The African Union Agenda 2063 and the Global Compact for Safe, Orderly, and Regular Migration (GCM): A Case for Complementarity

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Introduction

The African Union (AU) evolved from the then Organisation of African Unity (OAU) after a decision to establish a new continental organisation. The AU was officially launched in July 2002 in Durban, South Africa. The creation of the AU aimed at championing economic development and African integration. The transformation of the OAU into the AU brought about significant organisational changes whereby new structures and organs were established to make the AU a supra-national body. On this basis, the African Union Assembly of Heads of State and Government at the 24th Ordinary Assembly on 30 and 31 of January

2015 adopted Agenda 2063: 'the Africa We Want' as a strategic framework for Africa's inclusive growth and sustainable development and to optimise the use of the continent's resource for the benefit of all Africans.

The Agenda 2063 is derived from the AU Constitutive Act, AU vision, AU Assembly 50th Anniversary Solemn Declaration of 2013 and Seven African Aspiration for 2063. Notably, the agenda is a continental socio-economic driver of development and is classified into a series of ten-year plans over a 50-year time frame. As a first step, the AU Assembly adopted the first ten-year implementation plan (2014–2023) of Agenda 2063. Under the first ten-year plan, flagship projects, priority areas and policy measures to support the implementation of the continental development framework were outlined. It contains flagship programmes such as an integrated high-speed train network, Africa Virtual and E-University, the formulation of a commodities' strategy, the establishment of an annual African Forum, the establishment of the Continental Free Trade area by 2017, the African passport and free movement of people, and silencing the gun.

Similarly, the Global Compact for Safe, Orderly, and Regular Migration (GCM) is a negotiated and non-binding document under the auspices of the United Nations (UN). It provides for a somewhat holistic approach toward migration governance. Peculiarly, The GCM is the only inter-governmental negotiated UN Agreement that recognised the complexity of migration and, at the same time, acknowledges the necessity of international cooperation and partnership in addressing international migration challenges. The GCM places an emphasis on the migration-development nexus, further expressing the objectives of the UN 2030 Agenda framework for sustainable development goals. Additionally, the GCM contains several guiding principles of national sovereignty, rule of law, sustainable development goals, human rights, gender-responsive, child-sensitive, whole government approach and whole society approach.

As it celebrates its anniversary, the AU and most of its member states lack good migration governance policies necessary for addressing critical challenges. Based on this, the essay argues that the implementation of Agenda 2063 should be in tandem with the implementation of the GCM.

Pitfalls of AU Migration Policy Framework

The AU has several migration-related policy documents and some legal instruments. For this essay, only three AU Policy documents are considered to be the mainstream policy documents on migration. These are the African Common Position on Migration and Development; the Ouagadougou Action Plan to Combat Trafficking in Human Beings, especially Women and Children 2006; and the AU revised migration policy framework (2018-2030) and Plan of Action.

To begin with, the African Common Position on Migration and Development reflects on Africa's broader consensus on issues of migration and development. Among others, it calls on member states to harmonise their legislation in line with international conventions, protect the rights of migrants and enact policies on preventing discrimination, racism, and xenophobia. The document covers key priority policy areas such as migration and development, human resources and brain drain; remittances and trade; migration and peace; security and stability; migration and human rights; gender; regional initiatives; and access to social services. It urges member states to mainstream migration in their development strategies and allocates the necessary financial resources to facilitate its implementation. Furthermore, it calls on member states to harmonise their national legislation in consistence with international conventions in order to ensure that the rights of migrants are protected and to enact policies on preventing discrimination, racism and xenophobia, among others.

The Ouagadougou Action Plan to Combat Trafficking in Human Beings, especially Women and Children (2006) is particularly concerned with preventing and combatting trafficking of human beings and other forms of sexual exploitation and abuse of women and children. Broadly, it highlights a number of tasks and activities to be undertaken at the national level. These include prevention and awareness-raising; victim protection and assistance; provision of information on legal and other rights in countries of destination; due process regarding the prosecution of perpetrators of human trafficking and encouraging victims to testify against those who commit such crimes; and the provision of medical assistance. The Plan of Action also consists of various normative dimensions geared toward supporting the fight against human trafficking, including relevant legislative frameworks, policy development, and law enforcement-related issues. It further underlines the importance of cooperation and coordination between and among governments, inter-

governmental, international and non-governmental actors and CSOs.

Lastly, the AU Revised Migration Policy Framework (2018–2030) and Plan of Action (MPFA) is a revised strategic document that seeks to build on the achievements and challenges of the Migration Policy Framework for Africa (MPFA) of 2006 by providing the roadmap for Regional Economic Communities (RECs) and States in the management of migration.

Nevertheless, the three AU migration policy frameworks discussed above are flawed on three critical fronts. Firstly, they lack a robust, coordinated, and efficient AU institutional forum to assist member states to monitor their implementation. Notably, in 2020 the AU inaugurated the African Migration Observatory. The new institution is charged with the task of facilitating the implementation of the GCM through data protection and the promotion of continental and international cooperation regarding migration and aligning it with sustainable development goals. Besides this, there are other institutions at the AU level such as the African Centre for Study and Research on Migration in Mali, the Continental Operational Centre in Khartoum for Combating Irregular Migration, Tunis based African Union Institute for Statistics, National Bureau of Statistics and migration data hubs in Africa and beyond. There is a need for the harmonisation of all these emerging institutions with a somehow overlapping mandate of handling migration issues in Africa. The lack of proper coordination deprives the AU of speaking with one voice on migration issues and also inhibits it from supporting cooperation and partnership among its member states in resolving intra-migration challenges. Establishing these institutions is a good initiative on the part of the AU, but how these institutions influence migration discourse on the continent is still a challenge. Above all, most of these institutions are largely unknown in member states. This hampers the efficiency and impact of these institutions in shaping migration discourse on the continent.

Unlike the AU migration policy framework, the GCM stipulates its implementation at the global, regional and national levels, even though it is a non-binding document. The GCM established the UN Migration Forum Review to be carried out every four years by the member states. In addition, similar processes have been established under regional and sub-regional levels in monitoring member states' progress in the process of implementation. The AU

lacks this well-articulated institutional structure to monitor the implementation of its migration policies. Based on this absence of institutional structure, the AU must address the existing and potential intra-migration challenges as it moves toward an integrated Africa.

Secondly, ambiguity and a lack of clarity of some of the AU policies in terms of what they seek to achieve is another weakness. For instance, the MPFA provides concrete recommendations for member states but lacks the mobilisation of the necessary resources, a factor that undercuts its implementation. In a way, the AU has waived its responsibility for resource mobilisation by passing the funding responsibility to UN agencies and other organisations. Additionally, the MPFA conspicuously mentions that it merely provides guidelines and principles for consideration by governments and RECs, yet, at the same time, it contains an action plan to implement the document when no resources for realisation exist. Another issue is that while the MPFA is meant to provide guidance for member states, it leaves everything in terms of implementation to member states and Regional Economic Communities (RECs).

Arguably, the existing AU migration policy seems ineffective in addressing the emerging migration issues on the continent, a factor that will negatively impact the successful implementation of its Agenda 2063. Therefore, this essay contends that the AU could effectively harness the regional implementation mechanism for GMC, given the fact that the GCM is widely accepted by African states, as evidenced by ongoing processes around implementation initiatives at national and sub-regional levels. Based on this, GCM presents an opportunity for the AU through its implementation, follow-up and review mechanisms on migration governance. This is by no means an insinuation that the GCM is a flawless document. Nevertheless, concerning migration governance in comparison to the above-discussed AU policy, the GCM stands out.

Thirdly, the lack of policy uniformity and coherence among the member states is the greatest challenge. This could be attributed to the lack of a proper pan-African forum specifically tasked with shaping migration dialogues on the continent. Consequently, this affects the efficiency and coordination of migration governance on the continent. Meanwhile, the GCM provides a comprehensive policy framework on migration governance for the AU member states to emulate in drafting their migration policy. Also, the GMC provides a

forum for African member states to discuss emerging migration issues in the implementation of the GCM. Processes such as the Africa GCM Continental Review at the continental level, sub-regional activities under the East Africa Community (EAC), and the establishment of the Regional Consultative Process (RCP), where member states can collectively address migration challenges on convergent issues, are notable examples. The continental and sub-regional fora need to be owned by member states in terms of funding and integrated more broadly, not only for the implementation of the GCM but also for migration challenges as the African member states are implementing the Agenda 2063. This brings us to the question of the complementarity of the GCM and Agenda 2063.

Complementarity Between the GCM and Agenda 2063

Although there is no explicit reference to Agenda 2063 in the GCM, the latter is an important document for the realisation of the former. This is because the free movement of people across the continent and African integration are the pillars of the realisation of Agenda 2063. It means migration is at the core of socio-economic development for the AU. It is against this background that this essay strongly contends that Agenda 2063 is intrinsically connected with the implementation of the GCM at the AU level in order to ensure good migration governance. Despite the criticism of the GCM for lacking strong human rights footprints and the fact that it does not mention the AU Agenda 2063, the document remains an important instrument for governing and fostering cooperation among the African member states in managing intra-Africa migration.

More so, Agenda 2063 seeks to eradicate poverty in gearing for the continental's social and economic transformation. The aspiration includes fostering a high standard of living and quality of life, the creation of employment and investment, and youth empowerment. This aspiration is well-aligned with Objective 2 of the GCM, which commits to minimising the adverse factors that compel people to leave. Effective implementation of this objective will not force people to seek a livelihood outside the country in irregular ways. Although Objective 2 has not mentioned Agenda 2063, it clearly mentions the implementation of Agenda 2030. Since Agenda 2063 and Agenda 2030 are connected, pursuant to indicator 10.7 of Agenda 2030, it can be inferred, as a

matter of logic and common sense, that the implementation of this aspiration is connected to the GCM. It is astonishing that the GCM does not explicitly mention the AU Agenda 2063 when at the time of its drafting, the UN and AU had signed a joint African Union-United Nations Framework to enhance partnership in peace and security as a basis for collaboration through regular consultations and joint mechanisms.

Conclusion

The GCM has institutional structures at global, regional and national levels that seek to assist member states in the implementation of its objectives. In this regard, integrating the GCM and AU Agenda 2063 will serve a two-fold purpose. The AU member states will have robust and sound migration governance, and at the same time, AU member states will have the resilience to address migration challenges as they implement Agenda 2063. Finding synergies in the implementation of these two policy documents is crucial if Africa wants to harness the potential of migration in boosting its development and, at the same time, address migration challenges.

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