



Transnational Threats: The Problem of Illegal Immigration in Northern Malawi

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Abstract

Immigration is one of the transnational threats affecting the economy, society, politics and ecology of many countries. In the Malawian context, the origination of immigrants from war-torn areas of Mozambique, Somalia, Ethiopia, Democratic Republic of Congo (DRC), Burundi, Rwanda and Sudan has been a major cause for public and scholarly concern. The present paper, therefore, sets out to understand the extent to which illegal immigration threatens the security of the country. Evidence from the case study, northern Malawi, suggests that, although the numbers and crimes associated with illegal immigration are relatively low compared to those committed by Malawians, the illegality of their presence undermines the sovereignty of the country to control immigration. While appreciating the necessity of cracking down on illegal immigration, the paper draws attention to the complex nature of the exercise. The observation here is that immigration has conflicting dimensions of illegal immigration, transnational threats and refugees, with the latter requiring protection under international mandates. Critical should be the desire to eliminate unsustainable and illegal immigrants while upholding international conventions of immigrants' rights as well as ensuring that *bona fide* immigrants and refugees are protected.

Introduction

In the past two decades, Malawi has seen an increased number of immigrants largely from Mozambique, Somalia, Ethiopia, Democratic Republic of Congo (DRC), Burundi, Rwanda and Sudan (Malawi Police Service 2010). Until the late 1990s, Mozambique was the largest generator of immigrants who relocated themselves in different countries within the region as refugees (Callamard 1994). Presently, most of the immigrants originate from the Great Lakes region (Kainja 2012). While most of the immigrants are legally located in the country, there has been an increased number of immigrants who locate themselves illegally without due documents. As of 2010, the total number of illegal immigrants in the country was reported to be 279,000 (Malawi Police Service 2010). The report indicated that the country was receiving an average of 5,000 illegal immigrants per annum, the majority of which entered the country through the northern districts of Karonga, Chitipa, Nkhata Bay, Rumphu, Nkhotakota and Salima. Between

2008 and 2009 over 350 illegal immigrants were arrested and 2,000 were deported to their original homes. Despite the arrests and deportation, the number of illegal immigrants continued to increase in the country. For example, over 500 illegal immigrants were convicted and 3,000 deported between 2009 and 2010 (Malawi Police Service 2010).

While immigration is a normal globalisation process and while it plays a positive role in enhancing human resources, international trade and revenue, it (in both legal and illegal forms) has also been associated with transnational crimes such as terrorism, human and drug trafficking, armed robbery, money laundering (Bowers and Parke 2009). Since the September 11 attacks in the USA in 2001, for example, that country has become exceptionally careful in dealing with the inflow of immigrants whom they fear might cause a similar attack (Finckenauer 2000). Globalisation and its associated economic and technological advances have made the process of international movement easy, and more so, have given advantages to immigrants who intend to commit transnational crimes (Finckenauer 2000). While the most opportune target of transnational criminals¹ has been the richest countries, most of the transnational criminals are from less developed countries, who at times use less developed countries as conduits for their operations (Saari 2006; Shelley and Picarelli 2010). In Malawi, there is ample yet unsubstantiated evidence of the existence of crimes related to illegal immigration such as human trafficking and smuggling (Chizimba *et al* 2011; Kainja 2012).

The paper aims at enhancing our understanding of the extent to which immigrants threaten the security of Malawi as a country. After exploring the scholarly context of immigration and transnational threats, the paper attempts to examine the growth of illegal immigration and its associated threats as well as the effectiveness of the crackdown campaigns against the practice in the country. The results of the study seem to suggest that illegal immigration is not so much a source of concern beyond the obvious illegality of the presence of immigrants, especially when rated against crimes committed by nationals in the country. However, it will be argued in the paper that, despite the relatively low crime rate associated with illegal immigrants, the illegality of their presence undermines the sovereign power of the state to control immigration. The presence of illegal immigrants, who largely originate from war-torn areas, is contributing to an atmosphere of fear and xenophobia with greater potential to generate conflicts with the nationals. The paper also brings attention to the complex nature of dealing with immigration owing to its conflicting multi-dimensions of illegal immigration, transnational threats and refugees. It agrees therefore with Koser (2005)'s observation that dealing with immigration presents the challenge of eliminating unsustainable and illegal immigrants while upholding international conventions of immigrants' rights as well as ensuring that *bona fide* immigrants and refugees are protected.

The paper uses a case study qualitative approach. The idea of a case study was to get an in-depth understanding of illegal immigration in the country. The case of Northern Malawi was particularly suited as it acts as the entry point for immigrants from the Great Lakes region which

¹ The United Nations defines transnational crimes as offenses whose inception, prevention, and/or direct or indirect effects involve more than one country. For details see United Nations (1995).

is the greatest source of immigration into the country. The intention of collecting and analysing data qualitatively was to capture and assess the opinions and perceptions of both the local people and officials from security departments (immigration, intelligence and police) on matters related to immigration and transnational threats through oral interviews, key informant interviews, newspaper and document reviews. The results of the study were first presented at the launch of the Malawi Chapter of Tropical Outreach Program Series (TOPS) which was accompanied by a symposium on security and development in democracy held between 24 and 26 July 2012 in Lilongwe, the capital city of the Republic of Malawi. Between 24 and 28 September 2012, the paper was further discussed at the security sector governance executive course organised by Centre for Security Studies of Mzuzu University in Lilongwe.

Immigration: Threat or Opportunity?

The issue of immigration in transnational threat discourse has been a subject of public and scholarly debate. Traditionally, it has been argued that immigration should not be considered as a transnational threat. If managed properly and in an orderly manner, goes the argument, immigration is beneficial to the interests of both the sending and receiving countries as well as the immigrants themselves (Collinson 1999; Hugo 2004). Through migration, the sending countries gain foreign exchange, revenue, alleviate the burden of excessive labour, and are able to promote international trade. Receiving countries, on the other hand, benefit from the expertise of immigrants for their own national development. In North America and USA, for example, it has long time been a policy to open the border doors wide for the entry of immigrants, especially those with high qualifications and expertise, of course in the pursuit of the so called ‘melting pot theory’² of American social development (US Department of State 2008). In France, Germany and Spain, it has lately been their policy to open doors for people from other countries, especially those from the third world, in order to meet the demand for cheap labour. Other scholars call for the consideration of immigration as a normal process of globalisation (Collinson 1999; Finckeneuer 2000).

However, in the aftermath of the September 11 attacks, the consideration of immigrants as a beneficial factor for developed countries has been heavily debated. To a degree, immigration has come to be treated as a transnational threat. There are five situations in which immigration is considered as a threat to the security of nations:

1. **Unsustainable immigration:** This happens when the levels of immigrants exceed the social, economic and ecological capacity of the hosting countries. Competition between nationals and immigrants over resources develops giving birth to xenophobia.
2. **Illegal immigration:** This happens when immigrants, for reasons best known to them, choose to enter into a country without following the normal immigration procedures. This

² The melting theory held that America was a crucible of the people from different nationalities which together has enriched the American identity and development.

undermines the sovereign right of states to control people crossing their borders (Koser 2005).

3. Transnational crime: This is a situation whereby immigrants begin to engage themselves in criminal activities such as terrorism, human trafficking, human smuggling, money laundering, armed robbery, corruption and drug trafficking.
4. Military and political activities: This happens when immigrants use hosting countries as bases for organising military activities against their home countries. This presents the possibility of breeding wars between the sending and receiving countries.
5. Societal disruptions: This happens when immigrants instead of adapting to the existing cultural norms of the hosting countries choose to form a “cultural, linguistic, religious, and racially distinct minority within the hosting country thereby altering the social character and strength of its society” (Stivachtis 2008: 18). In this case, immigration threatens the collective identity of hosting countries.

In view of the apparent threats created by immigration, securitisation of immigration has been a common practice in most countries (Stivachtis 2008). While this is critical in dealing with immigration problems, the effectiveness of securitisation is limited by globalisation, human rights legislation, social networking, corruption by immigration officials, the work of migrant smugglers, and nationals who help illegal immigrants to enter into their country (Koser 2005). Securitisation of immigration has the potential to undermine the need to protect genuine immigrants and refugees. In some cases, the process may lead to the acceleration of illegal immigration, human smuggling and trafficking, as immigrants tend to operate underground to evade police thereby creating more insecurity problems. There is also a danger that over securitisation of immigration would cause other states to reactively develop xenophobic attitudes towards immigrants from other countries.

However, we need to note that threats associated with immigration are not universal, rather conditional to certain circumstances. It is argued that immigrants, like other factors, do not cause transnational threats in themselves, but:

Rather, they facilitate crime, and in some cases, they are criminal opportunities in themselves. For example ... [t]he desire to immigrate may cause people to violate immigration quotas and regulations and may lead to illegal immigration, which in turn is exploited by criminals (Finckenauer 2000:1).

Even where illegal immigrants commit crimes, it is difficult to distinguish between perpetrators as the same crimes are committed by nationals or indeed the so called regular immigrants (Finckenauer 2000; Kicing 2004). According to Koser (2005), threats caused by immigration need to be critically substantiated statistically and empirically. He is of the view that immigrants, especially illegal immigrants, come in fairly small numbers to cause significant threats to countries and that not all immigrants are criminals or carriers of infectious diseases as has been commonly alleged. As noted above, demonization of immigrants leads to the perpetuation of

illegal immigration and its deterrent to refugees to publicly seek asylum. Consequently, for fear of deportation, immigrants operate underground or indeed seek the assistance of human traffickers, a situation which results in the exploitation of women and children in domestic work and the sex industry.

The present paper argues that although immigration is a critical factor that perpetuates transnational threats, the subject needs to be handled with a great deal of soberness and prudence to avoid discriminating *bona fide* immigrants like refugees and asylum seekers who have the right to protection under UN conventions. As it will be seen from the paper, this is however, quite a complex process especially in the context whereby refugees refuse to declare their status, and cross several peaceful countries before settling in the country as well as opting to flee from refugee camps and settle among the locals. This presents a dilemma for Malawi in choosing whether to protect such people as refugees in accordance with the 1956 UN Convention and 1964 OAU convention or to deport them.

The Growth of Immigration in Northern Malawi

The growth of immigration in northern Malawi should be understood from its geographical, economic, and social-political context. Geographically, the region shares Lake Malawi and the Nyika mountains as borders with Tanzania and Zambia. The borders are porous and open for the entry of illegal immigrants into the country. Within this geographical context, Karonga, Chitipa and Nkhata Bay in particular are conveniently located for the growth of illegal immigration. At Songwe border, over 20 unchartered routes exist which were created by illegal immigrants to facilitate their movement and entry into the country. The presence of Songwe River, which forms the border between Tanzania and Malawi in Karonga, has also made it easy for illegal immigrants to enter into the country through canoes organised by Malawians. In terms of communication, the region forms part of the northern corridor connecting Southern Africa to Eastern Africa. It is through this corridor that immigrants flow into the region.

Economically, the region has great potential resources that attract illegal immigrants. These include the Chikangawa forests, Kayerekera mines, and rice farms in Nkhata Bay and Karonga. The opening of Kayerekera mine in Karonga, which is already well-placed for illegal immigration, has accelerated the growth of illegal immigrants from Zambia and Tanzania who have located themselves to conduct informal business and provide commercial sex services to home-alienated workers in the area (Masina 2010).

Socio-politically, the country is yet to issue national identity cards to discriminate between immigrants and the nationals, the absence of which has been exploited by immigrants who seemingly share common ethnic characteristics to stay in the country.³ The prevalence of peace and tranquillity as well as the history of food security are other factors that encourage

³ Note that the inhabitants of northern Malawi originated from Tanzania, Zambia, Mozambique and the DRC. It is therefore very difficult to distinguish between nationals and immigrants as they all share similar physical and social characteristics.

immigration in the country in general and the region in particular. Whether founded or not, there is a belief held by immigrants, especially from Tanzania and Nigeria, that it is easy to obtain a passport in Malawi with which to travel to countries like South Africa and USA where their entry is highly regulated (Kainja 2012).

The flow of immigrants into the region is as old as the national history of the country itself. People that have come to be called Malawians in the region (Tumbukas, Chikulamayembes, Ngonde, Ngonis and Tongas), came as immigrants, be it illegal or regular, or as refugees. The oldest tribes were the Tumbukas, but these were joined by Chikulamayembes, Tongas and Ngonis. As early as the late 1780s, the Tumbukas had already handed over political hegemony to Chikulamayembe, a long distance trader of iron hoes (Phiri 1988). The Ngonis, who fled from the devastating wars of Chaka Zulu in South Africa, were the last to settle in the region (Shillington 1989). Despite being late comers, however, using their military prowess, they managed to conquer and control the Tumbukas in Mzimba (Phiri 2004). Though a minority, chieftainships in Mzimba have been the monopoly of the Ngonis subsequent to these conquests. The implication here is that Malawi has people with historical and ethnic linkages that perpetuate common cultural identities and informal interactions which facilitate what might be seen as illegal immigration.

In the 1980s and 1990s, Mozambican refugees created the largest number of immigrants, and most of them settled spontaneously among Malawians in the Likoma and Nkhata Bay districts (Callamard 1994). Between 1976 and 1987, the refugees existed more or less as illegal immigrants as Malawi had not ratified UN conventions on refugees (Callamard 1994; Nkhoma 2006). The refugee status of Mozambicans in Malawi was only accorded in 1987. Although the majority of Mozambican refugees were repatriated by 1997, there were some who, for reasons of marriage, memories of war and/or personal interest in the country, chose to stay in the region. Similarly, some Malawians joined refugees during the repatriation for similar reasons (Nkhoma 2006).

In recent times, the Great Lakes region and the Horn of Africa have been the greatest generators of immigrants, with people from Burundi, Somalia, Rwanda, Ethiopia and Tanzania settling in northern Malawi. Besides these groups are immigrants from Nigeria, Zambia and Zimbabwe. While the later come both as regular and illegal immigrants to exploit business opportunities in the region, the former are more or less refugees. In the past, refugees were assembled, processed and conveyed to Dzaleka, the only existing refugee camp in Malawi, found in Dowa district of central Malawi. Other refugee camps were closed because of security concerns, refugee management capacity, the relatively low number of refugees in the country, as well as the understanding that Dzaleka, which used to be the largest yet also a notorious prison, had the capacity to accommodate a large number of refugees. Since most of the refugees entered the country through northern Malawi, a transitional camp for refugees was established by the Karonga Police to process refugees before sending them to Dzaleka. The Karonga transitional camp has since 2010 been closed due to the lack of capacity to manage the refugees by the police and immigration as well as to minimise cases of theft and immorality involving refugees in the

township. There were also misunderstandings between the Police, UNHCR, and immigration authorities over the control of the camp (Mtambo 2010).

The management of refugees in Malawi has been problematic. There is a group of refugees who do not fit into the UN and AU definition of refugees in the view of the Malawi Government. These are refugees who refuse to declare their refugee status and those who cross various peaceful countries like Kenya and Tanzania before settling in the country (Masina 2010). It is assumed that these refugees lose their status, and are therefore disqualified from protection in accordance with UN and AU Conventions on refugees. Oral evidence seems to suggest that these refugees look for economic opportunities rather than political refuge. According to the District Commissioner for Karonga, the refugees refuse to declare their status for fear of being sent to Dzaleka refugee camp or indeed being repatriated back to their home of origins. There are also reports that most the refugees who fail to declare their status are in transit to join their relatives who have settled or are doing some form of business in South Africa.

The manner in which refugees travel raises more questions in terms of whether they should be accorded refugee status or not. Often, they are male refugees within the age range of 18 and 35, and they travel in groups ranging between 20 and 60. They carry maps with which to guide them in terms of the routes to be used and the location of police check points to avoid (Kainja 2012). They travel at night with the help of Malawians who offer them transportation and other related support. In addition to porous borders, some immigrants enter the country through official borders after corrupting officials to grant them entry into the country. Sometimes, the refugees present themselves to police officers. According to the District Commissioner for Karonga, the self-presentation of refugees to police is a matter of running away from being caught as well as getting social help in form of food and medical care after staying in hiding for a long time. There are reports that these refugees sneak out from Dzaleka and travel to their destination of choice, South Africa.

Of the 279,000 illegal immigrants recorded in the country in 2010, 15,000 were considered refugees (Malawi Police Service 2010). Before the closure of the transitional refugee camp at Karonga in 2009, this category of refugees entered the country at a rate of 300 people per week through Karonga and Chitipa (Chione 2010). Between 2011 and 2012, there have been an increased number of cases of refugees who were arrested as published in the media. In 2011, for example, four incidents of arrests were reported in Nkhata Bay and Mzuzu. Most of them came from Ethiopia and Somalia. Between January and September 2012, similar incidents took place in Karonga and Chitipa. A number of refugees drowned in a ship on Lake Malawi, and some suffocated to death in Tanzania while returning to their home country. In July 2012, a group of 60 refugees were caught in a forest in Chitipa. Just recently, a senior chief from Chitipa was honoured by the president for intercepting refugees from his district. In one instant, the refugees showed up to his house looking for food but he took them to the police station in Karonga where they were apprehended and sent back to their home countries. Within the same district, police caught over 37 refugees who were cargo-like loaded in van owned by a Malawian. Meanwhile, immigration officials estimate the total number of illegal immigrants in northern Malawi to be

close to 15000, with the majority being refugees from the Great Lakes region. The annual growth rate of illegal immigrants is estimated at 4.5% (Kamwana 2010). However, most of the immigrants are in transit to the central region of the country, and, thereafter to South Africa.

Associated Threats of Illegal Immigration in northern Malawi

Broadly, immigrants seem to threaten the security of the region in a variety of ways. Firstly, some illegal immigrants are engaged in prostitution. There are cases of prostitutes from Tanzania and Zambia who camp in rest houses in the region as commercial sex workers. This has resulted in the spread of HIV/AIDS in the region. A study conducted by Wiseman Chirwa recorded that HIV/AIDS spread into the country through the northern corridor (Chirwa 1998). This was also confirmed by Lwanda who noted that the first case ever tested positive of HIV/AIDS at Queen Elizabeth Central Hospital in 1985 was a referral case from Ekwendeni hospital, one of the well-known places for prostitution and social entertainment in Mzimba (Lwanda 2002; 2004).

Secondly, some illegal immigrants are involved in cross-border crimes such as money laundering, black market foreign exchange (especially along the border areas of Karonga and Chitipa) as well as drug and goods trafficking. The common drug trafficked is *chamba* or Indian hemp alleged to be grown in Nkhata Bay and Nkhota Kota. In addition, goods such as timber from Chikangawa, tobacco from Rumphu and rice from Karonga and Nkhata Bay are being smuggled to other neighbouring countries. The contributory factor here is that these products are competitively the best in the region yet their prices are deplorably low. Some immigrants take advantage of this to smuggle them for a better price outside the country.

Although evidence of human trafficking did not come forth from the study, Chizimba *et al* (2011) shows that the problem exists in the region especially in Rumphu and Nkhata Bay. Illegal immigrants seem to organise this in conjunction with Malawians. Women and Children are often abducted using false agreements and once taken are exploited as sexual workers and children labour. The study shows that Nkhata Bay and Karonga were the leading districts where human trafficking was organised, with Nkhata Bay taking the lead (Chizimba *et al* 2011).

Organised crime in the form of armed robbery and car hijacking are also committed by some illegal immigrants in the region. Armed robbers from Tanzania and Zambia locate themselves in the region to steal vehicles and exit with them to Zambia through Hewe and Jenda. Two incidents have been identified from the study. The first one involved the High Court Judge Justice Dingiswayo Madise who was abducted with his car from Chibanja in Mzuzu in 2007. The armed robbers hijacked his car together with him, and he was later dumped down at Mpherembe in Mzimba. The armed robbers were caught later, and it was found that they were from Tanzania. A similar incident took place in 2008 in Nkhata Bay where an official from an international non-governmental organisation project was shot dead and his car hijacked by gangsters from Zambia when he was arriving at his house.

There have also been cases in which immigration has increased pressure on the region's social amenities, such as land, medical care and education. In Chitipa, for example, 60 illegal immigrants were found in August 2012 too sick due to long travel and hunger, and all these were

admitted at Chitipa hospital which naturally has limited bed space for patients. This attracted public outcry from the people of Chitipa who felt it was not justifiable for them to fail to access hospital beds due to the presence of illegal immigrants.

The growth of conflicts between nationals and immigrants is also reflected through the undue socio-economic competition that emerges in the business arena. Malawians complained of being deprived of trade monopoly by immigrants at Chikangawa as well as business centres like *Taifa*⁴ market and *matabwa* or timber market in the city of Mzuzu. The major problem is that immigrants sell goods at relatively cheaper prices thereby attracting more customers than Malawian traders. These conflicts generate feelings of xenophobia and the invasion of shops belonging to immigrants during the demonstrations of 20 July 2011⁵ provides evidence of this.

It is important to note that there is no statistical evidence to enable us to appreciate the extent to which illegal immigration is a cause of transnational threats. The absence of statistical evidence, however, should be understood within the context of the sensitive nature of the subject as well as the fact that most illegal immigrants operate underground beyond the casual notice of security officials. Illegal immigration and its associated crimes touch on the security fabric of the country, and therefore, security officials tend not to bring the subject to public debate (Mzuzu University 2012a). However, rudimentary studies seem to suggest that crimes committed by illegal immigrants in northern Malawi when compared to crimes committed by nationals are relatively lower. Within the city of Mzuzu, a few cases of armed robbery by immigrants were reported. In his study, Chiundira (2010) noted that of nearly 6,000 crimes committed in the city of Mzuzu in 2007, only 800 were committed by illegal immigrants. The crimes were categorised as organised crimes, violent crimes, sexual crimes and petty crimes. Among other things, organised crimes included car hijacking, armed robbery, drug trafficking, fraud and forgery while violent crimes included cases of burglary, house breaking, fighting, and so on. Crimes committed by illegal immigrants followed this pattern:

Organised crimes	42%
Violent crimes	24%
Sexual crimes	24%
Petty crimes	10%

Source: Chiundira (2010: 26)

⁴ Taifa market is a nickname for the Chinaware market located in the city of Mzuzu. Most of the shops in this market are owned by Tanzanians where Chinese goods that enter through Tanzania are sold.

⁵ On 20 July 2011, members of civil society organised national demonstrations against the government which claimed the lives of 20 people, 18 of them from Mzuzu alone. During the demonstrations, people from Mzuzu invaded and looted goods from various shops, mostly those owned by immigrants.

Singo (2012) also made similar observations in Karonga. He noted that only 8% of the crimes committed in 2011 in the district were associated with illegal immigrants while 90% were associated with the indigenous people, and 2% were associated with unknown people.

Drawing from these rudimentary evidences, one might be tempted to conclude that illegal immigration should not be regarded as a major source of security concern. However, this can be disputed in four ways. First, it is important to note that the conclusion is based on an absence of authentic statistical evidence on crimes committed by illegal immigrants owing to the sensitive nature of the subject (Mzuzu University 2012a). The absence of this data does not, therefore, entail that illegal immigrants are not a threat in the country. Second, it is noteworthy that most of the illegal immigrants originate from war-torn areas such Mozambique, Somalia, Ethiopia, Democratic Republic of Congo (DRC), Burundi, Rwanda, and Sudan. There are fears that among these immigrants would be war mercenaries who might at one point cause military conflicts (Silawe 2010). Third, while numbers of illegal immigrants and their associated crimes are comparatively small, the illegality of their presence undermines the sovereign right of the country to control immigration. Fourth, and related to the above, crimes like armed robbery and sexual abuse are serious in nature, and for an immigrant to be involved in them, should cause alarm to any government (Chione 2010). Furthermore, the settling and activities of illegal immigrants alone raises questions about their motives in the country. The assumption here is that illegal immigrants intend to conduct dubious activities that they do not want the government to know about. It is in this context that we should understand the rationality of the illegal immigration crackdown exercise that the government of Malawi has undertaken since 2010.

Problems of and Prospects in the Fight against Illegal Immigration in Malawi

The government responded to illegal immigration by launching a crackdown campaign against the practice in the region. Some of the notable strategies included the closure of the refugee transitional camp at Karonga, patrolling of the border and Lake Malawi for immigrants, establishment of Chilumba garrison and mounting of regular and *ad hoc* roadblocks and checkpoints along the main roads in the region. Besides this, the government conducted awareness campaigns on illegal immigration and empowered the communities in terms of dealing with illegal immigrants through the Community Police Branch (Silawe 2010; Maseko 2010; Mapeto 2010).

In 2010, the government intensified efforts to deal with illegal immigrants. A community based approach to stop illegal immigration was launched in Blantyre, Lilongwe and Mzuzu through the community Police Service, aimed at dealing with human trafficking and illegal immigration in general. It was in this year that the Karonga Refugee Transitional Camp was closed for creating more insecurities than it was preventing as noted above (Mtambo 2010).

Two initiatives are worth mentioning here. The first one was the “Stop Illegal Immigrants Initiative” which was aimed at encouraging communities and all stakeholders to assist in the fight against illegal immigration in the country. The communities were called upon to report to police the presence of suspected illegal immigrants in their areas (Malawi Police Service 2010).

Among other areas, the programme targeted Karonga, Chitipa and Nkhata Bay, which were reportedly the key entry points of illegal immigrants. The intensification of border patrols, however, forced immigrants from Karonga to resort to using the lake, through Usisya and Nkhata Bay, in order to enter the country (Chione 2010). The police reacted by establishing the Marine Police at Nkhata Bay to patrol the lake and conduct community policing forums on illegal immigrants. It is reported that over 550 illegal immigrants were arrested and deported from the Stop Illegal Immigrants Initiative in 2010, and of these 126 were arrested in Karonga, 328 from Nkhata Bay, 68 from Rumphu and 28 from Mzimba (Malawi Police Service 2010). Most of these were caught as a result of reports by the communities in response to the sensitisation campaigns conducted through the initiatives.

The second initiative was “Operation *Bwerera*” (return) which was conducted later in the same year. *Operation Bwerera* was a joint venture by the Malawi Police Service, Intelligence officials and the Northern Region Immigration which involved hunting down illegal immigrants in the city of Mzuzu, especially at the *Taifa* market, *Zigwagwa* or timber market and surrounding locations. During the operation, nearly 1,000 illegal immigrants were caught, largely from Ethiopia and Somalia (Chiundira 2010). However, most of the illegal immigrants arrested were released from Dzaleka to collect their belongings, and most of them did not return and no follow up was done to trace them (Mzuzu University 2012b). This reflects a lack of capacity to repatriate illegal immigrants.

The success of the securitisation of illegal immigration in the region, however, was undermined by such factors as corruption by security officials, inadequate resources by security officers, homogeneity of the ethnic composition of Malawians and immigrants, existence of unchartered routes, absence of national identity cards, existence of a porous border, especially along Lake Malawi as well as Songwe River, and the collaboration of Malawians in supporting illegal immigrants (Kainja 2012). The lack of harmonised legislation and policy to deal with illegal immigrants also presented a major challenge to the success of the anti-illegal immigrants’ campaign. Malawi continues to use the outdated 1967 Immigration Law to deal with the current wave of globalisation which has made illegal immigration more complicated (Kamwana 2010).

The problems of dealing with illegal immigrants have also been aggravated by a lack of coordination among players in the sector both at local and international levels. At the international level, for example, one wonders how refugees and illegal immigrants from Ethiopia and Somalia reach Malawi passing through Sudan, Kenya and Tanzania (Mzuzu University 2012c). Within the country there are conflicts of interests and approaches among players such as the Office of President and Cabinet, the Malawi Police Service, UNHCR, trade and industry, civil society, immigration, army and the intelligence (Masina 2010). Often, there are accusations and counter accusations related to attempts to deal with illegal immigration. The police, for example, accuse the army of interfering in domestic security which falls exclusively under their domain. While the UNHCR considers the immigrants as refugees that need their protection, the police consider them as illegal immigrants who have to be arrested, fined and deported to their

countries of origin (Mtambo 2010). Meanwhile, the Malawi Revenue Authority (MRA) enjoys the custom revenue which immigrants bring into the country through international trade.

It should be noted that dealing with illegal immigrants who may be refugees is quite problematic. Often security officials are faced with the dilemma of deciding either to observe international conventions designed to protect refugees, or to round up and expel the immigrants from the country. While the latter appears to be morally and legally wrong, tolerance of refugees who refuse to declare their status is problematic. It is in this context that we should understand the complexity of cracking down on illegal immigration while protecting immigrants that require protection like refugees and asylum seekers as well as regular immigrants who contribute significantly to the social and economic capital of the region in the country.

Conclusion

The foregoing account has attempted to discuss the problem of illegal immigration in northern Malawi within the prevailing discourse of transnational threats and crimes. The major observation of this paper is that although the growth of illegal immigration and its associated threats is not statistically substantiated, the fact that most immigrants originates from war-torn areas (notwithstanding the refugee-illegal immigrants debate) is cause for security concerns in Malawi. Besides, the illegality of their presence undermines the state's sovereign right to control immigration and creates undue competition with the nation for the pre-existing meagre social and economic opportunities. Illegal immigration also creates an atmosphere of fear and xenophobia which if not handled properly could be a recipe for the growth of conflicts as was manifested in the 20 July 2011 demonstrations.

Recognising the threats illegal immigration causes, the government launched a crackdown campaign through which entry points were blocked and illegal immigrants were rounded up and expelled from the country. However, the impact of these efforts were limited by corruption, inadequate security staff, homogeneity of ethnic compositions of immigrants and nationals, the existence of porous borders and unchartered routes, and a lack of harmonisation of security related policies, just to mention but a few of the obstacles. The greatest challenge has been dealing with refugees. The failure of refugees to declare their status has placed before the government the temptation of arresting and deporting them to their countries of origin, contrary to its obligation under international mandates to protect them.

The conclusion here is that immigration is a complex phenomenon with contradictory and conflicting dimensions such as illegal immigration, transnational crimes and refugees requiring protection. While cracking down on illegal immigration is the mandate of every responsible government, in the light of the above complexity, there is a need to do this with a great deal of prudence and soberness so that a situation of discrimination against immigrants, such as refugees and asylum seekers who have the right to protection, is avoided. Effectiveness on this requires an adoption of a balanced yet holistic approach with the locals being critical players. The government needs to stamp out corruption, intensify the campaign for national identities as well as close up the prevailing uncharted routes in the region. Furthermore, a multinational approach

is paramount in dealing with illegal immigration. Since the problem of immigration is transitional, concerted efforts have to be made at a regional level and not just at a national level. Together with the UNHCR, the government should embark on a process of screening refugees from illegal immigrants, and improve on policies and strategies of dealing with and protecting refugees.

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