



# Protocol on Facilitation of Movement of Persons and the UNIVISA in support of Tourism in SADC

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## Background

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The SADC Protocol on facilitation of movement of person is founded on the SADC Treaty, which advocates for the promotion of interdependence and integration of national economies for the harmonious, balanced and equitable development of the region.

The UNIVISA on the other hand is founded on the Protocol on Tourism development, which advocates for the introduction of a tourist Univisa.



## The Protocol's objective

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The development of policies aimed at the progressive elimination of obstacles to the movement of persons in the region, generally into and within the territories of State Parties.



The specific objectives of the Protocol in relation to every citizen of a State Party are to facilitate:

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- (a) entry, for a lawful purpose and without a visa, into the territory of another State Party for a maximum period of ninety (90) days per year for bona fide visit and in accordance with the laws of the State Party concerned;
- (b) permanent and temporary residence in the territory of another State Party; and
- (c) establishment of oneself and working in the territory of another State Party.



## Member States cooperation and mutual assistance,

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### **Member States are encouraged to:**

- (a) formulate policies and awareness programmes on the implementation of the Protocol;
- (b) improve mechanisms for enhancing co-operation in safeguarding national and regional security by exchanging information among relevant authorities especially on crime, security and intelligence;
- (c) train competent authorities and educate communities regionally and nationally on the Protocol;
- (d) provide sufficient and adequately equipped ports of entry; and
- (e) prevent illegal movement of persons into and within the region.



# Harmonisation of Immigration Practices,

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**In terms of the Protocol, State Parties agree to take steps to achieve each of the following from the date of entry into force:**

- (a) harmonisation of their laws and administrative practices so that citizens of State Parties are able to enter the territory of another State Party for a maximum period of ninety (90) days per year for bona fide visits;
- (b) standardisation of immigration procedures;



## Harmonisation of Immigration practices continues

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- (c) establishment of a separate SADC DESK at each major port of entry between State Parties;
- (d) by way of bilateral agreements, establish sufficient number of border crossing points into the territory of another State Party with identical opening hours on each side of the border and ensuring that at least one such post remains open twenty-four hours every day;
- (e) by way of bilateral agreements between the State Parties concerned, issue simple border permit/border pass to citizens of State Parties who reside in the border areas of the territories of such State Parties;



## Harmonisation of Immigration practices continues

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- (f) abolition of visa requirements where they still exist, provided that where visas are regarded as necessary, they shall be issued gratis at the port of entry; and
- (g) co-operation with the assistance of the SADC Secretariat or any such designated body of SADC and other State Parties in the provision of such training for senior immigration, customs, police and security officials as may be necessary to facilitate the movement of persons within SADC.





## Entry of Persons,

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### **Visa-free admission:**

- (a) Article 4 of the Protocol, advocates for citizen of a State Party to enter the territory of another State Party as a visitor without the requirement of a visa for maximum period of ninety (90) days per year.



## Current Status of operationalisation,

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- a) the Protocol is not yet in force;
- b) the Protocol has been signed by at least 9 Member States; and
- c) the Protocol has been ratified by 4 Member States,



# Protocol table of signature and ratification

	MEMBER STATES	OPEN FOR (OR DATE OF) SIGNATURE	DATE OF RATIFICATION
1	ANGOLA		
2	MADAGASCAR		
3	MALAWI		
4	MAURITIUS		
5	SYCHELLES		
6	ZAMBIA		
7	BOTSWANA	18-8-2005	6-9-2006
8	DRC	18-8-2005	
9	LESOTHO	18-8-2005	
10	MOZAMBIQUE	18-8-2005	9-12-2005
11	NAMIBIA	18-8-2005	
12	SOUTH AFRICA	18-8-2005	4-2-2008
13	SWAZILAND	18-8-2005	2-8-2006
14	TANZANIA	18-8-2005	
15	ZIMBABWE	18-8-2005	

Visa exemptions in SADC			
Member State	Visa Required	On-going Consultations	Remarks
Angola	Botswana	Botswana Mozambique	All diplomatic and official passports of SADC Member States are exempted.
	Malawi	South Africa	
	Mozambique	Tanzania	
	South Africa	Zambia	
	Swaziland		
	Tanzania		
	Zambia and Zimbabwe		
Botswana	DRC		All diplomatic and official passports of SADC Member States are exempted.
	Madagascar		
DRC			No data
Lesotho			No data
Malawi	Angola		Negotiations to commence soon with Angola, DRC
	DRC		
Mauritius			No data
Mozambique	Angola	Angola	All Member States on Diplomatic and Official Passports exempted
	DRC	DRC	
	Madagascar		
Namibia	DRC	DRC	
	Madagascar	Madagascar	

Visa exemptions in SADC continues			
Member State	Visa Required	On-going Consultations	Remarks
Seychelles			No data
South Africa	Angola	Angola, Madagascar and DRC	All Diplomatic and official passports are exempted in respect of Angola
	DRC		
	Madagascar		
Swaziland	Angola		Kingdom of Swaziland to submit additional information
	DRC		
Tanzania	Angola	Angola	
	DRC		
Zambia	DRC	DRC, Madagascar	Angola (currently only Diplomatic and official passports are exempted)
	Angola		
	Madagascar		
Zimbabwe	Angola		
	Madagascar		
Mozambique	Angola	Angola  DRC	All Member States on Diplomatic and Official Passports exempted
	DRC		
	Madagascar		
Namibia	DRC	DRC	
	Madagascar	Madagascar	



## **Link to the Protocol on Tourism,**

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**Article 2 of the SADC Protocol on Development of Tourism advocates for amongst others, the following:**

- a) Improvement of standards of safety and security for tourists;
- b) aggressive promotion of the region as a single but multifaceted tourism; and
- c) Facilitation of intra-regional travel for the development of tourism through the easing or removal of travel and visa restrictions and harmonisation of immigration procedures.



## Link to the Protocol on Tourism continues,

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### **Article 5 of the SADC Protocol on Tourism provides for:**

- a) Member States to endeavour to make the entry and travel of visitors as smooth as possible and shall remove practices likely to place obstacles to the development of travel and tourism both regional and international by:
  - i) harmonisation of visa requirements for regional tourists;
  - ii) the univisa which will facilitate movement of international tourists in the region.



## Why negotiate?

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**The Protocol on Facilitation of Movement of Persons can benefit the tourism negotiations in cognizance of among others, the following:**

- a) harmonised Immigration procedures such as operating hours which can improve efficiency;
- b) improved security of Member States and tourists;
- c) reduced barriers to movement of tourists imposed by visa regimes;
- d) conclusion of bilateral agreements; and
- e) encourage Member States to sign and ratify the Protocol





## What benefits?

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### **The UNIVISA may lead to:**

- a) reduced complex immigration processes by allowing entry into two or more SADC Member States with a single regional VISA;
- b) harmonised Immigration procedures for non SADC nationals;
- c) promotion of an integrated approach towards marketing the region; and
- d) reduced barriers imposed by visa restrictions on tourists coming out of the region.



## Status of implementation,

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### **The UNIVISA Pilots Group are:**

- a) The Republic of Angola;
- b) The Republic of Mozambique;
- c) The Republic of Namibia;
- d) The Republic of South Africa;
- e) The Republic of Zimbabwe;
- f) The Kingdom of Lesotho and
- g) The Kingdom of Swaziland



## Status of implementation continues,

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### The UNIVISA work in progress:

- a) Security Assessment for implementation of the UNIVISA;
- b) Development of the UNIVISA Legal instrument;  
and
- c) Mobilisation of resources for piloting of the UNIVISA



## Noted progress:

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- a) Signed Bilateral Agreements waiving Visa requirements in some Member States;
- b) Consideration by some Member States to implement Coordinated Border Management (CBM) e.g. SA BCOCC and harmonise operational hours;
- c) Increased number of Member States volunteering to join the UNIVISA piloting process e.g. Lesotho



## Factors for consideration:

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- a) harmonised Immigration procedures which include: length of stay without a VISA (90 days per annum in terms of the Protocol and the UNIVISA;
- b) delayed entry into force of the Protocol on facilitation of movement of persons, due to insufficient signature and or ratification;
- c) conclusion of Bilateral Agreements, waiving existing Visa requirements;
- d) bilateral Agreements harmonizing Border procedures and operational hours and
- e) harmonised operational hours



End

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“Charting a new development path requires creative thinking and risk taking and with proper development strategies, African countries are capable of developing to take their place in the global knowledge economy”. (Prof Murenzi and Hughes)