002 to 2008, rising from US\$ 344 million to US\$ 1288 million within that period (Cisse, 2011). This growth has seen Senegal become the fourth largest recipient of remittances in sub-Saharan Africa. Further to this success, studies show that remittances entering the country through informal channels could make the figures even higher. Remittances play a key role in the economy of Senegal, contributing between 6% and 11% to its GDP, sometimes surpassing other export products and certain sectors (Cisse, 2011). In Cameroon, international migration is known as 'bush falling' and this phenomenon is triggered by a number of factors including: falls in the price of primary goods in the 1980s and '90s, structural adjustment programmes and corruption (Atekmangoh, 2011). These factors tend to serve as a motivation for Cameroonians to travel outside their country in order to seek 'greener pastures'. In Cameroon, the total inflow of remittances has been relatively stable and despite this financial contribution to the economy over the years, the people who usually migrate are the educated and active populace and this can have negative repercussions on the economy (Atekmangoh, 2011).

Theoretical Framework

From observation, although few people would disagree on the benefits of remittances to recipients in home countries, the extent to which remittances contribute to economic growth and development is another debate altogether. Diverse theories have emerged to explain the impact of remittances on economic growth (development) of the countries of origin of migrants. Among these are the developmentalist/neo-classical view, the structuralist/dependency view and the pluralist view (De Haas, 2007). These three theories will be used to ascertain how remittances impact economic growth in Cameroon, Cape Verde, Nigeria and Senegal.

The Developmentalist/Neo-Classical View (Optimists)

This view emerged in the 1950s and 1960s with the assumption that, through capital transfer, industrialization and the adoption of western values, developing countries would be able to accelerate their developmental process (So, 1990). During this period, underdevelopment was attributed to internal factors within developing countries and the notion was that, if developing

countries wanted to develop, they needed to abandon their traditions, values and culture and adopt those of the West (Coetzee, 2001).

It was during this period that the developmentalist view emerged. Some prominent scholars who hold this view include: Kindleberger (1965), Todaro (1969), Beijer, (1970) and Massey et al (1993). They argue that migration will result in the transfer of investment capital through remittances and expose traditional/primitive societies to more rational, democratic and liberal ideas that will aid in their development (De Haas, 2007; 2010). Labour migration is viewed as a core part of modernization and it is believed that the effects of migration on development can be seen through the inflow of capital (remittances) which could help increase productivity and incomes (Massey et al., 1998). From this perspective, migrants' remittances are deemed important since they bring about change in household incomes, promote investments and innovations, and thereby aid the larger economy of the migrants' country of origin in its economic take-off (Kindleberger (1965) and Beijer (1970), as cited in De Haas, 2007, p.3).

Structural and Dependency Views (Pessimists)

In contrast to the above, the dependency view argues that migration and remittances create underdevelopment in migrants' countries of origin (Oluwafemi & Ayandibu, 2014). This view emerged in the 1970s and the 1980s; some scholars associated with this theory include Rubenstein (1992) and Binford (2003). They hold that remittances make receiving countries dependent on the sending countries as well as making receivers of remittances dependent on the senders (Binford, 2003). They argue that migration drains the human capacities of communities and leads to development that is passive as well as making these communities remittance-dependent (De Haas, 2007). Rather than encouraging economic growth, remittances lead to inequalities in areas where there is a large inflow of remittances (Lipton (1980), as cited in Oluwafemi & Ayandibu, 2014, p. 314). This is because when the remittances are sent to recipients in the home countries, they tend not to use the money for any productive ventures but rather spend it on conspicuous consumption, such as cars, houses and clothing, which helps to deepen the income inequalities between households receiving remittances and those that do not receive any (De Haas, 2007; 2010; Oluwafemi & Ayandibu, 2014). This can lead to inflation and the rise of prices in basic commodities in remittance receiving countries. For scholars of this tradition, remittances have a negative impact on the economies of receiving countries; they view remittances as indicators of

developing countries relying on developed countries for their development (De Haas, 2010). Remittances lead to the “development of underdevelopment” (Frank (1966), as cited in De Haas, 2007, p.9).

Pluralist View (The New Economics of Labour Migration)

This view emerged in the 1980s and 1990s in the context of American research in reaction to the neo-classical and the structuralist views (Oluwafemi & Ayandibu, 2014). This view tries to link the two theories above and argues that remittances and migration have both positive and negative impacts (De Haas, 2010). In this view, migration is seen as “a household response to income risk since migrants’ remittances serve as insurance for households of origin” (Lucas & Stark (1985), as cited in De Haas, 2007, p. 12). This can be seen as explaining why people migrate despite not knowing about prospects of income in host countries. This view sees remittances as having the tendency to produce both positive and negative impacts on development depending on what recipients and home countries do with the remitted money.

According to the pluralist view, migration plays a key role in the economy by providing capital through remittances which can be used for investments in developing countries that are mostly characterized by poor credit and high market risk such as fluctuating exchange rates that deters financial institutions from giving out credit frequently (Taylor & Wyatt, 1996). It also stresses the importance of human “agency” if remittances are to contribute significantly to the economies of migrants’ home countries (De Haas, 2007; 2010). Accordingly, remittances will impact economic growth positively if recipients of these remittances use them for productive purposes and negatively if recipients use them for unproductive purposes.

Techniques of Data Collection

This study is a quantitative study. Quantitative research emphasizes the testing of hypotheses and the measurements of variables by linking them to general causal explanations (Neuman, 2000). In quantitative research, the language of variables, numbers, objectivity, hypothesis and causation are emphasized. This study used data sets from the World Bank. Convenience and purposive sampling techniques were used to select the countries and corresponding data under study. The sample consisted of four countries selected from the West African sub-region (Cameroon, Cape Verde, Nigeria and Senegal). The study period 2000–2010 was selected because it saw the average number of migrants per annum increase to 4.6 million compared with

an average of 2 million per annum between 1990 and 2000 and 3.6 million per annum from 2010 to 2013 (International Migration Report, 2013). The data set includes remittance inflows, remittance outflows and GDP for the years from 2000 to 2010. It also contains the percentage of GDP made up of remittances in 2010 for the four countries involved in the study. STATA (version 12) and Microsoft Excel were used to analyse the data. Descriptive statistics of the relevant variables were reviewed. Graphs were drawn to show the trend of remittance inflows and outflows for the 11-year period. Linear regression analyses were used to examine the extent to which inflows of remittances predicted changes in GDP for the four countries.

Results and Discussion

In this section, I present the results of the analysis. I will begin by presenting the trend of remittance inflows and outflows for each of the four countries (Cameroon, Cape Verde, Nigeria and Senegal), followed by an analysis of the differences between remittance inflows and outflows between these countries. Next, an analysis of a linear regression is performed to find out if there is a relationship between GDP and remittance inflow. Lastly, the share of remittances as a percentage of the 2010 GDP for these countries is shown graphically as a pie chart.

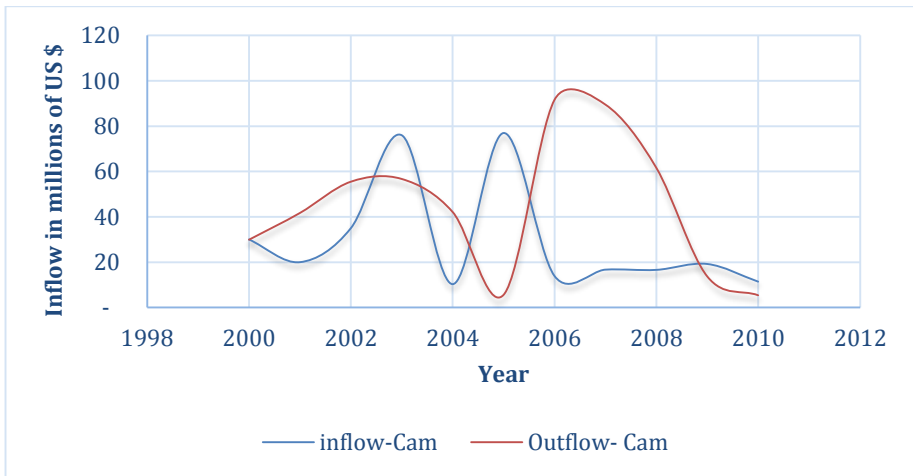
Remittances Inflows can be defined as financial resources sent into the home country of the migrant. On the other hand, remittances outflows are those financial resources leaving the host country of the migrant (World Bank).

Figure 1 shows the trend of remittance inflows and outflows for Cameroon from 2000 to 2010. It can be seen that the inflow of remittances into Cameroon has been inconsistent over the 11-year period. It peaked in 2003 at US\$ 76 million, rising from US\$ 35 million in 2002. It then fell to US\$ 10.3 million in 2004 and rose to its highest value within the 11-year period of around US\$ 77 million in 2005. From there onwards, it was consistently low from 2006 to 2010, ranging from US\$ 11.4 million to US\$ 19.2 million. The inconsistency in remittance inflows to Cameroon is associated with a generally falling trend in the amount of remittance inflows into the country. Ngome and Mpako (2009) also found that over the years remittances have been falling in Cameroon. They identified a number of reasons for this: the high cost of money-transfer fees, the breakdown of trust in carriers of informal remittances, the belief that hard-earned money sent home by migrants is squandered by family members on luxury goods instead of being invested in productive activities and, lastly, the

wide dispersal of Cameroonians in the diaspora which makes it difficult for them to remit money through informal channels.

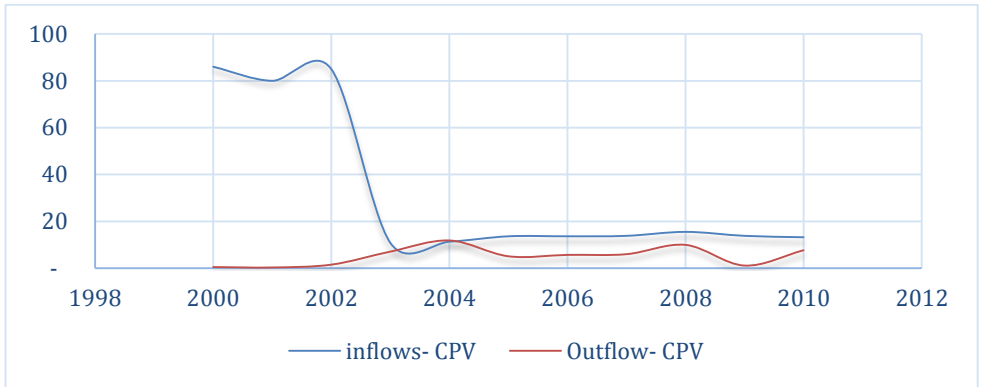
On the other hand, remittance outflows from Cameroon has been extremely inconsistent, varying widely from one year to the next, as shown in Figure 1 below.

Figure 1: Trend of remittance inflow and outflow for Cameroon, 2000–2010



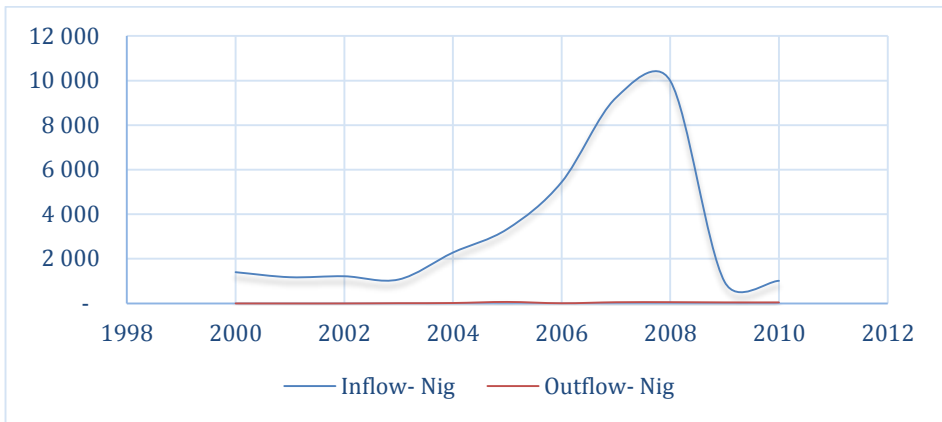
Source: Author’s computation with data from the World Bank

Figure 2 shows the trend of remittance inflows and outflows for Cape Verde from 2000 to 2010. It can be seen that the inflows of remittances into Cape Verde fell steadily over the 11-year period, from US\$ 86 million in 2000 to around US\$ 13.2 million in 2010. It should be noted that the amount of remittance inflows was stable at around US\$ 14 million from 2005 to 2007. An explanation for this trend could be the restrictive immigration policies being adopted by Cape Verdeans’ traditional host countries in Europe, such as Portugal and the Netherlands (see Carling, 2002). However, remittance outflows have also been consistently low, ranging between less than US\$ 1 million and US\$ 10 million.

Figure 2: Trend of remittance inflow and outflow for Cape Verde, 2000–2011

Source: Author's computation with data from the World Bank

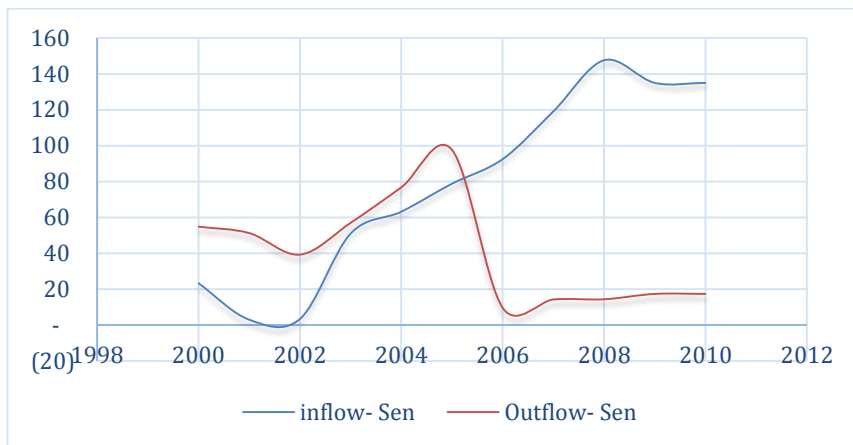
Figure 3 shows the trend of remittance inflows and outflows for Nigeria from 2000 to 2010. It can be seen that the inflows of remittances into Nigeria rose steadily, from US\$ 1,167 million in 2001 to an all-time high of US\$ 9,980 million in 2008. It then took a dip down to around US\$ 958 million in 2009 due to the global financial crisis. However, it picked up in 2010, rising to US\$ 1,005 million. This is consistent with the findings of Ukeje and Obiechina (2013) who argued that, despite the global financial crisis, remittance inflows to Nigeria have remained resilient. On the other hand, remittance outflows from Nigeria have been consistently low over the 11-year period, rising from less than US\$ 1 million in 2000 to around US\$ 21 million in 2004, and trebling to US\$ 68 million in 2005; its highest in the period. Remittance outflow then fell to US\$ 10 million in 2007 and since then has ranged between US\$ 47 million and US\$ 58 million between 2007 to 2010.

Figure 3: Trend of remittance inflow and outflow for Nigeria, 2000–2011

Source: Author's computation with data from the World Bank

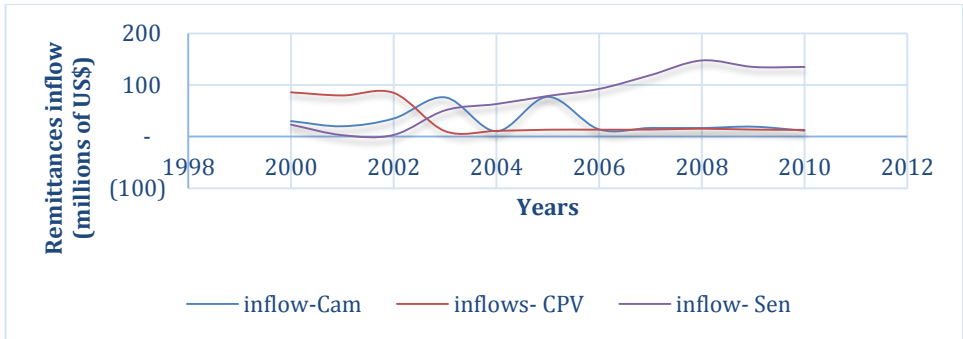
Figure 4 shows the trend of remittance inflows and outflows for Senegal from 2000 to 2010. It can be seen that the inflow of remittances into Senegal has steadily risen. It rose from around US\$ 3 million in 2001 to US\$ 148 million in 2008, its all-time high for the period. However, the global financial crisis in 2009 had an effect on the inflow of remittances, causing it to fall to US\$ 135 million in 2009. It maintained this value in 2010 after the crisis. The resilience of remittance inflows into Senegal can be attributed to the constant inflows of money from migrants. It has been estimated that most remittance-receiving households receive between US\$ 290 and US\$300 per month from abroad (see Orozco et al., 2010).

On the other hand, remittance outflows from Senegal were inconsistent over the period, rising and falling in various years. Outflow rose from US\$ 55 million in 2000 to US\$ 98 million in 2005, its highest value for the period. It then fell to less than US\$ 10 million in 2006, rose to US\$ 14 million in 2007 through to 2008 and then continued its rise to US\$ 17 million in 2009 and 2010 respectively.

Figure 4: Trend of inflow and outflow for Senegal, 2000–2010

Source: Author's computation with data from the World Bank

Figure 5 compares the remittance inflows of Cameroon, Cape Verde and Senegal. It can be observed that while remittance inflows into Senegal from 2000 to 2010 rose steadily, remittance inflows into Cape Verde dropped steadily from 2003. On the other hand, remittance inflows to Cameroon for that same period were inconsistent, rising in 2003 and falling the following year, only to rise again in 2005 and fall again in 2006.

Figure 5: Trend of remittance inflow to Cameroon, Cape Verde and Senegal

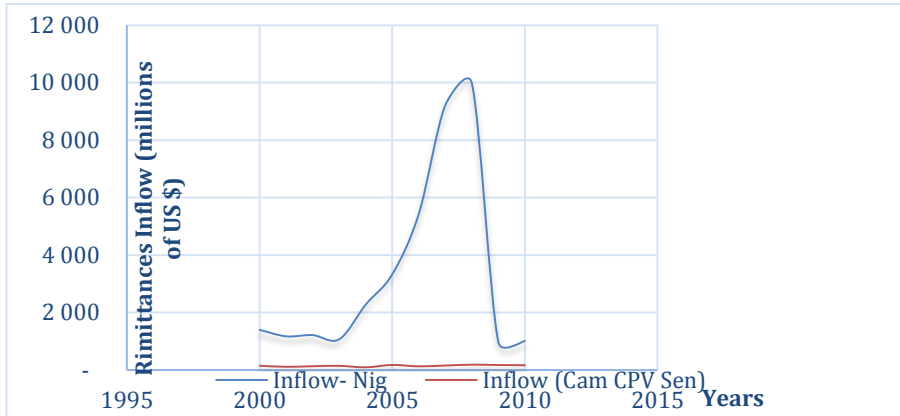
Source: Author's computation with data from the World Bank

Figure 6 shows the trend of remittance inflows to Nigeria in comparison with Cameroon, Cape Verde and Senegal combined. It can be observed that whereas the level of combined remittances for the three countries (Cameroon, Cape Verde and Senegal) was steady from 2000 to 2010, that of Nigeria also rose steadily from 2000 to 2009 when it fell from US\$ 9,980 million in 2008 to US\$ 958 million in 2009. It then picked up pace in 2010 rising to US\$ 1,005 million. The sharp fall in Nigeria's inflow in 2009 can be attributed to the global financial crisis. Although the crisis did affect the combined inflows of the other three countries, its impact on their economies was minimal in comparison to that of Nigeria.

Figure 6 shows the trend of remittance inflows to Nigeria in comparison with Cameroon, Cape Verde and Senegal combined. It can be observed that whereas the level of combined remittances for the three countries (Cameroon, Cape Verde and Senegal) was steady from 2000 to 2010, that of Nigeria also rose steadily from 2000 to 2009 when it fell from US\$ 9,980 million in 2008 to US\$ 958 million in 2009. It then picked up pace in 2010 rising to US\$ 1,005 million. The sharp fall in Nigeria's inflow in 2009 can be attributed to the global financial crisis. Although the crisis did affect the combined inflows of the other three countries, its impact on their economies was minimal in comparison to that of Nigeria.

Figure 6: Trend of remittance inflow of Nigeria in comparison with Cameroon

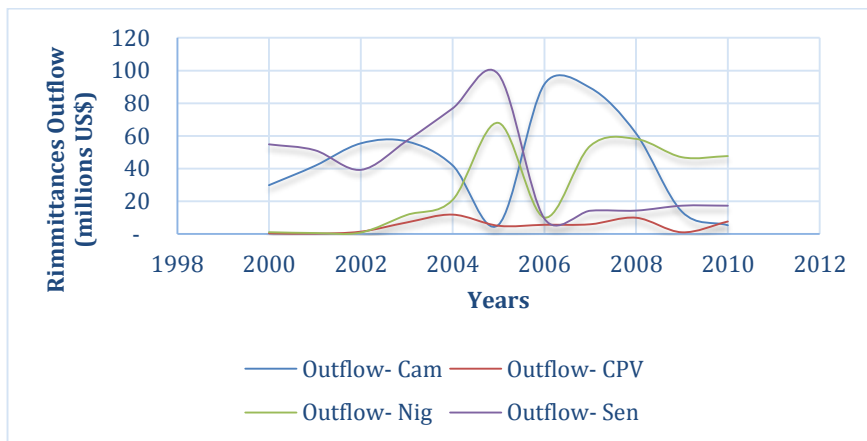
Cape Verde and Senegal combined



Source: Author's computation with data from the World Bank

Figure 7 shows the trend of remittance outflows for Cameroon, Cape Verde, Nigeria and Senegal. It can be observed that remittance outflows for Cape Verde were consistently low for the 11-year period. On the other hand, for Senegal, remittance outflows consistently rose from 2000 to 2004, and then steadily decreased from 2004 to 2010. Remittance outflows for Cameroon and Nigeria were inconsistent for the 11-year period.

Figure 7: Trend of remittance outflow of Cameroon, Cape Verde, Nigeria and Senegal



Source: Author's computation with data from the World Bank

Table 1 shows the differences between remittance inflows and remittance outflows for Cameroon, Cape Verde, Nigeria and Senegal for the 11-year period (2000–2010). It can be observed that remittance outflows from Cameroon exceeded remittance inflows into the country. In most years (2001, 2002, 2004, 2006, 2007 and 2008 respectively), the country recorded negative values as the difference between inflows and outflows of remittances was computed. This means that, during those years, remittance outflows from Cameroon exceeded inflows into the country. It should be noted, however, that since 2009 Cameroon has recorded positive values meaning that, since 2009–2010, the inflows of remittances have increased while outflows have fallen.

From Table 1 it can be observed that remittance inflows into Cape Verde exceed remittance outflows although this value is continuously falling. Cape Verde recorded positive values for the 11-year period, except in 2004 when it recorded a negative value (that is, in 2004, remittance outflows exceeded remittance inflows). It should be noted that although remittance inflows have always exceeded outflows, the figure has been positive but at a decreasing rate for the period. This means that the value of inflows is consistently falling

although not falling to the extent that it is exceeded by outflows. This finding can be attributed to the huge disassociation between Cape Verdeans back at home and the second-generation emigrants in the host countries of migrants, which serves as a disincentive for them to send remittances (see Carling, 2002).

From Table 1 it can be observed that Nigeria always recorded positive values in the difference between remittance inflows and outflows for the 11-year period. This means that the value of remittance inflows always exceeded remittance outflows. The differences in outflows and inflows were positive and rose consistently from 2000 to 2008. However in 2009, inflows dropped due to the global financial crisis. Despite this sharp drop in 2009, the inflow of remittances was still sufficient to exceed outflow for that same period and hence Nigeria recorded a positive figure.

From Table 1 it can be observed that Senegal has recorded both negative and positive values as the difference between remittance inflows and outflows for the 11-year period. The difference between inflows and outflows from 2000 to 2005 was negative. This means that the amount of remittance outflows from Senegal was higher than remittance inflows. However, from 2006 to 2010, the differences between inflows and outflows were positive. That is, from 2006 to 2010, the amount of remittance inflows into Senegal increased whereas the remittance outflows decreased, enabling the country to gain positive returns.

From Table 1 it can be observed that, among the four countries, Cameroon benefitted the least from remittances. For the 11-year period its outflows exceeded inflows in six different years (2001, 2002, 2004, 2005, 2007, and 2008). On the other hand, Nigeria benefitted the most within the period, consistently receiving more remittance inflow than outflow, thereby enabling it to record only positive values. Cape Verde benefitted from remittance inflows during this period too, albeit at a decreasing rate. This means that, although Cape Verde recorded positive returns year after year, the amount of remittances entering the country kept on decreasing. This could be a cause of concern for the economy since it is heavily dependent on remittances (see; Carling 2002; Pop, 2011). Lastly, Senegal was able to turn around the trend of outflows exceeding inflows from 2006, with a steady rise in remittance inflows and a corresponding decrease in outflows. This enabled the country to gain positive returns from 2006 to 2010.

Table 1: Differences between remittance inflows and outflows from 2000 to 2010 for Cameroon, Cape Verde, Nigeria and Senegal

Year	Inflow Cam	Outflow Cam	Diff Cam	Inflow CPV	Outflow CPV	Diff CPV	Inflow Nig	Outflow Nig	Diff Nig	Inflow Sen	Outflow Sen	Diff Sen
2000	30	30	0	86	0	86	1,392	1	1,391	23	55	(32)
2001	20	42	(22)	80	0	80	1,167	1	1,166	3	51	(48)
2002	35	56	(21)	85	2	84	1,209	1	1,208	3	39	(36)
2003	76	57	19	11	7	4	1,063	12	1,051	51	57	(6)
2004	10	42	(32)	11	12	(1)	2,273	21	2,252	63	77	(14)
2005	77	6	71	14	5	9	3,329	68	3,261	79	98	(19)
2006	14	92	(78)	14	6	8	5,435	10	5,425	93	10	83
2007	17	90	(73)	14	6	8	9,221	54	9,167	119	14	105
2008	17	62	(45)	16	10	6	9,980	58	9,922	148	14	133
2009	19	14	6	14	1	13	958	47	911	135	17	118
2010	11	5	6	13	8	6	1,005	48	957	135	17	118

The descriptive statistics of the variables used in the regression analysis are presented in Table 2

Table 2: Descriptive statistics of variables used in the regression analysis

	Mean	Standard Deviation	Minimum	Maximum
Inflow of Cameroon*	29.64545	24.32071	10.3	77
Inflow of Cape Verde*	32.41818	32.97013	10.8	86
Inflow of Nigeria*	3366.391	3370.011	958.4	9980
Inflow of Senegal*	77.44545	53.26271	3	147.6

GDP of Cameroon**	16.77236	5.485961	9.287368	23.62248
GDP of Cape Verde**	1.110979	0.4795174	0.539227	1.789333
GDP of Nigeria**	134.1709	95.67969	44.13801	369.0624
GDP of Senegal**	8.566893	2.968586	4.679605	12.93243

*millions of US \$; **billions of current US\$

The result of regression between GDP and remittance inflow from 2000 to 2010 is presented in Table 3 (see appendix for the regression of individual countries). Remittance inflow in Senegal has a positive relationship with the country's GDP and is significant at 1%. The coefficient of determination (i.e. R-square) is 0.9105 which implies that 91% of the changes in the GDP in this model are explained by the remittance inflow. Thus, the coefficient of Senegal's inflow implies that a dollar increase in remittance inflows to the country increases the GDP by 0.05 US dollars, all other things held constant. This result is consistent with the findings of Orozco, Burgess and Massardier (2010) and UN-INSTRAW and UNDP (2010) whose research reveals that most households receive remittances on a monthly basis. Further, various researches (see Orozco et al., 2010; Randazzo & Piracha, 2014) have revealed that remittances do not necessarily change the household consumption of Senegalese who receive them but rather those who are privileged to receive them spend the money on education and investments. There has also been engagement of migrant associations in philanthropic activities in Senegal. These wide arrays of productive purposes for which remittance inflows are used can to a large extent explain the significant relationship between remittance inflows and GDP in Senegal. This result is also consistent with the new economics of labour migration (NELM) which argues that the inflow of remittances in and of itself does not enhance or inhibit development but will be dependent on what recipients do with the money in home countries (De Haas, 2007; 2010).

The coefficient of Nigeria's inflow is positive but not significant. This means that as the inflow of remittances increases the GDP of Nigeria also increases but there is no clear link between the two. Increases in remittance inflows do not play a significant role in the rise in Nigeria's GDP over the period. This can be explained by the large differences between the values of GDP and remittance inflows. Despite that fact that remittance inflow to Nigeria is the second largest source of foreign exchange after oil exports (see Orozco & Mills, 2007), the lack of a direct relationship between remittance inflows and GDP in

Nigeria can be explained by the increase in exports over the same period (see Ukeje & Obiechina, 2013). This result is also consistent with the developmentalist theory which argues that labour migration is a core part of modernization and that the effects of migration on development can be seen through the inflow of capital (remittances) which could help increase productivity and incomes (Massey et al., 1998). Thus, although this theory argues that capital inflows do indeed increase incomes, as in the case of Nigeria, it does not show us the ways in which these incomes can be used to increase productivity (that is, perhaps despite the increase in the flow of remittances to Nigeria, it does not have any significant relationship with its GDP).

The coefficient of Cape Verde's remittance inflow is significant at 1% but has a negative relationship with the GDP. This means that as remittance inflow to Cape Verde increases there is a corresponding decrease in its GDP. One possible explanation of this is that when remittances flow into the country they are either used for unproductive purposes or for activities that cannot be captured in the GDP. This finding can be explained with the decreasing role remittances play in the Cape Verdean economy now as compared with earlier years, in the 1960s (see Ronci et al., 2008; Akesson, 2010; Watkins, 2010). Further, research has also revealed that the inflow of remittance into Cape Verde is usually used to supplement household incomes, instead of being used for productive purposes, due to the increase in the cost of living (see Akesson, 2010). These explanations are rooted in the dependency/structuralist theory which argues that remittances make receiving countries and recipients dependent on senders and sending countries (Binford, 2003). This theory holds that migration drains the human capacities of communities and leads to development that is passive as well as making these communities remittance dependent (De Haas, 2007). This is evidenced in the present analysis where, despite increases in remittance inflows, their relationship with GDP is negative. This is because in Cape Verde recipients do not use the money they receive from remittances for productive purposes but rather they use it as a way of supplementing their incomes for consumption purposes.

The coefficient of Cameroon's remittance inflow is not significant. There is no clear relationship between remittance inflows and GDP. This can be explained by the decreasing amount of remittance inflows into Cameroon as well as the slow pace with which its GDP has been increasing over the years. One possible explanation for the decline in the amount of remittance inflows into Cameroon

is the lack of banking infrastructure and the belief that money sent back home is usually used by relatives for unproductive purposes and for indulging in luxurious lifestyles (Ngome & Mpako, 2009). This tends to discourage migrants from sending money back to Cameroon.

Table 3: Regression results

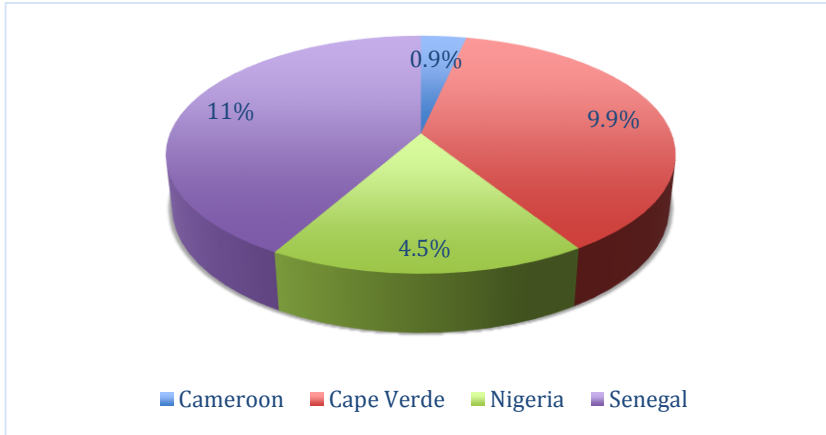
Dependent Variable: Gross Domestic Product (GDP), 2000–2010					
Independent Variable: Remittances (Inflow), 2000–2010					
	Coefficient	Std. Error	t-value	P > t	R-Square
Cameroon	-0.0754467	0.0438481	-1.72	0.119	0.1119
Cape Verde	-0.010141	0.0021835	-4.64	0.001	0.4862
Nigeria	0.0070372	0.0067744	1.04	0.326	0.0614
Senegal	0.0531813	0.0061664	8.62	0.000***	0.9105

*** Significant at 1%

Figure 8 shows the remittance inflows as a percentage of GDP in 2010 for Cameroon, Cape Verde, Nigeria and Senegal. This year was chosen because remittances are said to be counter-cyclical (see UNESCAP, 2007), tending to increase during times of crisis. Thus, this figure displays the contribution of remittance inflows to GDP in 2010, one year after the global financial crisis. In 2010, the GDP of Cameroon was US\$ 23.7 billion and remittances made up 0.9% of this figure. This reinforces the analysis above, that there is virtually no relationship between remittance inflows and GDP in Cameroon. The GDP of Cape Verde was US\$ 1.7 billion and remittances formed 9.9% of this amount. Although this is significant, studies by other researchers (see International Monetary Fund, 2008; Ronci et al., 2008; Akesson, 2010) have revealed that remittance inflows as a percentage of GDP have steadily declined over the years, falling from around 25% in the 1970s to barely 9% in the 2000s. The GDP of Nigeria was US\$ 369.1 billion and remittances formed 4.5% of this value. This percentage is relatively low considering Nigeria ranks first as the recipient of the greatest amount of remittances in sub-Saharan Africa (see Orozco, 2003; Ukeje & Obiechina, 2013). Lastly, the GDP of Senegal was US\$ 13 billion and remittances formed 11% of this amount. This supports the literature that remittances to Senegal are usually used for productive purposes

(see Orozco et al., 2010; Randazzo & Piracha, 2014). It can therefore be concluded that the percentage of remittance inflows contributed the most to GDP in Senegal (11%) and remittance inflow as a share of GDP in 2010 was the lowest in Cameroon (0.9%).

Figure 8: Remittance inflows as a percentage of GDP in 2010*



*Calculations based on the GDP for each of the four countries as at 2010 and not as a percentage of their combined GDP

Source: Author's computation with data from the World Bank

Conclusion

This paper, using data sets from the World Bank, critically evaluated the impact of remittances on economic growth in Cameroon, Cape Verde, Nigeria and Senegal. It used the developmentalist, dependency and pluralist views as the framework within which the analysis was conducted. Using linear regression, analysis was made to ascertain the relationship between remittance inflows and GDP. The analysis reveals that there is a positive relationship between remittance inflows and GDP in Senegal and Nigeria. However, the relationship between remittance inflows and GDP was negative for both Cameroon and Cape Verde. This study also provided evidence that it is not enough for remittances to increase within a country without them being used for productive activities as, without such practices, remittance inflows cannot contribute to development within receiving countries.

Recommendations

Focusing on the findings of this study, the following recommendations are made to improve the impact of remittances on economic growth in Cameroon, Cape Verde, Nigeria and Senegal. First, remittance inflows need to be invested in productive sectors. This is because without such investments the inflows cannot play any significant role in the economy. Second, governments will have to expand the financial sector and make the process of transfer of remittances to home countries much easier and less expensive. This will enable the economy to capture remittance inflows that come in through informal channels which are usually difficult to capture officially. Lastly, countries will have to regulate their remittance outflows. This is essential for Cameroon and Cape Verde. For Cameroon, there have been periods when remittance outflows far exceeded remittance inflows and this does not augur well for economic growth. Cape Verde on the other hand has seen its remittance inflows steadily falling for the period. Although the fall in inflows has not yet exceeded outflows, should this trend continue, it could lead to a situation where the country will be experiencing negative returns which will not be good for economic growth. Hence, the government will have to implement policies that will encourage migrants and recipients to invest remittances in productive sectors.

References

- Akesson, L. 2010. Cape Verdean notions of migrant remittances (pdf). *Cadernos de Estudos Africanos*:140-159. From <<http://cea.revues.org/pdf/168>> [Retrieved 4 June 2015].
- Atekmangoh, C. 2011. *Expectations Abound: Family Obligations and Remittance Flow amongst Cameroonian "Bushfallers" in Sweden. A Gender Insight*. Masters' thesis. Sweden: Lund University.
- Binford, L. 2003. Migrant remittances and (under) development in Mexico. *Critique of Anthropology*, 23(3): 305-336.
- [Carling, J. 2002. Cape Verde: Towards the end of emigration \(online\). From <http://www.migrationpolicy.org/article/cape-verde-towards-end-emigration>](http://www.migrationpolicy.org/article/cape-verde-towards-end-emigration) [Retrieved 4 June 2015].

Cisse, F. 2011. Senegal. In: Mohapatra, S & Ratha, D (Eds.). *Remittances and the Markets*. Washington D.C.: World Bank.

Coetzee, J.K., Graaf, J., Hendricks, F. and Wood, G. (Eds.). 2001. *Development: Theory, Policy and Practice*. Cape Town: Oxford University Press.

De Haan, A. 2000. Migrants, livelihood and rights: The relevance of migration in development policies. Social Development Working Paper No. 4. London: Department for International Development. From <http://62.189.42.51/DFIDstage/Pubs/files/sdd_migwp4.pdf> [Retrieved on 10 May 2015].

De Haas, H. 2007. Remittances, migration and social development: A conceptual review of the literature. Programme on Social Policy and Development, Paper No. 34. Geneva: UNRISD.

De Haas, H. 2010. Migration and development: A theoretical perspective. *International Migration Review*, 44(1): 227-264. From <<http://onlinelibrary.wiley.com/doi/10.1111/j.1747-7379.2009.00804.x/epdf>> [Retrieved 10 May 2015]. Department for Economic and Social Affairs, 2013. *International Migration Report 2013*. (pdf). New York: United Nations. From <http://www.un.org/en/development/desa/population/publications/pdf/migration/migrationreport2013/Full_Document_final.pdf > [Retrieved 10 May 2015].

Fajnzylber, P. and Lopez, J.H. 2007. *Close to Home: The Development Impact of Remittances in Latin America*. Washington D.C.: The World Bank.

Imai, K., Gaiha, R., Ali, A., and Kaicker, N. 2012. Remittances, growth and poverty: New evidence from Asian countries. (pdf) From <<http://www.ifad.org/operations/projects/regions/pi/paper/15.pdf>> [Retrieved 10 May 2015].

Maimbo, S. and Ratha, D. (Eds.). 2005. *Remittances: Development Impact and Future Prospects*. Washington, D.C.: World Bank.

Massey, S., Arango, J., Hugo, G., Kouaouci, A., Pellegrino, A., and Edward, T. 1998. *Worlds in Motion: Understanding International Migration at the End of the Millennium*. Oxford: Clarendon Press.

Neuman, L.W. 2000. *Social Research Methods: Qualitative and Quantitative Approaches*. 4th edn. Needham Heights, MA: Pearson Education.

Ngome, I. and Mpaka, J. 2009. Cameroon: In-flow of remittances (online). From <<http://www.africafiles.org/article.asp?ID=21792>> [Retrieved 4 June 2015].

Nyamwange, M. 2013. Contributions of remittances to Africa's development: A case study of Kenya. *Middlestates Geographer*, 42: 12-18.

Oluwafemi, A. and Ayandibu, A. 2014. Impact of remittances on development in Nigeria: Challenges and prospects. *Journal of Sociology and Anthropology*, 5(3): 311-318.

Orozco, M. 2003. Remittances, markets and development in *Inter-American Dialogue*. Research Series. Washington, D.C.

Orozco, M., Burgess, E. and Massardier, C. 2010. Remittance transfers in Senegal: Preliminary findings, lessons, and recommendations on its marketplace and financial access opportunities. International Migration Paper No. 109, Geneva: International Labour Office. From <http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_177453.pdf> [Retrieved 10 May, 2015]

[Orozco, M. and Mills, B. 2007. Remittances, opportunities and fair financial access opportunities in Nigeria From http://www.thedialogue.org/PublicationFiles/NigeriaAMAP%20FSKG%20%20Nigeria%20Remittances-%20FINAL.pdf](http://www.thedialogue.org/PublicationFiles/NigeriaAMAP%20FSKG%20%20Nigeria%20Remittances-%20FINAL.pdf) [Retrieved 4 June 2015]

Pop, G. 2011. Cape Verde. In Mohapatra, S & Ratha, D (eds) *Remittances and the Markets*. Washington D.C.: World Bank.

[Randazzo, T. and Pirancha, M. 2014. Remittances and household expenditure behavior in Senegal \(pdf\). Discussion Paper IZA No. 8106. From http://ftp.iza.org/dp8106.pdf](http://ftp.iza.org/dp8106.pdf) [Retrieved 4 June 2015].

Ronci, M., Castro, E. and Shanghavi, A. 2008. Cape Verde (pdf). *IMF Country Report*. From <<https://www.imf.org/external/pubs/ft/scr/2008/cr08243.pdf>> [Retrieved 4 June 2015].

Siddique, A. (2010). Remittances and economic growth: Empirical evidence from Bangladesh, India and Sri Lanka. Discussion Paper (pdf) From <http://www.science.uwa.edu.au/_data/assets/rtf_file/0010/1371952/10-27-Remittances-and-Economic-Growth.rtf> [Retrieved on 10 May 2015].

So, A. 1990. *Social Change and Development*. London: Sage Publications.

Taylor, J. and Wyatt, T. 1996. The shadow value of migrant remittances, income and inequality in a household-farm economy. *Journal of Development Studies*. 32(6): 899-912.

[Tolentino, N.C. and Peixoto, J., 2011. *Migration, Remittances and Development in Africa. The Case of Lusophone countries. Background Note*. International Organization for Migration/ACP Observatory on Migration \(pdf\). From \[www.acpmigration-obs.org/sites/default/files/EN-BN03PALOP.pdf\]\(http://www.acpmigration-obs.org/sites/default/files/EN-BN03PALOP.pdf\) \[Retrieved 11 May 2015\].](#)

[Ukeje, E.U. and Obiechina, M.E. 2013. *Workers' remittances – economic growth nexus: Evidence from Nigeria using error correlation methodology*. *International Journal of Humanities and Social Science*. 3\(7\): 212-227 \(pdf\) From \[http://www.ijhssnet.com/journals/Vol 3 No 7 April 2013/24.pdf\]\(http://www.ijhssnet.com/journals/Vol%203%20No%207%20April%202013/24.pdf\) \[Retrieved 4 June 2015\].](#)

UNECA, 2013. Diaspora remittances and other financial flows in Africa (pdf). From http://www.uneca.org/sites/default/files/uploaded-documents/AEC/2013/aec_sent_29_july_2013.pdf [Retrieved 10 May 2015]

United Nations Economic and Social Commission for Asia and the Pacific, 2007. Workers' remittances, economic growth and poverty in developing Asia and the Pacific countries. Working Paper 07/01. Bangkok: United Nations Economic and Social Commission for Asia and the Pacific.

[UN-INSTRAW and UNDP. 2010. *Migration, Remittances and Gender. Responsive Development – Case Studies: Albania, the Dominican Republic, Lesotho, Morocco, the Philippines, and Senegal* \(pdf\). From <http://www.unwomen.org/~media/headquarters/attachments/sections/library/publications/2010/casestudy-executivesummary-migration-remittances-genderresponsivedevelopmemt-en.pdf> \[Retrieved 4 June 2015\].](#)

Watkins, C. 2010. *Beyond remittances: Sustainable diaspora contributions and development in Cape Verde, West Africa*. Masters' thesis. USA: Cornell University. Available at: http://www.mdc.gov.cv/index.php/documentos/doc_download/9-tese-calliewatkins-beyond-remittances-sustainable-diasporacontributions-and-development-in-capeverde [Retrieved 4 June 2015]

World Bank. 2014a. *Migration and Development Brief. Issue 23*. Washington D.C.: World Bank.

World Bank. 2014b. *Migration and Development Brief Issue 22*. Washington D.C.: World Bank.

Failed Asylum Seekers in South Africa: Policy and Practice

Corey Johnson*

Abstract

The return of failed asylum seekers has become an issue of concern for asylum states who must balance immigration control measures while upholding refugee protection obligations. The 1994 transition to democracy in South Africa saw the state establish a strong urban refugee protection framework based on individualised refugee status determination processes, freedom of movement, and local integration. The refugee protection framework, although strong on paper, has suffered from a lack of implementation and has coexisted uneasily next to immigration control imperatives. This tension is further exacerbated by the post-1994 immigration regime which promotes a restrictive immigration policy with few options for low-skilled migrants who have turned to the asylum system as a means by which to legalise their stay, thus stretching capacity and conflating immigration control and refugee protection. This article provides a general overview of these issues, as well as an analysis of South Africa's policies to address failed asylum seekers. In doing so it explores the tension between formal human rights protections found in legislation and underlying immigration enforcement imperatives. The article finds that the conditions for an effective failed asylum seeker policy are not present and concludes with a discussion of some of the issues that need to be addressed to implement a more effective and rights-based policy.

Keywords: deportation, detention, forced return, irregular migration, non-refoulement

Introduction

South Africa's historical transition to democracy set forth a new dispensation based on equality and human rights. Prior to 1994, the country was not a party to any international human rights instruments, including the 1951 Convention relating to the status of refugees and its 1967 Protocol (hereinafter the '1951 Convention'), and, as such, refugees with international protection needs in the

* Advocacy Officer at the Scalabrini Centre of Cape Town, 47 Commercial Street, Cape Town, South Africa, 8001 corey@scalabrini.org.za

country were treated as illegal aliens subject to deportation without consideration of the potential consequences of return. After the democratic transition, the state signed and ratified the 1951 Convention, the Organisation of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (hereinafter the 'OAU Convention'), as well as a host of international human rights instruments, such as the International Covenant on Civil and Political Rights (ICCPR), many provisions of which were incorporated into the Constitution in the Bill of Rights. Importantly, most of the Bill of Rights' provisions apply to all people in South Africa regardless of nationality or legal status. A review of migration policy and legislation was undertaken shortly thereafter, resulting in the Refugees Act (No. 130) 1998 and its accompanying Regulations, which entered into force in 2000 (hereinafter the 'Refugees Act').

The Refugees Act, as administered by the Department of Home Affairs (DHA), establishes an individualised refugee status determination (RSD) system that features the right to freedom of movement, the right to work, and local integration as opposed to refugee camp settings commonly found throughout the African continent. Under this system, individuals lodge applications at designated Refugee Reception Offices (RRO) and receive documentation to legalise their sojourn while they await final adjudication of their claim. During this process, asylum seekers and refugees are guaranteed just administrative action under the the Promotion of Administrative Justice Act (PAJA) (No. 3, 2000) which gives effect to Section 33 of the Constitution. Discussing the system in 2007, the High Commissioner of the United Nations High Commissioner for Refugees (UNHCR), Antonio Guterres, described it as 'one of the most advanced and progressive systems of protection in the world today' (UNHCR, 2007). According to the act, asylum seekers and refugees are protected from deportation and generally detention should be employed only as a matter of last resort. Officials must exercise their discretion in regards to possible detention '*in favorem libertatis*', or in favour of liberty, and officials are not obligated to detain an illegal foreigner.

Despite the strong legal framework, refugee protection has existed uneasily next to the country's immigration regime and its focus on immigration control, particularly the control of undocumented migrants. The Immigration Act (No. 11) 2002 and its accompanying Regulations (hereinafter the 'Immigration Act') establishes a restrictive immigration regime that facilitates immigration for highly skilled immigrants but offers few options for low-skilled workers. The lack of legal options under the Immigration Act has led many migrants to

lodge asylum claims to temporarily and imperfectly legalise their sojourn. This strategy has resulted in large numbers of asylum applications, many without legitimate claims, and stretched the capacity of DHA to effectively administer the asylum system. It has also led to many state officials taking a sceptical view of asylum seekers and refugees as illegitimate and in practice many asylum seekers and refugees have difficulty realising their rights as guaranteed under the legal framework.

While refugee law and immigration law are separate regimes, they do overlap at certain points. One of the most critical junctures is where an asylum seeker receives a final rejection of their asylum claim and becomes termed a 'failed asylum seeker', transitioning from the refugee to immigration system.¹³ UNHCR and the International Organization for Migration (IOM) define failed asylum seekers as 'people who, after due consideration of their claims to asylum in fair procedures, are found not to qualify for refugee status, nor be in need of international protection [and thus] are not authorized to stay in the country concerned' (UNHCR/IOM, 1997). In South Africa, the state has struggled to implement effective failed asylum seeker policies in the context of high numbers of asylum seekers, many without legitimate protection claims, and a lack of capacity within DHA to administer both the refugee and immigration systems.

This article will assess South Africa's experience in attempting to implement policy to address failed asylum seekers and explore the tension between the state's emphasis on immigration control against the human rights protections found in the formal legal framework. As effective policies are predicated on fair, efficient and timely refugee status determination processes, this article will begin by analysing the state of the asylum system and deportation regime. It then considers the state's two failed asylum seeker return policies, one involving voluntary return with minimal state oversight and the other regarding the state's more recent attempt to implement a more stringent detention and deportation policy upon receipt of a final rejection of their asylum claim. The article finds that the state's primary focus is on the removal of failed asylum seekers regardless of alternative legal options and human rights obligations. Somewhat paradoxically, it also finds that the

¹³ The terms 'rejected' and 'unsuccessful' asylum seeker are also commonly used. This paper will use the term 'failed asylum seeker' as this is the common term used in South Africa.

implementation of both of these policies are driven by a lack of capacity within the immigration enforcement regime.

Methodology

In assessing South Africa's failed asylum seeker policy, this article first provides a brief overview of international legal principles and norms for the return of failed asylum seekers. It then analyses the development and implementation of South Africa's urban refugee framework and parallel immigration framework, before turning to the state's two primary failed asylum seeker return policies. The article relies heavily on primary information supplied by DHA in the Western Cape High Court case *Tshianda and Others v Minister of Home Affairs and Others* (2011) (hereinafter the 'Tshianda matter'), which details DHA's attempt to implement a stringent removal policy for failed asylum seekers through detention and deportation upon receipt of a final rejection at RROs. This information includes founding, responding and supplementary affidavits, a Standard Operating Procedure (SOP) developed by DHA for processing failed asylum seekers, and transcripts from immigration hearings at the Cape Town Magistrates Court in which DHA immigration officials testified under oath regarding the implementation of the SOP. At the time of writing, the Tshianda matter has not been finalised and the legality of the SOP has not been determined. However, despite the legal uncertainty, the case provides an insight into DHA policy considerations and implementation in regards to failed asylum seekers.

The analysis is supplemented by the author's experience with the Advocacy Programme at the Scalabrini Centre of Cape Town, a non-governmental organisation (NGO) that provides assistance to migrants with accessing documentation and government services and functions on a walk-in basis. A significant portion of this work includes assisting with access to the asylum system. This has provided the author with the opportunity for interactions with failed asylum seekers as well with DHA officials within the asylum and immigration systems.

International Legal Principles, Norms and Considerations for Effective Return Practices

The right of a state to remove individuals from its territory is fundamental to liberal democracies and remains a central feature of the state (Arendt, 1958, p. 279; Torpey, 1997). However, the right to deport is not absolute and is limited by international human rights law and regulated by domestic judicial

systems that require that state actions adhere to recognised norms and standards. UNHCR (2001) has stated generally that ‘return procedures should be undertaken in a humane manner, in full respect for human rights and dignity and, that force, should it be necessary, be proportional and undertaken in a manner consistent with human rights law.’

The first consideration is the principle of *non-refoulement*, the cornerstone of international refugee law which safeguards individuals against being returned to a country where they have reason to fear persecution or harm as stated in Article 31 of the 1951 Convention. This principle represents the international community’s commitment to ‘ensure all persons the enjoyment of human rights, including the rights to life, to freedom from torture or cruel, inhuman or degrading treatment or punishment, and to liberty and security of person. These and other rights are threatened when a refugee is returned to persecution or danger’ (UNHCR, 1997). An efficient return policy that maintains the principle of *non-refoulement* is ‘predicated on the existence of a fair, efficient, and timely process of refugee determination’ as well as the notion that ‘a determination system that lacks some or all of the qualities of fairness, efficiency, timeliness and transparency exacerbates the difficulties often associated with removals.’ The longer an individual asylum seeker stays in the country of asylum, the more difficult the removal will be if the claim is rejected (Gibson, 2007, pp. 1-3).

Asylum states have preferred to implement voluntary return measures for failed asylum seekers due, in part, to the social, political and monetary costs of detention and deportation practices. However, even if voluntary return is preferred, the credible threat of forced return remains a useful tool to reinforce and promote voluntary return processes (Noll, 1999b, p. 269). Return is not the only option available to the state and, in some cases, failed asylum seekers may be eligible for an alternative legal status based on family unity or, in some jurisdictions, temporary protection measures.

The use of force in detention and deportation procedures is regulated by the ICCPR, the main international instrument that regulates the deprivation of liberty in any form. Articles 7, 9(1), and 10(1) set out the basic framework for the use of detention and deportation for returns. In general, the legality of forced return measures depends on the ‘nature, purpose and severity of the treatment applied’ and there is no blanket list of prohibited actions or procedures (UN Human Rights Committee, 1994, para. 4). The use of force in return processes must conform to these standards and be proportionate to the

goal of returning the individual to their country of origin. Although there is evidence to support the presumption that rejected asylum seekers are more likely to abscond and avoid forced return, the mere fact that an individual receives a final rejection cannot be automatically equated with a high rate of absconding and does not automatically justify detention (Noll, 1999a, p. 28).

Detention and deportation may be inapplicable to particular vulnerable groups of failed asylum seekers who invoke more specific responsibilities under the international human rights framework. Individuals with mental or physical illness may not be eligible for forced return measures if these measures might negatively affect the individual's health or, at the extreme, their right to life. For individuals with these circumstances, forced return must be assessed against norms that prohibit cruel, inhuman or degrading treatment (Noll, 1999a, p. 30).

The optimal practice for implementing an effective return policy involves the provision of information to asylum seekers about the possibility of return during the asylum process, well before a final rejection is issued. This ensures that individuals are aware of the possibility of return and, more importantly, understand the asylum process. The provision of information for asylum seekers involves minimal expenditure and will offer ancillary benefits such as increased knowledge about the asylum process that may steer migrants not in need of protection to other immigration streams and lessen the administrative burden. Counselling services may also be provided during the asylum process which may constitute another means by which to offer information on the asylum process and conditions in the country of origin (Noll, 1999b, p. 271-272). UNHCR (2001) notes that NGOs have an important contribution to make in this regard, helping failed asylum seekers retain or regain their self-esteem and self-respect, as well as provide assistance with skills-development to take home.

While voluntary mechanisms are preferred, the exact definition of 'voluntary' is debatable and states often employ measures that might involve elements of coercion, such as the threat of force or the provision of inducements and incentives in voluntary return schemes (Black and Gent, 2006; Weber, 2011). In practice, any return mechanism will involve a mix of incentives and threats to ensure compliance. To make certain that an efficient return can be enacted if necessary, returning states should engage in activities directed at ensuring cooperation with countries of origin (such as bilateral return agreements or

documentation arrangements), and, if necessary, activities securing the cooperation of third states (Noll, 1999b, p. 269).

Operating outside of the governmental removal process are Assisted Voluntary Return (AVR) programmes as operated by IOM, defined as ‘the administrative, logistical, financial and reintegration support to rejected asylum seekers, victims of trafficking in human beings, stranded migrants, qualified nationals and other migrants unable or unwilling to remain in the host country who volunteer to return to their countries of origin’ (IOM 2011, p. 15). AVR programmes can thus assist those willing to return (only individuals who voluntarily opt for the programme can be considered) but unable to do so without financial and logistical support. For highly vulnerable migrants, AVR programmes provide assistance at all points of the return process.

The South African Urban Refugee Framework and Immigration Control

The development of the post-1994 migration regime began in 1996 with a comprehensive consultative process resulting in a Draft Green Paper on international migration drafted by civil society members, government representatives and international refugee legal scholars (Draft Green Paper, 1997). The Draft Green Paper proposed a rights-based migration framework (containing a refugee-specific chapter), a collectivised approach to burden-sharing in the region, as well as an inclusive approach to regional migration that would address irregular immigration through increased means for legal participation in the economy. In terms of failed asylum seekers, the importance of effective policy was recognised and it was noted that a ‘firm commitment to expeditiously deport rejected asylum seekers who have exhausted their appeal rights is moreover essential to the credibility of the refugee protection system’ (Draft Green Paper, 1997, para 4.4.2).

The resulting draft legislation that culminated in the Refugees Act largely avoided many of the Draft Green Paper’s recommendations. Barutciski (1998, p.703, 722) noted that the draft bill originated ‘essentially from internal drafting attempts that emphasize a bureaucratic approach to refugee protection [that] does not fully comply with international law’ and ‘proposes to establish a self-sufficient bureaucratic model of refugee protection which pays no heed to international cooperation.’ Throughout the policy development process, refugee protection was often seen as ‘within the ambit

of migration control' and early versions of the Immigration Act stated that in the event of conflict between the Refugees Act, the Immigration Act should take precedence (Handmaker, 2001, p. 105). The policy development process was characterised by Belvedere (2007, p. 59) as civil society representatives 'lobbying for the inclusion of refugee rights against recalcitrant representatives from the Department of Home Affairs who held that foreigners did not enjoy any rights in South Africa' contrary to the Bill of Rights.

Despite these difficulties, the resulting Refugees Act establishes a refugee protection system based upon freedom of movement and local integration and is recognised as one of the strongest regimes in southern Africa. A strong articulation of the principle of *non-refoulement* that embodies the intent and spirit of the *non-refoulement* principle by recognising the possibility of indirect *refoulement* and extends protection to those whose 'life will be at risk' in line with the expanded OAU Convention refugee definition.¹⁴ Additionally, the Refugees Act provides for dependents of recognised refugees to be able to access the status afforded to the principal applicant through section 3(c). This provision recognises the importance of family unity and allows for immediate family members who might not have refugee claims to access protection. Dependents are defined as 'the spouse, any unmarried dependent child or any destitute, aged or infirm member of the family of such asylum seeker or refugee.' At all points in the asylum application process, the constitutional guarantee of administrative justice must be observed, requiring DHA officials to ensure that applicants are aware of their rights and obligations and understand the process (Section 24).

The removal of failed asylum seekers was not elaborated on in full in the Refugees Act and the power to detain asylum seekers is narrow; Section 21(4), giving effect to Article 31(1) of the 1951 Convention, protects asylum seekers from treatment as illegal foreigners and from criminal proceedings flowing from unlawful entry. Asylum seekers are only liable for detention and deportation after the withdrawal of the asylum permit, which may be done if

¹⁴ The OAU definition is found in Section 3(b) of the Refugees Act which states that an individual qualifies for refugee status if that person 'owing to external aggression, occupation, foreign domination or events seriously disturbing or disrupting public order in either a part or the whole of his or her country of origin or nationality, is compelled to leave his or her place of habitual residence in order to seek refuge elsewhere.'

the holder contravenes the conditions on the permit or receives a final rejection of their claim (Section 22(6)). Individuals whose claims are finally rejected, are then subject to the Immigration Act's provisions. An asylum seeker can only be detained if the asylum seeker permit has been withdrawn in terms of Section 22(6), and they may be 'arrested and detained pending the finalisation of the application for asylum, in the manner and place determined by him or her with due regard to human dignity' (Section 23). This provision is not common practice for failed asylum seekers as DHA officials, instead, opt to use the Immigration Act's framework (Cote, 2014, p. 256).

The overhaul of the country's immigration regime proceeded at a much slower pace than the refugee protection legislation. The Immigration Act entered into force in 2005 and immigration matters were previously governed by the Alien Controls Act (No. 96) of 1991, one of the final acts of Apartheid-era governance. During this period, immigration policy 'remained impervious to the new political dispensation and its stated commitment to inclusivity, diversity, and human rights' (Peberdy, 2001, p. 16) with a continuing emphasis on immigration control (Algotsson and Klaaren, 2003). In terms of the new dispensation, the ruling African National Congress (ANC) party viewed immigration's role in transformation as 'antithetical or at best irrelevant,' making it a low priority (Crush and McDonald, 2001, p. 8). The Immigration Act promotes 'a highly restrictionist immigration policy' (Khan, 2007, p. 4), in which detention is used as the primary means of immigration enforcement (Lawyers for Human Rights [LHR], 2008, p. 2)

In terms of provisions, Section 1 of the Immigration Act defines an illegal foreigner broadly as a 'foreigner who is in the Republic in contravention of this Act'. Section 32(2) requires that any person declared an illegal foreigner must be deported; however section 34(1) confers discretion on the part of the officer as to whether the individual must be detained. Section 34(1) also includes a range of safeguards including the need for the authorities to provide reasons in writing for the negative decision, the right to appeal the decision to deport them, the right to have a court confirm the detention, and temporal limitations on detention.

The courts have developed a strong body of jurisprudence regarding detention and deportation processes, discretion and liberty. In *Silva v Minister of Safety and Security*, the Court underscored the importance of liberty, stating that: 'a detained person has an absolute right not to be deprived of his freedom for one second longer than necessary by an official who cannot justify his

detention' (1997, p. 661). In *Ulde v Minister of Home Affairs* the SCA confirmed that foreigners cannot be detained 'arbitrarily or without just cause', and that Section 34 does not require officials to detain every illegal foreigner they encounter, but instead obligates officials to exercise their discretion, which must be construed '*in favorem libertatis*', or in favour of liberty (2009, para 7). In *Jeebhai v Minister of Home Affairs* the SCA held that 'every deprivation of liberty is presumptively unlawful,' which obligates government officials to sufficiently justify their actions, as the consequences of a decision to deport someone

[...] concerns that person's livelihood, security, freedom and, sometimes, his or her very survival. This is why immigration laws, are often harsh and severe in their operation, contain safeguards to ensure that people who are alleged to fall within their reach are dealt with properly and in a manner that protects their human rights (2009, para 21).

Thus, the refugee protection framework is one that affords a range of rights, but is complemented by a restrictive immigration regime focused on exclusion. In practice, the tension between the formal protections of the Refugees Act and the exclusionary immigration regime has resulted in refugee protection being subsumed by immigration concerns.

The Refugee Protection Framework in Practice

Since the Refugees Act entered into force in 2000, South Africa has struggled to efficiently implement the Refugees Act's provisions. For asylum seekers, a number of obstacles block them from realising their rights in the asylum process, including access to information on the asylum process, provision of interpreters and quality RSD processes. Additionally, the detention and deportation process has a history of unlawful practices and is synonymous with human rights violations.

A lack of information available to asylum seekers about their rights and the asylum process, has been a historic feature of the South African asylum system. Five years after the Refugees Act had entered into force, Human Rights Watch (2005) found that the '[l]ack of clear, easily available rules regarding the asylum process [...] and the lack of official interpreters complicate the process' (p. 10). In 2009, the a national survey of RROs conducted by Amit found that 17% of respondents had errors on their asylum permits (p. 32), less than one-third of respondents received official assistance in filling out application forms, and 68% did not have the application process explained to them (p. 35). A

further study in 2012 found that roughly half of respondents did not know anything about the interview process and one-fifth did not receive assistance from an interpreter (Amit, 2012b, p. 12).

The first-instance RSD interview process has been characterised by delays and poor decisions. Amit's 2009 survey found irregularities in the interview process, brief interviews with a large portion lasting 10 minutes or less, and applicants waiting, on average, for over one and a half years for their interview (p. 40-42). In subsequent research conducted in 2013-2014, it was found that on average, survey respondents were in the system for 2.8 years with one applicant being in the system for over 18 years (Amit, 2015, p. 31). The decisions resulting from these interviews have been consistently poor with numerous errors of law, including the failure to provide adequate reasons for rejection, errors of law such as the misapplication of the concept of persecution and well-founded fear, improper use of the internal relocation standard, as well as improper and inaccurate assessment of the conditions in the country of origin (Amit, 2010; Amit, 2012a). In conclusion, Amit (2012a, p. 10) notes that 'migration control has displaced protection as the primary goal of the asylum system.'

The state has explained the low acceptance rates and delays as evidence of economic migrants abusing the asylum system, justifying restrictions in the asylum system as due, in part, to the abuse (African National Congress, 2012). The poor decision making in the RSD process has required numerous individuals to undertake judicial review of the RSD process under PAJA. A recent case which resulted in refugee status being conferred by the High Court, prompted the Judge to describe DHA's handling of the case as 'deplorable' and comment generally that '[o]ne shudders to think of the many thousands of refugees in similar situations ... subjected to the same treatment [as the applicant] by those to whom the law has entrusted their fate' (Rickard, 2015). Consequently, the judicial review process has proven a critical safeguard for many refugees, resulting in a growing body of refugee law jurisprudence¹⁵ and providing further evidence of systemic problems in the RSD process.

Asylum seekers have also struggled to access the 3(c) family joining process for dependants. Difficulties arise in the declaration of dependants during the application process which can be hampered by the lack of interpreters and the

¹⁵ For an overview of the judicial review process and associated case law, see De La Hunt, 2014.

lack of assistance provided by officials at RROs in explaining the process or understanding applicants' rights. In addition to these practical obstacles, Khan (2013, p. 85) notes that because of the lack of a specific family joining system or procedure, DHA 'often refuse a family member's application on the basis of a more restrictive reading of the Refugees Act,' often regarding regulation 16 which stipulates that 3(c) applies only to 'dependants who accompanied the asylum applicant to the Republic.'

In addition to the challenges in the asylum system, the state has also struggled to administer its detention and deportation system and, as such, unlawful practices have been commonplace at the facility since the late 1990s (De Wet, 2014). While a large proportion of deportees are not failed asylum seekers and are instead irregular migrants, failed asylum seekers are returned through the same process and facility, and face the same conditions.

The South African Human Rights Commission first investigated the Lindela Repatriation Facility in 1999 and found significant obstacles in accessing detainees and poor conditions (Algotsson, 2000). In 2005, the UN Working Group on Arbitrary Detentions (2005, p. 14, 21) found similar circumstances with arbitrary detention, unlawful detention of asylum seekers and refugees, inadequate legal procedures to challenge detention, and conditions that do not meet international standards. In 2009, research conducted with detainees found that many detainees were prevented from exercising their rights and accessing legal counsel (Amit, 2010a). Over an 18 month period in 2009-2010, Lawyers for Human Rights brought over 60 cases to the High Court concerning unlawfully detained asylum seekers and describe a 'general pattern of contempt' exhibited by DHA and officials at Lindela in the legal process (LHR, 2010, pp. 9-12). More recently, the SAHRC (2014) released a report detailing severe human rights abuses such as procedural irregularities, inhumane conditions and the use of violence against detainees.

The review above highlights some of the more critical gaps in South Africa's refugee protection framework and establishes that the conditions for efficient failed asylum seeker policies are not present. These issues have led some scholars to argue that asylum seekers and refugees are 'internally excluded' from human rights protections due to DHA practices and the construction of asylum seekers as 'bogus' illegal immigrants who manipulate the system (Belvedere, 2007). Others have advanced the notion that the state, in an attempt to regulate foreign nationals within the country, has declared a 'state of exception' in which elements of the normal legal order are suspended to

address crises (the presence of foreign nationals) that threatens the state. The state of exception allows state authorities to act outside of their legal mandate but still retain the power and authority of the law to address threat of foreign nationals by establishing a parallel system to regulate threats not bound by normal regulation (Landau, 2005a; Musuva, 2014). This declaration of a state of exception results in categories of individuals who are unable to realise their rights under the law.

This response is rooted in notions of the foreign migrant as a negative and criminal presence, similar to the rationale for restrictive immigration legislation. The post-1994 state has increasingly relied on descriptions of foreign migrants (particularly African migrants) as endangering the country's physical and moral health, its ability to provide services and employment to citizens, and its ability to control crime (Peberdy, 2001, p. 24). At other times, government officials have overtly labelled migrants as criminal, as evidenced by a former Director General of DHA who labelled '90 per cent of foreign persons' in South Africa as possessing fraudulent documents (quoted in Algotsson and Klaaren, 2003, p. 1) or, more recently, through a coded description of asylum seekers as 'illegal immigrants' who are 'illegitimately' undertaking employment (SAPA, 2014). The effects of such a discourse lead the citizenry to equate 'foreignness' with a crime, as this association is not discouraged in government rhetoric or national media (Misago et al, 2009).

While these exceptional responses towards migrants are not formal nor monolithic declarations and are subject to various forms of resistance from the state and civil society, Landau (2005a, p. 338) notes the state of exception is instead implemented through 'official endorsement or tacit acceptance of systems in which government officials (albeit at different levels of the official hierarchy) legitimise or help create parallel – extra-legal – systems for policing foreigners.' While this response is prevalent across government departments in their treatment of foreign migrants, it is particularly acute within DHA and at RROs. Segatti et al. (2012, pp. 138-139) note that DHA officials at the Johannesburg Crown Mines RRO criminalise asylum seekers by fostering a legal culture that questions the legitimacy of foreigners' presence in South Africa. Vigneswaran (2008, p. 6) notes that access issues at RROs often arise out of the individual efforts of DHA officials

who act outside their legislative mandate to prevent asylum seekers gaining access to the reception system [and] are embedded in an institution which

sanctions its officials engaging in extra-legal practices that prevent foreigners from entering and residing legally in South Africa.

While these extra-legal practices are not absolute or all-encompassing, the frequency and scope of rights violations committed by the state against asylum seekers and refugees suggests that more than bureaucratic maladministration or incompetence is behind these practices.

South Africa's Failed Asylum Seeker Policies

In administering the Refugees Act, DHA has predominantly relied on a voluntary return process with minimal government oversight for failed asylum seekers. In recent years, DHA has attempted to implement a more stringent detention and deportation process by which, upon the asylum seeker receiving a final rejection at the RRO, they are detained for the purposes of deportation. The two processes are at opposite ends of the use of force spectrum and the changes in policy, tracks with the DHA's inclusion in the Justice and Security government cluster in 2010 along with a host of restrictive practices implemented from 2011 onwards. This policy shift amounts to a 'significant reduction of asylum seeker and refugee protection, culminating in increased danger of *refoulement*' (Polzer Ngwato, 2013, p. 3).

The voluntary return process involves the failed asylum seeker being given 30 days to finalise any outstanding affairs and make their own arrangements to leave South Africa. This can be arranged through a final asylum seeker permit or through alternative immigration measures such as Form 21 to depart or Form 23 requiring the individual to report at a certain date to provide proof of their intention to depart (Cote, 2014, p. 261). The failed asylum seeker will receive notification of the final rejection upon reporting to an RRO and will subsequently receive the documentation informing them that they must depart the country. While these notices give DHA the ability to follow-up with individuals if they do not report or to confirm the departure of individuals, the author is not aware of immigration officials systematically investigating individuals who do not report as required as standard practice in recent years. Due to the poor collection of information at the RRO during the application process, these details are often incomplete or recorded incorrectly.

The voluntary return process affords failed asylum seekers ample opportunity to return to their country of origin without being detained or deported, and does not result in the serious expenditure of state resources. More critically, in terms of *non-refoulement*, the 30 day notices also provide recourse for

individuals who believe their asylum claim has not been handled as required by law, to undertake a review. The review may be completed either under section 8 of the Immigration Act, which provides for an internal review within DHA, or more commonly through Section 33 of the Constitution, which allows for a judicial review at the High Court in terms of PAJA. It also provides family members with separate asylum claims the opportunity to enact Section 3(c)'s family joining proceedings in respect of the principle of family unity.

The initial rationale for adopting this policy, whether for the above protection-related reasons or out of capacity constraints, is unknown. In terms of effectiveness, it remains unclear how many rejected applicants fail to depart the country within the allotted time period. Internationally, data on the efficacy of voluntary return schemes is limited, although officials in Europe have made unverified statements that up to 70% of non-detained rejected asylum seekers abscond (Field and Edwards, 2006, p. 41). In regards to South Africa's voluntary return practice, DHA officials have stated at various times that the policy is ineffectual. In the Tshianda matter, DHA noted that

the 30-day period afforded to failed asylum seekers, was abused in that the vast majority of failed asylum seekers who were issued with the said notice, failed to leave the country and instead, disappeared into the mainstream of South African society, thereby defeating the objects of the Immigration Act, which requires that all illegal foreigners depart or be deported ... In most cases, these people relocate from the places where they originally stayed in order to evade deportation and accordingly make it immensely difficult for officials within the Immigration Inspectorate to find them (Tshianda Matter, Respondents' Answering Affidavit, pp. 16-18).

Additionally, an immigration officer at the Cape Town RRO stated more specifically that 2,000 individuals had absconded in this way (Tshianda Matter, Applicants' Founding Affidavit, p. 121). However, the figure was not compared to how many in total were rejected or how many voluntarily departed, nor do DHA's deportation statistics differentiate between failed asylum seekers and irregular migrants.

In an attempt to address the perceived ineffectiveness of the voluntary return practice, DHA implemented the Tshianda SOP for the return of failed asylum seekers in 2011. In addition to the challenges in the voluntary return process mentioned above, DHA noted, in the Tshianda matter, that the combination of porous borders, large numbers of asylum seekers, and the lack of an encampment policy has led to difficulties in administering its RSD system,

thereby allowing for asylum seekers to reside in society at large for 'many years' while awaiting the determination of their claim. Further, 'in many cases asylum seekers are not economic migrants but rather persons belonging to crime syndicates,' placing extra burdens on the state's resources committed to combatting crime (Tshianda Matter, Respondents' Answering Affidavit, 2012, p. 16-17).

As a response to these issues, the Tshianda SOP was developed to deal with the process for the deportation of failed asylum seekers and establish guidelines as to how failed asylum seekers could be dealt with. The SOP consists of guidelines, including handover procedures upon receipt of a final rejection where the failed asylum seeker transitions from the Refugees Act to the Immigration Act. In addition, the SOP provides guidelines for the determination of forced return through detention and deportation via Lindela, based on the possibility of absconding and flight risk, or through voluntary measures similar to the 30 day notice discussed above (Tshianda Matter, SOP, pp. 1-6).

The Tshianda SOP requires the immigration official to interview the failed asylum seeker to determine the appropriate course of action and to detain the individual while verifying the details of the failed asylum seeker, namely addresses, workplace details, bank details and other relevant information. The investigating official can then, 'with discretion, decide on the appropriate action to be taken' and, if the decision to 'detain and/or deport' is made, 'the failed asylum seeker may then be detained in order for the Immigration Officer to do verification of details and see what affairs the suspect needs to close up' (p. 2). If the investigating official determines the asylum seeker has family or property 'and other ties to RSA such as children in school', the official will 'draw up lists of assets and provide a motivation on whether a person is a flight risk if released to close up their affairs' and, if so, continue to detain for deportation. If not, release can be recommended for the purposes of closing affairs and an order to leave must also be issued (p. 3).

While the law requires an immigration officer to exercise their discretion, the Tshianda SOP requires the individual to be detained before investigating the situation. Attorneys acting on behalf of the applicants argued that the Tshianda SOP is unlawful as the failed asylum seeker would be detained in terms of Section 34 of the Immigration Act, for the purposes of deportation, before being investigated as to determine what steps the person would need to undertake to finalise their affairs; if the person is detained it would be

practically impossible for a person to finalise their affairs if necessary (p. 18). The SOP appears to contradict the principle of *in favorem libertatis* and instead favours the immediate detention and deportation of failed asylum seekers.

Included in the evidence presented to the Court were transcripts from hearings at the Cape Town Magistrates Court taken during confirmation of warrant hearings as provided under Section 34 of the Immigration Act. The transcripts cover three cases in which individuals were detained for deportation as provided for in the SOP by three different immigration officials in the employ of DHA. The transcripts reveal that in all three cases the immigration officials understood their duty in regards to failed asylum seekers, and undocumented migrants generally, to verify the individual's legal status and then summarily detain and deport the failed asylum seeker. One official, when questioned about his interpretation of the SOP, stated that it means that failed asylum seekers 'must be arrested with immediate effect ... and deported' (Tshianda Matter, Applicants' Founding Affidavit, p. 127). Another official described his duties towards failed asylum seekers to 'arrest it [the failed asylum seeker] for investigation purposes first and then after we discover that the person doesn't have a status and then we declare him for deportation' [sic] (Tshianda Matter, Applicants' Founding Affidavit, p. 128).

The above policies represent opposing ends of the spectrum in terms of failed asylum seeker policy, with either minimal oversight or conversely immediate detention and deportation upon receipt of a final rejection. The seemingly schizophrenic approach reinforces Segatti's (2011, p. 54) description of post-1994 immigration policy and enforcement as a 'mix of laissez faire and mismanagement, related to both chronically weak administrative capacity and coercive and abusive practice.' The adoption of both return practices described above, despite their difference in the use of force, relates to capacity within the Immigration Inspectorate as each practice can be implemented by DHA with minimal effort in terms of capacity. In practice, both return practices rely on the asylum seeker to report to the RRO which removes the need for an investigation which might involve address checks from across the metro region, province or country. While both options provide for further investigation and follow-up, there is little evidence to suggest officials undertake such investigations routinely. Any practice such as enhanced reporting mechanisms and regular address checks require more action on the part of officials, complicated by the poor record keeping at RROs due to capacity constraints.

While the implementation of the Tshianda SOP might not require a considerable increase in the use of resources from immigration officers at RROs, it would likely result in increased costs through the detention and deportation regime and put more individuals at risk of *refoulement*. These increased costs might deter DHA to increase its reliance on detention and deportation, but there is little evidence that the immigration enforcement regime's direct cost factors heavily in policy implementation. A 2012 study found that DHA incurred unnecessary legal costs of around 4.7 million Rands in regards to unlawful detentions at Lindela (Amit and Zelada-Aprili, 2012) and as of 2013, unlawful practices within immigration enforcement amount to R503.3 million or 37.5% of DHA's pending legal claims (Mthembu-Salter et al, 2014, p. 11). These figures and the lack of concern associated with them suggest these costs are acceptable for pursuing immigration enforcement goals.

Summary and Implications

The analysis above has provided an overview of South Africa's refugee protection and immigration enforcement regime and the state's attempts to address failed asylum seekers. Put simply, the conditions for effective failed asylum seeker policies – efficient and fair refugee status determinations – are not present. The state has either employed a *laissez-faire* approach that relies on the removal of the asylum permit and legal status as a coercive measure, or a more stringent detention and deportation upon receipt of a final rejection policy that increases the likelihood of *refoulement* and endangers the principle of family unity. The state's evolving policy for failed asylum seekers can be explained by the state's increasing focus on security issues in migration policy and associated restrictions in the asylum system (Amit, 2013; Polzer Ngwato, 2013), as well as the state's attempt to implement policy with limited resources (SAPA, 2014). For a more effective failed asylum seeker policy, a number of issues might be considered: a more regional approach to immigration issues, more effective administration at RROs, increased involvement of civil society and international organisations, and increases in state capacity to allow for DHA to carry out its duties and fulfil its obligations considering South Africa's role on the continent as a destination for migrants, both economic and forced.

For the implementation of an effective failed asylum seeker policy, consideration first needs to be given to how to increase the effectiveness and efficiency of the RSD system. Towards that end, alternative immigration

options with relaxed conditions for low-skilled migrants may reduce the burden on the asylum system, resulting in a more manageable caseload. The isolationist approach to migration taken during the policy development process in the late 1990s has not been conducive to effective immigration policy. In recent years, DHA has discussed the development of 'work seeker' visas for SADC nationals (DHA, 2013) and increased cooperation in regards to refugee protection (DHA, 2015). These adjustments might result in a reduction in the number of unnecessary asylum applications lodged and may also assist in increased coordination of migration matters. However, as evidenced elsewhere, are not without their own potential pitfalls (Arbel and Brenner, 2013; Mouzourakis, 2014) and follows a history of difficulties in regards to increased integration of the movements of people in southern Africa (Oucho and Crush, 2001).

The state should also consider how to increase the efficiency at RROs to ensure that asylum seekers better understand their rights and responsibilities and that DHA can obtain updated and accurate information. The studies cited above have all found high numbers of asylum seekers not being informed of the process or of their rights; the establishment of information desks and counselling services at RROs may address that chronic deficiency. Some of these services may also be established with assistance from NGOs, lessening the cost of implementation for the state. Such measures, while modest and not directly involved in the return process, might result in more awareness amongst asylum seekers of the possibility of return and begin to prepare them for that reality in line with UNHCR's recommendations. Other options might involve providing support – both financial and institutional – for IOM's AVR programme which assisted with 250 returns from South Africa in 2014. Support might allow for the programme to expand and may reduce the unnecessary expenditure in deportation costs and litigation. A further, more long-term benefit of these adjustments might be increased consideration of the vulnerability of asylum seekers amongst officials, resulting in a better understanding and adherence to humanitarian obligations.

A lack of capacity and resources (both human and financial) are significant factors in the failed asylum seeker practices described above and has perhaps been the most structural obstacle to effective failed asylum seeker policy with capacity issues affecting all stages of the asylum process. This issue has been acknowledged as a significant impediment by DHA and it is now being addressed as a departmental priority (DHA, 2014). The danger inherent in this

reprioritisation is that it becomes focused on exclusionary practices such as deportation without consideration of the protection needs and *non-refoulement* concerns.

However, even with efforts to address the above issues, extra-legal practices and underlying anti-asylum seeker sentiment amongst many officials may mitigate the positive effects of any policy changes. As Vigneswaran (2011, pp. 116-117) notes, '[d]ecades of neglect have produced a range of deeply embedded control-oriented practices that lower-level officials adhere to regardless of the signals from above or the goals of their departments.' This factor makes formal policy changes unlikely to succeed unless accompanied by engagement with officials and new incentive structures. As such, the above considerations should be accompanied by the political will to ensure that the refugee protection framework is effectively implemented and its associated human rights protections are given equal footing with immigration control measures.

In conclusion, consideration of the above issues may lead to the establishment of a more fair and efficient asylum system. With improved conditions in the asylum system, DHA may be able to implement a more effective failed asylum seeker policy that is in accordance with international norms and the principle of *in favorem libertatis* while meeting DHA's immigration control imperatives.

References

Primary

1951 Convention Relating to the Status of Refugees.

1966 International Covenant on Civil and Political Rights.

1967 Protocol Relating to the Status of Refugees.

1969 Convention Governing the Specific Aspects of Refugee Problems in Africa (OAU Convention).

Republic of South Africa. 1996. Constitution of the Republic of South Africa (No. 108) as amended.

Republic of South Africa. 1997. *Draft Green Paper on International Migration*. Government Gazette Notice 849, vol. 383, no. 18033.

Republic of South Africa. 1998. Refugees Act (No. 130) as amended.

Republic of South Africa. 2000. Promotion of administrative Justice Act (No. 3) as amended.

Republic of South Africa. 2002. Immigration Act (No. 11) as amended

Republic of South Africa. 1997. *Draft Green Paper on International Migration*. Government Gazette Notice 849, vol. 383, no. 18033

Court Cases

Jeebhai and Others v Minister of Home Affairs and Another (139/08) [2009] ZASCA 35

Silva v Minister of Safety and Security 1997 (4) SA 657 (W)

Tshianda and Others v Minister of Home Affairs and Others (24293/2011) ZAWCHC (ongoing)

Ulde v Minister of Home Affairs and Another (320/08) [2009] 3 All SA 332 (SCA) (31 March 2009)

Secondary

African National Congress, 2012. Peace and Stability: Policy Discussion Document. From <<http://www.anc.org.za/docs/discus/peacev.pdf>> (Retrieved September 28, 2015).

Algotsson, E. 2000. At the crossroads for detention and repatriation: An assessment of the conditions of detention. Johannesburg: South African Human Rights Commission.

Algotsson, E, and Klaaren, J. 2003. Policing Migration: Immigration Enforcement and Human Rights in South Africa. SAMP Policy Brief 14. From <<http://www.queensu.ca/samp/sampresources/samppublications/policybriefs/brief14.pdf>> (Retrieved September 28, 2015).

Amit, R. 2009. National Survey of the Refugee Reception and Status Determination System in South Africa. African Centre for Migration & Society Research Report, University of Witwatersrand. From <[http://www.academia.edu/8904025/National Survey of the Refugee Reception and Status Determination System in South Africa](http://www.academia.edu/8904025/National_Survey_of_the_Refugee_Reception_and_Status_Determination_System_in_South_Africa)> (Retrieved September 28, 2015).

Amit, R. 2010. Protection and Pragmatism: Addressing Administrative Failures in South Africa's Refugee Status Determination Decisions. African Centre for Migration & Society Research Report, University of Witwatersrand. From <<http://www.migration.org.za/uploads/docs/report-24.pdf>> (Retrieved September 28, 2015).

Amit, R. 2012a. All Roads Lead to Rejection: Persistent Bias and Incapacity in South African Refugee Status Determination. ACMS Research Report, University of Witwatersrand. From <<http://www.migration.org.za/uploads/docs/report-35.pdf>> (Retrieved September 28, 2015).

Amit, R. 2012b. No Way In: Barriers to Access, Service and Administrative Justice at South Africa's Refugee Reception Offices. ACMS Research Report, University of Witwatersrand. From <<http://www.migration.org.za/uploads/docs/report-40.pdf>> (Retrieved September 28, 2015).

Amit, R. 2013. Security rhetoric and detention in South Africa. *Forced Migration Review*, 44: 32-33.

Amit, R. 2015. Queue here for corruption – measuring irregularities in South Africa's asylum system. Lawyers for Human Rights and The African Centre for Migration & Society Research Report. From <<http://www.lhr.org.za/publications/queue-here-corruption-measuring-irregularities-south-africa%E2%80%99s-asylum-system>> (Retrieved September 28, 2015).

Amit, R. and Zelada-Aprili, R. 2012. Breaking the Law, Breaking the Bank: The Cost of Home Affairs' Illegal Detention Practices. ACMS Research Report, University of Witwatersrand. From

<<http://www.migration.org.za/uploads/docs/report-37.pdf>> (Retrieved May 31, 2015).

Arbel, E. and Brenner, A. 2013. Bordering on failure: Canada-US border policy and the politics of refugee exclusion. Harvard Immigration and Refugee Law Clinical Programme Report. From <
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2420854> (Retrieved September 28, 2015).

Arendt, H. 1958. *The Origins of Totalitarianism*. 2nd ed. New York: Meridian.

Barutciski, M. 1998. The Development of Refugee Law and Policy in South Africa: A Commentary on the 1997 Green Paper and 1998 White Paper / Draft Bill. *International Journal of Refugee Law* 10(4): 700-724.

Belvedere, M.F. 2007. Insiders but Outsiders: The Struggle for the Inclusion of Asylum Seekers and Refugees in South Africa. *Refugee* 24(1): 57-70.

Black, R. and Gent, S. 2006. Sustainable Return in Post-conflict Contexts. *International Migration* 44 (3): 15-38.

Cote, D. 2014. Reconciling immigration and refugee law in South Africa. In Khan, F. and Schreier, T. (Eds.) *Refugee Law in South Africa*. Cape Town: Juta & Co. Ltd, pp. 237-262.

Crush, J, and McDonald, D.A. 2001. Introduction to special issue: Evaluating South African immigration policy after apartheid. *Africa Today*, 48(3): 1-13.

De La Hunt, L.A. 2014. Refugee status determination: Review and appeal. In Khan, F. and Schreier, T. (Eds.) *Refugee Law in South Africa*. Cape Town: Juta & Co. Ltd, pp. 172-199.

De Wet, P. 2014. Waiting for change at Lindela. *Mail & Guardian*. 10 October 2014. From < <http://mg.co.za/article/2014-10-09-waiting-for-change-at-lindela>> (Retrieved August 26 2015).

Department of Home Affairs. 2013. Deputy Minister and DHA briefing on strategic and annual performance plans 2013, Parliament, Cape Town 14 May, 2013.

Department of Home Affairs. 2014. Speaking notes, Minister of Home Affairs Naledi Pandor MP to Inspectorate officials. 14 March 2014. From <<http://www.home-affairs.gov.za:8087/index.php/statements-speeches/441-speaking-notes-minister-of-home-affairs-naledi-pandor-mp-to-inspectorate-officials-kzn-14-march-2014>> (Retrieved September 28, 2015).

Department of Home Affairs. 2015. Regional Migration Trends and Regional Integration. Presentation to the Portfolio Committee on Home Affairs, Parliament, Cape Town, 5 May, 2015.

Field, O, and Edwards, A. 2006. Alternatives to Detention of Asylum Seekers and Refugees. UNHCR Legal and Protection Research Series POLAS/2006/03. From <www.refworld.org/docid/4472e8b84.html> (Retrieved September 28, 2015).

Gibney, M, and Hansend, R. 2003. Deportation and the liberal state: the forcible return of asylum seekers and unlawful migrants in Canada, Germany, and the United Kingdom. UNHCR Policy Development and Evaluation Service. From <<http://www.unhcr.org/3e59de764.html>> (Retrieved September 28, 2015).

Gibson, J. 2007. The Removal of failed asylum seekers: International norms and procedures. UNHCR New Issues in Refugee Research Working Paper No. 45.

Handmaker, J. 2001. No Easy Walk: Advancing Refugee Protection in South Africa. *Africa Today*, 48(3): 91-113.

Human Rights Watch. 2005. Living on the Margins – Inadequate protection for refugees and asylum seekers in Johannesburg.

International Organization for Migration. 2011. Assisted Voluntary Return and Reintegration: Annual Report of Activities. From <http://publications.iom.int/bookstore/free/AVRRreport2011FINAL_25Aug12.pdf> (Retrieved September 28, 2015).

Khan, F. 2007. Patterns and policies of migration in South Africa: Changing patterns and the need for a comprehensive approach. *Paper presented for conference on Patterns on Policies of Migration* in Loreto, Italy.

- Khan, F. 2013. Reunification of the Refugee Family in South Africa: A Legal Right? *Refugee* 28(2): 77-91.
- Landau, L.B. 2005. Immigration and the State of Exception: Security and Sovereignty in East and Southern Africa. *Millennium: Journal of International Studies*, 34 (2): 325-348.
- Lawyers for Human Rights. 2008. Monitoring Immigration Detention in South Africa. From <<http://www.lhr.org.za/publications/monitoring-immigration-detention-south-africa-2008>> (Retrieved September 28, 2015).
- Lawyers for Human Rights. 2010. Monitoring Immigration Detention in South Africa. From <<http://www.lhr.org.za/sites/lhr.org.za/files/LHR%20detention%20monitoring%20report%2010%20Dec%2008.pdf>> (Retrieved September 28, 2015).
- Misago, JP, with Landau, LB, Monson, T. 2009. Towards tolerance, law, and dignity: Addressing violence against foreign nationals in South Africa. Johannesburg: IOM From <www.migration.org.za/uploads/docs/report-12.pdf> (Retrieved September 28, 2015).
- Mouzourakis, M. 2014. We need to talk about Dublin – responsibility under the Dublin System as a blockage to asylum burden-sharing in the European Union. *Oxford refugee Studies Centre Working Paper Series* No. 105.
- Mthembu-Salter, G, Amit, R, Gould, C, and Landau, L. 2014. Counting the Cost of Securitising South Africa's Immigration Regime. *Migrating Out of Poverty Working Paper No. 20*. From <http://www.migration.org.za/uploads/docs/wp20_mthembu-salter-et-al-2014-counting-the-cost.pdf> (Retrieved September 28, 2015).
- Musuva, C. 2014. Immigration, the state of exception and African migrants in South Africa. *Paper presented at IPSA Challenges of Contemporary Governance Conference*, Montreal. 24 July, 2014. From <paperroom.ipsa.org/papers/paper_32403.pdf> (Retrieved September 28, 2015).
- Noll, G. 1999a. Rejected asylum seekers: the problem of return. *UNHCR New Issues in Refugee Research Working Paper No. 4*. From <www.refworld.org/pdfid/4ff598c82.pdf> (Retrieved September 28, 2015).

Noll, G. 1999b. Rejected Asylum Seekers: The Problem of Return. *International Migration*, 37(1): 267-288.

Oucho, C. and Crush, J. 2001. Contra free movement: South Africa and the SADC migration protocols. *Africa Today* 48(3): 139-158.

Peberdy, S. 2001. Imagining Immigration: Inclusive Identities and Exclusive Policies in Post-1994 South Africa. *Africa Today*, 48 (3): 15-32.

Polzer Ngwato, T. 2013. Policy Shifts in the South African Asylum System: Evidence and Implications. Lawyers for Human Rights / ACMS Report. From <<http://www.lhr.org.za/publications/policy-shifts-south-african-asylum-system-evidence-and-implications>> (Retrieved September 28, 2015).

Rickard, C. 2015. Refugee wins asylum after 10 years in legal limbo. *Mail & Guardian*. 26 February, 2015. From <<http://mg.co.za/article/2015-02-26-refugee-wins-asylum-after-10-years-in-legal-limbo>> (Retrieved September 28, 2015)

SAPA. 2014. Illegal immigrants a challenge: Pandor. *Cape Times*. 25 February, 2014. From <http://www.iol.co.za/news/crime-courts/illegal-immigrants-a-challenge-pandor-1.1652579#.VbdKv_nzook> (Retrieved September 28, 2015).

Segatti, A. 2011. Reforming South African Immigration Policy in the Postapartheid Period (1990-2010). In Segatti, A. and Landau, L.B. (eds) *Contemporary Migration to South Africa: a regional development issue*. Washington DC: Agence Française de Développement and the World Bank, pp. 31-66.

Segatti, A., Hoag, C., and Vigneswaran, D. 2012. Can organisations learn without political leadership? The case of public sector reform among South African Home Affairs officials. *Politique africaine*, 128 (4) 121-142.

South African Human Rights Commission. 2014. Lindela - Baseline Investigative Report. From <<http://www.sahrc.org.za/home/21/files/Gauteng%20-%20Investigative%20Report%20-%20Lindela%20-%201%20September%202014.pdf>> (Retrieved September 28, 2015).

Torpey, J. 1997. Coming and Going: On the State Monopolization of the Legitimate 'Means of Movement'. *Sociological Theory*, 16(3): 239-259.

UNHCR. 2001. Background paper No.1: Legal and practical aspects of the return of persons not in need of international protection. From <<http://www.refworld.org/docid/4c1f83432.html>> (Retrieved September 28, 2015).

UNHCR. 2007. UNHCR chief commends Pretoria's refugee policy, pledges cooperation. From <<http://www.unhcr.org/46cf10634.html>> (Retrieved September 28, 2015).

UN Human Rights Committee. 1994. General Comment 20, Article 7 (Forty-fourth session, 1992), Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, U.N. Doc. HRI/GEN/1/Rev.1 at 30.

UN Working Group on Arbitrary Detention. 2005. Report on the Working Group on Arbitrary Detention. Addendum - Visit to South Africa E/CN.4/2006/7/Add.3. From <<http://daccess-ods.un.org/access.nsf/Get?Open&DS=E/CN.4/2006/7/Add.3&Lang=E>> (Retrieved September 28, 2015).

Vigneswaran, D. 2006. In Direct Control? Territorial Exclusion of Migrants in South Africa 1998-2004. *Forced Migration Studies Working Paper #28*.

Vigneswaran, D. 2008. A Foot in the Door: Access to Asylum in South Africa. FMSP Working Paper No. 40. From <http://cormsa.org.za/wp-content/uploads/Research/Asylum/40_AFootInTheDoor.pdf> (Retrieved September 28, 2015).

Vigneswaran, D. 2011. Migration Control, Documentation, and State Transformation. In Segatti, A. and Landau, L.B. (eds) *Contemporary Migration to South Africa: a regional development issue*. Washington DC: Agence Française de Développement and the World Bank, pp. 105-120.

Weber, F. 2011. How voluntary are voluntary returns? *Race & Class*, 52(4): 98-107.



Scalabrini Institute
for Human Mobility
in Africa