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Centre for Human Rights
Faculty of Law

OPEN LETTER

CENTRE FOR HUMAN RIGHTS CALLS FOR THE ROLL OUT OF THE AFRICAN UNION PASSPORT UNDER THE CENTRE CAMPAIGN #AFRICANMIGRANTSMATTER

3 June 2021

To the: African Union (AU)
AU Member States
The 8 Regional Economic Communities (RECs)
Pan-African Parliament
Embassies and High Commissions

Dear All,

RE: CENTRE FOR HUMAN RIGHTS OPEN LETTER: A VISA FREE AFRICA – CALL FOR THE ROLL OUT OF THE AFRICAN UNION PASSPORT UNDER THE CENTRE CAMPAIGN #AFRICANMIGRANTSMATTER

1. The above subject matter refers.
2. The Centre for Human Rights, Faculty of Law, University of Pretoria (the Centre), is an internationally recognised university-based institution combining academic excellence and effective activism to advance human rights, particularly in Africa. It aims to contribute to advancing human rights, through education, research and advocacy.
3. Under its mandate, the Centre has re-launched a campaign titled #AfricanMigrantsMatter, in which it seeks to draw attention to the harsh realities and hardships faced by African migrants today, particularly on the African continent.

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4. This letter flows directly from this campaign and seeks to specifically highlight the burning issues requiring your attention in relation to African migration on the continent. This letter further contains a call to action, providing key targets, which must be acted on urgently to create the change we so desperately need.
5. According to the Report on Labour, Migration Statistics in Africa (2017) developed by the African Union Commission, the number of migrants that moved from one African country to another saw a rapid increase from 13.3 million to 25.4 million people. Additionally, in 2019, Africa hosted around 7.3 million refugees, including asylum seekers. The contemporary drivers of migration continue to be conflict, poverty and climate change. However, an emerging driver of African migration on the continent has been highlighted as being due to material aspirations based on a shift in the perception of what a 'good life' is and due to growing consumerism.
6. Nevertheless, greater mobility spurred an increase in targeted xenophobic violence, anti-immigrant sentiment, unfavorable labour laws and policies, lack of social protection and a high level of visa-restrictiveness in African countries. These factors soil the African migrant's dreams.
7. It would be amiss not to acknowledge the efforts made by the AU with regard to African migrants. As a few notable highlights, Agenda 2063 touches on creating an integrated continent: politically united and based on the ideals of Pan-Africanism and the vision of African Renaissance.
8. Additionally, the Protocol to the Treaty on the Establishment of the African Economic Community relating to Free Movement of Persons, Right of Residence and Right of Establishment (the Protocol on Free Movement in Africa), was adopted in January 2018. The Protocol envisions an Africa where people, goods and capital move freely and places an obligation on Member States to progressively implement the right to entry by permitting nationals of other Member States to enter their territory without the requirement of a visa. Under this instrument, the idea of an African Passport was created, which is aimed at allowing Africans to move freely across the African continent, visa free. A duty is placed on state parties to adopt this passport and to work with the AU Commission to have it rolled out to their citizens.
9. Moreover, the African Union Assembly adopted guidelines on the design, production and issuance of this passport in February 2019.

10. Despite this, the rate of ratification in relation to the Protocol on Free Movement in Africa continues to move at a snail's pace, with only four member states (Rwanda, Sao Tome and Principe, Mali and Niger) having ratified it. This lack of ratification slows down the roll-out process of the passport. According to the Visa Openness in Africa Index (2020), developed by the AU and the African Development Bank Group (ADB), African states such as Libya, Equatorial Guinea, Burundi, Cameroon, Gabon, Namibia and South Africa were recorded as being some of the least open, with restrictive visa requirements in place.

11. In light of this and by virtue of this campaign, the Centre calls for the following actions to be taken:
 - 11.1 Call for an increase in the level of ratification of the Protocol on Free Movement in Africa by African Union Member States;
 - 11.2 Ensure the rapid roll out of the African Passport for the availability of African citizens by the beginning of 2022;
 - 11.3 Create better conditions in terms of treatment, social protection and labour laws for African migrants in Africa; and
 - 11.4 Guarantee the inclusion of African migrants in the roll out of the COVID-19 vaccine in African states.

12. We therefore call upon African member states, the African Union and its institutions as well as the RECs to improve the conditions of the African migrants on the continent and to give effect to the spirit of Pan-Africanism and inclusivity in Africa.

Yours faithfully,
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