

**EFFECT OF SOCIAL INTEGRATED APPROACH ON MANAGEMENT OF
IMMIGRATION IN EAST AFRICA COMMUNITY: A CASE OF ONE STOP
BORDER POST PROJECTS AT NAMANGA AND MALABA //**

BY
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**A RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILLMENT OF THE
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DECLARATION

I declare that this project is my original work and has not been presented for a degree in any other university.


Sign.....

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This project has been submitted for examination with my approval as the University Supervisor.

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DEDICATION

I am proud to dedicate this study to my parents for their leadership, love and support. Without their love, support and encouragement my studies would have been an impossible task to undertake.

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ABSTRACT

The main aim of the study was to investigate the effect of social integrated approach on immigration management in East Africa Community as evidenced by one stop border post projects at Namanga and Malaba in Kenya. The specific objectives were to investigate the impact of integrated procedures on immigration management in Kenya and E.A region, to examine how the rights of residence has affected alien management in Kenya, to establish how free movement of persons has impacted on immigration entry and exit procedures in Kenya, and to show how free movement of services and labor influences the issuance of work permits by Kenya. The study used a descriptive research design. The target population was the staff of the agencies and departments found in Namanga and Malaba border points. These included Immigration Department, KRA, Border Police, and CID which made a target population of 190. From the population of 190, a sample of 50% was drawn proportionately to represent the four categories (clusters) of staff. Quantitative data was collected using questionnaires that were distributed to the target population. Mugenda and Mugenda (2008) note that questionnaires give a detailed answer to complex problems. The questionnaires were directed utilizing drop and pick technique. The subjective information was gotten utilizing a key witness guide. The information gathered was investigated utilizing engaging insights. After the information accumulation, the scientist pre-handled the information to kill undesirable and unusable information which could have been conflicting or uncertain, build up a coding plan by making codes and scales from the reactions which will be compressed and analyzed. The study found that there were integrated policies on the immigration department at Namanga and Malaba border. The study also established that the department had any formal policies regarding coordination with other Agencies. The study concluded that the country agrees with free movement of services. Finally the study concluded that free movement of services and labor have allowed workers to apply for and acknowledge work offers, move uninhibitedly inside the region, remain in the region for the motivations behind the business in line with national laws of the host country. The study recommended that EAC countries should advocate for opening of more border ports, increased budget for border operations and equipment and establishment of border patrol unit and strengthening of institutional coordination.

CHAPTER ONE: INTRODUCTION

1.1 Background of the Study

The term 'border' is intimately linked with the Westphalian concept of sovereignty (the Westphalian sovereignty is the rule of worldwide law that state country has sovereignty over its regions and local undertakings to the rejection of every single outer power, on the standard of non-impedance in another nation's residential issues). On account of Europe, outskirts have molded the advanced country state and were utilized amid the nineteenth and twentieth hundreds of years as a 'guide for viable power' of European frontier realms (Andreas, 2003). At the time, outskirts were at the core of interstate clashes and could be tested by other country states. Border Control Points (BCP) are the first and last points of entry and exit in any country. These include land border points, seaports and international Airports that link the country to the world. The control points are multi sectored establishments on national boundaries and entry/exit points designed and gazette to regulate movement of people and goods. Various acts of parliament and subsidiary legislations outline the mandate of respective agencies represented at Border Control Points (Hosein, 2005). Border management may be defined as all legal and administrative efforts a sovereign state takes to secure, safeguard and enhance the sovereignty, security, safety and integrity of its territory. Border management therefore is a key element in a national migration policy system.

According to Hills (2006), Border Management (BM) concerns the organization of outskirts and all the more unequivocally the principles, strategies and methodology controlling exercises and movement crosswise over characterized fringe zones or zones. It is characterized as far as fringe checks and outskirt reconnaissance; outskirt keeps an eye on individuals, their belonging and vehicles are completed at approved intersection focuses, while surveillance is carried out between authorized crossing points. Currently, global border management is increasingly under threat from increased use of fraudulent travel documents, trans-national crimes, among them, smuggling and trafficking in persons, terrorism, drug trafficking, trafficking in small arms, money laundering and recently piracy. Integration by itself is a threat to border management especially when it means more facilitation than control. In addition, border porosity, increased refugee cross border movements and weak enforcement remain major border management operational challenges (IOM, 2010). Transnational crimes are perpetrated by persons crossing international borders either by air, on land or by sea. Consequently, an effective border management Information System should strengthen border management and enhance the

capacity to detect and intercept mala fide travelers and efficiently facilitate the free movement of bona fide travelers.

The One Stop Border Post (OSBP) is a recently developing idea fundamentally to facilitate simple development of products and individuals (transport and exchange) at a land fringe. It is an incorporated land fringe administration framework which sees traditions and other government organizations of neighboring nations cooperating from a similar office to process all the important exit and section methods (Icafrica 2011). This implies a client of the fringe point acquires exit and passage leeway from one point and in this way diminishes travel times for travelers and cargo vehicles, consequently encouraging flexibility of development for people and products and possibly decreasing expenses. The OSBP idea is basic for expanding exchange, monetary advancement and provincial security. Its fundamental favorable position as verified by Crown Agents (2013), is speedier outskirt freedom and restricted duplication of fringe office mediations, which thus enhances exchange intensity, through eliminating expense and time.

Many countries are turning towards developing better border infrastructure and management processes, with success realized in Europe, USA, Canada, Asia and South American states (timeless tours and travel (tppafrica), 2011). In Africa, South Africa and Mozambique have established an OSBP at Lebombo and Resano Garcia border posts while Zimbabwe and Zambia have an OSBP at Chirundu border post. Namibia is working on an OSBP at Wenela with Zambia at Sesheke border; Oshikango and Santa Clara border with Angola and Trans Kalahari and Mamuno border with Botswana. The EAC has likewise introduced another time of consistent go of products and individuals inside the area. This combined with heaps of different measures taken to guarantee that non-levy boundaries to exchange are decreased to the absolute minimum, will guarantee products and enterprises turn out to be more affordable, physical infrastructure will develop and even probably corruption reduced. Department for International Development (DFID) and Japan International Cooperation Agency (JICA) have been working with EAC, SADC and COMESA to develop the OSBP along the North-South transit corridor TMEA, (2013).

There is need, therefore to strengthen and standardize border operations in an attempt to diminish the potential for illegal entry and to counter trans-national crimes. It is worth noting that a State has the right to determine whoever it allows to enter or depart from its territory and

under what conditions. A State can deny entry or expel from its territory any person who has no authorization to enter or remain in its territory. With the introduction of regionalism; redefinition of national borders as defined by proponents of state sovereignty and states centrists is required. These poses challenges to policy makers and institutions of governance at national, regional, and international levels. This is made more difficult in trans-border communities which are identified by ethno-linguistic similarities thus begging the question of why they should be separated by colonial artificial borders. This study will analyze the relationship between EAC integration and immigration policies in the region to establish the impact of this integration approach to these immigration policies (Johnson and Trujillo, 2007). To achieve this end, One Stop Boarder Post Projects at Namanga and Malaba are used as the case study. The selection of these Stop Boarder Post Projects is informed by the importance of Kenya in global politics, its strategic geographic position, its inter linkage with international community and perceived commitment to integration.

1.2. Problem Statement

Immigration has been a major focus as Kenya and her partners took strides towards Regional Integration. On the one hand, the capacity to control territorial boundaries as a mark of sovereignty, Agrawaal (2001) requires that states adopt inward looking state centric policies. Most States accomplish this power through among other strategies; immigration management. Ideally, an Immigration agency ought to strike a smart balance between facilitation and security the very two principles that grant a state sovereign powers to determine who enters and who leaves its territory (the right to leave any country is part of customary international law though this right is not absolute). On the other hand, Common Market Protocol is hinged on the free movement and facilitation of people, goods, capital services, labor and the rights of establishment and residence as its key pillar and therefore prescribes for outward looking open policies (Reina, 2006). These freedoms and rights demand that old immigration laws and policies be changed to reflect a new practice for the citizens of the Community.

In this light, Kenya has had to review its laws to be in line with the Protocol. Even then, one wonders how the changes in law and policy have affected the mandate of immigration departments, charged with the duty of implementing these new laws and regulations. All evidence confirms the contrary. Nothing has changed yet; whether the law or practice of immigration in Kenya (Shiraku, 2013). If these aspects have been the traditional preserve of the Department of Immigration, one wonders how immigration policy and practice has

changed, since the signing of the CMP. Have immigration policies and laws changed in as far as entry/exit procedures for EAC nationals are concerned? What has been the place of the integration in developing these policies and laws? This study seeks to investigate the role of an integrated approach to immigration management in East Africa Community: A Case of One Stop Border Post Projects at Namanga and Malaba in Kenya.

1.3. Research Questions

- i. What is the impact of integrated procedures on immigration management in Kenya and E.A region
- ii. How does free movement of persons impact on immigration entry and exit procedures in Kenya?
- iii. How has free movement of services and labor influenced the issuance of work permits by Kenya?

1.4. Objectives of the Study

1.4.1. Overall Objective of the Study

The overall objective of the study will be to investigate the effect of social integrated approach on immigration management in East Africa Community as evidenced by one stop border post projects at Namanga and Malaba in Kenya.

1.4.2. Specific Objectives

The specific objectives of the study are:

- i. To investigate the impact of integrated procedures on immigration management in Kenya and E.A region.
- ii. To establish how free movement of persons has impacted on immigration entry and exit procedures in Kenya.
- iii. To show how free movement of services and labor influences the issuance of work permits by Kenya.

1.5. Study Rationale

The study findings will be significant to the ministry of Foreign Affairs & Ministry of Interior and Coordination of National Government especially the immigration department as the lead agency of BCPs, because it has the objective to bring about proper coordination and harmonization of border operations and improvement of existing border control points

facilities. Information Systems promotes the association that is required for more viable sharing of data and recognizing dangers. Nearer national, provincial and worldwide joint effort among government organizations and the global coordination of offices can be accomplished using innovation and frameworks that offer and connection data. Moreover, two-sided, local and multilateral assertions that encourage approaches and techniques for working together, sharing data and creating interoperable frameworks are promoted by Information and Communication Technologies. The study findings will also be significant to the government and top management of Immigration department as well as policy implementing bodies to realize the role of integrated approach in improving service delivery and policy to Kenyan Citizens and foreign nationals. Furthermore, the study findings will be significant to other researchers studying immigration related topics. This study is also significant to other stakeholders including the police, National Security Intelligence Service (NSIS), and Department of Defence (DOD). At the point when data is coordinated over the fringe administration operations, outskirts administration organizations can move toward becoming knowledge driven.

1.6 Scope and Limitations of the study

The study will investigate the effect of Social Integrated Approach to Immigration Management in East Africa Community. Data will be gathered from BPPs at Namanga and Malaba The study will be designed to cover all aspects of Immigration Management policies that deal with the entry and exit of people and goods in the country.

The study will have some limitations which include the expense in planning and completing examination might be high. Expenses will be caused in creating the paper for questionnaires. Due to inadequate resources the researcher may encounter financial constraints. Another limitation will be that carrying out the study will be dull. To be done precisely basic information amassing will require the headway and execution of an investigation outline. Going from the start reason for grasping an examination dare to the end-point to having happens is frequently any more extended than the time it takes to acquire optional information.

CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter provided insight into literature review on effect of social integrated approach on management of immigration in East Africa community and information literacy by other scholars and researchers. The study will specifically dwell on literature that has specific relevance to the objectives cited in this study. It also reviews theories which the study is anchored on.

2.2. Literature Review

2.2.1. Concept of Immigration

Migration is the oldest human activity. It is human nature to migrate given naturally human beings are especially mobile (Newland, 2013). The mobility rights were bestowed to man and woman by their creator. The advent of states from the Westphalia (1648) treaty ushered in new challenges as to the movement of human beings. States in asserting their sovereignty introduced all kinds of policy restrictions to limit flow of migrants into and out of their territories. In fact some states in their policies assumed an ideological dimension and would only allow their citizenry to travel to certain ideologically correct countries. The reasons for migrations were intertwined to politics of the day. The coming of globalization meant states were to refashion their policies to resemble their belief in globalization as being able to reduce most of the individual disadvantages (McCarthy, 2006). International cooperation to regulate the movement of people and harmonize migration policies of states therefore has over the years been the trend in international politics of migration even as states aggressively pursue state centric policies. The mid 1980's saw the intensification of regionalism. Most states assumed regionalism as the only buffer to individual economic vagaries of global decline and uncertainty.

It was therefore assumed that the only force to counter the effects of globalization would be to regionalize rather than face globalization as individual state. This regionalism was mainly driven by economic ambitions. The process of regionalization thus is not surprising that begins it with economic integration. This confirms the assumption that migration integration is only possible where economic integration is well developed since economic integration facilitates the easy movement of factors of production (Kehoe, 2005). The case of EU clearly confirms this argument about migration integration and economic integration. This experience of the EU

will be compared to the experience of other regional cooperation initiatives such as ECOWAS and EAC so as to confirm this link. With the introduction of regionalism, redefinition of national borders as defined by proponents of state sovereignty and states centrists is required. These poses challenges to policy makers and institutions of governance at national, regional, and international levels. This is made more difficult in trans-border communities which are identified by ethno-linguistic similarities thus begging the question of why they should be separated by colonial artificial borders (John, 2008).

2.2.2. Integrated Procedures on Immigration

Changes have continuously been introduced to immigration operations, law and policies. In aligning Immigration laws to the legal and social settings, the new immigration laws sought to repeal the immigration Act cap 172 by addressing aspects that Wanda and Aswani argued have been a walk to strike a balance between security and facilitation (Hugo, 2003). Attendant to this, Wanda and Aswani have traced some of the factors that facilitated the repeal of the previous immigration laws such as the Kenya constitution 201083. The promulgation of the new Constitution Article 812 and Chapter Three of the new constitutional dispensation meant a departure from the past was to be enacted although not to the exclusion of the past. Previously Immigration Policy drew its legal standing in many Acts – Immigration Act Cap 17284, Citizenship Act Cap 17085 and Alien Restriction Act Cap 17386. These documents are consolidated in the Kenya Citizenship and Immigration Act, 2011 and as such repeals the other Acts. Over the years, different classes of prohibited immigrants kept emerging and a review of Immigration laws as informed by immigration practice (Diodorus, 2006). Subsequently, a comprehensive list of prohibited immigrants has now been included in the new immigration law.

Take the example of the previous classification of prohibited Immigrants, “Someone who the minister has credible information that their presence in the country would be a threat to national security” (GOK, 1985 this clause included drug traffickers, terrorists, money launders, human traffickers among others. The Kenya Citizenship and Immigration Act 201187 repeals these controversial categories from the potential list of prohibited immigrants while recognizing new categories acknowledging that immigration practice will utilize the tough laws set in Anti Trafficking in Persons Act. Further, the scholars read in the new laws the less deterrent fines needed some fine tuning and the new immigration Act carry heavy penalties for immigration offenders; Immigration practice had envisaged a practice where most of the services offered

by the Department had no founding in law, rather the use of Administrative circulars and directives gave guidance to what the officers in the Department concentrated on (Feleke, 2011). Today, the practice of issuing Visas and Passports has its place in Kenya Citizenship and Immigration Act, 2011 and perhaps one of the issues that concern this study was the need to harmonize what immigration policy has vis-à-vis the implementation of the East African Community Common Market Protocol. Apart from legal and operational changes that continue to be felt in the country, it will be necessary to say that the formulation of a Migration policy on course will serve to strengthen these achievements and mitigate on the challenges (Francis, 2002). For many years, the practice of immigration in Kenya had not been codified. Today, efforts have been put to codify the practice. Otherwise it is a waiting game for the Migration Policy for Kenya to be unveiled.

Immigration policy and subsequently practice is guided by a smart balance between facilitation where the focus is enabling “free” movement of persons in and out of Kenya and security whose focus is to ensure only the right people enter, exit and transit Kenya while ensuring that they do not pose any threat to national security. The country places premium on these two related yet radically opposed aspects of immigration. As a country, there is need to facilitate faster movement of persons since people carry along with them capital, skills, technology, income and cultural exchange – which all contribute to the development of Kenya. Similarly, some elements within the same people that engage in migration have in their possession criminal tendencies such as credit card fraud, terrorism, sexual molesters among other crimes (Anna, 2008). Some seek to spread diseases to the detriment of the country’s social sector. One act of terror for instance can undo the progress made in the economic, social and political development of a State. Immigration officers in the functioning of the sector are tasked with facilitation of genuine travelers and prevention of illegal and irregular migration, they assess border risks; collect and manage migration data; and interrelate with other State agencies. This then calls for a smart balance between security and facilitation (Achoch, and Apiyo, 2007).

Immigrate meets the following conditions of entry as captured by Reina. Passenger or seeker of immigration service has to be physically present. This enables the officers to profile and question the said person should there be any need to question; the migrant must be medically fit. This condition is enforced jointly with the Port Health as a measure that ensures that the spread of contagious diseases are not spread across borders (Oucho, 2013). The use of health certificates goes beyond regional treaties and EAC has equally noted the need for such

certificates, the migrant must have a known physical address, should there be any need to investigate the persons or verify the information given. Other conditions to be met include: possession of a valid and acceptable travel document; and that the migrant must not be in the prohibited immigrant's list. A prohibited immigrant is a non-Kenyan who is not desirable in the country. These conditions pre-determine who is admissible in Kenya and who is not. The determination of who to admit and who not to, is a security process (Adepoju, 2001). This determines whether the applicant meets the requirements for entry and thus should be admitted or should not be admitted. When the need for ease of movement is considered, immigration practice should not be entirely thrown to limbo. There is urgent need to ensure that citizens from the non-EAC region do not take advantage of the free movement of persons.

2.2.3. Free Movement of Persons and immigration

There has been a focus by many Regional Economic Communities to encourage the free movement of persons within such communities. The movement of persons happens to be the primary responsibility of Immigration. In the EAC context, nationals of the five Partner States had to make provisions that encourage free movement of Persons. Formerly, Rwandese and Burundians visiting Kenya were required to obtain an entry visa and pay the required 50 US Dollars (Reith, 2011). Subsequent to their joining the community citizens of Rwanda and Burundi were given gratis visa before this requirement was done with. The EAC Council has since the inception of the community made several decisions that are geared towards encouraging Partner States to effect certain immigration decision. Some of the decisions made by the Council were: Establishment of Ministries specifically charged with EAC affairs in Partner States.

These Ministries were expected to play an oversight role and coordinate efforts geared at integration; Establishment of the Chiefs of Immigration Meetings, where the heads of Immigration in the five (05) Partner States meet to discuss specific technical issues on Immigration and how to actualize the arrangements of the Common Market Protocol; The presentation of the East African Passport which would allow holders to travel in the region and have a visitors' period determined by the EAC Council as six months (Rutabanzibwa, 2004). *Each Partner State was to charge the citizens an equivalent of Nine hundred and forty shillings which is way below the fee of international passports. The passport has 48 pages with a validity of ten years; Internationalization of the EAC Passport so that holders of these documents can use the documents beyond the region as is the case with ECOWAS countries. It will be a case*

of highlight to see how different Immigration offices and particularly Kenya have received this information (Schiff, & Winters, 2003). For ease of movement, partner States were to have immigration booths that exclusively serve EAC nationals.

In this way, visitors from Partner States were assured of quick attention without disregard to immigration security procedures; To take care of the historical movement of persons across the EAC borders, several documents were introduced, namely; Temporary Permits, Emergency Travel Documents and Border Movement Permits to help facilitate restricted movement (Hugo, 2003). Using some of these documents meant that the holder could go as far as a certain radius from the official border; Borders were to be opened on corresponding basis. Other decisions include: An Interstate Pass was introduced for Residents in the Region. This decision has since been put on hold due to security reasons; the fee for Pupils' Passes documents required of foreigners undertaking education in the Partner States – was waived to encourage the free movement of persons as they seek education. This in essence meant that the students were to obtain these documents much as they were given gratis; and hotels and parks were required to charge other EAC citizens the same fee charged on the Partner State nationals. So if a hotel charged 5000 shillings for Kenyans, the same should be charged to Tanzanians, Ugandans, Rwandese and Burundians (Diodorus, 2006).

2.2.4. Free Movement of Services and Labor and issuance of permits

As people move, they move with other aspects including skills of labor. Basically, the role of controlling labor in Kenya is an affair that pulls a number of stakeholders including Immigration, Ministry of Labor. Immigration functions to ensure that there is a smart balance between investment and opportunities for Kenyans to pursue their interests and skills (Feleke, 2011). To this end, a classification of Permits has been done to identify the areas where Kenya is in need of special skills and have this time bound subject to training or apprenticeship of Kenyans. An entire sector is charged with the duty to call up certain areas in the job market where Kenyans have acquired enough skills and hence the need to phase out some of those engagements to foreign nationals. Under the new immigration law, Kenya has had to achieve a number of milestones. There has been a reclassification of the various categories of Permits. The EAC Council had made a decision to the effect that there should be a harmonization of work Permits, fees and forms (Francis, 2002).

Further, the new law has introduced a set of new requirements and qualifications for the various classes of permits as well as non-refundable processing fee for permits except Permits Class M, which is issued to refugees. Related to this has been the general increase in the fees charged for all permits and passes except Class M. Other changes brought about in the new laws are the introduction the issuance of Internship and Research Passes as well as allowing the validity period for Kenya Special Passes for six months instead of the previous three months (Anna, 2008). It needs to be noted that Kenya Entry Permits (Classes AM), Kenya Special Passes, Kenya Pupils Passes and Kenya Dependant Passes – all have a bearing on labor. To this end, Article 7 (2) (c) and (d) gives the visitors the right to stay and exit the territory of Partner State without restrictions.

Even with these freedoms, the Article is categorical that such movement is not exempt from prosecution or extradition. Further there are limitations as regards open approach, open security or general wellbeing. The Protocol additionally ensures the free development of specialists as settled upon by the Partner States. In the development of these laborers, separation is debilitated in whatever frame viz., nationality (Oucho, 2013). Business, compensation, or different states of work and work. Specialists can in this manner apply for and acknowledge work offers; move openly inside the region; remain in the domain for reasons for work in accordance with national laws of the host nation; unreservedly relate and aggregately can anticipate better terms; appropriate to be joined by life partner and tyke dependants whom the host country needs to facilitate with the requisite documents. In line with the spirit of integration, the Partner States did agree on establishment of a joint program to encourage exchange of young workers from among the Partner States.

Two restrictions to the movement of workers are where the subject intends to work in the Public Service of the host country unless this is stipulated in the national laws; and where the movement is restricted on the basis of public policy, public security and public health. The Protocol gives indication on the model to ensure free movement of workers. For starters, there is agreement that Partner States harmonize and mutually recognize academic and professional qualification and secondly, harmonize labor policies, laws and programs (Adepoju, 2001). These are great strides which target the integration of the EAC community. The manner in which immigration authorities respond to these provisions has led to the establishment of a Schedule, where Partner State, perhaps extrapolating mutual feelings for and against what they have reserved for their nationals.

2.3. Theoretical Framework

2.3.1. Newman's Theory of Immigration

Newman sees impression of outskirts may vary as indicated by various pictures by individuals and a position in chain of importance or then again place of living; that of government in the center or borderland subjects. 'Observations which stretch musings of qualification, shared fear and peril are, when in doubt, socially worked from within, with dividers and wall constituting the system through which contrast is sustained'. Contemplating the impression of state fringe as indicated by specific ideal models one can see the level of its permeability from the line of division into the inward and outside condition, to a penetrable line, where the edge is viewed as a segment of the system with a course of action of different entryways and routes out (Newman, Hartman, and Taber, 2012). Over the long haul the periphery transforms into a virtual line, which does not mean its vanishing yet rather an abnormal state of permeability, as a result of the occasion of marvels and factors, which can't be controlled without inconvenience. According to the sensible perspective, edge is underscored as a line parceling 'us' from 'them.' It relies upon the standard geographic periphery talks and the sociological arrangement of parallel capabilities between two particular components. The key political and social classifications such: state, an area, country, personality and ethnicity are significant for the administering first class. This strategy (more often than not of the two nations) may build patriotism and even rebellion.

The wellspring of such patriotism may be diverse political or financial frameworks, religion or a durable regional clash. Such rule of parcel addresses Palestinian– Israeli edge or the contemporary Polish– Belorussian periphery clear, especially by Belorussian five star (the president, Alexander Lukashenko), as a check of different structures and conviction framework. It has changed over into tense corresponding relations, particularly when Poland joined the European Union (EU) in 2004. From the sensible perspective, there are local edges of states and superimposed lines of parcel between people (Newman, 2006). Pragmatist worldview as a school of thought clarifies global relations regarding power. Its establishment is the rule of strength. In a universe of sovereign states and no focal government, each state should accomplish its interests for survival. It is intended to clarify issues of "high legislative issues", basically war and peace. Pragmatist perspective of worldwide relations considers the state as a unitary and sovereign performing artist, has been utilized to clarify an extensive variety of transnational wonders from universal exchange, back and reconciliation. In the sensible worldview, the state is the most imperative on-screen character in International Relations. With

every one of the traits it has, the fringe is of basic centrality for the assurance of material esteems, for example, the region, crude materials, capital, and populace, and intangibles, for example, values, culture, dialect, state sovereignty and union (Wayne et al 1994). The fringe stays vital for the traditionalist world class, since it guarantees state sway and space and the qualities and resources inside it. The disintegrative limit of the periphery has the objective of guaranteeing state security.

The preservationist political tip top undertakings to separate and addition the meaningful estimation of its area, concentrates on the centrality of the periphery and its urgent limits, that of the check. The primary agreeable instrument that fairly changes the working of state borders in widespread relations is the corresponding comprehension (Newman, Hartman, and Taber, 2012). For instance, the Israeli Palestinian fringe is essential for administrations of these nations and people groups and not steady on the grounds that these two countries esteem the domain and spots of religion clique in particular. The contention is significantly more confused and it might be seen through dependable tense two-sided relations of these nations. The practical worldview alludes to customary way to deal with outskirts seen as 'the physical and static consequence of a political fundamental initiative process,' trademark at the primary bit of the twentieth century. Regardless, as Newman communicates, the fear of the neighbor that is various in religion, fiscal status or party, et cetera is ever-enduring, and makes the need to shield oneself from the threat in an unclear sense from to secure the state local respectability and power. In a universe of sovereign states, governments are under consistent strain to embrace and uphold standards and laws influencing the passage and habitation of outside nationals (Wayne et al 1994). It is accepted by the pragmatists that nonnatives have no rights other than those concurred to them by sovereign states and in this manner, it takes after that levels of migration should fit in with the directs of the strategy. The pragmatist rationale takes after that if states don't succeed enough in controlling their fringes, it is because of absence of political will on their administration or on the grounds that their movement strategies have been defective in outline or deficiently executed. Without a completely standardized administration or association to oversee and structure the movement of individuals (regardless of whether outcasts, financial vagrants or gifted experts,) the principles of section of country states themselves keep on prevailing.

The essential presumption of pragmatist worldview would lead us to anticipate that sovereign states will act as per their self-interests and therefore control migration. National interests could be a want to control populace development, manage the supply of and interest for work, enhance the human capital or keep up the social or ethnic adjust of society and in addition shield the nation from outside assaults of fear. Assurance of outskirts thusly is an endeavor by states to ensure their sovereignty and advance its interests. Outskirt control, the push to confine regional access-has for some time been a center state action. As regionally delineated organizations, states have constantly forced passage obstructions, regardless of whether to dissuade armed forces, impose exchange and secure local makers, or keep out apparent "nuisances." All states corner the privilege to figure out who and what is allowed honest to goodness regional access. This is done in the center interests of the state and henceforth adding accentuation to the thought of authenticity (Newman, Hartman, and Taber, 2012). The pragmatist worldview is critical in considering and clarifying fringe administration on the grounds that the term outskirt administration has an undertone of assurance, which implies that states in their interest for self-interests and insurance, states endeavor to oversee outskirts keeping in mind the end goal to guarantee security and prosperity of their subjects. States and global associations perceive movement as a pattern whose positive effect being developed terms can be considerable given that fitting approaches are set up. By affecting the volume, blend and terms of relocation, movement strategies may affect those components generally surveyed to be important for advancement including human capital arrangement, settlements (size and esteem), exchange streams, outside direct venture and aptitudes exchange. These elements might be pretty much agreeable to the impact of relocation approaches. The Government in any case perceives the way that, generally the strategy is created to serve national interests (Newman, 2006).

2.3.2. Theory of Regional Integration

The theory of regional integration has been associated with Haas (1964) a prominent neo-functionalism known for his concept of "The uniting of Europe". This is because Europe remained the point of convergence for the vast majority of the deals with territorial incorporation hypothesis in spite of the fact that in the current past the use of reconciliation hypothesis to Latin America, Africa and Asia has expanded. Haas and Schmitter built up a calculated structure that has spread the process of regional integration beyond Europe in industrial and non-industrial settings with a concept approach that is applicable to both (Anna, 2008). The basic postulation of neo functionalists is the decline of nationalism and nation-states

and their replacing by large units more suited for the roles they play in society. The neo functionalist thus does not see nation-states as units of analysis but the whole region as a unit. Modern neo-functionalists who were inspired by European integration still exist and put emphasis on supranational institutions, among them are Sandholz and Sweet 1998 and multilevel governance (Marks, Hooghe and Blank 1996)

This was after the European integration process started to experience an emergency in the mid-1960s. Haas and these researchers presumed that his hypothesis was excessively deterministic and Haas conceded that he had not predicted a resurrection of patriotism and flexibility of sovereign nation-states within functionalist organization of supra-national institutions referred to as regionalism. Lindberg and Scheingold singled out a portion of the significant instruments and flow. It was reasoned that neo-functionalists had not considered local legislative issues adequately and that they could have misrepresented the part of supranational foundations. The other opponent of neo-functionalism is Pierson, Pollock 1996, Scheneider and Aspinwall, (2011) who used the new institutionalism approach to integration studies. According to Pierson there are gaps that emerge among the member states which are difficult to close. These gaps are created by autonomous action of integration establishments, the confined time skylines of political choices creators, unforeseen outcomes and moves in approach inclinations of governments (Diodorus, 2006). This makes the gaps very difficult to close because of the reluctance of supranational actors, institutional barriers to reform and various costs to change. Due to these gaps and the difficulty in closing them, Pierson, Pollock and Scheneider and Aspinwall argue that this forms the foundation of disintegration rather than integration. Therefore these authors see nothing than disintegration as states pursue their own agenda defined as state interest among community of states. This disintegration and the consequent pursued by individual interest is therefore a source of disharmony since it is equivalent to a chaotic state of nature.

With this state of nature, states are likely to disagree and by extension war erupts. The war is a war in a whole community of states. As states push and shove over their interests, there is likely war in the whole community while in the individual states, there will be peace. This in Nye (1971) phrase is the “peace in parts”. The parts are individual states which internally are at peace but externally in relation to other states are not, as each state attempts to promote and protect its own self-interests, there is no peace i.e. the states are in a state of war always in their protection and promotion of self-interest. Nye’s thesis rests on rather simple question of how

there can be integration as proposed by neo-functionalists when there is no peace in the whole but only in the parts (Rutabanzibwa, 2004). Rather how can the peace existent in parts be utilized to guarantee peace in the whole. Simply how can states be at peace while they all pursue their own self-interest in the same environment? This according to Nye's thesis is an impossibility. This theory is relevant because it talks about collective decision making. Policies in EAC are determined by consensus which covers a varying number of functional areas. Ernst Haas came up with the concept of spillover which "alludes to a circumstance in which a given activity, identified with particular objectives, makes a circumstance in which the first objectives can be guaranteed simply in the wake of taking further activities, which thus make a further condition and a requirement for more activity et cetera". This refers to policies that are agreed upon and the partner states need to implement them for the prosperity and continuous existence of the integration.

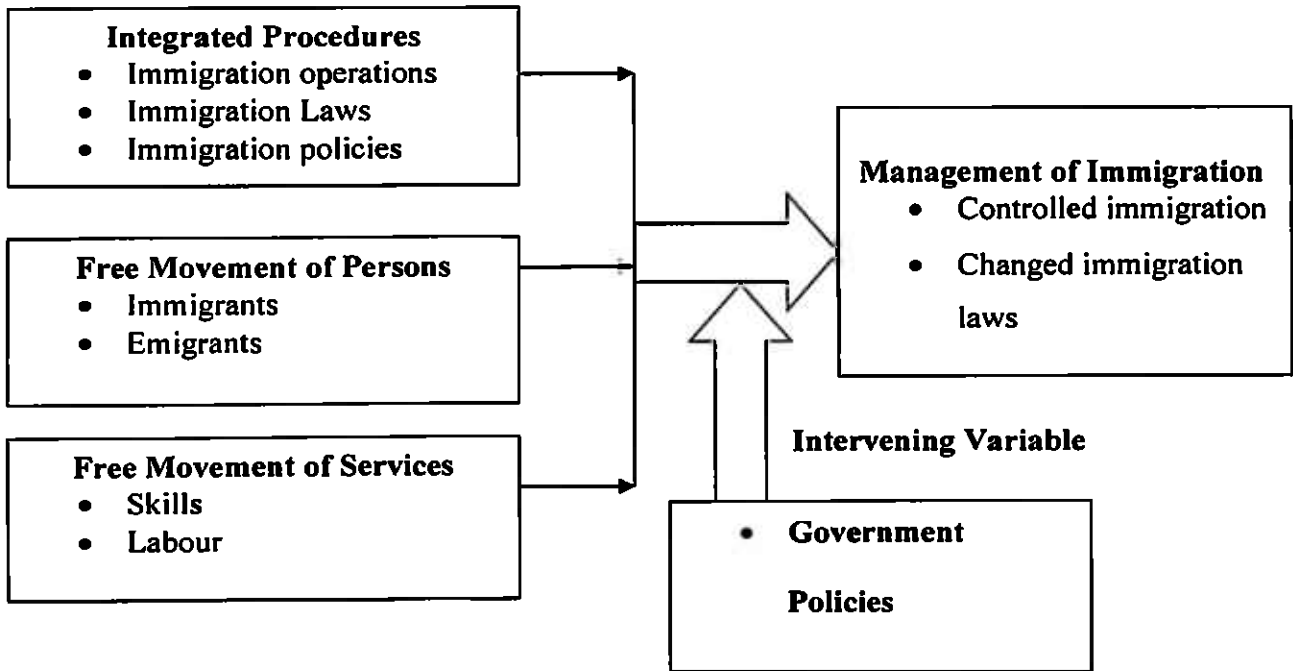
2.4. Conceptual Framework

Free factors are those factors which are efficiently fluctuated by the specialist. Then again, subordinate factors are those factors whose esteems are accepted to rely upon the impacts of the free factors (Mugenda, 2008). The directing variable is one that has a solid depending impact on the connection between free factor and ward variable. That is the nearness of a third factor changes the first connection between the autonomous and the needy factors. In this case the independent variables include integrated procedures, free movement of persons, and free movement of services which play a role in determining what effect they will have on the dependent variable, in this case is management of immigration. In addition the intervening variable includes the government and the immigration policies. The relationship between these variables is presented graphically in the conceptual framework shown below.

Figure 2.1. Conceptual Framework

Independent Variables

Dependent Variable



CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction

This part sets out different stages and stages that were followed in finishing the investigation. It included a plan for the gathering, estimation and examination of data. In this area the scientist recognized the methods and strategies that were used as a piece of the gathering, getting ready and examination of information. Especially the going with subsections were joined; ask about arrangement, target masses, information gathering instruments, information aggregation methods ultimately, and information examination.

3.2. Site Description

Namanga is a bordertown amongst Kenya and Tanzania, 180 km from Nairobi and 120km from Arusha. The town lies for the most part in Kenya. On the other hand Malaba is a border town that is between Uganda and Kenya, 438km from Nairobi and 215km from kampala. The two border points serve as entry points between the three countries, Kenya, Uganda, and Tanzania. Currently the entry points are characterized by tedious clearance procedures at both sides often leading to delays and congestion. This study focused on the two border points to establish the immigration policies that exist, and how they influence the migration process between the three countries.

3.3. Research Design

This part sets out various stages and stages that were followed in completing the examination. It incorporated an arrangement for the social event, estimation and examination of data. Around there the researcher perceived the techniques and systems that were used as a piece of the amassing, getting ready and examination of data. Especially the going with subsections were consolidated; ask about arrangement, target people, data gathering instruments, data amassing strategies finally, data examination.

3.4. Unit of Analysis and Units of Observation

The unit of analysis, additionally called the unit of factual investigation, alludes to the significant substance being examined or comprehended in an examination. They can incorporate people, bunches ancient rarities (books, photographs, daily papers), land units (town, enumeration tract, state) social cooperations (divorces, arrests) among others (Mugenda and Mugenda, 2008). In this study the effect of social integrated approach on management of

immigration was analyzed and understood. A unit of observation was the source of data about which information will be collected. Researchers based the conclusions on information that was collected and analyzed. The units of observations in this study were the Immigration Department, KRA, Border Police, and CID among others.

3.5. Target Population

Mugenda and Mugenda, (2008), portrayed population as, the whole gathering of people or things under thought in any field of request and have a typical characteristic. Target population is the population this investigation would want to put forth summed up result expression about. The target population was the staff of the agencies and departments found in Namanga and Malaba border points. These included Immigration Department, KRA, Border Police, and CID. This made a target of 190 respondents. The characteristic of the population is given in the table below

Table 3.1. Target Population and Categories

Category	Target Population:			Percentage
	Namanga	Malaba	Total	
Immigration	55	50	105	55.3
KRA	30	30	60	31.6
Border police	10	10	20	10.5
CID	3	2	5	2.6
Total	98	92	190	100

3.6. Sample Size and Sampling Design

3.6.1. Sample Size

A sample is an arrangement of elements drawn from a populace with the point of assessing qualities of the populace. From the above population of 190, a sample of 50% was drawn proportionately to represent the four categories (clusters) of staff. In this case the researcher dealt with officials of different agencies working at Namanga and Malaba border points. These officials included Immigration (53), KRA (30), Border Police (10), and CID staff (2).

Table 3.2. Categories of Target Population and Sample Distribution

Category	Target population	Percentage	Sample Distribution		
			Namanga	Malaba	Total
Immigration	105	55.3	28	25	53
KRA	60	31.6	15	15	30
Border police	20	10.5	5	5	10
CID	5	2.6	1	1	2
Total	190	100	49	46	95

3.6.2. Sampling Procedure

Systematic Random sampling was done using the register of staff in each category (cluster) of staff totaling to 95 respondents. The researcher went down the sampling frame selecting the kth unit ($K = \text{ratio of population size to desired sample size}$). For example, Immigration total population 105, desired sample 53 so $K = 105/53 = 1.9 = 2$, researcher randomly selected the first person among the two, then systematically selected every second person 1, 3, 5, 105th attaining 53 respondents. The same was done for the other clusters as follows; KRA, $K = 60/30 = 2$ so 2, 4, 6, ... 60th, 30 respondents. Border police $K = 20/10 = 2$ so 2, 4, 6, ... 20th, 10 respondents and CID $K = 5/2 = 2.5 = 3$, so 1, 4th, 2 respondents.

3.7. Methods of Data Collection

Data was collected using two tools, questionnaire for quantitative data and the key informant guide to collect qualitative data.

3.7.1. Collection of Quantitative Data

Quantitative data was collected using questionnaires that were administered to the target population. Mugenda and Mugenda (2008) note that questionnaires give a detailed answer to complex problems. The questionnaires were directed utilizing drop and pick technique. The questionnaires were utilized in light of the fact that they enabled the respondents to give their responses in a free circumstance and empower the examiner to get information that would not have been given out had interviews been used. The questionnaires were self-managed to a few respondents. The inclination for a poll for them depended on the way that they could finish it without help, secretly, and it was less expensive and snappier than different techniques while contacting bigger example (Bryman, 2007). An ask for to answer all inquiries was made at that point finished questionnaires were gathered promptly.

3.7.2. Collection of Qualitative Data

The data was obtained using a key informant guide. Key informant interviews direct included meeting a select gathering of people who likely gave required data, thoughts, and bits of knowledge on a specific subject. Key Informant interview guide using interview schedules were held with immigration. For this case 5 members were interviewed through eye to eye interviews. This kind of technique was imperative since one would get inside and out data. Qualitative data was also obtained from books, online electronic journals and reviews.

3.8. Ethical Considerations

This investigation clung to fitting examination systems and all wellsprings of data were recognized quite far. Prior to the extraction device was managed, assent was looked for from the administrator. The researcher presented before a panel of scholars at the University of Nairobi to indicate that the information (data) extracted was only used for the purpose of the study.

3.9. Data analysis

The information gathered was dissected utilizing descriptive statistics. After the information gathering, the analyst pre-handled the information to annihilate undesirable and unusable information which could have been conflicting or uncertain, build up a coding plan by making codes and scales from the reactions which will be abridged and analyzed. The information was then kept in paper and electronic stockpiling and in conclusion the scientist utilized Statistical Package of Social Science (SPSS) to break down the information. Information was displayed through rates and frequencies. The discoveries were shown by utilization of bar outlines, diagrams and pie graphs and in exposition shape.

CHAPTER FOUR: DATA ANALYSIS, PRESENTATION AND DISCUSSION

4.1. Introduction

This chapter presents analysis and findings of the study as set out in the research methodology. The results were presented on effect of social integrated approach on management of immigration in East Africa Community: a case of one stop border post projects at Namanga and Malaba. The study sought answers to the following research objectives: to investigate the impact of integrated procedures on immigration management in Kenya and E.A region, to examine how the rights of residence has affected alien management in Kenya, to establish how free development of people has affected on migration passage and leave methods in Kenya, and to indicate how free development of administrations and work impacts the issuance of work allows by Kenya. The discoveries were introduced in figures, tables, diagrams and outlines as proper with clarifications being given in exposition from that point.

4.2. Response Rate

The investigation targeted an example of 95 respondents in gathering information as to the social coordinated approach on administration of migration in East Africa Community. From the examination, out of the 95 respondents just 54 filled and restored the survey adding to a reaction rate of 56.8% as shown in the Table 4.1.

Table 4.1: Response Rate

Respondents	Frequency	Percentage
Responded	54	56.8
Non-responded	41	43.2
Total	95	100

4.3. Social and Demographic Information

The study sought to ascertain the background information about the respondents associated with the investigation. The foundation data focuses at the respondents' reasonableness in noting the inquiries on how social integrated approach affects management of immigration in East Africa Community.

4.3.1. Respondents' Gender

The respondents were requested to indicate their gender. This was important as it enabled the researcher to determine whether there was gender disparity in the immigration department. The findings are shown in table 4.2 below.

Table 4.2: Respondents Gender

Gender	Frequency	Percentage
Male	29	53.7
Female	25	46.3
Total	54	100

From the findings above majority (53.7%) of the respondents were male while 46.3% were females. This depicts that most of the people working at Namanga and Malaba border were males showing gender disparity.

4.3.2. Respondents' Educational Level

The respondents were requested to indicate their education level. This was important as it enabled the researcher to know whether the respondents had enough knowledge to answer questions regarding immigration. The findings are shown in Table 4.3.

Table 4.3: Respondents Educational Level

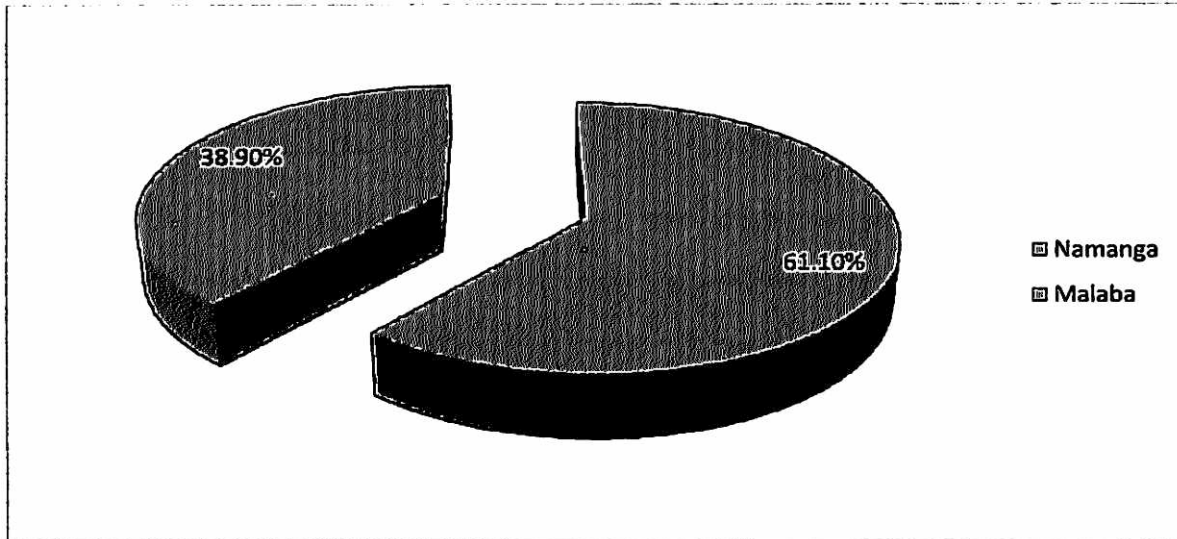
Education Level	Frequency	Percentage
Doctorate	8	14.8
Postgraduate	31	57.4
College	15	27.8
Total	54	100

From the findings above majority (57.4%) of the respondents indicated they had postgraduate level of education, 27.8% indicated they had college level of education, while 14.8% indicated they had doctorate level of education. This depicts that the respondents were learned enough to be able to understand the issues to do with immigration.

4.3.3. Respondents' Current Place of Work

The respondents were requested to indicate where they work currently. This enabled the researcher to identify the immigration issues at various border points. The findings are shown in the figure below.

Figure 4.1: Respondents' Current Place of Work (N=54)



From the findings majority (61.1%) of the respondents indicated that they worked at Namanga border point while 38.9% indicated Malaba border point. This depicts that majority of the respondents worked at Namanga border point which is a little bit busier border compared to Malamba.

4.3.4. Duration of Working at the Border

The respondents were requested to indicate the length of time they have been working at the border. This was important as it would help the researcher to know whether the respondents understand immigrations of particular border point. The findings are shown in Table 4.6.

Table 4.3: Duration of Working at the Border

Duration of Working	Frequency	Percentage
1-4 years	31	57.4
4-7 years	13	24.1
Over 7 years	10	18.5
Total	54	100

From the findings majority (57.4%) of the respondents indicated they had been working at the border point for duration between 1-4 years, 24.1% indicated 4-7 years, while 18.5% indicated they had worked for over 7 years. This depicts that the respondents had worked at the border point for some time to understand border issues at that particular border point. This agrees with a study by Feleke, (2011) who stated that an entire immigration sector is charged with the duty to call up certain areas in the job market where Kenyans have acquired enough skills and hence the need to phase out some of those engagements to foreign nationals.

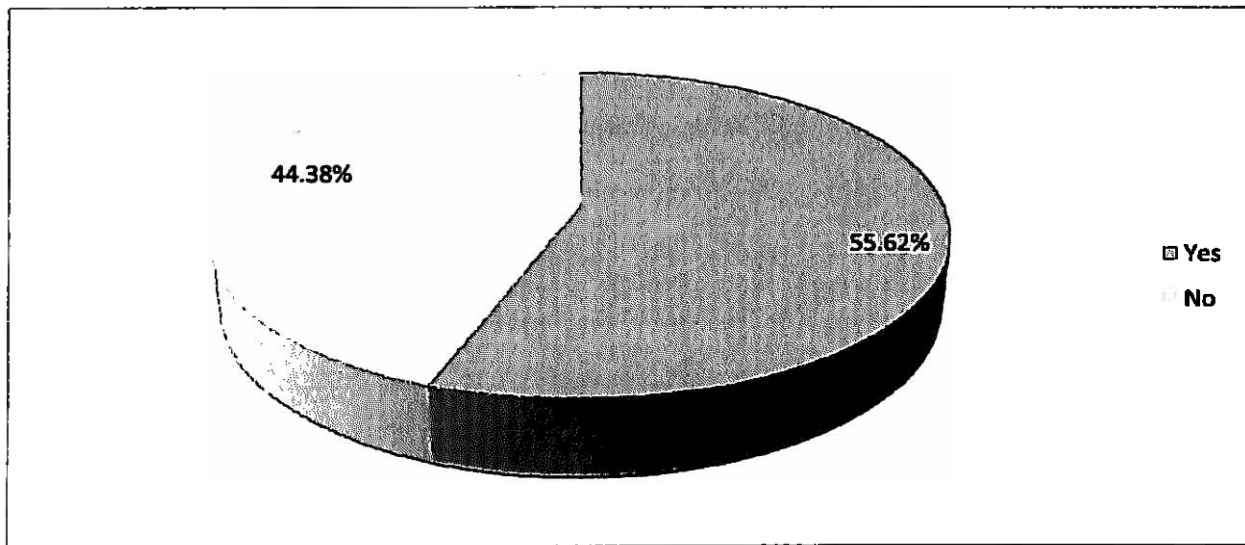
4.4. Integrated Procedures on Immigration

This section presents findings on Integrated Procedures on Immigration. This was important as it helped the researcher to know the procedures which were applied in dealing with immigration issues.

4.4.1. Presence of Integrated Policies

The respondents were requested to indicate whether there were integrated policies on the immigration department at Namanga and Malaba border. The findings are shown BELOW

Figure 4.2: Presence of Integrated Policies (N=54)

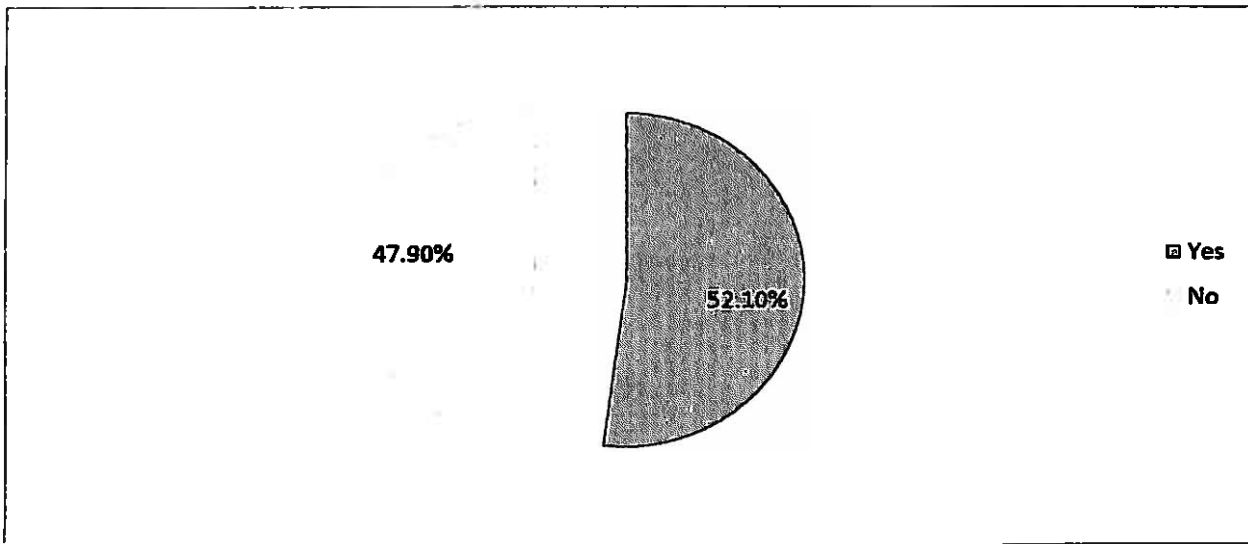


From the findings majority (55.62%) of the respondents indicated that there were integrated policies on the immigration department at Namanga and Malaba border while 44.38% were of contrary opinion. This depicts that there were integrated policies on the immigration department at Namanga and Malaba border. This was important as it helped the officials to curb illegal migration which might pose threat to internal security. The KIIs indicated that there existed integrated policies on the immigration department at Namanga and Malaba border which included the visa policy where the immigrants are supposed to produce the visa for them to get into the country. The visa policy helps in achieving delicate balance between facilitation and control while managing the risks posed by irregular migration. The KIIs also stated that the integrated procedure affect the migration of people along Namanga and Malaba border by facilitation of entry into Kenya of travelers who meet the requirements, to identify and manage the risks that may arise from the travelers who do not meet the entry requirements, to enforce the entry and exit legislation and related regulations as well as promote inter-agency and cross border cooperation and coordination in border management. According to Francis, (2002) for many years, the practice of immigration in Kenya had not been codified. Today, efforts have been put to codify the practice.

4.4.2. Formal Policies and Coordination with other Agencies

The respondents were requested to indicate whether their department had any formal policies regarding coordination with other Agencies. This was important as the researcher would know how the agencies help in the control of illegal immigration. The findings are shown in the figure below.

Figure 4.3: Formal Policies and Coordination with other Agencies (N=54)



From the findings majority (52.10%) of the respondents indicated that their department had any formal policies regarding coordination with other Agencies while 47.9% were of contrary opinion. This depicts the department had formal policies regarding coordination with other Agencies. The policies helped in control of illegal immigration at the border points. The KIIs indicated that the formal policies regarding coordination between the immigration Agencies included the Immigration Act Cap 172, the Alien’s Registration Act Cap 170, the Civil Registration Act Cap 173 and later the Kenya Refugees Act 2006. This agrees with a study done by Anna, (2008), who argued that immigration policy and subsequently practice is guided by a smart balance between facilitation where the focus is enabling “free” movement of persons in and out of Kenya and security whose focus is to ensure only the right people enter, exit and transit Kenya while ensuring that they do not pose any threat to national security.

4.4.3. Extent of Agreement on Integration Policies and National Security

The respondents were requested to indicate their extent of agreement on statements regarding integration policies and national security. The findings are as shown in the Table 4.7.

Table 4.4: A table showing the respondent's Extent of Agreement on Integration Policies and National Security

Statement	Extent of agreement					Total		Mean
	1	2	3	4	5	%	N	
Integration policies help control the number of immigrant into different countries	70.6 38	21.6 12	2 1	2 1	3.8 2	100.0	54	2.70
Integration policies in immigration has facilitated the beefing up of security at the border points	35.3 19	51 28	5.9 3	3.9 2	3.9 2	100.0	54	2.89
Integration of immigration policies among various countries in East Africa has promoted good relations	45.1 24	35.3 19	11.8 6	5.9 4	2 1	100.0	54	3.50
Issuance of visas and passports at the border points have been integrated in the laws and policies of migration thus preventing illegal migration	37.3 20	35.3 19	19.6 11	3.9 2	3.9 2	100.0	54	3.80
Integration policies have led to the establishment of Common Market Protocol that promote free movement of services and goods among the East African countries	35.3 16	29.4 13	23.5 2	3.9 2	7.8 4	100.0	54	3.68

Key: N=Number of respondents, 1=Strongly Disagree, 2=Disagree, 3=Undecided, 4=Agree, 5=Strongly agree.

According to Table 4.7 the findings indicate that majority of respondents strongly disagreed (70.6%) that integration policies helped control the number of immigrant into different countries, 21.6% disagreed, 2% each were undecided and agreed and 3.8% strongly agreed. Thus, integration policies help control the number of immigrant into different countries (mean=2.70). The findings further indicate that 51% disagreed that integration policies in immigration had facilitated the beefing up of security at the border points followed by 35.3% strongly disagreed, 5.9% were undecided, 3.9% agreed and 3.9% strongly agreed. Therefore, integration policies in immigration has facilitated the beefing up of security at the border points (mean=2.89).

Findings also show that many respondents (45.1%) strongly disagreed that integration of immigration policies among various countries in East Africa had promoted good relations while 35.3% disagreed. However a small number of 11.8%, 5.9% and 2% were undecided agreed and strongly agreed respectively. Thus integration of immigration policies among various countries in East Africa has promoted good relations (mean=3.50). Majority of respondents (37.3%) strongly disagreed that issuance of visas and passports at the border points had been integrated in the laws and policies of migration thus preventing illegal migration 35.3% disagreed while 19.6% were undecided. The least number of 3.9% each agreed and strongly agreed respectively. Thus the respondents agreed that issuance of visas and passports at the border points have been integrated in the laws and policies of migration thus preventing illegal migration (mean=3.80). This depicts that issuance of visas and passports at the border points have been integrated in the laws and policies of migration thus preventing illegal migration. This has been important as it has helped establish the people who sneak into the country without the appropriate documentation. Study by Francis, (2002) noted that formulation of a Migration policy on course serve to strengthen these achievements and mitigate on the challenges.

Relatively high numbers of respondents (35.3%) strongly disagreed that integration policies had led to the establishment of Common Market Protocol that promote free movement of services and goods among the East African countries while 29.4% disagreed and 23.5% were undecided. The remaining 3.9% and 7.8% agreed and strongly agreed respectively. Therefore, integration policies have led to the establishment of Common Market Protocol that promote free movement of services and goods among the East African countries (mean=3.68).

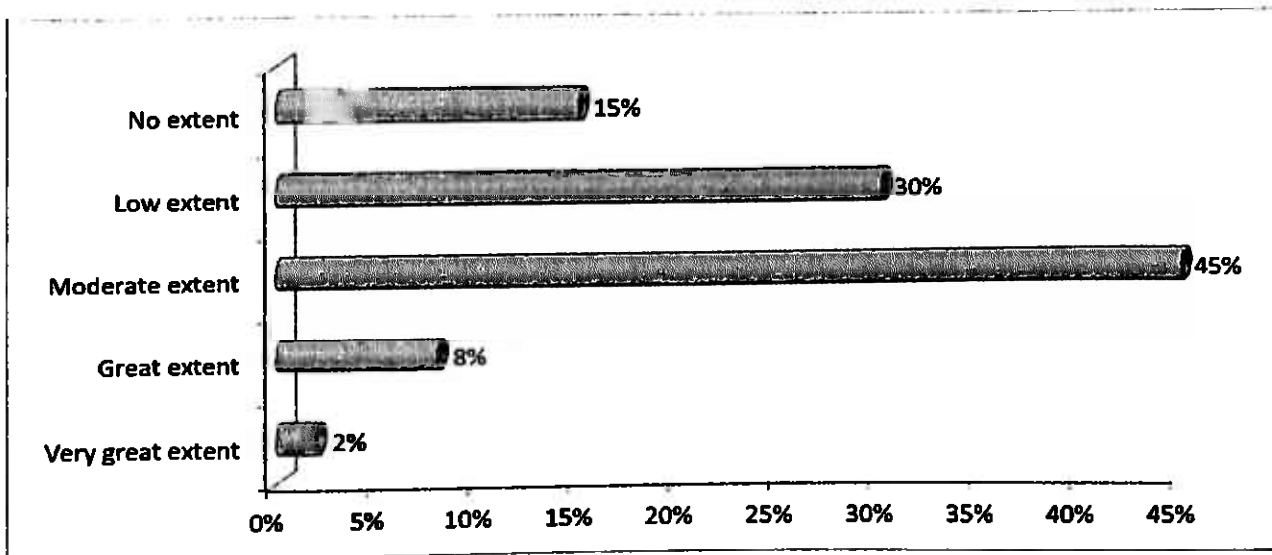
4.5. Free Movement of Persons

This section presents findings on free movement of persons. The findings are important as it will enable the researcher to know how the free movement of persons affects security of the country and how the immigration policies are compromised. The findings are shown in subsequent headings.

4.5.1. Extent of Effect of Free Movement of Persons on Immigration Policies

The respondents were requested to indicate the extent to which free movement of persons affect the immigration policies at the border points in Kenya. This is important as it will enable the researcher to know how the policies may be formulated to regulate the movement. The findings are shown below.

Figure 4.4: Extent of Effect of Free Movement of Persons on Immigration Policies (N=54)

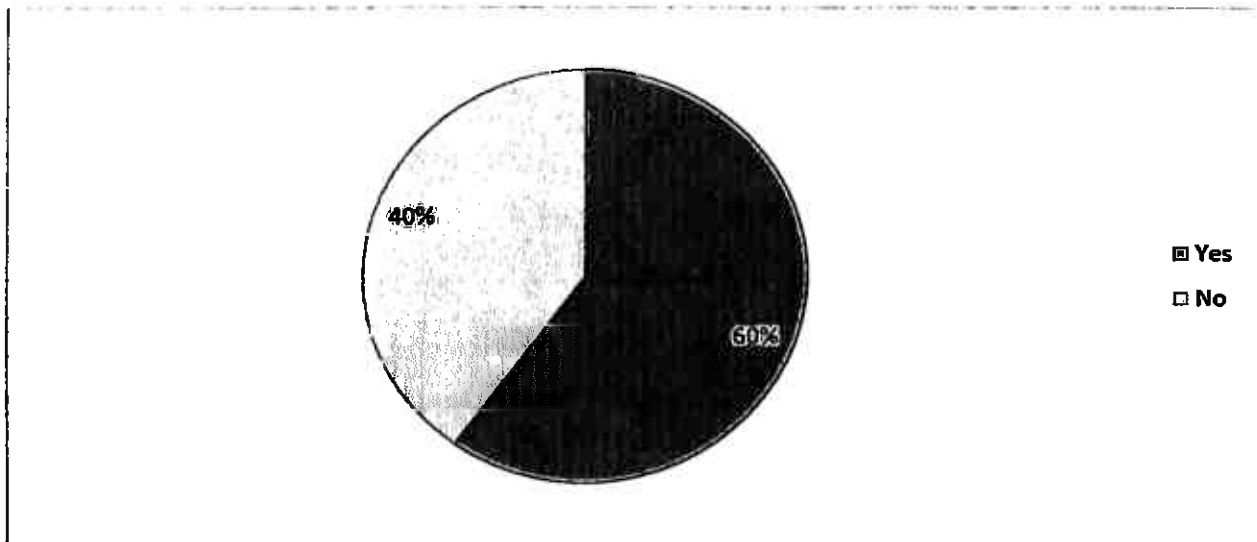


From the findings above most (45%) of the respondents indicated to a moderate extent that free movement of persons affect the immigration policies at the border points in Kenya, 30% indicated low extent, 15% indicated to no extent, 8% indicated great extent, while 2% indicated very great extent. This depicts that to a moderate extent that free movement of persons affect the immigration policies at the border points in Kenya.

4.5.2. Free Movement of Persons and Security

The respondents were requested to indicate whether free movement of persons affected the security of the country. This enabled the researcher to know whether security is deteriorating due to the movement. The findings are shown in the figure below

Figure 4.5: Free Movement of Persons and Security (N=54)



From the findings majority (60%) of the respondents indicated that free movement of persons affected the security of the country, while 40% were of contrary opinion. This depicts that free movement of persons affected the security of the country and has made the citizens to live in fear of being attacked by the illegal immigrants. The KIIs indicated that the free movement of people into a country should be regulated to counteract and battle sporadic relocation and criminal exercises especially trafficking face to face, regularly identified with exercises, for example, terrorism, illegal medications and arms trafficking.

4.5.3. Extent of Agreement Regarding Free Movement of Persons

The study sought to establish the level of agreement regarding Free Movement of Persons. The findings are as shown in the table 4.8.

Table 4.5: A table showing respondent's Extent of Agreement Regarding Free Movement of Persons

Statement	1	2	3	4	5	Total		Mean
	%	%	%	%	%	%	N	
Free movement of persons has created a security challenge among the countries involved	17.6 10	5.9 3	5.9 3	37.3 20	33.3 18	100.0	54	4.02
The movement of persons between countries is the primary responsibility of Immigration Department	17.6 10	2 1	3.9 2	37.3 20	39.2 21	100.0	54	3.58
Free movement of people between countries has led to influx of foreigners in one country posing a security threat	11.8 6	5.9 3	5.9 3	31.4 17	45.1 25	100.0	54	3.99
Free movement of people have been limited by the requirements of the immigration documents issued at border points	9.4 5	19.3 11	15.2 8	23.0 12	33.1 18	100.0	54	3.42
For ease of movement between partner States, the partner states have immigration booths that exclusively serve EAC nationals	7.8 4	0 0	23.5 13	29.4 16	39.2 21	100.0	54	3.20

Key: N=Number of respondents, 1=Strongly Disagree, 2=Disagree, 3=Undecided, 4=Agree, 5=Strongly agree (SA).

Table 4.8 shows that majority of the respondents (37.3%) agreed that free movement of persons had created a security challenge among the countries involved by 33.3% who strongly agreed, 17.6% strongly disagreed while the remaining 5.9% each disagreed and were undecided. Thus, free movement of persons has created a security challenge among the countries involved (mean=4.02).

Finding also indicate that high number of respondents (39.2%) strongly agreed that the movement of persons between countries was the primary responsibility of Immigration Department with 37.3% who agreed while 17.6% strongly disagreed, 3.9% were undecided and 2% disagreed. Therefore, free movement of people between countries has led to influx of foreigners in one country posing a security threat (mean=3.99).

Further, many respondents strongly agreed (45.2%) that free movement of people between countries had led to influx of foreigners in one country posing a security threat and an additional 31.4% agreed though 11.8% strongly disagreed, 5.9% disagreed and 5.9% were undecided. Thus, free movement of people have been limited by the requirements of the immigration documents issued at border points (mean=3.42).

Findings also show that the respondents strongly agreed (33.1%) that free movement of people had been limited by the requirements of the immigration documents issued at border points while 23% agreed, 19.3% disagreed, 15.2% were undecided and 9.4% strongly disagreed. Thus for ease of movement between partner States, the partner states have immigration booths that exclusively serve EAC nationals (mean=3.20).

Higher number of respondents strongly agreed that for ease of movement between partner States, the partner states had immigration booths that exclusively serve EAC nationals while 29.4% agreed, 23.5 were undecided and 7.8% strongly disagreed. This depicts that free movement of persons has created a security challenge among the countries involved. This also shows that if free movement of the persons is not regulated East African countries will be security prone and travel advisory will be issue against them which have an economic challenge. According to Hugo, (2003) to take care of the historical movement of persons across the EAC borders, several documents were introduced, namely; Temporary Permits, Emergency Travel Documents and Border Movement Permits to help facilitate restricted movement.

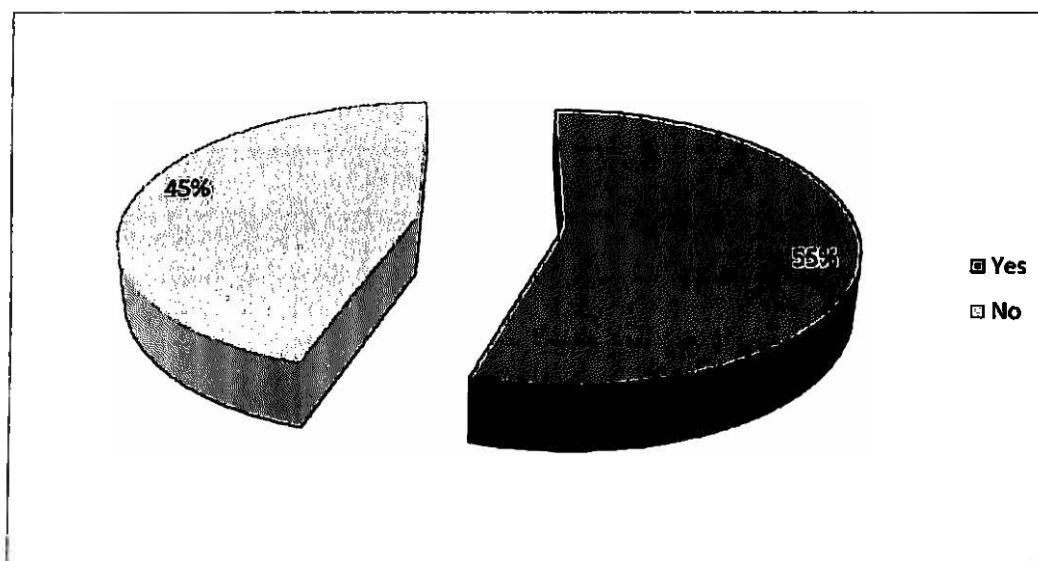
4.6. Free Movement of Services and Labor

This section presents findings on free movement of services and labor. The findings are important as it will enable the researcher to know how the free movement of services and labor has helped the growth of a country economically or it has led to movement of criminal in the country in the name of labor. The findings are shown in subsequent headings.

4.6.1. Country Agreement on Free Movement of Services and Labor

The respondents were requested to indicate whether their country agrees with Free Movement of Services and Labor. The findings are shown in the figure below

Figure 4.6: Country Agreement on Free Movement of Services and Labor (N=54)



From the findings above majority (55%) of the respondents indicated that their country agrees with Free Movement of Services and Labor while 45% were of the contrary opinion. An interview with a chief immigration officer as a key informant showed that E.A community opened its borders for partner states citizens to apply and work in any of the states under same conditions as indigenous citizens. This was sealed by signing of 2010 common market protocol treaty which envisaged four levels of integration I.e. a custom union by 2005, a common market by 2010, a monetary union by 2012 and a political union by 2015.this totally supports Free Movement of Services and Labor and shows that the country did not see any security threat associated with Free Movement of Services and Labor. The KIIs also indicated that the free movement has facilitated the issuance of work permits as the East African countries have devised ways through which laborers can be allowed to move freely in various countries.

4.6.2. Extent of Agreement on Free Movement of Services and Labor

The respondents were requested to indicate the extent of agreement with regard to free movement of services and labor. The findings are as shown in the Table 4.9.

Table 4.6: A table showing respondent's Extent of Agreement on Free movement of services and labor

Statements	SD	D	UD	A	SA	Total		Mean
	%	%	%	%	%	%	N	
Immigration functions to ensure that there is a smart balance between investment and opportunities for citizens to pursue their interests and skills	17.6	11.8	15.7	17.6	37.3	100.0		3.30
	10	6	8	10	20		54	
Free Movement of Services and Labor has led to issuance of various classes of permits as well as non-refundable processing fee for permits	13.7	7.8	3.9	52.9	21.6	100.0		3.48
	7	4	2	29	12		54	
Free movement of services and labor have allowed workers to apply for and accept job offers, move freely within the territory, stay in the territory for purposes of employment in line with national laws of the host country	9.8	9.8	9.8	37.3	33.3	100.0		3.68
	5	5	5	20	19		54	
Free movement of services and labor is restricted on the basis of public policy, public security and public health	17.6	5.9	13.8	29.4	33.3	100.0		3.59
	10	3	7	16	19		54	
Free movement of services and labour has led to the agreement to harmonize and mutually recognize academic and professional qualification of the immigrants	15.7	3.9	7.8	39.2	33.3	100.0		3.55
	8	2	4	21	19		54	

Key: N=Number of respondents, 1=Strongly Disagree, 2=Disagree, 3=Undecided, 4=Agree, 5=Strongly agree (SA).

Majority of the respondents strongly agreed (37.3%) that immigration functions ensured that there was a smart balance between investment and opportunities for citizens to pursue their interests and skills, 17.6% each agreed and strongly disagreed, 15.7% were undecided and 11.8% disagreed. Thus Immigration functions ensure that there is a smart balance between investment and opportunities for citizens to pursue their interests and skills (mean=3.30).

Many respondents agreed (52.9%) that free Movement of Services and Labor had led to issuance of various classes of permits as well as non-refundable processing fee for permits with an additional 21.6% who strongly agreed while 13.7% strongly disagreed, 7.8% disagreed and 3.9% were undecided. thus free movement of services and Labor has led to issuance of various classes of permits as well as non-refundable processing fee for permits (mean=3.48).

Quite a number of respondents (37.3%) agreed that free movement of services and labor had allowed workers to apply for and accept job offers, move freely within the territory, stay in the territory for purposes of employment in line with national laws of the host country, 33.3% strongly agreed while 9.8% each strongly disagreed, disagreed and were undecided. therefore, free movement of services and labor have allowed workers to apply for and accept job offers, move freely within the territory, stay in the territory for purposes of employment in line with national laws of the host country (mean=3.68).

The respondents further strongly agreed (33.3%) that free movement of services and labor was restricted on the basis of public policy, public security and public health, 29.4% agreed, 17.6% strongly disagreed, 13.7 were undecided and 5.9% disagreed. therefore free movement of services and labor is restricted on the basis of public policy, public security and public health (mean=3.59).

Finally many respondents agreed (39.2%) that free movement of services and labour had led to the agreement to harmonize and mutually recognize academic and professional qualification of the immigrants, 33.3% strongly agreed while 15.7% strongly disagreed, 7.8% were undecided and 3.9% disagreed. thus free movement of services and labour has led to the agreement to harmonize and mutually recognize academic and professional qualification of the immigrants (mean=3.55). This depicts that free movement of services and labor have allowed workers to apply for and accept job offers, move freely within the territory, stay in the territory for purposes of employment in line with national laws of the host country. This has led to

appropriate integration between the east African countries. This concurs with Feleke, 2011 that immigration functions to ensure that there is a smart balance between investment and opportunities for Kenyans to pursue their interests and skills. According to Oucho, (2013) the Protocol guarantees free movement of workers as agreed upon by the Partner States. In the movement of these workers, discrimination is discouraged in whatever form viz., nationality.

CHAPTER FIVE: SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter presents summary of study findings, conclusion and recommendations on the effect of social integrated approach on management of immigration in East Africa Community: a case of one stop border post projects at Namanga and Malaba.

5.2 Summary of findings

5.2.1. Impact of integrated procedures on immigration management in Kenya and E.A region

The study found that there were integrated policies on the immigration department at Namanga and Malaba border. The study also established that the department had any formal policies regarding coordination with other Agencies. The study further established that issuance of visas and passports at the border points have been integrated in the laws and policies of migration thus preventing illegal migration. This agrees with a study by Hugo, (2003), who said that the practice of issuing Visas and Passports has its place in Kenya Citizenship and Immigration Act, 2011 and perhaps one of the issues that concern this study was the need to harmonize what immigration policy has vis-à-vis the implementation of the East African Community Common Market Protocol. Apart from legal and operational changes that continue to be felt in the country, it will be necessary to say that the formulation of a Migration policy on course will serve to strengthen these achievements and mitigate on the challenges. Immigration policy and subsequently practice is guided by a smart balance between facilitation where the focus is enabling “free” movement of persons in and out of Kenya and security whose focus is to ensure only the right people enter, exit and transit Kenya while ensuring that they do not pose any threat to national security.

5.2.3. Free movement of persons and its impact on immigration entry and exit procedures in Kenya

The study found that to a moderate extent that free movement of persons affects the immigration policies at the border points in Kenya. The study also established that free movement of persons affected the security of the country. Further the study established that free movement of persons has created a security challenge among the countries involved and thus the movement must be regulated. This agrees with a study by Reith, (2011), who stated that the movement of persons happens to be the primary responsibility of Immigration to curb

any insecurity issue. In the EAC context, nationals of the five Partner States had to make provisions that encourage free movement of Persons. Formerly, Rwandese and Burundians visiting Kenya were required to obtain an entry visa and pay the required 50 US Dollars. Subsequent to their joining the community citizens of Rwanda and Burundi were given gratis visa before this requirement was done with. The EAC Council has since the inception of the community made several decisions that are geared towards encouraging Partner States to effect certain immigration decision.

5.2.4. Free movement of services and labor and their influence on the issuance of work permits by Kenya

The study found that the country agrees with Free Movement of Services and Labor. The study further established that free movement of services and labor have allowed workers to apply for and accept job offers, move freely within the territory, stay in the territory for purposes of employment in line with national laws of the host country. This agrees with a study by Francis, (2002), who stated that as people move, they move with other aspects including skills of labor. Basically, the role of controlling labor in Kenya is an affair that pulls a number of stakeholders including Immigration, Ministry of Labor. Immigration functions to ensure that there is a smart balance between investment and opportunities for Kenyans to pursue their interests and skills.

Feleke, (2011) stated that a classification of Permits has been done to identify the areas where Kenya is in need of special skills and have this time bound subject to training or apprenticeship of Kenyans. An entire sector is charged with the duty to call up certain areas in the job market where Kenyans have acquired enough skills and hence the need to phase out some of those engagements to foreign nationals. Workers can therefore apply for and accept job offers; move freely within the territory; stay in the territory for purposes of employment in line with national laws of the host country; freely associate and collectively bargain for better terms; right to be accompanied by spouse and child dependants whom the host country needs to facilitate with the requisite documents. In line with the spirit of integration, the Partner States did agree on establishment of a joint program to encourage exchange of young workers from among the Partner States.

5.3. Conclusion

5.3.1. Impact of integrated procedures on immigration management in Kenya and E.A region

The study concluded that there were integrated policies on the immigration department at Namanga and Malaba border. The study also concluded that the department had formal policies regarding coordination with other Agencies.

5.3.3. Free movement of persons and its impact on immigration entry and exit procedures in Kenya

The study concluded that to a moderate extent that free movement of persons affects the immigration policies at the border points in Kenya. The study also concluded that free movement of persons affected the security of the country. Further the study concluded that free movement of persons has created a security challenge among the countries involved.

5.3.4. Free movement of services and labor and their influence on issuance of work permits by Kenya

The study found concluded that the country agrees with Free Movement of Services and Labor. Finally the study concluded that free movement of services and labor have allowed workers to apply for and accept job offers, move freely within the territory, stay in the territory for purposes of employment in line with national laws of the host country.

5.4. Recommendations

Based on the findings of the study the following recommendations were made:

5.4.1 Recommendations for action

1. EAC countries should advocate for opening of more border ports, increased budget for border operations and equipment, and the establishment of specialized border patrol unit and the strengthening of institutional coordination. There is also need for the department to lead from the front, as the agency charged with border management. There is laxity and interference from other agencies especially where information sharing is necessary.
2. Governments in East Africa must also recognize that the use of biometrics needs to be considered as part of a wider border management strategy. That is to say, the use of biometrics must be integrated with other facets of risk management on the border in order to achieve a

comprehensive border management strategy that promises high-quality, accurate and timely information in the fight against security threats.

3. Capacity building through training of staff in various areas that touch on documents analysis and effective border management should be done to ensure that the officials at the border points have adequate knowledge on border management issues.
4. States need not only harmonize their laws and align the policies but also investigate the impact of these changes to customary state practice and consequent policies and laws. The primary objective of the EAC integration is to bring about equal social, political and economic development for the benefit of its citizens.

5.4.2. Recommendations for Further Studies

The study concentrated on the effect of social integrated approach on management of immigration in East Africa Community: a case of one stop border post projects at Namanga and Malaba. Therefor there is further room for research by the academia where by scholars can do an analysis of different border management policies for countries within the East African region. Border policies and procedures keep changing from time to time, hence need for scholarly attention.

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APPENDICES

APPENDIX 1: QUESTIONNAIRE FOR OFFICERS AT BORDER POINTS

This questionnaire goes for gathering data and information for scholarly use by the specialist. Your kind investment will go far in giving helpful data required to finish this exploration. The data gave will be dealt with in certainty. You require not demonstrate your name. If you don't mind answer the inquiries accurately and equitably; the data will be dealt with secretly. I comprehend that by finishing and restoring this poll, I assent for the information I have given to be incorporated into the investigation.

SECTION A: GENERAL INFORMATION

1. Indicate your Gender
Male Female

2. What is your level of Education?
Doctorate
Post Graduate c) Under Graduate
College
Others Specify

3. Indicate your current place of work by ticking one
Namanga Malaba

4. How many years have you worked at the border? Tick one
1- 4 years
5- 7 years
Over 7 years

SECTION B: Integrated Procedures on Immigration

5. Are there integrated policies on the immigration department at Namanga and Malaba border?
Yes No

6. Explain how the integrated procedures affect the migration of people along Namanga and Malaba border.

.....
.....

7. Does your department have any formal policies regarding coordination with other Agencies?

Yes No

8. Indicate by ticking the appropriate the extent at which you agree with each of the following statements regarding integration policies and national security. Use a scale of 1-5 where: 5=strongly agree, 4=Agree, 3 neither agree nor disagree, 2=Disagree 1=strongly disagree.

Statement	1	2	3	4	5
Integration policies in immigration has facilitated the beefing up of security at the border points					
Integration of immigration policies among various countries in East Africa has promoted good relations					
Issuance of visas and passports at the border points have been integrated in the laws and policies of migration thus preventing illegal migration					
Integration policies have led to the establishment of Common Market Protocol that promote free movement of services and goods among the East African countries					

SECTION D:Free Movement of Persons

9. To what extent has free movement of persons affect the immigration policies at the border points in Kenya?

Very great extent
 Great extent
 Moderate extent
 Low extent
 No extent

10. Has free movement of persons affected the security of the country?

Yes No

11. Indicate by ticking the appropriate the extent at which you agree with each of the following statements regarding Free Movement of Persons. Use a scale of 1-5 where: 5=strongly agree, 4=Agree, 3 neither agree nor disagree, 2=Disagree 1=strongly disagree.

Statement	1	2	3	4	5
Free movement of persons has created a security challenge among the countries involved					
The movement of persons between countries is the primary responsibility of Immigration Department					
Free movement of people between countries has led to influx of foreigners in one country posing a security threat					
Free movement of people have been limited by the requirements of the immigration documents issued at border points					
For ease of movement between partner States, the partner states have immigration booths that exclusively serve EAC nationals					

SECTION E:Free Movement of Services and Labor

12. Has the Free Movement of Services and Labor enhanced the issuance of work permits to the immigrants?

.....

13. Does your country agree with Free Movement of Services and Labor?

Yes [] No []

14. Describe the challenges encountered at the border point in controlling the free movement of persons in and out of the country?

.....

15. Indicate by ticking the appropriate the extent to which you agree with each of the following statements regarding Free Movement of Services and Labor. Use a scale of 1-5 where: 5=strongly agree, 4=Agree, 3 Neither agree nor disagree, 2=Disagree 1=strongly disagree.

Statement	1	2	3	4	5
Immigration functions to ensure that there is a smart balance between investment and opportunities for citizens to pursue their interests and skills					
Free Movement of Services and Labor has led to issuance various classes of permits as well as non-refundable processing fee for permits					
Free movement of services and labor have allowed workers to apply for and accept job offers, move freely within the territory, stay in the territory for purposes of employment in line with national laws of the host country					
Free movement of services and labor is restricted on the basis of public policy, public security and public health					
Free movement of services and labour has led to the agreement to harmonize and mutually recognize academic and professional qualification of the immigrants					

16. Suggest recommendations on how the free movement of services and labour can be made transparent to prevent entry of criminals

.....

.....

.....

****THE END****

THANK YOU FOR YOUR COOPERATION

APPENDIX II: KEY INFORMANT GUIDE

Interview Schedule: Any senior officer immigration department

- 1. Are there integrated policies on the immigration department at Namanga and Malaba border?

Explain

.....
.....

- 2. How does the integrated procedure affect the migration of people along; Namanga border?

.....
Malaba border?
.....

- 3. Describe some of the formal policies regarding coordination between the immigration Agencies within the ministry of immigration?

.....
.....

- 4. How does the free movement of persons affect the security of the country?

.....
.....

- 5. Describe how the Free Movement of Services and Labor has enhanced the issuance of work permits to the immigrants?

.....
.....

- 6. What are some of the challenges encountered at the border point in controlling the free movement of persons in and out of the country?

.....
.....

- 7. How can the free movement of services and labour be made transparent to prevent entry of criminals?

.....
.....

- 8. Describe the immigration policies that restrict the free movement of people and goods between various countries

.....
.....