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The findings of this Brief reflect the opinions of the authors and not those of the African Development Bank, its Board of Directors or the countries they represent.

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## Taking Africa's Irregular Migrants into Account: Trends, Challenges and Policy Options

Charlotte Karagueuzian and Audrey Verdier-Chouchane<sup>1</sup>

### 1 | Introduction

According to the International Organization of Migration (2013), irregular migration refers to “movement that takes place outside the regulatory norms of the origin, transit and destination countries”. A migrant is considered as irregular when he does not meet the immigration laws’ requirements while entering, residing or working in a given transit or receiving country. In its 2010 report, IOM (2010) estimated irregular migrants at between 20 to 30 million people worldwide. This represents 10 to 15% of international migration flows. The United Nations (2013) estimate that inter-State migrants stood at 232 million in 2010.

African migrants (both regular and irregular) essentially move within sub-regions, from small, island, landlocked and conflict-affected countries to coastal areas, in search for job opportunities and security. Out of the African regular migrants, 55% migrate within the continent, which is the most important South-South migration flow after Asia according to the Depart-

ment of Economic and Social Affairs of the United Nations (2013).

The major bilateral corridors in Africa are Burkina Faso-Côte d’Ivoire (1.6 million), Zimbabwe-South Africa (1.3 million) and Mozambique-South Africa (1.2 million) (Crush, 2010). The top ten sending countries in Africa, which experience an emigration rate of 10%, are Cap Verde, Equatorial Guinea, Sao Tome & Principe, Mali, Morocco, Burkina Faso, Benin, Tunisia, Congo and Algeria (Ratha et al., 2011). The traditional receiving countries are South Africa, Côte d’Ivoire, Kenya, Gabon and Libya (Ratha et al., 2011).

The continent has also experienced a rise in the development and diversification of destination hubs over time, such as Botswana, Morocco and Namibia (World Bank, 2011). Irregular migration is shaping to a large extent these new trends. For instance, Morocco, which has traditionally been a major sending country, started to experience immigration in the 2000s: irre-

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gular migrants, estimated at 14,449 by the Moroccan Ministry of interior in 2007, and refugees (1,235 individuals), mainly from Côte d'Ivoire (38%).

Demographic pressures and youth unemployment have also contributed to the rise of migration in Africa, as well as to the changing and blurring destinations and patterns of migration in the continent. According to the United Nations (2013), the African migrant is the youngest in the world with a median age of 29.9 years old in 2010 (as compared to 33.7, 36.7, 42.2, 42.3 and 43.4 years old for migrants from Asia, Latin America, Northern America, Europe and Oceania, respectively).

These new and significant trends necessitate a redefinition of data collection and policy-making with regards to irregular migration in Africa. This paper investigates pending but key issues of contemporary irregular migration flows and stocks in Africa. Section 2 provides an overview of irregular migration in Africa, focusing on the methodological limitations in measuring irregular migration. Mixed migration flows, which refer to “complex population movements including refugees, asylum-seekers, economic migrants and other migrants” (IOM, 2004), are also considered as they involve irregular movements of transit migrants. The data on irregular and mixed migration is very

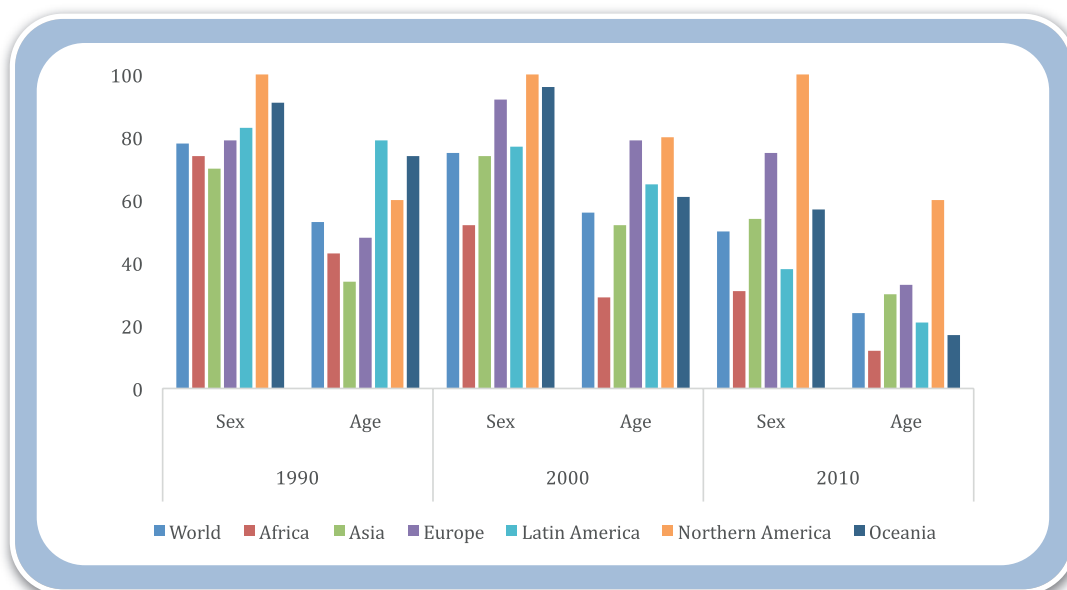
limited, especially with regards to Africa. Section 3 acknowledges the gap in qualitative data and the poor socio-economic conditions that irregular migrants face in the host countries. Section 4 gives the reasons why restrictive management of irregular migration has been a failure while section 5 presents alternative policy recommendations. Finally, section 6 provides some concluding remarks.

## 2 | An overview of irregular migration in Africa

### 2.1 Methodological limitations in the measurement of irregular migration

The data published on irregular migration is often unrealistically low, scattered and contradictory, if not nonexistent. It consists of quantitative estimates of the size of irregular migrant populations in a country (stock) and/or estimates of the number of illegal entries (flows). Collecting reliable and precise data on irregular migration in Africa remains a challenge largely because of the hidden and unregistered character of the phenomenon. It would be worth mentioning that even the evidence base on regular migration trends in Africa is still incomplete, as the Department of Economic and Social Affairs

**Figure 1** Percentage countries with basic data (sex, age) on international migrant stock by census round in 1990, 2000 and 2010



Source: Authors, based on figures quoted in Department of Economic and Social Affairs, Trends in International Migrant Stock: The 2013 Revision – Migrants by Age and Sex, United Nations (2013).

of the United Nations (2013) pointed out that, for the 2010 census, 52% of African countries provide data on total and sex migrant stock and 29% on age (see Figure 1).

Furthermore, according to Ratha et al. (2011), 15 African countries provide data on immigrants by origin country for the period after 2000, with Central Africa reported to have the weakest data for this period. 24 African countries provide data on this topic while 10 African countries don't, for the 1990s; the data for this period is available for all Southern African countries, three-quarters of Eastern and Western African countries and half of Northern and Central African countries. Another limitation to the measurement of irregular migration is the polysemy of the concept itself, which makes it impossible to collect data in a standardized way. For instance, migrants may enter one country legally, but afterwards move towards irregularity in the receiving country by overstaying their visa. They may also choose to cross several countries when undertaking a long migration journey, some of these countries allowing their entry and others not; this is often the case for migrants moving from West Africa to the Maghreb according to the International Organization for Migration (2008).

The consequence is that irregular and regular migrations often become interrelated phenomena, as migrants tend to move in and out of legality and illegality. This problem is reflected in the conflicting interpretations of irregular migration in the research literature, as some experts<sup>2</sup> define it as the actual process of illegal border crossing, while De Haas (2007) defines it as "international movement or residency in conflict with migration laws".

Different methods<sup>3</sup> have tried to address these methodological limitations in producing estimates of the stock and flow of irregular migrants in Africa. All of them focus on the measurement of the incidence of irregular migration and do not provide any socio-economic information on these populations. The most reliable and widely used methodology to produce estimates is to collect information on the number of people arrested in the receiving country and/or deported. These quantitative estimates are published by local police sources (Waller, 2006) and are particularly valuable when measured against

regular migration trends (e.g. the number of legal entries and visas delivered). Although underestimating the phenomenon of irregular migration, they are usually used by decision-makers and experts to determine whether the trends are increasing and where they are coming from.

## 2.2 The data on irregular migration flows and stocks in Africa

### i. North Africa

The main irregular migration flow within Africa is the trans-Saharan migration, of which 90% are planning to migrate to Europe (World Bank, 2011). IOM (2008) and Fargues (2009) actually record a rise in irregular migration flows and stocks in North African countries. The number of Sub-Saharan migrants entering North African countries is very uncertain (see table 1 for a summary of percentage discrepancy in the estimates). Estimates oscillate between 65,000 and 120,000 irregular migrants, of which 70% to 80% going to Libya and 20% to 30% to Algeria (Simon, 2006). The major route of this irregular migration flow is from Agadez in Niger to Sebha in Libya, although Agadez-Dirkou (Libya) and Agadez-Assamaka (Algeria) are also important irregular migration routes.

Simon (2006) estimated at between 60,000 and 80,000 the number of migrants taking the Agadez-Sebha route every year. The migrants using that route are, by order of importance, from Mali, Niger, Guinea, Chad, Ghana, Senegal and Liberia (IOM, 2008). The proximity of these countries to North Africa illustrates the observation discussed earlier that sub-regionalization is nowadays a major migration trend in Africa.

Within North Africa, Libya was known to be the main receiving country of irregular migrants before the "Arab Spring", as a result of the pan-African policy of Muammar Gaddafi and the magnitude of the Libyan Saharan border. Table 2 illustrates the relatively permissive Libyan migration policy<sup>4</sup>, characterized by a reported number of arrests of irregular migrants at 40,000 in 2006 according to Libyan police sources.

<sup>2</sup> See Jordan, B. and Düvell, F. (2002), *Irregular Migration: The Dilemmas of Transnational Mobility*, Cheltenham, UK.

<sup>3</sup> A method used by the Human Sciences Research Council (HSRC) in South Africa from 1996 to 2002 consisted of a sample survey conducted every six months among citizens, asking how many migrants lived on the property, from which the sample figure was extrapolated and the number of legal migrants in the country as determined by the census of Statistics South Africa was subtracted. The figures published (2.5 to 4 million, and possibly up to 12 million of irregular migrants) have been very much criticized of being overestimates, which has led the HSRC to withdraw its estimates in 2002 (Waller, 2006). Another method conducted in Côte d'Ivoire in 1999 to determine the number of irregular workers was to subtract the number of visas delivered by the government from the number of visas applications (Konan, 2009).

<sup>4</sup> The pan-African migration policy of Libya in the 1990s until the mid-2000s was a diplomatic move consisting at first of official declarations, as a response to the international embargo against Libya (1992-1999) and the rapprochement with the Organization of African Unity (former African Union), and subsequently friendly laws towards Sub-Saharan migrants. This policy has nonetheless been mixed with repression carried out by Libyan citizens against irregular migrants in the country; in particular, violent riots against migrants from Nigeria, Sudan and Chad were perpetrated in 2000, which led to their escape to Morocco (Escoffier and Lahlou, 2002).

**Table 1** Percentage discrepancy in the estimated stock and flow of irregular migrants for selected locations in Africa

Location of the stock/flow of irregular migrants within Africa	Reported estimates	% discrepancy in the estimates
Stock of Sub-Saharan Africans in North Africa	65 000 - 120 000	85%
Flow on the Agadez-Sebha route	60 000 - 80 000	33%
Stock in Libya	750 000 - 1 200 000	60%
South-bound flow from the Horn	17 000 - 20 000	18%
Stock in South Africa	2 500 000 - 7 000 000	180%

Source: Authors, based on figures quoted in European Commission (2004), Simon (2006), IOM (2009) and Waller (2006).

The only data available on the actual stock of irregular migrants per se living in the country (and largely quoted by other sources) are the one provided for the year 2004 by the Libyan government to the European Commission delegation as background information on the trends of irregular migrants from Sub-Saharan Africa transiting in Libya and migrating to Europe. It consists of an estimate of 750,000 to 1.2 million irregular immigrants living in Libya (see table 1), against 600,000 legal foreign workers.

The biggest community of irregular migrants in Libya is from Sub-Saharan Africa, but their exact number is unknown. Table 2 provides a summary of the various estimated stocks of Sub-

Saharan Africans in Libya quoted in the literature, with percent variations between selected years and sources. The significant variations indicate that the estimates are not perfectly reliable.

## ii. Sub-Saharan Africa

South Africa is reported to host an important stock of irregular migrants in the continent although the data has been contested. Table 1 shows that South Africa has the highest percentage discrepancy in the estimates of irregular migrants, compared North and East Africa: 180%. The South African Department of

**Table 2** Estimated stock of Sub-Saharan Africans in Libya

Year	1995	2000	2004	2005
Nationality	Number	Number	Number	Number
Sudanese*	94 769	750 000		
Chadians	17 793	500 000		
Nigerians	5 978			
Maliens	5 363			
Ghanians	1 615	4 500		
Gambians	564			
Senegalese	406			
Ethiopians	173			
Burkinabe	172			
Beninese	127			
Togolese	71			
Others SSA	2 257	995 500		
<b>Total SSA</b>	<b>34 519</b>	<b>1 500 000</b>	<b>1 000 000</b>	<b>600 000</b>

Source: Authors, based on figures quoted in Boubakri (2004) and Bredeloup and Pliez (2011).

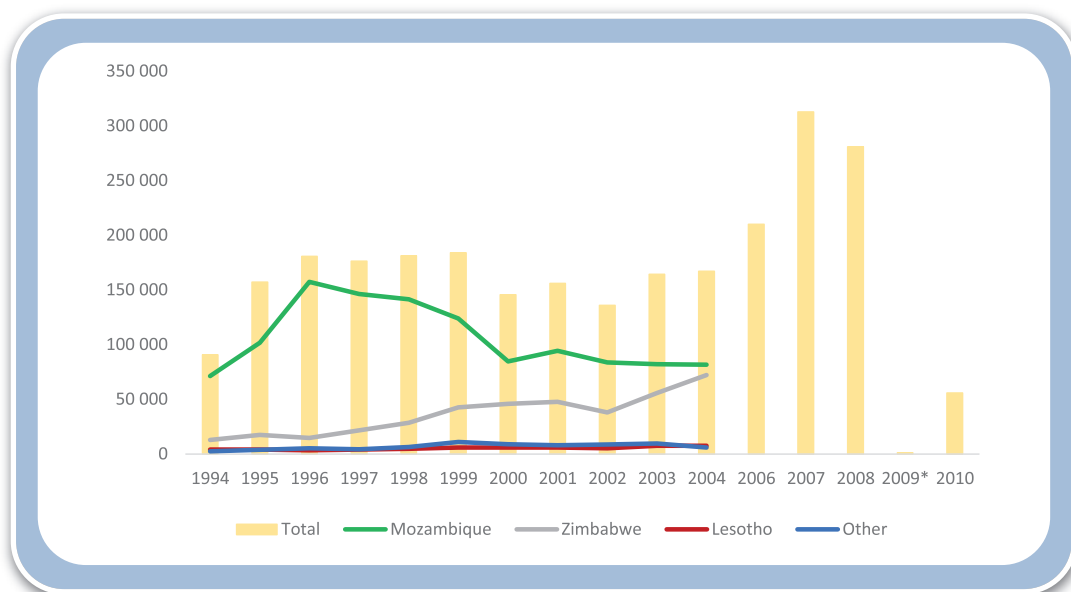
\* The Sudanese are considered as "non-Libyan Arabs" and not Sub-Saharan Africans by the Libyan National Committee of Information and Documentation in charge of the Libyan census.

Home Affairs publishes estimates oscillating between 2.5 to 5 million irregular migrants and sometimes up to 7 million, while other sources claim that there are up to 500,000 irregular migrants in the country (Waller, 2006).

The data published by the Department of Home Affairs, reporting the number of yearly deported irregular migrants by

country of origin, indicates that irregular migrants in South Africa are mainly Mozambicans. However, it also shows that the share of deported Mozambican irregular migrants fell, as compared to the rise of expulsions of irregular migrants from other countries (by order of importance: Zimbabweans, Lesotho and non-SADC countries) (see Figure 2 below).

**Figure 2** Number of deportations per year from South Africa for the period 1994-2010 and top three countries of origin of deported migrants for selected years



Source: Authors, based on figures published by the South African Department of Home Affairs, quoted in Waller (2006), as well as the Solidarity Peace Trust and PASSOP (2012).

\* The significant fall in the number of deportations from 280,837 in 2008 to 1,060 in 2009, as reported by the South African Department of Home Affairs, should be put into context. High levels of deportation in 2007 (312,733) and 2008 have culminated in xenophobic violence in April 2009. It was against this backdrop that the South African government announced a moratorium on deportations and granted Zimbabweans a 90-day free entry visa as well as a 12-month's "special dispensation permit" to work and live legally in South Africa.

Although the Southern African Migration Project estimated in the early 2000s that 99.7% of deported migrants come from a SADC country (Crush and Williams, 2001), South Africa is reported to play increasingly host to irregular migrants from more distant countries, including the Republic Democratic of Congo, Burundi and Somali according to the International Federation for Human Rights (2008). Landau and Segatti also

point out that there is a greater diversity of migrants living in Durban and Cape Town, including Congolese and Angolans (2009). As a matter of fact, the instability in RDC has produced a surge in the number of refugees emigrating from the country. They are estimated at 367,995, of which 68% in Africa, while asylum-seekers are reported to reach 32,742 in 2008, compared to 20,000 in 2005 (IOM, 2010).

Central Africa is also known to produce high number of mixed migration flows, including refugees and asylum-seekers, given the political conflicts and violence in the region of the Great Lakes. For instance, the stock of irregular migrants in the Democratic Republic of Congo is reported to be significant, although no data is available. DRC has traditionally been an immigration country, attracting African laborers in its mining sector and refugees from neighboring and conflict-affected countries, most importantly from Angola (111,000 in 2008 according to the IOM, 2010) but also from Rwanda, Burundi, Uganda, Congo and Central Africa. According to the International Organization of Migration (2010), irregular migrants essentially consist of cross-border migrants from neighboring countries of the same ethnic group as their counterparts in the Republic Democratic of Congo.

The South-bound migration flows emanating from the Horn of Africa, estimated by the International Organization for Migration (2009) at 17,000 to 20,000 Somalis, Eritrean and Ethiopians, involve significant and rising mixed migration flows of irregular migrants in need of international protection. The bulk of these migrants benefit from specific international protection, both legal and institutional, and present valid refugee and asylum seeker claims in their transit or destination countries. This explains why the estimates of migrant flows from the Horn have the lowest percentage discrepancy (18%), as compared to the estimates of irregular migrants (not traceable) in North and South Africa shown in table 1. The populations coming from the Horn of Africa migrate to East Africa, especially Kenya and Tanzania, and onwards through Southern Africa, including Malawi, Mozambique, Zambia, Zimbabwe and ultimately South Africa.

The traditional regional growth poles of the ECOWAS region, Côte d'Ivoire and Nigeria, also remain important receiving countries of migrants. According to the International Organization Migration (2009), both countries experience irregular migration issues, as many people from the region overstay their visa of ninety days. No official data is nonetheless available,

even though Côte d'Ivoire was reported to host 1,349,838 irregular migrants in 1999 according to academic research (Konan, 2009).

### 3 Acknowledging the gap in qualitative data on irregular migrants

#### 3.1 Methodological limitations in the collection of qualitative data on irregular migrants

A first source of information on the socio-economic conditions of irregular migrants in Africa is the emerging body of micro-empirical qualitative research carried out at the local level among (former or actual) irregular migrants, either in the destination country or in the transit country<sup>5</sup>. They investigate the experience of mixed migrants (refugees, asylum-seekers and temporary or transit migrants) during their journeys towards North Africa and Europe. They use the "snowball technique" to identify and select the people interviewed and most rely on multiple entry points in order to minimize the risk of producing a biased sample (essentially: human rights and refugee organizations, church groups and networks of irregular migrants already identified).

While qualitative semi-structured interviews enable the authors to collect useful information on the constraints, vulnerability and abuses faced by the migrants and refugees, the sample are not representative of the population targeted given both the small number of individuals interviewed and the inexistence of a sampling frame. Furthermore, Hamood (2006) pointed out the problem that the people interviewed were reluctant to talk about their experience by fear of reprisal by the local authorities (including detention, ill-treatment and rejection of application for asylum).

More recently, a research conducted at the theoretical level by the World Bank<sup>6</sup> started to explore the ways to use list randomization as a means of measuring both the incidence and

<sup>5</sup> These include: Alioua M. (2005), "Sub-saharan cross-national migration to North-African countries the Moroccan stage", *Maghreb-Machrek*, 185:37-57, 2005; Bensaad A. (2003), « Agadez, carrefour migratoire sahélo-maghrébin », *Revue Européenne des Migrations Internationales*; Brachet J. (2005), « Migrants, Transporteurs et Agents d'Etat : Rencontre sur l'Axe Agadez-Sebha », *Autrepart* 36:43-62; Hamood S. (2006), African transit migration through Libya to Europe: the human cost, FMRS, AUC., Cairo; Lahlou M, Escoffier C. 2002. Rapport de l'Enquête Migrants Menée au Maroc. In *L'immigration Irrégulière Subsaharienne à Travers et Vers le Maroc*, ed. L Barros, M Lahlou, C Escoffier, P Pumares, P Ruspini. Geneva: ILO ; Oumar Ba C, Choplin A. (2005), « Tenter l'Aventure par la Mauritanie: Migrations Transsahariennes et Recompositions Urbaines », *Autrepart*, 36:21-42; Van Liempt I. (2007), *Navigating Borders. An Inside Perspective into the Process of Human Smuggling*, Amsterdam: Amsterdam University Press.

<sup>6</sup> See McKenzie D., Siegel M. (2013), "Eliciting Illegal Migration Rates through List Randomization", Policy Research Working Paper 6426, Development Research Group/Finance and Private Sector Development Team, The World Bank. The study cases were Ethiopia, Mexico, Morocco and the Philippines.

socio-economic characteristics of irregular migrants. List randomization is an efficient means to elicit information about sensitive behaviors and attitudes (associated with a social stigma or illegality) and measure its incidence.

### Textbox 1 Using List Randomization to estimate the number of irregular migrants

The method consists of dividing a sample into two groups with a list of statements. The list is similar for the two groups, although the second group is given an additional statement related to the sensible behavior of interest to elicit. Each individual interviewed in any of the two groups is required to give the number of statements in the list that he or she agrees with. The estimate of the behavior of interest (e.g. the number of irregular migrants) corresponds to the difference in the mean number of answers between the two groups.

Elaborated by Miller to quantify illegal drug use (See Miller, J. (1984), "A New Survey Technique for Studying Deviant Behavior", Ph.D. thesis, The George Washington University), this technique has also been used in economics with Karlan and Zinman<sup>7</sup> to determine how microfinance clients use their loans (e.g. if the loan is business-related or not). List randomization has been used in other disciplines than economics and the following empirical studies<sup>8</sup> have found higher reports of elicit behaviors from list randomization than from direct elicitation. LaBrie and Earleywine measured the incidence of college students having sex without a condom. Gonzalez-Ocantos et al. collected the number of people bribed in exchange of their vote in elections in Nicaragua. Tsuchiya et al. investigated the incidence of shop-lifters. Wimbush and Dalton wanted to determine the number of employees who steal at work.

Source: Authors, based on a literature review of material quoted in McKenzie and Siegel (2013).

Applied to irregular migration settings, list randomization reassure the sampled undocumented individuals that they will not be reported to the police and would thus lead to more accurate estimates than direct elicitation when trying to identify the number of irregular migrants in a particular area. This technique would also help in determining the socio-economic condition of the irregular migrants, by identifying the number of irregular migrants in each group of people sharing a common socio-economic characteristic (such as education, skills, language proficiency, intention in the host country, access to social services).

## 3.2 The socio-economic condition of irregular migrants in the host country

The United Nations Convention on the rights of all migrant workers and their families, as well as constitutional and immigration laws at the national level provide legal protection to migrants, including some limited protection to irregular migrants related to the right to human dignity. In practice, however, migrants and particularly irregular migrants face legal and practical obstacles in the receiving country related to access to shelter, health, education, fair income and justice. In this context, irregular migrants have fewer opportunities to break their low career ceiling and experience intergenerational mobility, as well as to cope with economic shocks in the host country. They also have less economic resources to send back to their family in their country of origin, knowing that the transfer costs of remittances in Sub-Saharan Africa are the highest in the world (Ratha et al., 2011). According to the World Bank (2011), Africa experiences a loss of about USD 15 billion per year as a result of the fees and burdensome documentation requirements for transferring remittances. This hinders the financial inclusion and poverty alleviation of poor households left behind in the sending countries.

Because of the difficulty to establish a sample frame of irregular migrants, the only available data on the socio-economic condition of irregular migrants per se is based on research conducted in detention centers. Qualitative studies on regular and mixed migration stocks in host countries may also provide some additional information on irregular migrants. These studies report that in practice, migrants remain vulnerable to legal and human rights abuse, violations, poverty and social exclusion, as they lack the legal and administrative remedies to defend their rights, not talking of the possibilities of not being aware of the existence of such remedies or of being provided with misleading information by the immigration services. These insecurity, abuse (including sexual abuse), exploitation at work and health risks are reported to affect more the most vulnerable groups; namely, irregular migrants, women and children. Children are often reported by human rights groups to be treated like adults, in violation with both international and national legal frameworks which clearly differentiate between the rights of adults and children (Nyenti et al., 2007).

<sup>6</sup> See McKenzie D., Siegel M. (2013), "Eliciting Illegal Migration Rates through List Randomization", Policy Research Working Paper 6426, Development Research Group/Finance and Private Sector Development Team, The World Bank. The study cases were Ethiopia, Mexico, Morocco and the Philippines.

<sup>7</sup> See Karlan, D. and Zinman J. (2012), "List randomization for sensitive behavior: An application for measuring use of loan proceeds", *Journal of Development Economics*, 98 (1): 71-75.

<sup>8</sup> See J. LaBrie and M. Earleywine (2000), "Sexual Risk Behaviors and Alcohol: Higher Base Rates Revealed Using the Unmatched-Count Technique", *Journal of Sex Research*, 37:321-6; E. Gonzalez-Ocantos et al. (2012), "Vote buying and social desirability bias: Experimental evidence from Nicaragua", *American Journal of Political Science*, 56 (1): 202-17; T. Tsuchiya et al. (2007), "A study of the properties of the item count technique", *Public Opinion Quarterly*, 71: 253-272; J. Wimbush and D. Dalton (1997), "Base rate for employee theft: Convergence of multiple methods", *Journal of Applied Psychology*, 82 (5): 756-763.

### i. Human rights abuses

The citizens, social services and immigration officials often endorse xenophobic attitudes and acts towards irregular migrants. This reflects their desire of a tightening of migration flows on the basis that migrants, especially irregular ones, are responsible for crimes and ills, abuse health services and take away the jobs of the local populations. This takes the form of daily discrimination in access to social services, jobs, etc. Irregular migrants may also be subject to police harassment, including destruction of identity documents, extortion of money and goods, physical violence and detention for longer periods than what is authorized under the law, as pointed out by Human Rights Watch (2012).

**Table 3 Xenophobic attitudes by law-enforcing personnel against undocumented migrants in the Johannesburg area (in %), based on a study conducted by the Centre for the Study of Violence and Reconciliation in 2004**

Police services	Perception that most undocumented immigrants in Johannesburg are involved in crime
Lower ranks	92%
Commanding officers	61,50%
Total	87%

Source: International Federation for Human Rights (2008).

For instance, the irregular migrants arrested and awaiting their deportation at the Lindela detention center in Johannesburg, which is the most important detention center in South Africa, are reported to suffer from many human rights violations, insufficient nutrition and little access to phone calls, visitations as well as health care treatment. A number of them are being kept at the center for months, over the 120-day limit defined by section 34 of the South African Immigration Act, according to the International Federation for Human Rights (2008).

### ii. Limited access to basic social services

Irregular migrants and their family members may suffer from insecure (including potential eviction), far too expensive and unsanitary living conditions, as their irregular status makes it difficult for them to defend their rights as tenants when those are violated. They also have a very limited access to public health services and facilities, even in the case of emergency care as the medical staff is often reported to ask them to pay outpatient fees or even refuse to treat them on the claim that

they don't have the appropriate documentation (Landau, 2006). A restricted access of irregular migrants to health care services has negative effects on the receiving country: it reduces the chances for irregular migrants to bring valuable inputs to the economy; an individual not adequately treated creates a health risk for the society; and it may lead to a rise in the use of public emergency care and thus to a rise in public health costs, as emergency is much more expensive than preventive care.

The children of irregular migrants have in many cases a limited access to education, as they are refused the right to attend public school on the basis of their undocumented status or of their inability to pay school fees. For instance, the International Federation for Human Rights (2008) reports that a Zimbabwean child was refused access to school in South Africa (in contradiction with the South African Department of education) on the grounds that he needed a study permit to get registered and that the family could not afford to pay the school fees of 1000 rands per term and the 300 rands for the study permit. The lack of access to education curtails children's cognitive as well as social development, as well as future economic opportunities and benefits that the migrant could potentially bring to the labor market in the host country.

### iii. Violation of labor rights

Human rights organizations express great concerns regarding the working conditions of undocumented workers. Whether they are settled, circular or seasonal, waged-worker migrants are often subject to exploitation, having their labor rights violated. For instance, the International Federation for Human Rights (2008) report cases where irregular migrants in South Africa are being paid at below the legal minimum wage, work for more hours than what is authorized under the law, have limited or no leave, break or compensation for injuries and diseases. Human Rights Watch (2007) also reports cases of physical abuse and absence of payment of overtime and leave against documented and undocumented laborers in Southern African farms at the Zimbabwean and Mozambican borders, although the larger (export-producing) farms tend to respect the minimum wage. These discriminations are particularly unfortunate as irregular migrants tend to be employed in temporary and low-skill positions, working in difficult and sometimes dangerous jobs in agriculture, construction, mining, private security, etc. For those irregular migrants with skills, there is also the problem of having their qualifications recognized in the receiving country, which may be a costly and time-consuming administrative process.



#### 4 Restrictive irregular migration management: a failure

The barriers experienced by irregular migrants with regards to access to fundamental rights and essential services in the receiving countries reflect the will of the local authorities to curb irregular migration, either by discouraging new irregular migrants to enter the country or by compelling their departure. It gives a central role to police enforcement, as migration policies essentially consist of arrests, detention and deportation. For instance, the migration control budget allocated to the Lindela detention center in Johannesburg had a budget of 52 million rands for 2006/2007, out of a total budget of 188.7 million allocated to the South African Department of Home Affairs for migration management, according to the International Federation for Human Rights (2008).

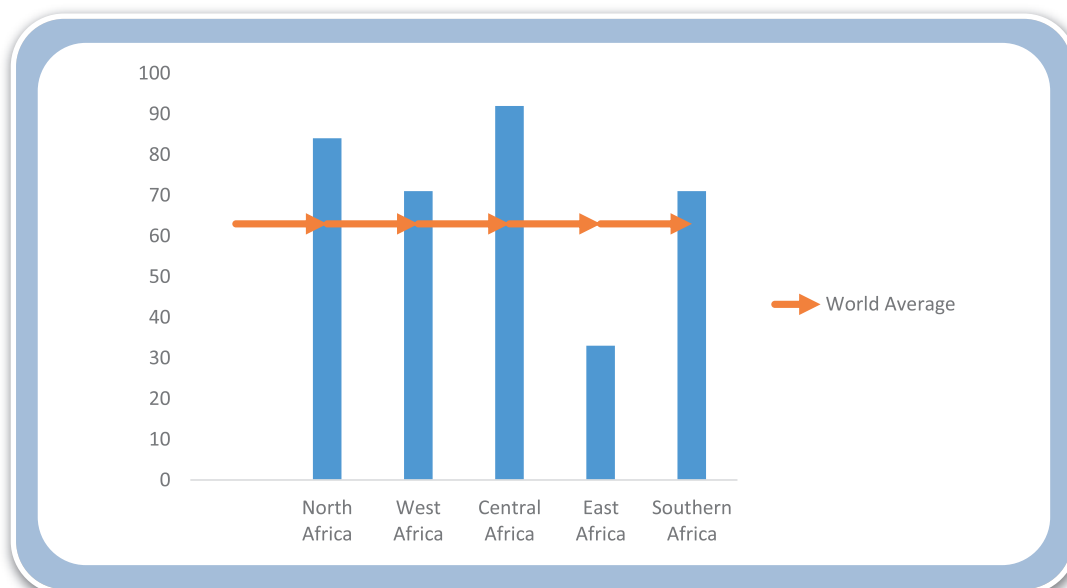
African governments have been increasingly using documentation, frontier controls and mass deportations as a common policy to resorb irregular migration. Tourist visas, employment and residence permits in Africa are very onerous and imply burdensome documentary requirements, including for migrants coming from other African countries. Most countries in the ECOWAS have very strict requirements on African citizens coming from outside that region. Figure 3 shows that visa requirements are higher in Africa, especially in Central Africa and North Africa, than the world average. Comoros, Madagascar, Mozambique, Rwanda, Seychelles are the five

only African countries to give visa-free or visa-on-arrival to other African citizens.

Frontier controls have been stepped up, with increasing border patrols and the authorization of the local police to assist the immigration services in arresting irregular migrants. Although major expulsions of irregular migrants have been undertaken in many African countries, one of the largest and most publicized has been the expulsion of an estimated 1 to 1.2 million irregular migrants by the Nigerian government in 1983, according to the International Organization of Migration (2009).

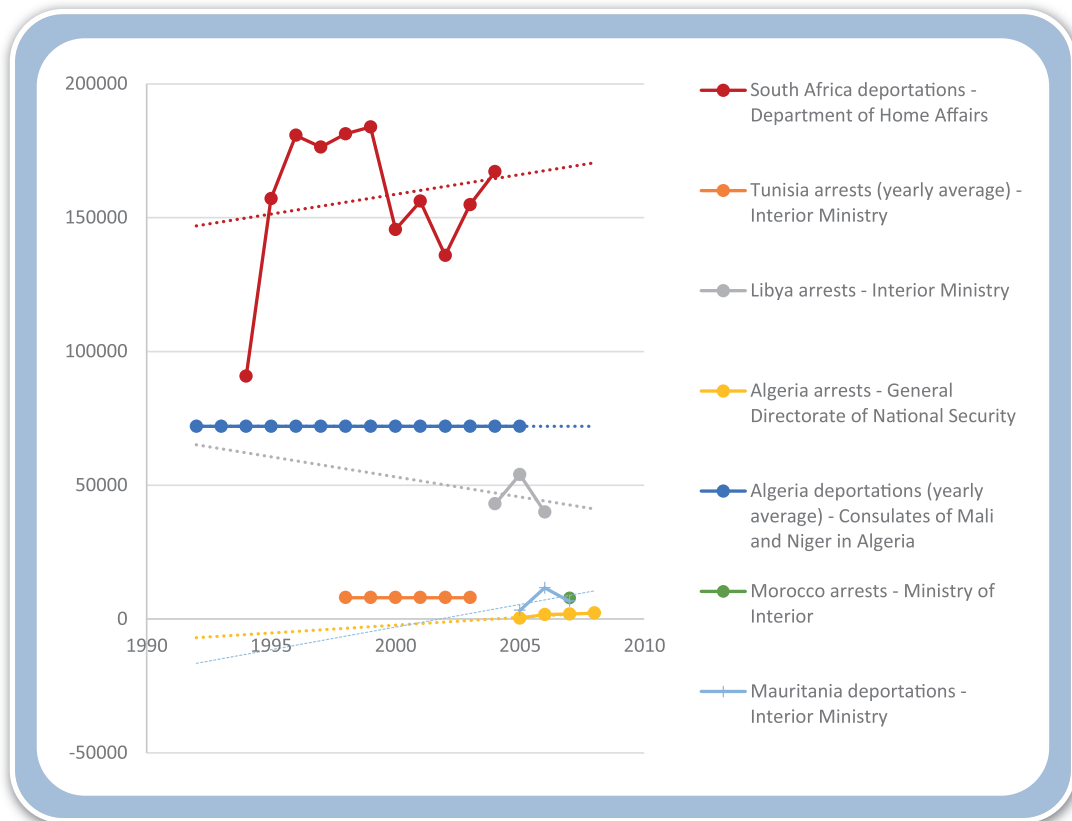
Figure 2 depicts the number of arrests and deportations quoted in the literature for selected African countries. The Algerian government reports a rise from 1,636 in 2006 to 1,858 arrests in 2007. A more compelling example is the number of deportations per year recorded by the South African Department of Home Affairs, indicating a significant rise in the number of irregular migrants in South Africa, as 90,692 irregular migrants were deported in 1994 and 167,137 in 2004. This example reflects the tighter police controls towards immigration since the inception of democracy in South Africa in 1994, as a result of the 1995 amendments to the Aliens Control Act of 1991. Additional amendments have been made to the immigration laws in May 2014, further restricting the chances for foreigners to visit, study, work and live in South Africa.

Figure 3 Percentage visa requirement prior to arrival in African sub-regions



Source: Authors, based on the figures quoted in World Economic Forum, Travel & Tourism Competitiveness Report, 2013.

**Figure 4** Number of apprehended and deported irregular migrants in selected African countries (1992-2008), with trend lines

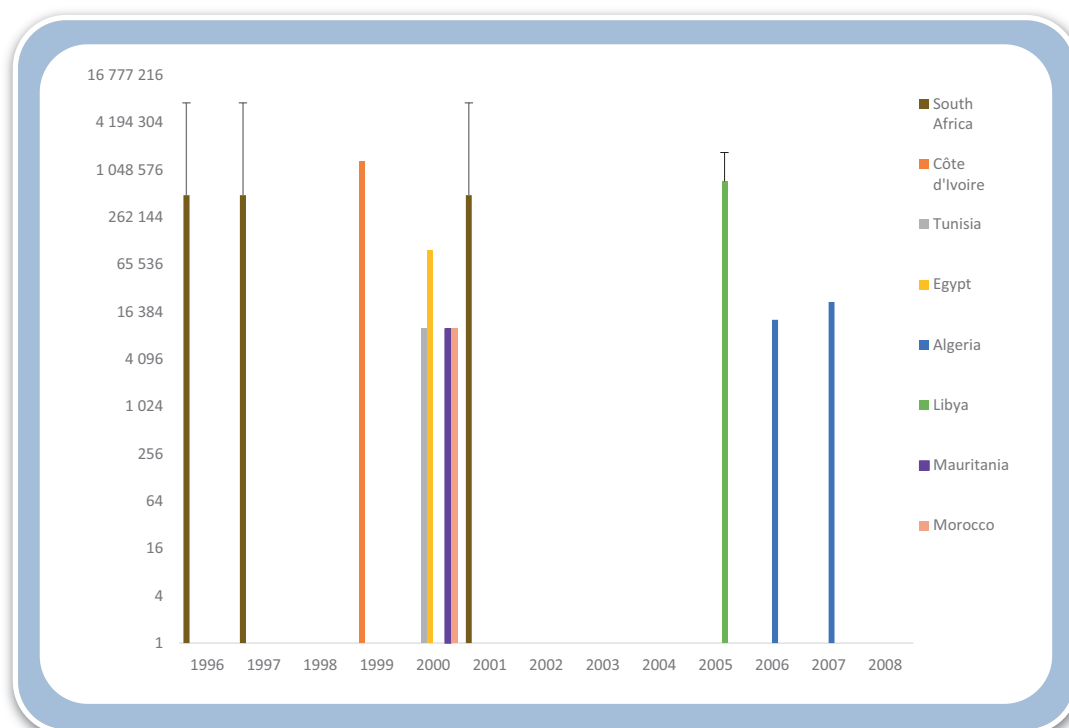


Author, based on figures quoted in Landau and Segatti (2009), Waller (2006), International Organization for Migration (2008) and Consortium for Applied Research on International Migration (CARIM) Profiles of Algeria and Tunisia (2010).

Despite these high restrictions on migration, the day-to-day violations of the fundamental human rights, obstruction to the access to basic social services as well as xenophobic stances against irregular migrants, irregular migrant flows and stocks within Africa are not curbed. Entry controls have been largely ineffective, especially in countries with extensive land borders (UNODC, 2010), while a large proportion of deported migrants return to the receiving country within a short period of time. This latter trend has been termed in South Africa as the

“revolving door syndrome” (Waller, 2006). Figure 3 shows the progression of the stock of irregular migrants quoted in the literature for several African countries. The stock is estimated at 500,000 to up to 7 million in South Africa for 1996, 1997 and 2001, and at 13,000 to 22,000 in Algeria for 2006 and 2007, respectively. This shows that adopting a deterring or restrictive strategy to limit irregular migration inflows is not efficient, as the stock and flow of irregular migrants remain at a high level over the years.

**Figure 5** Estimates of the stock of irregular migrants in selected African countries for the period 1996-2008 (logarithmic scale, base 4)



Source: Author, based on figures quoted in Bredeloup and Pliez (2005), Burthelezi (1997; 2001), Fargues (2009), Mebroukine (2009).

## 5 Policy recommendations: the benefits for the host country of removing policy barriers to irregular migrants

Ignoring irregular migrants constitutes both an economic and social cost not only for irregular migrants, but also for the host countries. It forces these populations to find a job in the informal market, thus expanding the informal economy in the host country. Furthermore, the marginalization of irregular migrants leads to segregation in ghettos in large slum areas, thus threatening social cohesion, fueling social tensions, xenophobia and discrimination against irregular migrants in the host country (Mebroukine, 2009). This phenomenon is especially the case in South Africa where irregular migrants tend to come from neighboring countries and have ethnic ties with the receiving country, thereby destabilizing the fragile social equilibrium in the host country (The World Bank, 2011).

The literature in favor of the ease of restrictions on international labor mobility argues that the globalization of labor pro-

motes development and reduces inequality. Various studies<sup>9</sup> have shown that migration boosts production, decrease the price of basic goods relying on low-skilled labor (thus encouraging their consumption) and increase the benefits of owners of land and capital, thereby acting as agent of growth.

Empirical surveys realized in the United-States and Europe<sup>10</sup> show that the adverse effect of the globalization of labor is a reduction in domestic wages, especially those of low-skilled workers. This adverse consequence of migration is an impediment to the free movement of people as it negatively impacts public opinions and encourages national policy-makers to adopt a protectionist stance. According to a survey conducted by the Southern African Migration Project, South Africa experiences a particularly high domestic opposition to migration, with 25% of nationals favoring a total ban on immigration, while a Wits University study reveals that 64.8% of South Africans would see the departure of immigrants from the country as a positive step (Crush, 2000).

<sup>9</sup> The pioneer study in this regard is Galbraith, J.K. (1979), *The Economics of Mass Poverty*, Cambridge, MA: Harvard University Press. Subsequent studies include: Pritchett, L. (2006), "Let Their People Come: Breaking the Gridlock on Labor Mobility", Center for Global Development, Washington, DC; Anderson, K. and Winters, A. (2008), "The Challenge of Reducing International Trade and Migration Barriers", Policy Research Working Paper Series 4598, Washington, DC: World Bank.

<sup>10</sup> See Hanson, G. (2009), "The Economic Consequences of International Migration", *Annual Review of Economics*, 1 (2009): 179-208; Dustmann, C., Glitz, A. and Frattini T. (2008), "The Labour Market Impact of Immigration", *Oxford Review of Economic Policy*, 24 (3).

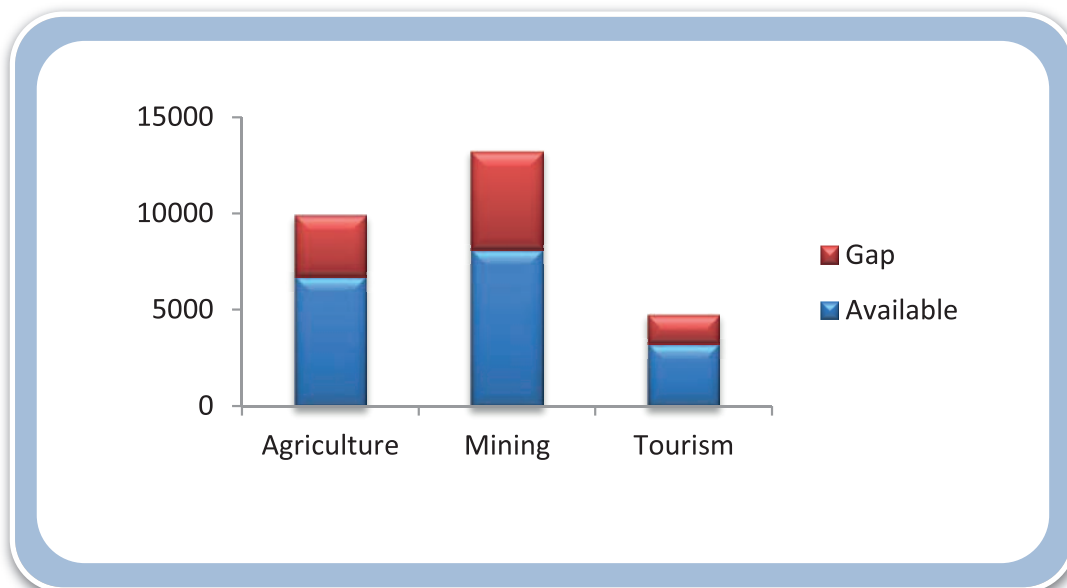
However, empirical studies on the topic point out that the positive effects of migration outweigh its adverse distributional impact. Efficiency gains derived from the complete elimination of barriers to labor mobility are estimated by the various studies conducted on the issue<sup>11</sup> at between 50% and 150% of world GDP, compared to between 0.5% and 4% for trade mobility and between 0.1% and 1.7% for capital mobility. Furthermore, the reduction of wage and income differentials is a means to reduce inter-State inequality.

Labor-intensive countries facing a shortage in the labor force (and thus needing low-skilled laborers) would gain in removing the barriers to irregular low-skilled migrant workers. According to Mebroukine (2009), the recent launching of a development strategy for South Algeria by the government did not succeed in attracting the Algerians from the North. Meanwhile, these new economic opportunities in the South Algerian labor market have led to a massive inflow of irregular migrants from Niger (35%), Mali (15%), Nigeria (15%) and Morocco (10%), looking for a job and settling in the areas of Tamanrasset (close to the border with Niger), Adrar (close to the border with Mali), Illizi (close to the border with Libya) and Tlemcen (close to the border with Morocco). Although 40% of the 30 000 irregular migrants arrested at the South Algerian border each year admit that they intend to settle and benefit from the flourishing

markets in the Maghreb rather than migrating to Europe (Mebroukine, 2009), these populations are trapped in irregularity and, consequently, subject to socio-economic exclusion and lack of access to basic social services, thus limiting their contribution to the Algerian labor market.

The countries whose comparative advantage and economic activities are more capital-intensive but facing a shortage in high-skilled workers would gain in attracting an educated irregular migrant working force. Boubakri (2004) recorded in Tunisia a rising inflow of educated and skilled irregular migrants to the traditional trends of low-skilled migrants emigrating from poor areas. Another empirical study conducted in Agadez, Niger, among irregular migrants in transit towards the Maghreb and eventually Europe, also noted that these populations were educated urban males (Issa, 2007). The Gambia, for instance, would greatly benefit from the liberalization of migration policy facilitating the inflows of high-skilled migrants in the labor market, as the country experiences both a high-skilled-emigration rate and a non-trivial low-skilled migrant population (Gajigo and Verdier-Chouchane, 2014). Sierra Leone also experiences a shortage of skilled laborers in the agricultural, mining, tourism and banking sectors, given the weak education and training system in those fields in the country (AfDB, 2013).

**Figure 6 Shortage of skilled workers for selected economic sectors in Sierra Leone, 2013**



Source: Sierra Leone Skills Gap Analysis, African Development Bank, 2013

<sup>11</sup> For a complete review of empirical studies on the efficiency gains from the free movement of labor, capital and trade, see: Clemens, M. (2011), "Economics and Emigration: Trillion Dollar Bills on the Sidewalk?", *Journal of Economic Perspectives*, 25 (3): 83-106.

According to the World Bank (2008), skills shortage constitutes the major labor issue for investors in Africa. It inhibits the continent's private sector growth, productivity, competitiveness and job creation (Kraak, 2008). This is especially the case given that the economy is increasingly capital-intensive, the demand for unskilled laborers is diminishing (McCord and Borhat, 2003) and African (especially low-income) countries are facing a significant brain drain. For instance, Africa has the highest emigration rate of skilled workers in the world after the Caribbean, Central America and Mexico. The health sector is particularly affected, as 38 African countries don't meet the minimum standards for basic health established by the World Health Organization, which is one doctor for 5000 people (Shimeles, 2010).

In this context, the receiving countries could facilitate, make more well-known and less costly the legal and administrative recognition of the qualifications of irregular migrants for which they face a shortage in the labor market. This would maximize the productivity of these populations and consequently impact positively on the growth of the host country. For instance, an empirical study conducted by Iregui<sup>12</sup>, which took into account the educational achievement of migrant workers in the set of assumptions, estimated the efficiency gain for labor mobility at 76%. This is half the efficiency gain computed by Hamilton and Whalley<sup>13</sup>, who disregarded education levels of migrants in the measurement of the efficiency gain and consequently came up with the result 147%. This empirical study shows the importance of not considering migrants as a homogeneous group and, instead, points out the need to investigate the socio-economic characteristics and the skill structure of immigrants relative to the one of natives in order to assess more accurately their positive impact on the host country.

## 6 Concluding remarks

The phenomenon of irregular migration should not be occulted anymore on the assumptions that irregular migration cannot be accurately quantified or that these populations only have negative effects on the receiving country. Pursuing restrictive immigration policies proves to be inefficient as irregular migration trends do not decrease. The economic and social exclusion of these populations appears to be rather counterproductive for the economy and the social cohesion of the receiving country, on both the short and long run.

While collecting more accurate and reliable data on the number of irregular migrants stocks and flows will remain a problem, gathering qualitative information at the micro level on the socio-economic features of irregular migrants, motives of the stay and access to social services is possible and will help in providing a better sense of who they are and what role and place they could play in the destination country and labor market. This will document the many facets of their positive contribution to the receiving country, thereby publicizing a much more positive image of irregular migrants, countering xenophobia and raising awareness about the rights of irregular migrants.

Collecting qualitative data on irregular migrants will also help the government to make more coherent and targeted policies aimed at including irregular migrants in the receiving country's economy in a way that could benefit to both the host country and the migrant. Indeed, the lowering of barriers to human capital development and ultimately labor mobility would enhance the productivity of the irregular migrants and thus domestic output and growth.

<sup>12</sup> See Iregui, A.M. (2005), "Efficiency Gains from the Elimination of Global Restrictions on Labour Mobility", in *Poverty, International Migration and Asylum*, ed. Gerge J. Borjas and Jeff Crisp, 211-238, New York: Palgrave Macmillan.

<sup>13</sup> See Hamilton, B. and Whalley, J. (1984), "Efficiency and Distributional Implications of Global Restrictions on Labour Mobility", *Journal of Development Economics*, 14 (1): 61-75.

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