

The Intervention for Peace and Border Control Safety in South Africa

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Abstract: Migration control is a burning issue worldwide and a politically contested in South Africa. This paper analyses challenges of illegal immigration that poses danger and threats into South Africa which triggered the intervention of peace and border control for safety and security as a measure. The illegal migration and refugee crisis in South Africa post 1996 has reached the stage of uncontrollable situation due to lack of information about number of illegal immigrants that crosses the borders into the country. The Department of Home Affairs in South Africa fails to identify risky migrants. The illegal immigration in South Africa is caused by economic and political factors from African countries. There are potential dangers arising from illegal migration as well as unsuitable way of addressing them. Stringent border control is not a big obstacle to freedom of movement within South Africa as granting of work permits, residency permits, access to welfare provisions and social assistance are vital importance instruments for controlling, improving and limitation of free movement of people. The paper applied qualitative methodology using case study and secondary data of official documents, archival records and existing literature. In view of current situation of illegal migration and uncontrolled borders in South Africa, this paper seeks to analyse the challenges of border control and challenges in South Africa for management of border control for safety and security. The illegal immigrants posing danger and threats remain a major challenge in South Africa. This paper conclude that South Africa should implement immigration laws, introduce biometric system, build refugee camp, and build a wall at the borders to control immigration.

Keywords: Border, Control, Migrants, Implementation, Intervention

1. Introduction

Human migration has taken place throughout history. At times, it has been considered an opportunity by the receiving countries, but in today's world, migration is viewed as a threat. In the new millennium, migration seems to threaten the social and political stability of the world's established democracies, especially in United States, Europe, United Arab Emirates, China, and South Africa are all the democratic countries amid the continuing influx of refugees from the war in Syria, political and economic migrants from other parts of Africa. In post-Apartheid South Africa, it is alarming how migration has become a security issue, it is instructive to highlight how cultural differences, as a system classification, are associated with threat (Saleh, 2020).

According to William Blake (2002), the challenges of border peace control has been one of the most politically contested issue in recently, reflected in both the polarization it has caused and the massive resources that have been used into new border control security tools worldwide. Most disguised word 'refugee crisis,' when migrants are yearning to enter

first world countries due to economic crises which happened in South Africa after 1996, has resulted in a vast expansion of the South Africa border control resources, notably an array of new automated surveillance and screening tools costing millions of Rands in airports borders. Mr Donald Trump, the United States former President, managed to build a border security wall between the US-Mexican border, regardless of the old border fence that was done previously from Mexico to the Pacific Ocean (European Commission, 2019). Asia was not exceptional as India, political controversies surrounding migration from Bangladesh and Pakistan have resulted in a steady increase in the budget of the Border Security Force and significant spend a fortune into new high-tech border control tools (Paik, 2020).

The South African government has mandated the Minister of Public Works to build a fence on the land border between South Africa and Zimbabwe at the Beitbridge border to control the illegal passing of migrants from Zimbabwe to South Africa. It has been seen in the news where undocumented African migrants' cross borders through Zimbabwe passing to South Africa with busses to seek employment and

better lives. This had propelled South African Home Affairs minister to investigate his departmental office officials as many immigrants' documents expire leading to overstay in South Africa. The Minister of Home Affairs investigated officials because it is their duty to maintain the records of migrants entering and exiting the country and know who is in the country and when their documents expire, to assist those migrants to renew or to leave the country and travel back to their countries. The people in South Africa formed movements such as *Operation Dudula* and *Put South African First* to fight against illegal immigrants in South Africa. They recognise themselves as community movements in South Africa.

The two movements encouraged the Minister of Home Affairs, Dr Aaron Motswaledi, to tighten borders by peaceful border control Border Management Authority (BMA) Bill that has been welcomed and passed on June 11, 2017, to be implemented in managing all borders across South Africa (BMA, 2020). This BMA, in May 2022, was ready to operate as a stand-alone entity. It is a serious challenge because women and children in South Africa keep missing daily without trace, some are found dead after a while the perpetrators of these crimes have been committed by foreigners and South African citizens at different areas in the country as communities caught many on the act and at times, they commit mob justice (Phipps, 2020). The small business shops in the local townships and rural areas owned by immigrants sell goods that are made with damaging chemicals mostly by Ethiopians and Somalians. The Afri-Forum suggested patrol at the border between South Africa and Zimbabwe. But the Department of Home affairs dismissed it and said it would be illegal for Afri-Forum to conduct patrols. The land border control security is not the only challenge as air transport borders at airports has been facing challenges of immigrants who enter the country illegally (Project South, 2020).

2. Background

Africa was decolonized in the 1950s and entered in a whole new shape of African political spectrum. It was in the hands of African states leadership and its societies had a privilege to determine and reshape their continent's destiny. The African leaders took advantage of the opportunity and had to get rid of the continent of remnant vestiges of colonialism, particularly in Southern Africa, while at the same time working to foster greater continental unity for

development and prosperity. An indication of Africa' determination became evident with the creation in 1963 of the Organisation of African Unity (OAU) with the task of continental liberation, unity, and development. Although the OAU registered success in achieving the objectives of liberation and unity, the same could not be said for continental development. The OAU had been struggling with the inability to advance Africa's development to challenges of peace and security that confronted the organisation from its inception. For instance, the eruption of conflicts between some African states (such as Algeria and Morocco; Mali and Burkina Faso; Somalia and Ethiopia; and Somalia and Kenya) in the 1960s and 1970s due to border disputes as well as within African states (such as civil unrest in the Congo in 1966 and in the 1966-1970 Nigerian civil war) diverted much of the attention of the OAU from development to conflict resolution (African Union, 2003).

The control of peace border security was a necessity in the African continent across their country borders due to inter-state and intra-state conflicts that presented unprecedented challenges as well as threats to stability and the development of Africa, where refugees of economic and political crisis triggered migration to countries that are better developed than those other African countries. Such conflicts often forced people to flee their homes to seek refuge in neighbouring countries. The arrival of refugees in other countries led to competition for resources between refugees and the nationals of such countries; thus, often causing another conflict in the hosting country with its citizens competing for jobs, education and crime made by unknown immigrants who cannot be traced by the Home Affairs system because most immigrants cross the borders illegally without proper documents and Department of Home Affairs can assist in registration of illegal immigrants to be registered and known on the system or return them to their respective countries safely (Naldi, 1999).

3. Research Methodology

This paper applied a qualitative research method. De Vos (2005:269) noted five strategies of inquiry that can be applied when this type of research is carried out: biography, phenomenology, grounded theory, ethnography, and case study. The last was chosen for this particular paper. According to De Vos *et al.* (2005: 269), a case study can be regarded as an exploration or in-depth analysis of a bounded system.

De Vos *et al.* emphasise that the case may represent a process, activity, event programme or individuals. The case study strategy of enquiry was chosen because it allows for a comparative analysis of cases. This article uses more than one case; it thus falls under the category of collective case study. This study looks at South Africa cases and the decision to choose these cases was motivated by several factors. This article used secondary data-collection method the review of official documents (statutory or non-statutory), existing literature and archival records.

4. The Significance of Peace Border Security

The peace border safety is significant in strengthening an effective managing of land, sea, and air border control in every country. Immigrants crossing the borders from their respective countries to another country, it might be refugees, economic or political matters but they are first "human beings" before named travellers, migrants, and foreigners. These migrants' human rights must be taken into consideration for their safety on the border gates not to be victims of circumstances by officials, soldiers, and guards at the border gates. The borders must be walls but also gates for effective control (SBG, 2020). The basic policy issue at borders is how to balance the needs for fortification with the need to soften and strengthen peace border controls; how to balance encouraging the legal flows of people goods services and capital thought necessary for economic development and political stability into domestic territories while keeping non-legal flows out; briefly, how to balance the need for mobility with the need for control. As Hobbing (2005a) notes, the 'concept of integrated border management' represents a delicate attempt to marry security concerns with trade facilitation. The exploring literature method from secondary data such as articles and documents were applied in this paper. That balance requires political decisions about which values and interests matter and how much emphasis should be placed on promoting border safety control. Where does the balance lie between promoting economic growth and softening border controls versus protecting the security, rights and freedoms of people and fortifying the borders, and who will decide?

5. Criminal Activities at Land Borders

The issue of migration affects security in terms of criminal activities taking place in the hosting

countries. The European Council had requested that the Council and Commission devise a plan for more effective control of external borders in December 2001. The preferred policy solution of the Commission has been the smartening of borders using high-tech information systems and automated technologies (European Union, 2017). The so-called Smart borders are a solution which can simultaneously meet the two objectives of enhancing security and facilitating travel (Rexer, 2021). The term smart borders refer to technologies such as biometric identification tools, automated risk profiling, and interlinked information systems, which aim to automatically identify 'risky' people and to permit legal immigrants to cross borders unimpeded (European Council, 2008).

6. Human Smuggling

The smuggling of humans is one of the critical factors affecting national security in Sri Lanka due to immigration and the country's geographic features. Immigrants cross the coast illegally from India because of the presence of specific landing points that smugglers and fishing captains operate in (Holzberg, 2020). According to Sri Lanka's police reports, the police have intercepted 89 vessels engaged in human smuggling since 2009. The same issue is happening in South Africa today. In the cities such as Cape Town, Pretoria and Johannesburg women and children keep going missing day in and day out and it has been said and seen on the news that many missing people are found dead, and some cannot be found (Lankov, 2020).

7. Border Threats and Vulnerabilities

The security threats by migrants in the hosting country needs border security management to control external access and threats to domestic territories and populations. The effective management requires a legitimate conception of what is a proper border and legal crossing and what is safe to let in and what threatens security of the country receiving migrants. The legal mobility will always have illegal counterparts' violations of the laws of the state and threats to its people and style of governance. But all illegal border crossings and transactions are not equal as threats. The well documented migrants are the legal migrants that are known on the system. The border management must balance the need for openness of borders against the likelihood of risks and vulnerabilities such as, what constitutes threats

which must be controlled and what threats are not harmful or less importance and for which controls may be less stringent without leading to potential harm to community and national security interests. These threats and vulnerabilities vary and require different policy solutions in every country. The violations of border control laws are equally illegal but not equal in terms of security concerns. There are five general categories of threats to security, though analytically distinguishable, merge at their edges:

- The usual criminal acts which cross borders (e.g. car thefts on one side of the border and 'chop shops' across the border).
- The technical violations (lack of proper papers, and irregular, illegal migrants looking for work).
- The transnational risky organised crime (various forms and types – smuggling cars, guns, drugs and other commodities, human trafficking, the illegal transfer of arms and nuclear materials, or the illegal transnational disposal of dangerous materials such as radioactive waste).
- The terrorist security threats.
- The threats to the integrity of border management corruption, abuse of power, violence against other border guards.

The duties of South African border guards are to check the migrants' documents and safety coming or leaving the country on the border crossing. The proper and effective border management requires that law and policy make clear distinctions on what is worth paying attention to and spending limited resources on, and what has lesser importance and can be placed lower on a priority list of things for border guards to be doing. This is a technical issue but also a political issue since conceptions of threats are easily manipulated, the recent focus on illegal migration, a discourse in which illegal immigrants have come to be defined as criminals who need to be treated as such because they are unknown in the receiving country. A prerequisite for effective Integrated Border Management (IBM), as well, is a clear notion of vulnerabilities arranged in some order of seriousness or criticality. There is little chance to manage borders in an integrated and effective manner, given resource scarcities, unless there is a clear sense of what matters and border guards are trained to distinguish among levels of threats and

vulnerabilities. Border guards cannot do their work efficiently if all illegal acts are equal. This is a standard policing problem. Police must enforce every law on the books to deal with serious matters. Traffic control is a typical problem. If police stopped cars for every violation they observed, they would be stuck half a mile or less from the station house and would never be able to patrol their beats. Dealing with illegalities of a minor nature will allow more serious threats to pass unchallenged, a tactic probably not unknown to experienced border smugglers and organised criminals. The basic border control and security problem is not illegal immigration, but the mobility of people (Koslowski, 2007). There are millions of tourists, businesspeople, family visitors and legal workers move across the globe to developed countries every year and arrive at borders. The large size and extent of legal mobility may simply overwhelm the capacity of the state to manage its border efficiently. Many migrants, goods and carriers arriving at borders are the real balancing problem. The thickening of borders, extending them globally through a variety of technological and cooperative mechanisms, is one way of preventing being overwhelmed. Thus, prevention of problems is better than solving problems.

The most challenging issue is the integrity and corruption. The corruption of border guards, which is known to happen, undermines the integrity and existence of border controls and needs to be taken seriously as a problem in the planning, implementation, and management of border controls. Corruption weakens and can destroy the most carefully designed plans and policies of BMA. The border controls functions effectively whenever the officials and border guards and immigration inspectors do their jobs as they have been trained. If border guards fail to do their jobs properly, because they have become corrupted, are lazy, engage in other activities or pursue personal inclinations on whom to stop and question, then the border disappears as a control mechanism, and all risk and vulnerability assessments become meaningless (SBG, 2020).

8. Managing Air Border Control

Not all borders are the same, and they must be managed in different manner. The nature of threats, the space and area that have to be controlled, the types of equipment needed and the skills to use them, the number of personnel required, the extent to which information exists and is immediately accessible in shared databases, the level of integration

which has to be achieved among numerous agencies, contingents and personnel on the ground, and the overall costs of routine control efforts differs. Every type of border poses specific problems. The Airport borders deem to be the easiest to control than other kinds of borders. The South African travellers arrive in a confined space, are always visible as they walk through various checkpoints. The South African Home Affairs immigrants' officials are always available when migrants from different counties arrives and have to use proper methods of identifying immigrants' and have their documents checked quickly against information in databases and they are observed for unusual and suspicious behaviours by many border guards, dogs and their handlers, and occasional profilers. These borders cannot be patrolled by personnel in any efficient manner, hoping to spot illegal crossers as they are transported or walk across the borders. These borders can at best be placed under surveillance by technological means (long-range radars, sensors sprinkled on suspected routes), air patrols by helicopters, small planes and drones, or observation towers. In general, border controls which often were handled in earlier times by military units have been replaced by technology, fast response when alerted and the assistance of national police. Once suspected illegal migrants are detected, border guards can be dispatched to intercept them if possible, and local national police can be notified of the incursions of unwanted and irregular crossers for further law enforcement actions within the internal space of South Africa. The air border migrants in South Africa as a receiving country has never experience the challenges of undocumented migrants. Minister Motsoaledi indicated that the Department of Home Affairs officials fail to keep records and remind those migrants to return back to their respective countries when their visas and passports expires due to lack of enough inspectors in the country (SBG, 2020).

9. Managing Sea Borders Control

The sea border present their own challenges. It requires major investments in ships and observation technology to spot small boats on a large ocean before they reach the territorial waters and shores of South Africa. There are numerous boats that make it across the Mediterranean and an unknown, but large, number of illegal migrants drown as their boats are not designed for long journeys and inclement weather, and probably are all overloaded to start with.

For example, in 2008, 37,000 illegal migrants managed to reach the small Italian island of Lampedusa from North Africa, according to the IOM (New York Times, 2009), after great but unknown loss of lives when overloaded boats capsized or sank. The loss of life of migrant streams which cross seas contributes to the political difficulty of controlling the sea borders (Madorin, 2020).

10. Managing Land Border Control

The South African land borders are a challenge as Home Affairs officials has been said to receive bribes from crossing border illegal migrants. This appears as risky to the lives of South Africa citizens to live with undocumented immigrants from many foreign countries. The issue of lack of resources and unemployment in South Africa is one problem but illegal immigrants posing a threat in killing, kidnapping, selling drugs, illicit goods and victims are children and women in South Africa without trace of such criminals as they are not known. In the EU, land crossings are not very likely to lead to people dying (though this is a major issue at the Mexico-USA land border). But when deaths occur, control policies and border guards will be accused of contributing to or causing the deaths of migrants by their activities, which force migrants to seek longer and more dangerous routes of entry into the EU. Since not all borders are alike in terms of ease for crossing illegally, dangers experienced by crossers and vulnerabilities to threats, a one-size-fits-all border management regime is not likely to work well (European Union, 2017).

11. The Basic Tasks of Border Management

The two basic policy issues and operational tasks at the border are the detection and filtering out of the small number of security risks and illegal crossers from the large numbers who crosses the border legally; and balancing out the openness and closure of borders. The basic goal is building filtering policies and skills which are accurate, efficient, and fair before, at and after border crossings. Out of millions of migrants who cross into South Africa legally, many have become serious security risks after the COVID-19 pandemic, because a lot of businesses have been closed. There are many companies in private sector that have retrenched workers and the easiest way for citizens and migrants to survive is through social grants and crime. The difficult task

is detecting the (most likely) tiny number of people who represent serious security threats and are concealed in the vast maelstrom of people entering and leaving South Africa. Some illegal immigrants will try to cross at established crossing points using fraudulent papers, but the large majority cross in the spaces between checkpoints. Aas (2005:2000) emphasises, 'how to discern between "good" and "bad" global mobility thus becomes the vital task of contemporary governance' at the borders. There are verbal nods to the need to not overdo controls, but those are minor sections and use fewer words compared to the descriptions of the necessary control tasks. The managing of borders in South Africa needs state intervention at all types of borders. As the airports has also been a target for illegal migrants to cross the borders illegally. They have been seen boarding through illegal channels at the airport and police had them arrested in South Africa. The minister of transport and Home Affairs had to intervene on the matter and made sure the airport security is tightened and the new laws of crossing air borders are restricted in South Africa that even those who are boarding to another country passing through South Africa needs to provide documents.

12. Conclusion and Recommendations

The border control in South Africa in post-apartheid period has been very weak since 1996 and the country is full of illegal immigrants who are a threat to its citizens. Due to their respective countries political and economic crisis, these immigrants are not willing to return to their countries. The Minister of Home Affairs, Dr Aaron Motsoaledi, in the beginning of the COVID-19 pandemic lockdown restrictions, had asked immigrants to volunteer to be deported to their respective countries, whether they came into South Africa legally or undocumented. This was a great opportunity for many immigrants to return to their countries with peace, safe and free. The most burning issue is when immigrants come to South Africa claim to be refugees in the beginning of the year but returns to their countries in the end of the year by seeing many cars at the border gates of South Africa leaving the country to respective Southern African Countries and others fly to West African countries.

- South Africa needs to implement its laws as these migrants' actions takes jobs of South African citizens and it contribute to the higher percentage of unemployment.

- The border laws must be tightened. The scarce skills immigrants should be allowed to work in South Africa and spare the rest jobs and businesses to be solely for its citizen.
- All corrupt officials who collect bribes from the immigrants' crossing borders and those South African official issuing fraudulent documents to illegal migrants needs to be prosecuted.
- There is a need for building a hall between South Africa and neighbouring Zimbabwe, Lesotho and Mozambique borders for migrants to cross the border on one gate that must have 24 hours camera surveillance for safety migrants to cross the border safe without to be harassed by officials.
- The state needs to implement the BMA in action without hesitation for the security of the country from migrants that poses threats in South Africa.
- The searching of migrants on the borders needs to consider a technological biometric system that will technologically detect if the migrants are known or not.
- There has been a burning issue of South Africans to build refugee camps for refugees from other countries stay in the camps to separate them from citizens of South Africa.
- The refugees in South Africa must stay in their own area and avoid unnecessary movements especially at night for safety and to be able to identify their whereabouts. This will end xenophobic claims by immigrants and South African media to South Africans patriotic citizens who stand up to protect their country.
- The refugee camp will help donors to know where they are to help them with food, clothes, and other essential needs because they are known where they are and can be traced easily.

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