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SA Border Management

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REPUBLIC OF SOUTH AFRICA

PORT OF ENTRY
CONTROL CENTRE

AGRICULTURE,
FISHERIES &
INSPECTION
SERVICES

DEPARTMENT OF
AGRICULTURE,
FORESTRY &
FISHERIES

HEALTH
INSPECTION

DEPARTMENT OF
HEALTH

IMMIGRATION
SERVICES

DEPARTMENT OF
HOME AFFAIRS

BORDER
POLICING



CUSTOMS

SARS
South African Revenue Service

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REPUBLIC OF SOUTH AFRICA

BMA BILL, 2016 MAKES ITS WAY TO PARLIAMENT

By Prudence Hlatshwayo



NEDLAC, Government comes together with organised business, organised labour and organised community groupings on a national level to discuss and try to reach consensus on issues of social and economic policy and to make economic decision-making more inclusive, and to promote the goals of economic growth and social equity. At NEDLAC, organised business is represented by Business Unity South Africa (BUSA), which brings together the Black Business Council (BBC), and Business South Africa (BSA). Organised labour is represented by the three main labour federations in South Africa: Cosatu, Fedusa and NACTU. The organised community is represented by the South African Youth Council, the National Women's Coalition, the South African National Civics Organisation, the Disabled People South Africa, the Financial Sector Coalition and the National Co-operatives Association of South Africa.

Given the socio-economic implications of the envisaged establishment of the BMA, rigorous deliberations took place between the parties and certain compromises were reached on certain key areas. All three constituencies acknowledged and appreciated the need for the establishment of the BMA however two of the constituencies raised concerns on certain areas. The labour constituency raised concerns on: (a) the proposed listing of the BMA as an agency perceiving it to be the agencification or privatisation of government; and (b) the slow security vetting process across government. The business constituency expressed concerns on the risks associated with transfer of the customs function and the proposed routine searches at Ports of Entry. However the community constituency raised no substantive concerns and were in full support of the Bill in its current form.

As the engagements were undertaken in good faith, the lead Department made a few compromises in an attempt to address some of the concerns raised, inter alia: (a) changing of the organisation's name from 'Border Management Agency' to 'Border Management Authority'; (b) the collective bargaining by the BMA should take place in the Public Service Coordinating

Government, under the leadership of the Department Home Affairs, led deliberations on the BMA Bill with the National Economic Development and Labour Council (NEDLAC) from November 2015 to May 2016. At

Bargaining Council; and (c) the removal of an outright prohibition on the right to strike by Border Guard officers from the Bill. The lead Department will undertake a separate consultation process, through the Essential Services Committee, to obtain approval for the declaration of the BMA an essential service.

Soon after the NEDLAC engagements were concluded, the report on the deliberations was approved by the NEDLAC Management Committee on 12 May 2016. The BMA Bill, 2016 was formally introduced into Parliament soon thereafter. It should be noted that NEDLAC is a consultative body and is not a decision making body and that Parliament is the ultimate

decision making body in this instance. Parliament has the authority to supersede or support the concerns raised or develop mechanisms or proposals in which the concerns raised can be circumvented or overcome. Parliamentary engagements on the Bill resumed in August 2016 and are currently underway. All issues raised on the Bill are being addressed and the parties concerned are committed to the resolution of the issues raised.

The enactment of BMA Bill will provide for the establishment of the BMA. The DHA is hopeful that this can be achieved on or prior to the official date set for establishment of the BMA which is 1 April 2017.

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[http://www.parliament.gov.za/live/commonrepository/
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BORDER MANAGEMENT AUTHORITY CHANGE STORY

By: Busisiwe Shomang

1. Change is Constant

Fyodor Dostoyevsky states, "Taking a new step, uttering a new word, is what people fear most." Change being the only constant in life; human beings are predisposed to resist it due to the risks associated with it. What does this mean? It simply means change needs to be managed, as it is not rapid but a process that requires time. People and organisations that fail to embrace change are bound to lose ground. The Border Management Authority (BMA) change story is aimed at alleviating fears, uncertainties and misconceptions that may exist.

2. Fragmented Border Management

Border management in South Africa is currently exercised through multiple Government Departments and State Agencies. Post 1994 many bodies have played a coordination role in the border environment. Various coordination mechanisms have proved incapable of addressing the systemic and structural management problems affecting effective border management and border security in the country. What coordination has failed to do is creating one standard and effective culture within the border environment. This has resulted in a snowball effect of different silo formations within the border environment, as officials in this space are not able to detach from the different organisational cultures. These cultures are then brought into the border environment resulting in different sub-cultures silo mentalities and approaches to work. The BMA's establishment aims to create one organization that will have one identity and one public service ethos.

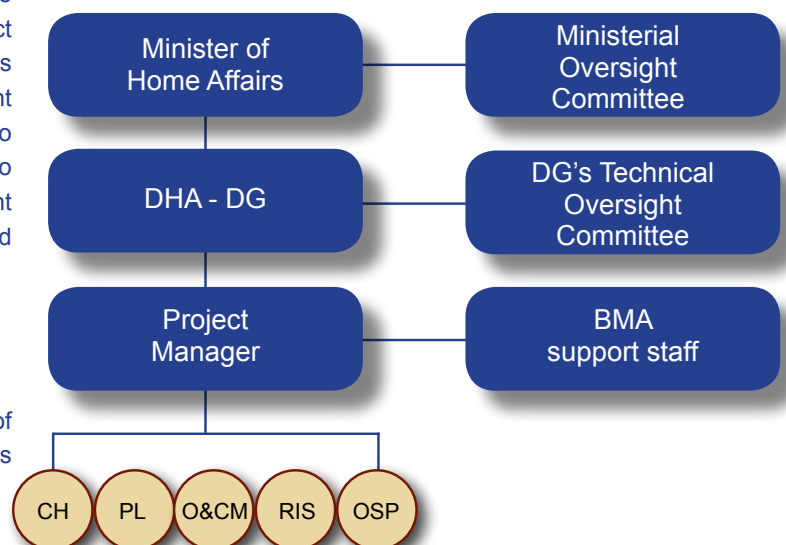
3. BMA Project Management Office is Driving the Establishment Process

The journey started when Cabinet resolved on the 23rd of June 2013 to establish a BMA with Department of Home Affairs

(DHA) as a lead Department. The DHA established a Border Management Authority Project Management Office (BMA: PMO) to manage the process. The BMA: PMO is led by a Project Manager who assists in giving direction through the different stages of the BMA establishment process.

The project office is supported by five different inter-agency and inter-governmental Task Teams that are work stream specific as illustrated by Fig 1, e.g. CH= Change Management and Human Resources; P&L = Policy and Legal; O&CM = Operating and Costing Model; RIS = Risk Management; and OPS = Operations. Chairpersons and Deputy Chairpersons lead the five Task Teams and are responsible for different deliverables. The Task Teams report to the Project Manager, the Project Manager reports to the Department of Home Affairs Director General who reports to the Minister.

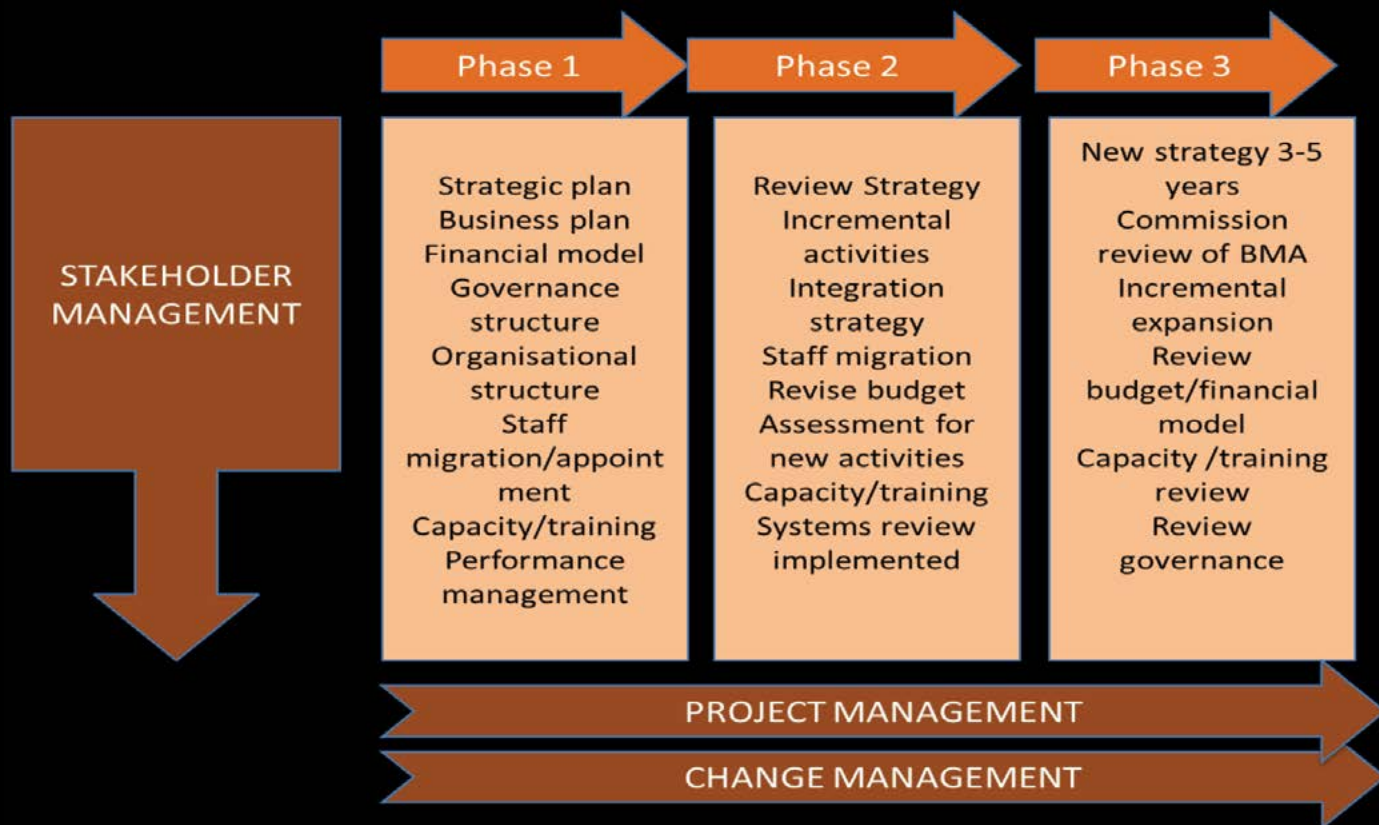
Fig 1: The BMA working structure



A high level roadmap and detailed plans for each of three establishment BMA phases have been developed as illustrated by figure 2.

- Phase 1: Establishment of the BMA
- Phase 2: Incremental Expansion
- Phase 3: Consolidate Core and Incremental Expansion

Fig 2: The BMA Establishment Plan



4. Key Areas of Progress

To date the following activities have been achieved:

1. A Multi-Party Agreement has been signed by 16 Departments out of 22 Departments. The purpose of this Agreement is to enhance border coordination in the transitional period. As of May 2016 this Agreement has been approved for implementation.
2. The Operation Pyramid as a BMA pilot site was launched in Mpumalanga – Skukuza in June 2015. The SANDF is the lead agency for Operation Pyramid.
3. The Business Case for the BMA was also finalized and submitted to the National Treasury in 2015 for consideration as a listed Schedule 3A National Public Entity.
4. The BMA Bill was consulted on at NEDLAC. The BMA Bill has been formally introduced into Parliament.
5. The BMA Project Management Office is overseeing the development of (a) a detailed BMA Critical Path Change Management Plan of transitional and preparatory tasks and

activities that will support the launch and establishment of the BMA by April 2017; and (b) a detailed BMA Operating, Organisational, Human Resource and Financial Models and/or Plans to ensure the effective and efficient operationalisation of the BMA post-April 2017.

5. The BMA is Coming

The BMA establishment process is currently in the Transitional period (2013 – 2016). During this period it is vital that all stakeholders have a clear understanding of the process and different steps taken. The BMA provides for the integration of border management functions and eliminating the silo working mentality. This in turn will have an effect of improved border risk management and better security, effectiveness and efficiencies in facilitating the movement of people and goods. The BMA is envisaged for establishment on the 1st of April 2017. It is important that this change is embraced.

MULTI-PARTY AGREEMENT (MPA) FOR ENHANCED COOPERATIVE MANAGEMENT OF THE BORDER ENVIRONMENT

By Mr Stephen van Neel and Mr Gilbert Mediroe

On the 10th December 2014, Cabinet approved the vision of the BMA and its establishment by April 2017. Cabinet also went further and advanced, inter alia, the following decisions:

- Approved the priority implementation approach and tasks to be undertaken in the immediate transition phase, and
- Approved that the final proposals would take into account the experiences relating to operational processes adopted in the transitional phase.

Informed by the key decisions adopted by Cabinet, the key implementation priorities for the transitional phase were identified. One such priority was the development and actualisation of a Multiparty Agreement (MPA). To date sixteen out of twenty two Departments and Agencies have ratified this Agreement. The Agreement is already in place and shall remain in existence until the coming into operation of legislation formally establishing the BMA or at any date agreed to by the parties.

Purpose and Primary Objectives of the Agreement

The purpose of the agreement is to provide a transitional mechanism pending the coming into operation of legislation formally establishing the BMA to facilitate the secure, efficient and enhanced coordination and management of South African **Ports of Entry (PoE)** and the **Border environment** in support of an Integrated Border Management Approach. In the simplest form the MPA intends to enhance and support inter-agency and operational cooperation.

The Primary Objectives to the agreement are to:

- a) Strengthen overall coordination of the management and control of all POE's in accordance with the mandate of each party, as recorded in the agreement;
- b) Support and enhance coordination of government lead initiatives in the borderline environment under Operation Pyramid;

- c) Provide a mechanism to test and pilot initiatives aimed at improving joint operations at selected POE's in line with the BMA vision endorsed by Cabinet;
- d) Implement a revised Border Control Operational Coordinating Committee (BCOCC) mandate under BMA Project Management Office (PMO) with regard to the coordinated management of existing POE's;
- e) Facilitate the flow of legitimate trade and travellers in alignment with the international obligations, standards and best practise;
- f) Ensure border processing efficiencies are maintained or improved upon; and
- g) Ensure continuation and improvement of duty and tax collection.

Multi-Party Agreement Implementation Monitoring Tool

In addition to the afore-described objectives, the Agreement identified a number of areas that are necessary to be strengthened in order to move towards an integrated setting as envisaged. In order to ensure compliance with both the provisions and spirit of the Agreement, a monitoring tool was subsequently developed. The Tool will be therefore employed as a performance measure of tasks, stated outcomes and departmental responsibilities as encapsulated in the Agreement. It also delineates assigned responsibilities to individual departments' pursuance to the realisation of the Agreement. The following critical success factors are captured:

Operational Control and Management

Essential to Inter-Agency cooperation is the need to develop and promote common policies on how to manage and control border operations; training, risk assessment and management, joint operations and assessment of impacts. It is for this reason that the MPA interventions in this area include the need to develop protocols and Standard Operating Procedures (SOP's) setting out the delegation of specific functions to any party in terms of the relevant legislation as well as any other agency agreement that may be provided for in legislation. It further

requires the need to develop protocols and SOP's setting out the operational concept, operational procedures and baseline operational planning for support. It is a requirement from all departments to develop a repository of all the relevant protocols and procedures as well as a Concept of Operational Planning and Support. Development of information sharing protocols setting out the principles and procedures is a necessity and the involvement of the intelligence and security services in terms of providing accurate and actionable intelligence and risk management products for use in planning border operations is vital.

Operational Support

One of the critical vulnerabilities that have the potential to undermine effective Integrated Border Management is Operational Support. Operational Support is essential to the conduct of effective and efficient Ports of Entry & Borderline Operations and the lack of it has the potential to hamper service delivery efforts. The areas that are to be strengthened include the development and maintenance of infrastructure; joint and individual training of all stakeholders as well as development of POE security. The border environment has different standards for accommodation, storage, water purification, backup power generators, computer UPS and computers (including passport scanners, servers, networks). These are basic infrastructure requirements and in most instances equipment does exist, yet the maintenance thereof, its sufficiency and use varies. The MPA therefore includes the development of equipment standards setting out the minimum equipment requirements for physical resources and capabilities. It requires the BMA to assume operational and legal responsibility for POE's infrastructure which includes the development and maintenance of infrastructure. The development of borderline bases and maintenance of borderline fences and patrol roads will remain the responsibility of the SANDF, in conjunction with the DPW, but informed by the Operation Pyramid Initiative. Departments will maintain current lease agreements within the aviation and maritime environment, as well as at land border post.

Departmental/Agency Participation

The BMA Project Management Office is staffed by a Project Manager and only four support staff. This reality has the potential to present challenges with regards to set outcomes and timelines for the project. It is however assisted by delegated officials from departments/organisations to participate in the BMA: PMO Task Teams. The MPA recognised this reality and requested parties with operational responsibilities in the border environment to either second appropriate officials to the PMO and/or designate focal point officials that are permanently accessible to undertake the relevant roles and responsibilities identified in the

Agreement. The secondment of officials will assist departments to ensure accountability for the participation of organs of State in the various Task Teams, but more importantly to ensure that their border management functional mandates will be optimally discharged.

Ports of Entry Governance

The MPA identified three spheres of managing the border environment that comprises of POE's Operational Roles and Procedures; Regional Monitoring Managers; and the National level. At a port level, it requires designated Port of Entry Managers that will facilitate a Port of Entry (POE) environment which is conducive to inter-agency operations with regular reporting the National BMA: PMO. The POE Manager will be responsible and accountable for all transversal and cross-cutting matters pertaining to the POE, including all joint operations. They will work closely with the lead official from each of the parties present at a POE. Collectively they shall form a POE Management Committee. Lead officials of the parties at the Port of Entry maintain their existing reporting lines and have the responsibility to inform the Port of Entry Manager of any matter affecting the overall POE operations and security. Regional Monitoring Managers are envisaged to support and monitor operations at Ports of Entry and the borderline. The BMA: PMO is required to report regularly on the progress in implementing all aspects of the Multi-Party Agreement.

Protection of the RSA Borderline

Participation by the SANDF as agreed in the MPA is significant as they are currently responsible for the South African borderline through Operation Corona and Operation Pyramid. Their roles and responsibilities include leadership over to ensure implementation as the lead organ of state for this initiative.

Conclusion

There is a demonstrable and continued need to provide effective but efficient services in the border environment within departmental mandates to support national security, developmental and public safety priorities. It allows facilitating the free flow of people and goods and also supports the broader Government priority of "A safe and secure South Africa" through the safeguarding of the country. It however relies on sound operational management and support in all facets of effective and efficient service delivery in the border environment. Another key success factor is proper governance of the border environment. The MPA and the implementation monitoring tool is the main Command, Control and Management mechanism that directs enhanced collaborative operations in border environment.

INTEGRATED BORDER MANAGEMENT STRATEGY

By: Busisiwe Shomang

The draft Integrated Border Management Strategy (IBMS) is a five year border management strategy for the period 2017 to 2021. It will be the first time for South Africa to have an integrative planning strategy on border management functions, this fact illustrates the need and significance of this initiative. This strategy seeks to integrate border management plans across the different Organs of State and discourages a silo based planning process. According to Mintzberg a strategy is defined as a pattern in a stream of decisions. The structure of the IBMS provides these important patterns that will enable decision-making for efficient border management. The IBMS is strategic in its future orientation and considers broad areas of risk requiring intervention. An illustration of the logical flow and scope of the IBMS is depicted by Figure 1



The IBMS is made up of 11 distinct sections addressing different areas. The IBMS is not a policy document but has some policy elements reflected by Section E in term of the pillar and principles.

Figure 1: Scope of the IBMS

The IBMS has 11 distinct sections. Although the IBMS is not a policy instrument it has certain policy elements reflected in Section E (pillars and the principles). The following strategic objectives are identified in this document:

- Assert State Authority and facilitate legitimate trade and authorized travel in a safe and secure border environment; and
- Establish a highly capable, integrated and command and control-driven national border law enforcement body, i.e. a Border Management Authority (BMA), for all Ports of Entry and the border environment

The two strategic objectives align to the 18 strategic interventions with 121 main actions. Section (I) of this strategy is aimed at guarding against the non actioning of the strategy. This section provides monitoring and evaluation criteria for the strategy. In addition to the monitoring and evaluation criteria, Section (J) provides an implementation roadmap for the IBMS. The implementation roadmap is divided into 3 phases namely:

- foundation building and realignment (2017-2021)
- consolidation and continuous roll-out (2021-2031)
- resilience and adaptation (2031 and beyond)

Strategic planning is a process that provides a strategic roadmap that can be used by stakeholders to enable optimal achievement of functions by the institutions. The complexities involved in integration of different Organs of State mandates have prompted the need for different consultative engagement with stakeholders to solicit inputs and feedback on the drafted strategy.

To date the following engagements have taken place:

- IBMS workshop was held on the 22nd of June 2016.
- Presentation to the Justice and Crime Prevention Security Cluster on the 6 September 2016.
- Presentation to the Economic Sector Employment and Infrastructure Development Cluster on the 7th of September 2016.
- Presentation to the Governance and Administration Sub-Committee on the 15th of September 2016.
- Presentation to the Global and Continental Affairs Committee sub-committee of ICTS on the 21st of September 2016.
- Presentation to the Governance and Administration Cluster on the 5th of October 2016
- Presentation to the International Cooperation, Trade and Security Cluster on the 11th of October 2016.
- Presentation to the Social Protection, Community and Human Development (SPCHD) (Technical Working Group) on the 1st of November 2016.
- Presentation to the Social Protection, Community and Human Development (SPCHD) Cluster on the 16th of November 2016.

In addition to the above presentations, the different Organs of State also made formal inputs which assisted in the revision of the document. The IBMS is an initiative that encourages integrative planning with agreed goals and objectives. "Sound strategy starts with having the right goal."— *Michael Porter*.

BORDER MANAGEMENT LESSONS FROM THE 2016 EASTER FESTIVE SEASON

By: Maphoko Letsoalo

Festive Season Periods in South Africa i.e. Easter and Christmas are marked by an increase in the movement of persons in and out of the South Africa especially at its land Ports of Entry (PoE). Such movement, often if not always, places additional strain on PoE operations.

Lessons learnt previously have led to government adopting a proactive, collaborative and integrated approach to circumvent the challenges that often arise in facilitating the smooth, safe and secure movement of goods and persons during Festive Season peak periods.

This year, the over-arching objective of a successful Easter Festive Season was no different to previous years however, operations were distinctly characterised by the introduction of new institutional arrangements that saw both the Department of Home Affairs (DHA) and the South African Police Service (SAPS) assume the leadership role in coordinating PoE operations amongst stakeholders. These new arrangements were put into place to primarily pilot the integration model as envisaged in the Border Management Authority (BMA) Multi-Party Agreement - with the view to enhancing operations and capacity in the border environment to ensure the effective and efficient facilitation of goods and persons. The Easter Festive Period operation kicked off from the 18th to the 30th of March 2016 under the auspices of the BMA Project Management Office (PMO); which was operationally supported by the National Border Management Coordinating Centre (NBMCC).

The Department of Home Affairs has reported that during this period, a total of 1 778 018 people movements, across the borders of South Africa, were recorded in comparison to 2015, where 0.5% less movements were recorded. 54.8% of this total can be attributed to people movements at Beit Bridge, Lebombo, Maseru Bridge, Ficksburg, Oshoek, Kopfontein, and Grobler's Bridge Ports of Entry.

Successful operations during this period led to various successes:

- the apprehension of undocumented migrants at PoE and along the borderline;
- refusal into the Republic due to noncompliance with the new immigration regulations;
- the declaration of hundreds of travellers as undesirable;
- the issuance of immigration related penalties amounting to approximately R2 000 000;
- the reporting of numerous criminal incidents ranging from drug possession, immigration offences, bribery and the apprehension of wanted persons at PoE;
- the screening of approximately 8900 travellers by Port Health for various communicable diseases;
- issuance of fines by Customs;
- the confiscation of plant and animal products by the Department of Agriculture, Forestry and Fisheries (DAFF); and
- the issuance of fines amounting to approximately R380 000 by the Cross-Border Road Transport Agency (CBRTA).

Despite the successes border management also faced additional challenges which resulted in the mitigation planning for the upcoming Festive Season period December 2016 to January 2017. Below the challenges and mitigation measures are outlined:

Challenges	Mitigation measures
Command and control process were negatively affected due to hindrances with regard to the implementation of the New Institutional arrangements	<ul style="list-style-type: none"> • Development of comprehensive Institutional Arrangements inclusive of Terms of Reference. • Extensive communication of new arrangements to be implemented. • Pre-deployment visits by BMA Ops Task Team to confirm Port of Entry readiness.
Non-cooperation and non-Participation by certain Organs of State	<ul style="list-style-type: none"> • Escalation protocols are in place and to report daily on feedback to NBMCC.
Insufficient supply of water has been linked to Ports of entry such as Beit Bridge, Grobler's Bridge, Kopfontein and other border posts.	<ul style="list-style-type: none"> • Departments must ensure that officials are supplied with consumable water during operational hours to avoid critical points being left unattended.
Shortage of staff by the DHA Inspectorate. Immigration Officers had to conduct both immigration and inspectorate functions and transported undocumented migrants to holding facilities.	<ul style="list-style-type: none"> • Proper and effective planning is essential to ensure efficient facilitation of movement volumes at the ports of entry. • Ports that expect increased movement volumes during peak periods must apply for extension of operational hours and for additional personnel.
Functionality of the NBMCC JOC and its effectiveness was negatively impacted by non-participation and inconsistent attendance of key departments.	<ul style="list-style-type: none"> • Deployment of departmental staff to the NBMCC is a critical requirement and Departmental Port of Entry Senior Managers are to take responsibility for this.

With all these challenges addressed by the implementation of the mitigation measures, the success of port operations during the upcoming festive seasons will be ensured. All incidences of corruption should be reported to the National Anti-Corruption Hotline on 0800 701 701.

BORDER MANAGEMENT AUTHORITY – TRAVEL ADVISORY FOR THE FESTIVE SEASON (DECEMBER 2016 TO JANUARY 2017)

In preparation for the effective and efficient facilitation of movement of persons and goods during the 2016/17 Festive Season period, Minister of Home Affairs has approved the extension of operational hours for the listed Ports of Entry.

Stakeholders at ports of entry and the countries sharing borders with the Republic of South Africa have been engaged and agreed on the dates to effect the extended operational hours reflected below. The extension shall be from 08 December 2016 – 14 January 2017.

Province	Port of Entry	Current Hours	Extended Hours	Increased Hours
Mpumalanga	Lebombo	06:00 - 00:00	24 hours	6hrs
	Mananga	07:00 - 18:00	07:00 - 22:00	4hrs
	Jeppes Reef	07:00 - 20:00	07:00 - 22:00	2hrs
	Oshoek	06:00 - 00:00	24 hours	6hrs
	Mahamba	07:00 - 22:00	06:00 - 00:00	3hrs
Eastern Cape	Qacha's Nek	07:00 – 20:00	06:00 - 22:00	3hrs 19-24 Dec
	Qacha's Nek	07:00 – 20:00	06:00 - 20:00	1hrs 24 Dec
Kwazulu Natal	Kosi Bay	08:00 – 17:00	07:00 – 18:00	2hrs 15 Dec 16–08 Jan 17
Free State	Van Rooyenshek	06:00 – 22:00	24hours	2hrs 15 Dec 2016
	Van Rooyenshek	06:00 – 22:00	06:00 – 00:00	2hrs 23 Dec 2016
	Van Rooyenshek	06:00 – 22:00	06:00 – 00:00	2hrs 24 Dec 2016
	Caledonspoort	06:00 – 22:00	06:00 – 00:00	2hrs 15 Dec 2016
	Caledonspoort	06:00 – 22:00	24hrs	8hrs 23-24 Dec 2016
	Caledonspoort	06:00 – 22:00	06:00 – 00:00	2hrs 02 Jan 2017
	Monontsa Pass	08:00 – 16:00	08:00 – 18:00	2hrs 16-24 Dec 2016
Limpopo	Groblersbridge	06:00 – 22:00	24 hrs	8 hrs 23-24 Dec 2016
	Groblersbridge	06:00 – 22:00	24hrs	8 hrs 02-03 Jan 2017
	Groblersbridge	06:00 – 22:00	06:00 – 00:00	2hrs 08 Jan 2017



The extended hours shall come into effect as indicated above and the Minister has the prerogative to withdraw the extension of hours if necessary. It is the responsibility of port managers to ensure that the extension of hours as reflected in their respective operational plans is enforced within the broader approved time frames.

CONTACT NUMBERS:

1. Department of Home Affairs (DHA)

For enquiries pertaining to passports and Unabridged Birth Certificates, travellers can contact the DHA call centre on 0800 60 11 90. Detailed information is also available on the DHA website www.dha.gov.za.

2. Department of Agriculture, Forestry and Fisheries (DAFF)

DAFF is responsible for the regulation of imported animals and animal products, liquor products, plants and animal products at ports of entry. For detailed information and enquiries, the following numbers can be contacted:

Animals and animal products:

Tel: +27 12 319 7514/7476

Fax: +27 12 319 8292

Email: VetPermits@daff.gov.za

Plants and plant products:

Tel: +27 12 319 6102/6130/6207

Fax: +27 12 319 6370

Email: PlantHealthPermits@daff.gov.za

Liquor Products

Tel: +27 12 319 6333/ +27 78 754 4488/ +27 60 527 3622

Email: MerciaR@daff.gov.za/NjokoS@daff.gov.za/WillieMath@daff.gov.za

3. South African Revenue Service (SARS)

For detailed information on custom and excise processes and requirements, travellers can contact the SARS contact centre on 0800 00 7277 or refer to the SARS website www.sars.gov.za.

4. Department of Environmental Affairs (DEA)

For detailed information on bio-security (harmful biological or biochemical substances) matters at Ports of Entry, travellers can contact Ms Karabo Malakalaka on 0827334735 or Mr Themba Mnguni on 0828851986. Additionally, travellers can also refer to the DEA website www.environment.gov.za.

5. Department of Health (DoH)

For detailed requirements on the importation of medical products, food stuff cosmetics, disinfectants, tobacco products, hazardous substances, corpses/mortal remains and yellow fever certificates, travellers can refer to the Department of Health's website (www.health.gov.za) and/or call 012 645 3224.

6. South African Police Services (SAPS)

To ensure the effective combating of illegal activities pertaining to the illegal movement of people and goods in the port environment, travellers are encouraged to report such activities to SAPS on 10111. Further details can be obtained from the SAPS website www.saps.gov.za

7. Cross Border Road Transport Agency (CBRTA)

For detailed information on cross-border road transport requirements, travellers can contact the CBRTA Customer Care on 012 470 9969. Travellers can also refer to the CBRTA website www.cbrta.co.za for detailed information.

All incidences of corruption should be reported to the National Anti-Corruption Hotline on 0800 701 701

MEET THE LEADERS OF THE BMA PMO TASK TEAMS

By: Maphoko Letsoalo

Over the past two years, the BMA PMO has made significant progress in preparing for the establishment of the BMA. This being no small feat, the project Office has been supported by the various organs of state which operate in the border environment through the BMA PMO Task Teams.

In 2016, five (5) multi-stakeholder Task Teams were established to execute multiple issue-specific priorities as we focus on and prepare for the implementation phase of the BMA in April 2017. The Task Teams were established to execute BMA establishment priorities related to the Operating and Costing Model of the BMA; Change Management; Stakeholder Management and Communication; current operations and Strategic Pilot Projects; and Risk Management; and issues of a Policy and Legal nature.

The Task Teams are astutely led by their respective Chairpersons and Deputy Chairpersons in executing their tasks. Lets meet them.

- 1. Change Management and HR Task Team:**
Chairperson – Ms Nkidi Mohoboko, DHA
Deputy Chairperson – Mr Botsang Moilola, CBRTA
This Task Team has the mammoth task of overseeing all BMA Change Management processes in preparation of the BMA's establishment in 2017 as well as finalising and implementing BMA Stakeholder Management and Communications Strategies.
- 2. Policy and Legal Task Team:**
Chairperson – Mr Gordon Hollamby, DHA
Deputy Chairperson – Ms Busisiwe Shomang, BMA PMO
This Task Team will chiefly support the consultation process on the Integrated Border Management Strategy as well as supporting the Department of Home Affairs with the BMA Regulations drafting process.
- 3. Operations Task Team**
Chairperson – Mr Stephen van Neel, DHA
Deputy Chairperson – Mr Nick Fray, SSA
This Task Team will oversee the implementation of the BMA Multi-Party Agreement; and direct, coordinate, strengthen and review Port of Entry and border operations.
- 4. Risk Management Task Team**
Chairperson – Mr Ndyabo Mathambo, SSA
This Task Team chiefly focuses on the establishment and launch of a National Border Risk Management and Targeting Centre and supporting the re-branding of the National Border Management Coordinating Centre (NBMCC).
- 5. BMA Operating and Costing Model Task Team**
Chairperson – Mr Jacob Hlatshwayo, DAFF
Deputy Chairperson – Ms Alinah Fosi, DHA
This Task Team will focus on the development of Operating and Costing Models for the BMA as well as ring-fencing financial; infrastructure; and ICT resources for the BMA.





THE ROLE OF TRANSPORT INFRASTRUCTURE IN BORDER MANAGEMENT AND REGIONAL INTEGRATION: BOTSWANA AND LESOTHO

According to the World Bank, Africa is losing billions of dollars in trade due to poor intra-regional trade. In Africa, intra-regional trade accounts for only 12% of trade with the rest of the world. This figure contrasts poorly with over 70% of intra-trade within the European Union. It is postulated that the paucity of infrastructure for trade and travel facilitation is one of the binding constraints to intra-regional trade in Africa. The Department of Transport (South Africa) has undertaken various facilitation measures in cooperation and/or consultation with transport authorities in contiguous countries, with the aim of fostering regional integration.

Transport, particularly road-based transportation, plays an important role in the movement of people and goods in the region. In this regard, statistics suggest that over 60% of regional trade is carried by road, pointing to the significance of surface transport, particularly road-based transportation in regional trade. Despite its significance, the true potential of surface transportation in regional trade has been hampered by the existence of non-harmonised regulations between different parts of the region and the continent at large. Some of the regulations and practices which impede the free flow of traffic from origin to destination points are antiquated and have not

kept pace with the developments brought about by the global system of trading.

In addition to non-physical barriers, physical connectivity is also a challenge to regional traffic flows, and by extension integration. To be precise, there are numerous missing links on the rail and road networks, respectively, which impede regional traffic flows, and thereby stifle the growth and development prospects for the region.

In this regard, there are numerous other bilateral initiatives undertaken by the Department of Transport, in conjunction with transport authorities in the neighbouring states, which are aimed at improving the provision of cross border transport infrastructure.

Botswana and RSA

The Minister of Transport and Infrastructure in Botswana and the Minister of Transport South Africa, respectively, have recently concluded a cooperation agreement to construct and rehabilitate roads and bridges at some identified border posts between the two countries. The agreement provides the legal framework for cooperation between the two neighbours in terms of the implementation of cross border infrastructure projects. It also aims to stimulate economic activity by way of facilitating trade and travel between the two countries.

Zimbabwe and RSA

Similarly, the Department of Transport South Africa and the Ministry of Transport and Infrastructure in Zimbabwe concluded a cooperation agreement in respect of the construction of the New Limpopo Bridge or NLB at Beit Bridge some twenty years ago. In terms of this agreement, South Africa waived its rights to toll the NLB in order to enable the Minister of Transport and Infrastructure in Zimbabwe to enter into a Public-Private-Partnership with a private sector company to construct and maintain the NLB on a Build-Operate-Transfer basis. The Memorandum of Understanding (or MoU) signed between the two countries, as well the agreement between the Republic of Zimbabwe and the concessionaire lapsed on 16 June 2014. Consequently, the bridge was transferred back to the governments of the two countries. In receiving the bridge back, both Ministers pledged their commitment to ensuring that the NLB, together with the Beit Bridge border post facility, are transformed to become resources that benefit the communities living in the border towns of Beit Bridge and Musina, respectively.

In keeping with the Ministers' pledge, the Department of Transport South Africa and its agency the South African National Roads Agency Limited (or SANRAL) have been conducting assessments on the southern side of Beit Bridge border post. The purpose of these assessments is twofold. Firstly, they are aimed at determining the interventions required to optimise traffic flows across the border post. Secondly, they seek to assist the town of Musina to cope with the high volumes of trucks, estimated at approximately 1 000 a day, and other traffic traversing the town itself and the adjacent location.

The preliminary observations buttressed the long held view that there was a need for a traffic separation mechanism, in order to ensure safety and efficiency in the processing of traffic passing through Beit Bridge border post. In this respect, there is a proposal to create a by-pass road so as to divert cross border freight traffic towards the western side of the town of Musina. The assessment further highlighted the chaotic truck park situation around the border post precinct. Thus, it recommended the creation of a freight processing facility along the proposed western by-pass. Further, the assessment underscored the need to provide sufficient parking facilities for cross border trucks, and accommodation for economic activities to be undertaken in an orderly fashion.

Needless to say, there is a need for the two countries to join-up and develop a comprehensive Master Plan for road infrastructure on both sides of the border post. And for the Master Plan to see the light of day, cooperation between the two countries is of critical importance. This is why the two Ministers agreed to negotiate a new framework or mechanism to facilitate the implementation of projects at Beit-Bridge border post and the entire precinct.

Lesotho and RSA

On the Lesotho-South Africa corridor, the Department of Transport has conducted assessments on the feasibility of separating traffic by means of recommending the creation of "freight only" or specialised border posts. This intervention is motivated by the occurrence of high incidents involving trucks at the main port of entry between South Africa and Lesotho, namely Maseru Bridge border post. There are a number of factors that act together to create conditions that are conducive to the occurrence of incidents at this facility. Amongst these, the topographical surroundings of the border post pose serious challenges to the transportation of people and goods across the two countries. More specifically, the border post is located on an incline with a circuitous road leading to the border post. The situation is exacerbated by the at-grade crossing at the port's mouth, which raises further concerns about the safety of people and goods crossing the border. Therefore, the assessment of the Maseru Bridge border post is aimed at providing insights into the feasibility of commissioning 'freight only' border posts between the two countries. The outcomes have generally been supportive of the concept of "freight only" facilities as a traffic separation mechanism. The study has also highlighted the need for integrated planning between the border authorities and the local municipalities, in as far as infrastructure provisioning is concerned.

In conclusion, it should be pointed out that the Department of Transport's interventions at the border posts are informed by the reality that the majority of South African border posts are flanked by natural barriers such as rivers (Beit Bridge) or mountains (Maseru), which limit the expansion of infrastructure to accommodate the high volumes of traffic crossing the borders on a daily basis. The reasons for the choice of such location for border posts are not hard to fathom. During apartheid, border posts served as vantage points from which to control cross border movements for security purposes. But since the advent of democracy, there has been a radical shift towards to trade facilitation and regional integration. As a consequence, the current facilities have outlived their purpose. So, the outcomes of the Maseru Bridge border post assessment provided evidence for the need to re-configuration the border posts' landscape in the era of democracy and regional integration.

Operation Bvisa Masina pursues rogue officials and individuals at Ports of Entry

In July 2015, the Minister of Home Affairs launched a counter corruption project called **Operation Bvisa Masina** (“throw out the rot”), making it clear that there is no place for corrupt officials in Home Affairs.

Despite the various training and awareness interventions and numerous warnings by the Minister for officials to behave ethically and to refrain from fraud and corruption, there seems to be officials who refuse to heed these warnings and have found themselves being arrested for their transgressions.

Since the launch of Operation Bvisa Masina, 118 people have been arrested on charges of fraud and corruption. Sixty two (62) of these were DHA officials with more than half (33) being Immigration Officers at Ports of Entry.

In recent cases, 6 Immigration Officers were arrested at Beit Bridge Port of Entry for illegally stamping passports in the absence of the lawful owners and received money in. A further 20 Immigration Officers at Maseru Port of Entry were arrested in during September 2016 for the same transgression. The Hawks also arrested three (3) Immigration Officers from the Queenstown office on charges of corruption and the kidnapping of a foreign national.

While there are certainly many more officials who are patriotic, honest and have integrity, those few officials who make the news for all the wrong reasons continue to damage the reputation of the department and throw a shadow on the hard work and successes that have been achieved so far.

For those officials who do not heed the warning to refrain from unethical behaviour, the Counter Corruption Unit will continue working in collaboration with various law enforcement agencies and with the support of Minister Gigaba, they will be rooted out one-by-one!

By Beverley Moreland
DHA: Counter Corruption



International Organization for Migration (IOM)
Organisation internationale pour les migrations (OIM)
Organización Internacional para las Migraciones (OIM)

Humane and orderly
migration benefits
society

THE INTERNATIONAL ORGANISATION FOR MIGRATION (IOM): SOUTH AFRICA SPEAKS OUT ABOUT BMA

Mr Richard Ots is the Chief of Mission for the IOM mission in South Africa. He spoke at a recent workshop convened by the BMA: Project Management Office.

In my career with IOM so far, I have been working on several border management projects, in countries as diverse as Mauritania, Mali, Turkey, and Bosnia and Herzegovina. I'm proud to confess that border management is one of my passions. And when I learned of South Africa's ambitious plan to merge the country's key border control functions under the responsibility of a newly to be established Border Management Authority, I was impressed and excited. It is, by international standards, an almost unique undertaking. It certainly is something that many

other countries already are following closely and something that will continue to attract attention and generate research for many years to come. It is likely to become a model, for better or for worse, for border management reform efforts around the world.

Before we answer the question: "How do we manage our borders?", it may be useful to first consider the question: "Why do we manage our borders?". Or, phrased differently: What would happen if we were to stop managing our borders tomorrow? You may be familiar with the satirical publication from Ambrose Bierce, called "The Devil's Dictionary". It defines a border as: "*an imaginary line that separates the imaginary rights of an imaginary people, from the imaginary rights of another imaginary people*".

However, the implications of that philosophical statement may still be a bit too idealistic for the grim reality of uncontrolled migration, human trafficking, drugs smuggling and cross-border criminal enterprises. Sending all border guards into early retirement and dismantling fences and border posts is unlikely to immediately result in the accomplishment of the African Union's Vision for 2063, of "*An Integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena*". A single African passport, an Africa without borders, elimination of all visa regimes, are certainly laudable long-term goals, but a lot of water will flow through the Limpopo river before these goals become a reality. And in the meantime, we'll still be managing the perpendicular flow across the Limpopo river; the flow of people, goods, capital and services.

But the question on why we're managing the borders is not a mere rhetorical point. It is important to properly define the objectives of border management. What is the extent of human trafficking at the various stretches of South Africa's borders with its neighbors? How much drugs is being smuggled into (or out of) the country through the borders with Mozambique, Zimbabwe, Botswana, Namibia, Lesotho, Swaziland, or through its airports and naval ports? How much revenue is the state losing on the cross-border transport goods that are being undervalued, or undeclared? Where do poachers take their loot across the border? What are the realistic public health threats that the country faces? And what about the threats of terrorism, phytosanitary, veterinary and environment? What scenarios on instability or insecurity in neighboring countries can we come up with that detail the possible impact South Africa's inbound cross-border flows.

The answers to these questions will dictate the border management response that is required, differentiated by time and location. The threats at a rural part of the borderline with Namibia may not require the same approach as those at Beit Bridge. The challenges that border guards are likely to encounter at four o'clock in the morning could well be different from those they'll see at five o'clock in the afternoon. Which bilateral or multi-lateral agreements should we prioritize? How do we set up the organizational structure of the BMA in such a way that it is able to respond to current threats on the various parts of the border, as well as to possible future trends and developments? Which SOP's are going to be required? How many people do we need; where do we need them; and which skills are they going to require in each of these locations? What are the information requirements and information exchange mechanisms that we'll need? And which tools and what equipment should be acquired, and how can infrastructure development help us in countering the cross-border threats.

The answer to these questions helps build an organization that is fit for purpose. However, it is also important that the organization -remains- fit for purpose. Cross-border flows and risks are not a static phenomenon, but continuously subject to change. When designing and conceptualizing border management reform

programs, it is beneficial to look at required interventions on six layers. Those six layers are easily remembered with the simple mnemonic POPPIT: Policies and Regulations, Organisations, Procedures, Personnel; Information and Tools. The Border Management Authority Project Management Office will need to repeatedly evaluate their strategies based on the POPPIT principles in order to adapt to trends and changes in the risks to which the country is exposed. The National Risk Targeting Centre, for which provisions have been made in the draft BMA Bill, would typically be the custodian of that role.

From what I've seen of the process so far, I'm impressed with the coherent, cohesive and comprehensive approach of establishing the BMA. But ultimately, border management, probably more so than most other government responsibilities, cannot hope to be effective if it is carried out in isolation. If anything requires close cooperation with your neighbors, then it'd be border management. That seems perhaps obvious, but in practice international coordination on border management is often lacking. I have personally seen extreme examples of that in some other countries, where even the establishment of Border Crossing Points was not discussed between the neighboring countries. This resulted in an authorized Border Crossing Point on one side of the border, but no corresponding structure or facility on the other side of the border. So you could legally exit from country A, but not enter into country B, and vice versa.

Fortunately, there is growing international consensus on the need to manage borders conjointly, and through a holistic approach. This ensures that international borders remain open and that the mobility of persons is facilitated, while protecting the integrity and the security of the State and the safety of those that move. Effective border management facilitates the movements of persons, goods and services. This helps boost intra- and inter-African trade, as a central vector of inclusive economic growth. Border management, therefore, should also be framed within the broader AU development agenda towards regional economic integration. The role of the African Union and the Regional Economic Communities in supporting regional harmonization of border management policies and practices is of paramount importance.

Border management is important. Done properly, it protects human rights; it protects the state from cross-border crime; it protects revenue income on goods entering the country; it protects the country from cross-border exposure of communicable diseases of people, flora and fauna. Done properly, it facilitates trade and the movement of legitimate travelers. The objective should be to have open, but secure and controlled borders. Ideally the country should have the capacity to handle enormous flows of people, goods, capital and services every single day. I wish the lead Department, the BMA Project Management Office and its stakeholders wisdom, strength, energy, and good luck on this crucial task!

Get to Know South Africa's Borders

South Africa is considered to be a medium-sized country with a landmass of 1.2m square kilometres. It is the eighth largest country in Africa and constitutes 4% of the continent's landmass. South Africa is three times larger than Germany and one eighth the size of the USA.

South Africa has 72 official Ports of Entry. These are the only places where people and goods can legally enter or depart from South Africa. The country has 53 land Ports of Entry, 10 air Ports of Entry (i.e. international airports) and 9 maritime Ports of Entry. The Minister of Home is empowered by the Immigration Act, 2002, to designate or cancel the designation of Ports of Entry in South Africa.

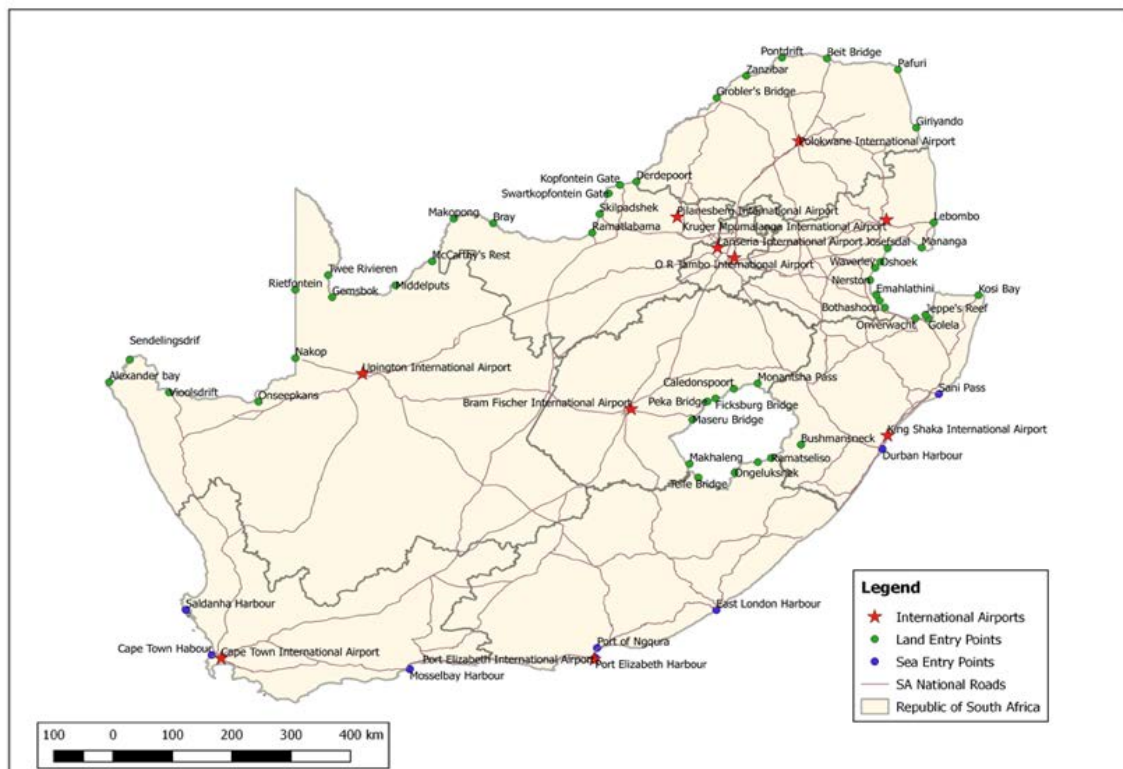


Figure 1: South African Ports of Entry

The length of South Africa's land border is 4 471 km, which it shares with six neighbouring countries, namely Mozambique, Zimbabwe, Botswana, Namibia, Lesotho and Swaziland. The coastline of the country is approximately 3 924 km.

No.	Neighbouring Country	No. of land Ports of Entry shared by SA with its neighbours	Length of land borderline shared by SA with its neighbours
1.	Namibia	6	897km
2.	Botswana	18	1516km
3.	Zimbabwe	1	214km
4.	Mozambique	4	493km
5.	Swaziland	11	427km
6.	Lesotho	14	924km
	Totals:	72	4471km

The table shows that South Africa shares the greatest number of land Ports of Entry with Botswana, i.e. 18, and also shares the longest length of land borderline with this country, i.e. 1516km. On the other hand, South Africa shares the shortest land borderline with Zimbabwe, i.e. 214km. Furthermore South Africa shares one (1) Port of Entry with Zimbabwe. All other neighbouring countries share greater than four (4) Ports of Entry with South Africa.

BMA meetings 2016



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