

INFORMAL CROSS-BORDER TRADE AND CROSS-BORDER SECURITY GOVERNANCE IN THE IGAD REGION: REALITIES, LINKAGES, AND POLICY FRAMEWORKS

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PREFACE

The Member States of the Intergovernmental Authority on Development (IGAD) region share borders that extend 8,382 km, while the external borders of the IGAD region (with non-IGAD States) extend to 6,910 km.¹ Borders and borderlands in the IGAD region are inhabited by millions of people who pursue a range of economic pursuits, including pastoralism, agro-pastoralism, agriculture and trade. Borderlands in the Horn are situated in arid and semi-arid lands inhabited by communities who are vulnerable to climate change shocks and processes such as desertification, deteriorating rangelands, drought and famine. In the IGAD region, borderland areas exhibit some of the lowest human development indicators in terms of access to basic social amenities. Issues such as interstate and intrastate conflicts and tensions, human trafficking and smuggling, and trafficking in small arms and light weapons afflict borderlands and further threaten the human security.

A critical aspect of the conundrum that faces policy responses to borders and borderlands has been the lens through which borderlands and their inhabitants have been viewed. This view has tended to emphasize varying aspects of illegality from the ‘criminal’ to the ‘subversive’.² This lens has exacerbated the marginalization of borderland communities through its legitimization of policies and actions that inadvertently criminalize borderland communities’ strategies of survival and adaptation to borders. The member states’ governments of the IGAD have adopted a range of policy initiatives to respond to the human security challenges of borderland communities. IGAD member states governments have also utilized bilateral agreements and regularized meetings of joint border commissions to address the varied hard and soft security challenges in borderlands. The IGAD has also sought to respond to the pressing human

1 International Boundaries Research Unit, ‘International Boundary Demarcation in the IGAD Region: A review of existing practice and thoughts on future developments’, unpublished report, April 2008.

2 Korf, Benedikt & Timothy Rayemaekers. “Introduction: Border, Frontier and the Geography of Rule at the Margins of the State” in Benedikt Korf & Timothy Raeymaekers eds. *Violence on the Margins: States, Conflicts And Borders*. 213. Palgrave Macmillan: NY. Pg: 9.

security challenges of borderlands through initiatives such as the IGAD Drought Disaster Resilience and Sustainability Initiative (IDDRSI) and, also through focal agencies such as the IGAD-Conflict Early Warning and Response Mechanism (IGAD-CEWARN).

Informal cross-border trade (ICBT), in the IGAD borderlands, is a crucial source of food security in arid and semi-arid lands, a source of employment for millions and a mechanism to generate alternative sources of income and capital. It is the youth and women, the most marginalized in borderland communities, who are the biggest beneficiaries of ICBT. However, policy and regulatory frameworks have not kept pace with these realities.

The works in this volume provide a dual picture. On the one hand, several of the studies provide a bird's eye view of ICBT across the borderlands in the Horn, its interface with human security of the borderlands and 'hard security' issues. On the other hand, the studies in this volume describe a policy engagement process bringing together academia, civil society, government agencies and regional multilateral actors. The policy engagement process termed the 'Collaborative Policy Engagement and Analysis' (CPAE) Pilot was a joint initiative between the Intergovernmental Authority on Development-Conflict Early Warning and Response Mechanism (IGAD-CEWARN), Organization for Social Science Research in Southern and Eastern Africa (OSSREA), Inter Africa Group (IAG) and the Life & Peace Institute-Horn of Africa Regional Program (LPI-HARP), (henceforth the Quartet) which began in 2014.

The CPAE was a research and consultative process engaging a range of stakeholders which culminated in the June 20th- 21st 2018 meeting of IGAD Member States' Experts and Ministers of Trade- held in Mombasa, Kenya, which led to the adoption of a policy framework on the Informal Cross-Border Trade-Cross-Border Security Governance (ICBT-CBSG) Nexus.³ The adoption of the Policy framework represents a critical advancement

3 CBSG is defined as cross-border multilateral or bilateral cooperation, coordination and collaboration among States, civil society and/or borderland communities to address threats and harness opportunities along their borders toward commonly shared peace, integration and prosperity.

for regional integration and cooperation in the IGAD region.⁴ It is meant to assist IGAD member states' governments in tackling the multifaceted, socio-economic and security challenges in the Horn of Africa's borderlands.

The IGAD policy framework on ICBT-CBSG nexus aligns strongly with the regional and continental efforts in facilitating intra- Africa trade such as The African Continental Free Trade Agreement (AfCFTA). This framework will play a role in shifting perceptions on ICBT in the region and while strengthening regional integration of borderlands while promoting peace, security and development.

This book provides evidence on ICBT-CBSG in the IGAD region based on current global and regional studies. The bulk of the contributing authors are scholars and civil-society actors from the IGAD Member States. This book is a testimony that issues and policy dilemmas that we grapple with can best be addressed through meaningful partnerships, co-production of knowledge and knowledge sharing. It is evidence of action research that is participatory where every partners' contribution is highly valued.

This book will prove a useful resource for researchers, policy analysts and decision makers an instrument in contributing to human security in the horn of Africa. The works in this volume will also prove useful to those who seek to understand different models of policy engagement involving a range of stakeholders.

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4 The policy framework document is the outcome of a research and consultative process led by the Collaborative Policy Analysis and Engagement (CPAE) Pilot, a joint initiative between the Intergovernmental Authority on Development-Conflict Early Warning and Response Mechanism (IGAD-CEWARN), Organization for Social Science Research in Southern and Eastern Africa (OSSREA), Inter Africa Group (IAG) and the Life & Peace Institute-Horn of Africa Regional Program (LPI-HARP), (henceforth the Quartet) which began in 2014.

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On behalf of OSSREA, myself and the other Quartet members, I want to thank you very much. Enjoy reading the book.

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PART I

CHAPTER ONE

INTRODUCTION: THE ISSUES, NATURE, AND RESEARCH PERSPECTIVES ON INFORMAL CROSS-BORDER TRADE AND CROSS-BORDER SECURITY GOVERNANCE IN THE IGAD REGION

Michael Omondi Owiso

Introduction

The networks, livelihoods, and identities of borderland communities in the IGAD region remain complex and intertwined. Communities, individuals, elites, governments, and even cartels operate in this milieu amidst the ease and difficulties associated with trading across borders. This is both a historical as well as a contemporary phenomenon. Traditionally, entities operating in this environment have found ways of coping with the realities that confront them and in response formed networks that facilitate movement and trade along borders. The management of cross-border trade has, therefore, involved a variety of activities, all aimed at protecting the livelihoods of communities living along the borders of Member States of the IGAD region.

Despite the growing awareness of the intricacies of cross border trade and the potential implications for the growth and development of the African continent and the IGAD region, in particular, there remains a dearth in knowledge co-created in this endeavour within the research and policy circles. In the IGAD region, efforts to support the implications, benefits, and future policy directions concerning cross-border trade are still nascent and the Member States are yet to fully embrace intentional policy directions and implementation in this direction. There persists little recognition at both national and regional levels, on the important contribution made to the economy in the region by the informal cross-border sector. At the same time, when dealing with informal cross-border trade, the region has traditionally approached it from the view that it is a security challenge thereby obscuring the potential to border trade and security governance for

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