



BMA

BORDER • MANAGEMENT • AUTHORITY

STRATEGIC PLAN

2023/2025



BORDER MANAGEMENT AUTHORITY

SECURE BORDERS FOR DEVELOPMENT

USHERING A NEW BORDER MANAGEMENT AUTHORITY (BMA)



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DATE OF TABLING: MARCH 2023

EXECUTIVE AUTHORITY STATEMENT



As the Minister of the Department of Home Affairs and the chairperson of the Inter-Ministerial Consultative Committee on border management, it gives me great pleasure to consider and reflect on the tabling of the first ever Strategic Plan for the Border Management Authority (BMA). The tabling of this Strategic Plan (2023/2025) and its Annual Performance Plan (2023/2024) reflect a major milestone towards the realisation of an integrated border management approach. This achievement came after ten (10) years of policy and legislative deliberations at the parliamentary and societal level on the need for replacing the multi-agency border management approach with an integrated model.

The tabling of these documents comes at a time when South Africa, and other countries continue to grapple with the scourge of irregular migration, escalating inter-jurisdictional crimes and health related threats emanating from COVID-19, Monkey-Pox and Ebola, amongst others. The outcomes contained in the BMA Strategic Plan and the APP are aligned with the broader strategic priorities of the 6th administration and the National Development Plan 2030.

Since 1994, our government has neither prioritised nor invested on issues of border management. This has resulted in the emergence of multiple national

security challenges which the BMA should start addressing. These challenges include, amongst others, the escalating threat of human smuggling, trafficking of minors, stock theft and the high-jacking of vehicles destined for other parts of the continent. Therefore, the establishment of the BMA as an integrated border management mechanism should strive to stabilise and arrest the escalation of the aforementioned security challenges. It is therefore expected of the BMA officers to fully implement its border law enforcement functions in both the Ports of Entry (PoEs) and the border law enforcement areas. With the full implementation of the BMA in the 2023/2024 financial year, more focus should be placed on the deployment of technology as a force multiplier in both PoEs and the border law enforcement areas to ensure the effective preservation of the country's national security and protection of our national interest. Furthermore, any successful implementation of border management requires the establishment of partnerships with various stakeholders, including the border communities themselves.

Given its posture, the BMA should be able to balance the facilitation of the legitimate movement of persons and trade with addressing issues of border criminality which continues to undermine our territorial integrity. As for communities straddling over the borderline, the BMA should establish informal community crossing points with the relevant traditional leadership and the adjacent neighbouring countries in order to address any possible criminal activities. As reflected in the Act, the BMA should work with other critical organs of state such as the SANDF, the SAPS and the SARS towards the realisation of common national objectives. At this point, I hereby endorse the BMA's first ever strategic plan and call upon all relevant stakeholders to work with the Authority in the implementation of its stated objectives.


DR P. MOTSOLEDI, MP
MINISTER OF HOME AFFAIRS

ACCOUNTING OFFICER STATEMENT



An opportunity afforded to me by the President of the Republic of South Africa to serve our country as the first ever Commissioner of the BMA is indeed a humbling experience. To this end, I stand aware of the magnitude and the complexities associated with the nature of work ahead of me, the other two commissioners and the rest of the team. In fact, juxtaposing the nature of the challenges associated with border management *vis-à-vis* the level of confidence placed on us by both the Minister and the Deputy Minister, I fully understand that we do not have the luxury of wondering around, but to hit the ground running and develop the necessary shape and character of an integrated border management

platform with clear roles and responsibilities. At this point, the MTSF objectives and priorities, United Nations Sustainable Development Goals on combating of illicit trade, the African Union's Agenda 2063 and other international conventions have crystallised as a solid framework upon which the operationalisation of the BMA stand. It is therefore my great pleasure to present this first strategic plan of the Border Management Authority (BMA).

Having been exposed to the application of multi-agency border management approach for 28 years in South Africa, the nature of the emerged problem statement and the subsequent consequences to

the country's national security could not be over emphasised. In hind-sight there is no doubt that a multi-agency approach fragmented the border environment, encouraged silo operational theatres, and facilitated corrupt tendencies amongst key role players in the environment. Unfortunately, these realities undermined the country's national security imperatives and frustrated any efforts towards the protection of the country's national interests. Therefore, there is no doubt that the promulgation of the Border Management Authority Act in July of 2020 ushered an opportunity for the application of a new integrated border management approach with a single command and control, away from the old multi-agency border management mechanism. In fact, the establishment of an effective and efficient border management platform to facilitate and manage the legitimate movement of persons and goods through the country's border law enforcement areas re-affirms the contents of the National Development Plan 2030. This strategic shift supports all efforts towards the realization of a developmental State with the ability to address the notorious triple challenges of poverty, inequality and unemployment.

The processes towards the establishment of the BMA as a schedule 3(A) public entity involved the multiplicity of activities cutting across legal, human, financial, technological, infrastructural, and intensive communications. Central to these processes was the integration of the staff complement from the Department of Home Affairs, the National Department of Health, the Department of Agriculture, Land Reform and Rural Development, and the Department of Forestry, Fisheries and the Environment into the BMA. As a result, the BMA serves as the frontline border law enforcement authority at the border law enforcement area whilst the principal organ of state retains their policy and legislative mandates. The development of the

BMA Strategic Plan and the subsequent Annual Performance Plans (APP) for the 2023/2024 remain aligned with the government's Medium-Term Strategic Framework (MTSF) of 2019/2025. Therefore, the Authority's planning instruments remain directed towards the realization of key outcomes which include the enhancement of trade and socio-economic development, the protection of the country's national interest and the enhancement of national security through the effective coordination of border management efforts with the key domestic and international stakeholders.

As the third law enforcement authority created by the Border Management Authority Act, 2020 in compliance with section 199(3) of the RSA Constitution, 1996, the BMA strives to create an officer of high moral stature, guided by patriotic ethical principles at all times. In the end, the work of the BMA aims to 'secure borders for development' through the realization of regional economic integration, efficient trade and tourism by means of facilitation of legitimate movement of persons and goods within our border law enforcement area.

Finally, I would like to thank the Inter-Ministerial Consultative Committee (IMCC), the Border Technical Committee (BTC), and the entire community of stakeholders for the guidance and support as we shape this integrated border management platform and we do pledge our unwavering commitment to make this model, the first in the continent, a resounding success.



DR N.M. MASIAPATO

COMMISSIONER AND CHIEF EXECUTIVE OFFICER

OFFICIAL SIGN OFF

It is hereby certified that this Strategic Plan:

Was developed by the management of the Border Management Authority (BMA) under the guidance of the Minister, Dr PA Motsoaledi.

Takes into account all the relevant policies, legislation and other mandates for which the BMA is responsible.

Accurately reflects the impact, outcomes and outputs which the BMA will endeavor to achieve over the period 2023 to 2025.

MS JANE THUPANA
DEPUTY COMMISSIONER CORPORATE SERVICES


SIGNATURE


GEN DAVID CHILEMBE
DEPUTY COMMISSIONER OPERATIONS


SIGNATURE

MR GORDON HOLLAMBY
ACTING CHIEF FINANCIAL OFFICER



SIGNATURE

DR NAKAMPE MASIAPATO
COMMISSIONER AND CHIEF EXECUTIVE OFFICER


SIGNATURE

Approved by:

DR P A MOTSOLEDI, MP
EXECUTIVE AUTHORITY


SIGNATURE

LIST OF ABBREVIATIONS / ACRONYMS

ACRONYM	DEFINITION
ABIS	Automated Biometric Identity System
AC	Assistant Commissioner
AfCFTA	African Continental Free Trade Area
APP	Annual Performance Plan
BBBEE	Broad-Based Black Economic Empowerment
BCEA	Basic Conditions of Employment Act No. 75 of 1997
BMA	Border Management Authority
BMCS	Biometric Movement Control System
BTC	Border Technical Committee
C	Commissioner
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CFO	Chief Financial Officer
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
COGSA	Carriage of Goods by Sea Act No. 1 of 1986
COIDA	The Compensation for Occupational Injuries and Diseases Act 130 of 1993
COMESA	Common Market for Eastern and Southern Africa
CCP	Community Crossing Point
DAC	Deputy Assistant Commissioner
DALRRD	Department of Agriculture, Land Reform and Rural Development
DC	Deputy Commissioner
DFFE	Department of Fisheries, Forestry and Environment
DHA	Department of Home Affairs
DoH	Department of Health
DPME	Department of Performance Monitoring and Evaluation
DPWI	Department of Public Works and Infrastructure
DWYPD	Department of Women, Youth and Persons with Disabilities
EAC	Eastern African Community
EEA	Employment Equity Act No. 55 of 1998
GBVF	Gender-based Violence and Femicide
GEWE	Gender Equality and Women Empowerment
GITOC	Government Information Technology Officers Council
IBMS	Integrated Border Management System
ICAO	International Civil Aviation Organization
ICT	Information Communication Technology
IMCC	Inter-Ministerial Consultative Committee
IOM	International Organization for Migration
LRA	Labour Relations Act No. 66 of 1995

ACRONYM	DEFINITION
M & E	Monitoring and Evaluation
MTEF	Medium Term Expenditure Framework
MTSF	Medium Term Strategic Framework
NBMCC	National Border Management Coordinating Committee
NBRMTC	National Border Risk Management Targeting Centre
NDP	National Development Plan
NTBs	Non-tariff barriers
NSP	National Strategic Plan
NT	National Treasury
NTC	National Targeting Centre
OAU	Organization of African Unity
OHSA	Occupational Health and Safety Act No. 85 of 1993
OSBP	One-stop Border Post
PAIA	Promotion of Access to Information Act No. 2 of 2000
PAJA	Promotion of Administrative Justice Act No. 3 of 2000
PFMA	Public Finance Management Act No. 1 of 1999
PNR	Passenger Name Record
PoE	Port of Entry
POPIA	Protection of Personal Information Act No. 4 of 2013
PPP	Public-Private Partnership
RECs	Regional Economic Communities
RfP	Request for Proposal
RfQ	Request for Quotation
SADC	Southern African Development Community
SAPS	South African Police Service
SARS	South African Revenue Service
SDA	Skills Development Act No. 97 of 1998
SDGs	Sustainable Development Goals
SONA	State of the Nation Address
SP	Strategic Plan
TA	Treasury Approval
TFTA	Tripartite Free Trade Area
TID	Technical Indicator Description
TOC	Theory of Change
UN	United Nations
UNCRC	United Nations Commission on the Rights of the Child
WEF	World Economic Forum
WTO	World Trade Organization
ZEP	Zimbabwe Exemption Permit

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PART A: OUR MANDATE



PART A: OUR MANDATE

1. CONSTITUTIONAL MANDATE

The constitutional mandate of the Border Management Authority (BMA) is derived from numerous sections of the Constitution of the Republic of South Africa. In particular, Section 11(1)(c) accords everyone the right to freedom of movement, the right to leave the Republic and the right to enter, to remain in and to reside anywhere in the Republic. Furthermore, in line with Section 10 of the Constitution, the BMA will execute its mandate of facilitating legitimate movement of persons with due regard for everyone's inherent dignity and the right to have their dignity respected. In keeping with Section 41(1)(a) of the Constitution, BMA will in the implementation of protocols signed with other organs of state co-operate in mutual trust and good faith by (a) fostering friendly relations; (b) ensuring mutual support where necessary; (c) informing the other organs of state on matters of common interest; (c) adhering to agreed procedures; and (d) avoiding legal proceedings against other organs of state. In compliance with Section 21 of the Constitution, the BMA will ensure that all environment-related requirements are enforced in line with the applicable legislation to protect the environment in a sustainable manner. The BMA shall adhere to the democratic values and principles as required of public administration in Section 195(1)(a)-(i) of the Constitution.

2. LEGISLATIVE AND POLICY MANDATES

The Border Management Authority Act No. 2 of 2020 (BMA Act), which is the Authority's founding legislation, mandates the BMA to:

- (a) facilitate and manage the legitimate movement of persons within the border law enforcement area and at ports of entry;
- (b) facilitate and manage the legitimate movement of goods within the border law enforcement area and at all ports of entry; and
- (c) co-operate and coordinate its border law enforcement functions with other organs of state, border communities or any other persons.

The Authority is mandated to perform these functions with a view to:

- secure the borders of the Republic and protecting national interest;
- implement integrated and coordinated border management in accordance with the Constitution, international and domestic law in order to:
 - contribute to the socio-economic development of the Republic;
 - ensure effective and efficient border law enforcement functions at the ports of entry and vulnerable segments of the border line;
 - contribute to the facilitation of legitimate trade and secure travel;
 - contribute to the prevention of smuggling and trafficking of human beings and goods;
 - prevent illegal cross-border movement; contribute to the protection of the Republic's environmental and natural resources;
 - protect the Republic from harmful and infectious diseases, pests and substances; and

- ° balance the facilitation of legitimate trade and travel with security and the constitutional responsibility of the South African National Defence Force to defend and protect the Republic, its territorial integrity and its people.

The BMA's mandate is further extended by the transfer of functions in terms of Section 97 of the Constitution, through a Proclamation by the President of the Republic of South Africa dated 30th August 2022, and subsequent delegation of selected functions from the Department of Agriculture, Land Reform and Rural Development (DALRRD); Department of Forestry, Fisheries and Environment (DFFE); Department of Health (DoH); and Department of Home Affairs (DHA) to the BMA. In line with the Presidential Proclamation and the Ministerial delegation of functions, the BMA shall abide by applicable sections of the following legislations:

Table 1: Legislative framework with implications FOR the BMA due to functions transferred to the Authority through Presidential Proclamation and ministerial delegation

Legislation	Purpose of the Legislation
Agricultural Pests Act No. 36 of 1983	To provide for measures by which agricultural pests may be prevented and combated; and for matters connected therewith.
Agricultural Product Standards Act No. 119 of 1990	To provide for control over the sale and export of certain agricultural products and other related products; and for matters connected therewith.
Animal Diseases Act No. 35 of 1984	This repealed Act intended to provide for the control of animal diseases and parasites, for measures to promote animal health, and for matters connected therewith.
Animal Health Act No. 7 of 2002	To provide for measures to promote animal health and to control animal diseases; to assign executive authority with regard to certain provisions of this Act to provinces; to regulate the importation and exportation of animals and things; to establish animal health schemes; and to provide for matters connected therewith.
Animal Improvement Act No. 62 of 1998	To provide for the breeding, identification and utilisation of genetically superior animals in order to improve the production and performance of animals in the interest of the Republic; and to provide for matters connected therewith.
Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act No. 36 of 1947	To provide for the registration of fertilizers, farm feeds, sterilizing plants and certain remedies; to regulate the importation and sale of fertilizers, farm feeds, seeds and certain remedies, and to provide for matters incidental thereto.
Genetically Modified Organisms Act No 15 of 1997	To provide for measures to promote the responsible development, production, use and application of genetically modified organisms; to ensure that all activities involving the use of genetically modified organisms (including importation, production, release and distribution) shall be carried out in such a way as to limit possible harmful consequences to the environment; to give attention to the prevention of accidents and the effective management of waste; to establish common measures for the evaluation and reduction of the potential risks arising out of activities involving the use of genetically modified organisms; to lay down the necessary requirements and criteria for risk assessments; to establish a council for genetically modified organisms; to ensure that genetically modified organisms are appropriate and do not present a hazard to the environment; and to establish appropriate procedures for the notification of specific activities involving the use of genetically modified organisms; and to provide for matters connected therewith.

Legislation	Purpose of the Legislation
Liquor Products Act No. 60 of 1989	To provide for control over the import and export of certain alcoholic products; and. for matters connected therewith
Meat Safety Act No. 40 of 2000	To establish and maintain essential national standards in respect of abattoirs; to regulate the importation and exportation of meat; to establish meat safety schemes; and to provide for matters connected therewith.
Perishable Products Export Control Act No. 9 of 1983	To provide for the control of perishable products intended for export from the Republic of South Africa and for matters connected therewith.
Plant Improvement Act No. 53 of 1976	To provide for the registration of establishments from which the sale of certain plants or the cleansing, packing and sale of certain propagating material may be undertaken; to prescribe the conditions subject to which such plants or propagating material may be sold for the purposes of cultivation; to provide for the recognition of certain varieties of plants; for a system of certification of plants and propagating material with the object of maintaining the quality of certain plants and propagating material, and ensuring the usefulness of the products thereof for agricultural and industrial purposes; and for the control of the import and export of certain plants and propagating material; and to provide for incidental matters.
National Environmental Management Biodiversity Act No. 10 of 2004	To provide for the sustainable use of indigenous biological resources; the fair and equitable sharing of benefits arising from bioprospecting involving indigenous biological resources; the establishment and functions of a South African National Biodiversity Institute; and. for matters connected therewith.
National Environmental Management: Integrated Coastal Management Act No. 24 of 2008	To control dumping at sea, pollution in the coastal zone, inappropriate development of the coastal environment and other adverse effects on the coastal environment; to give effect to South Africa's international obligations in relation to coastal matters; and to provide for matters connected therewith.
National Forests Act No. 30 of 1998	To (a) promote the sustainable management and development of forests for the benefit of all; (b) create the conditions necessary to restructure forestry in State forests; (c) provide special measures for the protection of certain forests and trees; (d) promote the sustainable use of forests for environmental, economic, educational, recreational, cultural, health and spiritual purposes; (e) promote community forestry; and (f) promote greater participation in all aspects of forestry and the forest products industry by persons disadvantaged by unfair discrimination.
Foodstuffs, Cosmetics & Disinfectants Act No. 54 of 1972	To control the sale, manufacture and importation of foodstuffs, cosmetics and disinfectants; and. to provide for incidental matters.
Hazardous Substances Act No. 15 of 1973	To provide for the prohibition and control of the importation, manufacture, sale, use, operation, application, modification, disposal or dumping of such substances and products; and. to provide for matters connected therewith.
International Health Regulations Act No. 28 of 1974	To apply the International Health Regulations, adopted by the World Health Assembly, in the Republic, and. to provide for incidental matters.
National Health Act No. 61 of 2003	To provide a framework for a structured uniform health system within the Republic, taking into account the obligations imposed by the Constitution and other laws on the national, provincial and local governments with regard to health services; and to provide for matters connected therewith.

Legislation	Purpose of the Legislation
Tobacco Products Control Act No. 83 of 1993	To prohibit or restrict smoking in public places; to regulate the sale and advertising of tobacco products in certain respects and to prescribe what is to be reflected on packages; and. to provide for matters connected therewith.
Immigration Act No. 13 of 2002	To provide for the regulation of admission of persons to, their residence in, and their departure from the Republic; and for matters connected therewith.

The mandate outlined above is implemented through the signed Service Level Agreements (SLAs) between the BMA and the respective organs of state. In this regard, the monitoring and accountability matrix in the implementation of the above functions is effected through the Border Technical Committee (BTC). Further work of the BMA is implemented through a coordinated and collaborative approach with the other stakeholders with a role to play in the cross-border value chain. Therefore, in the spirit of the principles of integrated border management, the BMA's mandate and functions are complimented by the roles played by other stakeholders in the border environment and beyond. It is against this background that the BMA Act provides for collaborative work through implementation protocols with the South African National Defence Force (SANDF), the South African Police Service (SAPS) as well as the South African Revenue Service (SARS). These organs of state are respectively empowered by the following legislations:

- Defence Act No. 42 of 2002 as amended;
- South African Police Service Act No. 68 of 1995; and
- South African Revenue Service Act No. 34 of 1997.

Though not exhaustive, the following are other supporting legislative and policy frameworks that the BMA shall consider as it executes its mandate:

- **The Constitution of the Republic of South Africa Act No. 108 of 1996:** The Constitution is the supreme law of the Republic intended to promote the achievement of equality, legislative and other measures designed to protect or advance the rights and obligations of persons, or categories of persons.
- **Public Finance Management Act No. 1 of 1999 (PFMA):** Section 27 (4) of the PFMA provides the basis for the development of measurable objectives which must be included in national and provincial institutions' annual budgets. Sections 40 (3) and 55 (2) provide the basis for reporting performance against predetermined objectives in institutions' Annual Reports.
- **The Protection of Personal Information Act No. 4 of 2013 (POPIA):** The purpose of the POPIA is to promote the protection of personal information processes by public and private bodies and introduces certain conditions to establish minimum requirements for the processing of personal information.
- **Promotion of Access to Information Act No. 2 of 2000 (PAIA):** This Act is intended to give effect to the constitutional right of access to any information held by the State and any information that is held by another person that is required for the exercise or protection of any rights.
- **Promotion of Administrative Justice Act 3 of 2000 (PAJA):** This legislation gives effect to the right to administrative action that is lawful, reasonable and procedurally fair and to the right to written reasons for administrative action as contemplated in section 33 of the Constitution of the Republic of South Africa.

- **Corporate Governance of Information and Communication Technology (ICT) Policy Framework:** The Department of Public Service and Administration, in cooperation with the Government Information Technology Officers Council (GITOC), developed a Corporate Governance of ICT Policy Framework, which was approved by the Cabinet of the Republic of South Africa on 21 November 2012. This framework is applicable to all organs of state and public institutions. As such, the BMA will comply with the Policy Framework. The framework emphasises the need for the executive leadership and management of an organisation to understand the strategic importance of ICT, to assume responsibility for the corporate governance of ICT, and to place the governance of ICT on the strategic agenda.
- **Labour Relations Act No. 66 of 1995 (LRA):** The purpose of the Act is to give effect to the public international law obligations of the Republic relating to labour relations.
- **The Skills Development Act No. 97 of 1998 (SDA):** The Act aims to expand the knowledge and competencies of the labour force in order to improve productivity and employment. The main aims of the Act are to: (a) improve the quality of life of workers, their prospects of work and labour mobility.
- **Employment Equity Act No. 55 of 1998 (EEA):** To ensure that everyone enjoys equal opportunity and fair treatment in the workplace.
- **Occupational Health and Safety Act No. 85 of 1993 (OHSA):** To provide for the health and safety of persons at work and for the health and safety of persons in connection with the use of plant and machinery; the protection of persons other than persons at work against hazards to health and safety arising out of or in connection with the activities of persons at work; to establish an advisory council for occupational and health and safety; and to provide for matters connected therewith.
- **Basic Conditions of Employment Act No. 75 of 1997 (BCEA):** To give effect to the right to fair labour practices referred to in section 23(1) of the Constitution by establishing and making provision for the regulation of basic conditions of employment; and thereby ensure compliance with the obligations by the Republic as a member state of the International Labour Organisation; and to provide for matters connected therewith.
- **The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993 (COIDA):** To provide for compensation for disablement caused by occupational injuries or diseases sustained by contracted employees in the course of their employment, or for death resulting from such injuries or diseases; and to provide for matters connected therewith.
- **King IV Report on Corporate Governance:** King IV encourages organisations to move beyond compliance to crafting actions that are appropriate to the organisation's context, and which will move them closer to achieving the goals enshrined in its 17 principles. In so doing, King IV is helping organisations realise the benefits of corporate governance.

The implementation of the BMA Act shall also consider and be guided by relevant policy mandates, especially those related to:

- Youth employment and empowerment;
- Women employment and empowerment;
- Addressing the triple challenges of poverty, inequality, unemployment; and
- The need for enhancing harmonisation, trade facilitation and regional integration without compromising national security.

3. GLOBAL, REGIONAL AND LOCAL POLICY INSTRUMENTS

3.1 GLOBAL POLICY INSTRUMENTS

In executing its mandate, the BMA will take the following global policy instruments into account:

- **The United Nations (UN) Sustainable Development Goals (SDGs)**, particularly by facilitating legitimate movement of people (Target 10.7), reducing illicit trade by facilitating legitimate movement of goods (Target 16.4), and international cooperation by signing bilateral agreements with neighbouring countries to ensure a collaborative border management approach (Target 16.a).
- **The Global Compact for Safe, Orderly and Regular Migration**, by (a) collecting and utilising accurate and disaggregated data as a basis for evidence-based targeted law enforcement and policies (Objective 1), (b) managing borders in an integrated, secure and coordinated manner (Objective 11) and (c) strengthening international and regional partnerships for safe and orderly migration (Objective 23).
- **The Universal Declaration of Human Rights as adopted by the General Assembly of the United Nations of 15 December 1948**: The Declaration outlines the rights and freedoms everyone is entitled to and the BMA shall take these rights and freedoms into account in the execution of its mandate.
- **International Civil Aviation Organization (ICAO) Chicago Convention of 1944 (The Convention on International Civil Aviation)**: The Convention was signed on the 7th December 1944 in Chicago by 52 States. It established the International Civil Aviation organisation (ICAO), which is a specialised agency of the UN charged with the responsibility of coordinating international air travel. It establishes rules of airspace, aircraft registration and safety, security, and details the rights of the signatories in relation to air travel. The Convention also contains provisions pertaining to taxation. The BMA shall therefore abide by the prescripts of the Convention in the execution of its mandate.
- **Concluding Observations by the United Nations Committee on the Rights of the Child (UNCRC)**: Concluding observations are the main outcome of a country session. They are compiled in a public document, which indicates the progress achieved by the reviewed State, the Committee's main areas of concern and recommendations to the State to improve the implementation of the Convention on the Rights of the Child and/or its Optional Protocols, as well as the date for the submission of the next State report.
- **Concluding Observations by the African Committee of Experts on the Rights and Welfare of the Child (March 2019)**: The Committee draws its mandate from articles 32-46 of the African Charter on the Rights and Welfare of the Child, which was adopted by the Heads of State and Government of the OAU on 11th July 1990 and came into force on 29th November 1999. In facilitating the legitimate movement of persons, the BMA shall consider the observations made by the Committee on the implementation of the Charter by South Africa.
- **Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)**: The BMA will always abide by this framework to ensure that no employee is discriminated against on the basis of gender, which is in line with Part I (Articles 1-6) of the Convention.

3.2 REGIONAL POLICY INSTRUMENTS

In addition to the above global policy instruments, the BMA shall also recognise the relevant continental and regional policy instruments, conventions, protocols and agreements which are ratified by the Republic of South Africa. These include the following:

3.2.1 Agenda 2063: The Africa we want (Agenda 2063)

The BMA will contribute towards the achievement of the Agenda 2063 objectives by rendering efficient and collaborative (Goal 19) border management services (Goal 6) in order to: (a) protect national interest, (b) ensure national security (Goal 13), sustainable and inclusive economic growth (Goal 4) as well as (c) sustainable natural resource management and biodiversity conservation (Goal 7); and (d) that by preventing illegitimate movement of goods, enhance revenue collection (Goal 20) thus increasing the State's service delivery and labour absorption capacity.

3.2.2 Tripartite Free Trade Area (TFTA)

TFTA is a free trade agreement between the Common Market for Eastern and Southern Africa (COMESA), Eastern African Community (EAC) and Southern African Development Community (SADC). The decision to establish the COMESA-EAC-SADC Tripartite was informed by the overlapping membership of the Member States to the three Regional Economic Communities (RECs). The aim of the Tripartite is to create a single market through the amalgamation of the COMESA and SADC Free Trade Areas and the EAC Customs Union. In order to ensure that the objectives of the TFTA are realised, the BMA shall prevent the illegitimate movement of goods to prevent the shrinking of the single market envisaged by the TFTA agreement.

3.3 NATIONAL POLICY INSTRUMENTS

3.3.1 National Development Plan (NDP)

The NDP seeks to write a new story for South Africa by outlining the vision for 2030. The BMA will contribute towards the achievement of the NDP objectives by (a) reducing red tape, corruption and delays at border posts (Priority 7); (b) Signing agreements with communities and other persons living close to the borders to increase community participation in border related crime prevention and relevant safety initiatives (Priority 12); (c) ensuring that the Authority is capacitated to efficiently execute its mandate by ensuring that staff at all levels have the requisite skills (Priority 13); and (d) Instilling a culture of high adherence to ethics throughout the Authority by not tolerating any form of corruption within its ranks and providing ethics training to all its employees.

3.3.2 Medium-Term Strategic Framework

The Medium-Term Strategic Framework (MTSF) is one of governments' key means of tracking progress towards the achievement of the NDP 2030 objectives. Of the seven 2019-2024 MTSF priorities of the Sixth Administration, the BMA's Strategic Plan (SP) outcomes are aligned to the following four priorities:

- Priority 1: A capable, ethical and developmental state.
- Priority 2: Economic transformation and job creation.
- Priority 6: Social cohesion and safer communities.
- Priority 7: A better Africa and world.

4. INSTITUTIONAL POLICIES AND STRATEGIES OVER THE FIVE-YEAR PLANNING PERIOD

A major focus of the National Development Plan (NDP) is to confront the triple challenge of poverty, inequality and unemployment by achieving higher growth rates.

The BMA has a critical contribution to make to the achievement of the NDP 2030 objectives and more specifically in relation to:

- Continuing to drive integrated and coordinated border management to ensure that our borders are effectively protected, secured and well-managed.
- Improving Infrastructure at ports of entry and developing one-stop-border posts (OSBPs).

The speed and pace of the implementation of these priorities will depend on the availability of adequate resources, both in respect of human capital and funding.

5. RELEVANT COURT RULINGS

There are no court rulings relevant to the BMA mandate. The authority monitors very closely developments around pending litigations against the Minister of Home Affairs with regards to the Zimbabwe Exemption Permit (ZEP).

PART B: STRATEGIC FOCUS



PART B: STRATEGIC FOCUS

6. VISION

A world class integrated border law enforcement authority partnering for a safe and prosperous South Africa.

7. MISSION AND MISSION PRINCIPLES

To be a credible provider of highly efficient, integrated, well-coordinated and technology driven border law enforcement services that contribute to national security and socio-economic development by inculcating an ethical culture that empowers teams for service excellence.

The BMA mission statement is underpinned by the following principles:

- Integrated border processes with strengthened ability to strategically assess risks by employing a coordinated approach (with state organs and private sector entities) on sharing of information for border security as well as efficient facilitation of trade and travel in compliance with national and international obligations.
- Provide state-of-the-art border management, law enforcement solutions / and capabilities by deploying advanced processing, surveillance and monitoring technology (systems and equipment) for the Port of Entry and border law enforcement area.
- An efficient and dependable agent that provides services for the principal organs of state by enforcing compliance to the respective pieces of legislation.
- Enhance efficient movement of persons and goods, while providing integrated biosecurity service using risk-based sanitary and phytosanitary control measures within the border management environment in order to protect human and animal health, and ensure food safety.
- Investment in employees' development and growth to build a culture of professional ethics and performance excellence.

8. VALUE STATEMENT

The shared values enshrined in the BMA are:

- Patriotism
- Vigilance
- Integrity
- Excellence
- Professionalism
- Innovation.



Figure 1: Graphical representation of the BMA's values

9. BMA OUTCOMES

The BMA is responsible for the border law enforcement and broader outcomes that were previously linked to border activities of five national departments for the 2020 to 2025 period in a manner that promotes security and national development in line with national legislation and international protocols.

The BMA outcomes are as follows:

- Institutional excellence distinguished by good corporate governance and ethical leadership;
- Secure borders that protect national interests and enhance national security;
- Enhanced trade and socio-economic development; and
- Strengthened coordination and co-operation amongst stakeholders within the border management environment.

10. SITUATIONAL ANALYSIS

South Africa has a total of 72 border posts of which 53 are land ports of entry, 11 are air ports of entry and 8 are maritime ports of entry. To effectively compete at global level, South Africa must have effective, safe and secure border posts that enable the efficient movement of persons and goods. The BMA completely understands the urgent need for addressing the plethora of challenges and issues affecting border operations, the risks associated with border management, transit management and the needs of key stakeholders operating at border posts and beyond.

Border posts are critical nodes and occupy a very special space in regional corridors. To this end, the BMA shall diligently respond to all issues and challenges affecting the performance of border posts and implement strategic interventions which will improve efficiency from a security, trade facilitation, as well as persons and goods movement perspective. It is against this background that the BMA 's strategic thrusts are:

- a) to create an environment which promotes legitimate, efficient, transparent, seamless, safe and secure border operations, and movement of persons and goods;
- b) to collaborate with various stakeholders in the cross-border environment and value chain at national and regional levels in order to improve security and efficiency; and
- c) to establish and operationalize various strategic multi-sector structures and relationships while also collaborating, supporting and working with relevant stakeholders at national, regional, continental and international levels.

At the core of border management systems of sovereign countries is the desire to balance two seemingly contrasting goals: preventing and reducing cross-border security threats on one hand and the facilitation of movement of goods and people for improved trade on the other (African Union, 2020; International Organization for Migration, 2017). Border management thus encompasses the intersection of mobility and security interests (International Organization for Migration, 2017). There is as a result a strong global advocacy for countries to adopt the integrated border management approach to be able to strike the desired balance.

Integrated border management meets three objectives, namely:

- a) Protection of internal security and management of migration flows to prevent irregular migration, related crime and other inter-jurisdictional crime;
- b) Smooth and fast border crossing for legitimate travellers; and
- c) Full respect of fundamental rights, including treating each individual with full respect for human dignity and allowing access to international protection to those in need thereof.

Furthermore, integrated border management consists of the following dimensions; amongst others:

- a) Border control (checks and surveillance), including relevant risk and crime intelligence;
- b) Investigation of cross border crime in coordination with all competent law enforcement authorities;
- c) inter-agency cooperation for border management (border guards, customs, police, national security and relevant authorities) and international cooperation; and
- d) coordination and coherence of activities of Member States and Institutions and other bodies of the Community.

Contrary to good practice in terms of the dimensions of integrated border management referred to above, border management in South Africa is currently executed and influenced through multiple government departments and state agencies, thus frustrating the full realisation of the three objectives of integrated border management cited above. Following are the challenges that result from the fragmented approach that characterises South Africa's Border Law Enforcement as identified in the BMA Blueprint together with recommended solutions:

Table 2: Challenges caused by a fragmented border management approach in South Africa

Challenges	Intervention(s) to address the challenges
<ul style="list-style-type: none"> a) Non-aligned and often poor border control-related mandated Border Law Enforcement services; b) Ineffective facilitation of the movement of persons and goods (duplications and overlaps, unnecessary delays, long transit time and cost to clients); c) An unpredictable operating environment for the business sector which is often a source of delays, long transit times, penalties and high logistics costs which negatively affect regional competitiveness; d) Uncoordinated law enforcement operations coupled with lack of or different law enforcement operating procedures; e) Constant disruptions to trade flows and supply chains owing to inefficiencies and too many bottlenecks and barriers to seamless cross-border movements. f) Compromised joint efforts and outcomes as a result of different risk management tools and approaches; g) The ineffective utilization of public resources due to limited information sharing; h) Inability to enforce a standard approach in dealing with Border Law Enforcement transgressions; i) A higher volume of illegal goods entering the country; j) Corruption and organized crime thriving in a fragmented border management environment; k) An increase in undocumented foreign nationals within the country; and l) Silo-based behaviour with agencies focusing on their own mandates. 	<p>Institutionalization of an integrated and coordinated border management through the establishment of the BMA, which is premised on the principles of integrated border management under a single command and control, with a sole mandate of:</p> <ul style="list-style-type: none"> - Facilitating and managing the legitimate movement of persons within the border law enforcement area and at ports of entry; - Facilitating and managing the legitimate movement of goods within the border law enforcement area and at ports of entry; and - Cooperating and coordinating its border law enforcement functions with other organs of state, border communities or any other persons thus eliminating the currently entrenched silo way of working.

These challenges adversely impact on national security and stability, sustainability, productivity and efficiency at border posts and the performance of supply chains. They further create unnecessary bottlenecks and non-tariff barriers (NTBs), which also contribute to a high-risk border environment susceptible to all sorts of manipulation and underhand activities; and this equally has a detrimental effect on the security of the country, and seamless cross-border movements. Thus, addressing these issues will not only improve national security but also enhance the performance of cross-border trade and transport systems, which is very important for improving regional and continental integration.

While coordination mechanisms exist in the South African border management environment, more can be done to strengthen the systemic and structural management through integration and coordination. This is necessary to improve efficiencies and effectiveness of both the security oriented and facilitative functions of border management and control.

It is against the above background that in June 2013 Cabinet took a decision that, under the leadership of the Department of Home Affairs (DHA), South Africa should adopt the principles of integrated border management through the establishment of the Border Management Authority (BMA) as a schedule 3A State Entity. BMA is established to provide a sustainable solution to the structural and systemic challenges of border security, control and coordination, which offers a new model of integration of the current disparate functions, roles and responsibilities in the border law enforcement environment.

The following situational analysis provides an overview of the external environment BMA will operate in and the conditions of its internal environment. Methods of analysis used include global integrated border management benchmarking, analysis of the external operating environment, reporting documents, current statistical data and trends as well as inputs from key stakeholders. In particular, inputs were solicited from Departments transferring functions to BMA, namely the Department of Agriculture, Land Reform and Rural Development (DALRRD); Department of Forestry, Fisheries and the Environment (DFFE); Department of Health (DoH) as well as Department of Home Affairs (DHA).

9.1 INTERNAL ENVIRONMENT ANALYSIS

The BMA functioned under the incubation of the Department of Home Affairs as a special branch during the 2022/2023 financial year. From the 2023/2024 financial year, the BMA will operate as an independent Schedule 3(A) Public Entity reporting to the Minister of Home Affairs. To date, the BMA has three Executive Management personnel that were appointed by the President, namely the Commissioner and two Deputy Commissioners - one for Operations and the other for Corporate Services. In addition to the Commissioner and the two Deputy Commissioners, a major advance in the capacitation of the BMA came with the appointment of two hundred (200) Border Guards that have already been deployed to eight (8) vulnerable segments of the borderline. Of the 200 Border Guards appointed, about 20% are women and 54% are youths aged 35 and below. The relatively low percentage of women representation is due to the fact that the BMA needed to arrest the challenge of porous borders by appointing personnel with the requisite experience, already trained in the public security environment and with competency to use firearms. However, moving forward, the BMA will provide a six (6) month pre-service training that will enable the Authority to deliberately attract the unemployed youth, and also increase women representation in its staff complement.

Four departments have transferred key frontline functions to the BMA, namely DALRRD (agricultural, sanitary and phytosanitary export protocols), DFFE (CITES requirements and related environmental functions), DHA (immigration services) and DoH (port health services) culminating in the transfer of 1 950 employees from these departments - 372, 14, 1 225 and 339 from DALRRD, DFFE, DHA and DoH respectively. In order to make the transfer of functions transparent and sensitive to the interests of affected employees, a staff consultation instrument was developed with the Public Service Coordinating Bargaining Council and used as a guiding framework for joint consultation with affected employees.

The four strategic outcomes referred to in Part A demonstrate that the BMA has a clear understanding of the national, regional and international environment within which it operates and a clear vision of the desired end. The outcomes are geared at ensuring that the BMA is well-established and adequately capacitated to implement its mandate in the short, medium and long-term through the establishment of resilient governance systems and institutional structures. This will propel the Authority to greater heights in the long term especially

at regional and global levels.

Governance frameworks, policies, structures and systems have been established and will be implemented in line with various applicable legislations and regulatory frameworks. Diligent monitoring and reporting frameworks shall be implemented, reviewed and enhanced where and when it becomes necessary to ensure continued and sustained improvement and growth of the organization and its capability to deliver on its mandate.

The BMA shall implement business processes which would ensure that the Authority is capable to render and deliver its mandate in an effective and efficient manner. The Authority shall harness technology and the 4th Industrial Revolution in the process, with a view to ensuring cost effective yet efficient service delivery. Staff competence and training, as well as retraining shall be prioritised in this regard. Internal risk management and controls shall be implemented across all functional lines, and diligently monitored during the implementation of various programmes. As much as possible, BMA will target youth, women and people with disabilities in the recruitment of staff and service providers to ensure representation of these groups in the staff complement of the Authority and procurement practices that embrace empowerment principles.

9.2 EXTERNAL ENVIRONMENT ANALYSIS

The objective of the external environmental analysis is to ascertain how changes in the operating environment impact the BMA and influences its overall trajectory. Accordingly, the analysis is divided into 2 sections: (1) An overview of the global context, (2) A detailed analysis of the South African context and the challenges related to border management and movement of people and goods across borders.

9.2.1 Global context

The BMA fully comprehends the global and regional context in which it implements its mandate; the need for national security, the key priorities of government and the commitments and obligations of the country to our regional counterparts and international partners, various international conventions with a bearing on border operations; as enshrined in the various protocols, treaties, international conventions and agreements signed by the country which have a bearing on border operations, as well as the facilitation of the legitimate movement of persons and goods.

To this end, the BMA, in carrying out its work, will observe and commit to advance the secure facilitation of legitimate cross border movements of persons and goods as articulated in various global goals; regional, corridor-based and international treaties, protocols and agreements which the Republic of South Africa is part of such as the United Nations Programmes, African Continental Free Trade Area, the Tripartite Free Trade Area and SADC Protocol on Trade in Services and various other bilateral agreements. Furthermore, the BMA is also obliged to align the execution of its mandate to global instruments briefly discussed under section 3.1 of Part A to contribute towards the achievement of such global commitments. The effective implementation of the mandate will significantly enhance the performance of corridors and border posts, which is an important factor which affects intra-Africa trade and improving the competitiveness of most African economies.

The benefits of efficient integrated border management are multi-fold. The Doha Round of World Trade Organization (WTO) negotiations and certain publications of the World Bank, such as *Doing business and connecting to compete: logistics performance index*, have also increased global awareness of the important contribution that improved border management procedures can make to economic development and poverty reduction. This is achieved by reducing unnecessary red tape and facilitating the cross-border movement of goods. There is as a result heightened awareness of costs associated with poor border management and this

has generated political pressure for competitiveness as countries vie to attract trade and tourism.

According to the World Economic Forum (WEF), illicit trade, which flourishes in an environment of poor border management, is “a cancer that eats into the socio-economic sovereignty of nations”. The magnitude of illicit trade globally is summarized thus:

- a) It is estimated that illicit international trade amounts to roughly \$650 billion.
- b) Illicit financial flows are in the order of \$1.3 trillion.
- c) Moreover, the “illicit economy” represents approximately 15% of the world’s GDP and 7% of the world’s circulating merchandise.”

(Source: The South African Revenue Service (SARS). 2020. Illicit Trade: The monster that eats into our socio-economic sovereignty. International Customs Day 2020, 24 January 2020).

The African Continental Free Trade Area (AfCFTA) which came into effect in January 2021, which the Republic of South Africa ratified, provides an opportunity for African countries to significantly improve trade with each other (regional and continental trade), improve harmonisation, address bottlenecks affecting cross-border operations and transit management, leverage the skills from different countries whilst at the same time enhancing the management of the movement and migration of people (AfCFTA: AU). It is very clear that the AfCFTA presents a significant opportunity for Africa to improve intra-Africa trade, economic performance and the continent’s share of global trade as well as mechanism for facilitating legitimate movement of persons. As the BMA implements its mandate, the Authority shall recognise and promote the above goals and objectives of the AfCFTA which will amongst other benefits result in:

- a) improved capacity and coordination by and between corridor and border stakeholders towards implementation of agreed programmes aimed at improving performance of border posts
- b) improved efficiency, sustainability, predictability, reliability and dependability of cross-border operations; and
- c) data driven decision making, and the design, development and implementation of border management programmes.

In executing its mandate, the BMA shall also ensure that due consideration is given to various regional protocols especially the SADC Protocol on Transport, Communications and Meteorology, SADC Protocol on Trade, and the SADC Protocol on Trade in Services which the country is party to. BMA commits to ensuring the transformation of the border environment working with regional and domestic stakeholders, to an environment characterized by high security, transparency, visibility and efficiency of operations.

Ultimately, this will have many benefits to the country and the region. As the Authority moves forward, strategic partnerships shall be maintained with key stakeholders in order to leverage their support and commitment to the transformation. Meanwhile, the BMA shall embark on a technological journey in order to ensure predictability and reliability of business processes and service delivery. This will in the short to medium term ensure that border posts are not an obstacle to enhanced regional trade and growth of cross-border trade and business.

9.2.2 South African context

The National Development Plan (NDP) 2030 remains the vision of the country's development. However, as long as border management remains as inefficient as it is, the inefficiencies can end up contributing to preventing the realization of some of the objectives of the NDP. This assertion is made considering that border management in South Africa is currently exercised and influenced through multiple government departments and state agencies resulting in:

- a) Ineffective facilitation of the movement of persons and goods (unnecessary delays and cost to clients);
- b) Non-aligned and often poorly mandated Border Law enforcement services in relation to border control;
- c) Compromised joint efforts and outcomes resulting from different risk management tools and approaches;
- d) The ineffective utilization of public resources due to limited information sharing;
- e) Inability to enforce a standard approach in dealing with Border Law Enforcement transgressions;
- f) A higher volume of illegal goods entering the country;
- g) Corruption and organized crime thriving in a fragmented border management environment;
- h) An increase in undocumented foreign nationals within the country; and
- i) Silo-based behavior with agencies focusing on their narrow mandates.

There are also many sector-specific and sector-oriented national policies and strategies, as well as programmes in various economic sectors which are aimed to enhance the socio-economic environment in the republic, enhance the growth of South Africa's regional trade and economic development whose full implementation requires an efficiently managed border environment particularly with respect to:

- a) Border capacity, performance, and throughput;
- b) Border efficiency; and
- c) Border security.

Border management related challenges adversely impact on the performance of business in South Africa and her neighbouring countries. For instance, traders/trucks have to wait about 36 hours at the South Africa–Zimbabwe Beitbridge border post. As a result, in Southern African countries, customs delays cost about US\$ 48 million per annum. The consequences of an inefficient border management service are therefore dire for any country.

Over the last few decades, South Africa's trade has increased substantially, with the country now exporting commodities to the value of R1,1964 trillion and importing commodities to the value of R1,185 trillion (November 2019). However, the expansion of legitimate trade has, as with most other countries in the world, been accompanied by a rise in illegal and illicit trade. Failure by government to collect revenue due and address the concomitant prime movers such as illicit trade, spells enormous socio-economic and security threat to economic growth and the ability to meet government programmes. Illicit trade related illegal imports pose innumerable risks to any country where it manifests. Amongst others, following are the risks identified by SARS which are associated with illicit trade:

- Lower revenue for the fiscus (given that not all customs duties and value added tax (VAT) due to the government are paid);
- Circumvention of support put in place by government for local industries;

- The erosion of productive capacity in the country;
- Job losses, particularly in the manufacturing sector;
- Limiting our potential to grow and create jobs;
- Lower company profits due to unfair competition for legitimate trade;
- Dis-incentivizing innovation by companies;
- Undermining government's efforts to promote health (e.g. underpriced cigarettes), security, standards and the well-being of its people;
- Undermining government's efforts to curb corruption; and
- Social tension.

This therefore makes a strong case for a border management model that will curb illegitimate movement of people and goods in and out of the borders of South Africa. Such an intervention will mitigate the risks above and go a long way in arresting and then reversing the increasing trend of unemployment rate in South Africa. For example, from 2018 to 2021, South Africa unemployment rate (*Source: Statistics South Africa*) for:

- 2021 was 33.56%, a 4.34% increase from 2020.
- 2020 was 29.22%, a 0.75% increase from 2019.
- 2019 was 28.47%, a 1.56% increase from 2018.

In fact, according to the World Bank, South Africa had the highest unemployment rate (33.6%) globally in 2021, which was over five (5) times higher than the global average of unemployment rate (6.2%).

Considering the increasing trend and the relatively high South Africa unemployment rate at global level, there is an urgent need to curb all forms of jobs-threatening cross border crimes including illicit trade. The need for targeted interventions focusing on border management is premised on the observation made by the World Bank's Ease of Doing Business Survey, which provides a perspective of South Africa's relative competitiveness across a wide range of dimensions. Of concern is the finding that South Africa has fallen 52 positions in the world rankings in just 11 years and one of the causes of this decline is South Africa's high trading costs and specifically, border compliance costs is the key contributor. The finding of the World Bank is confirmed in the OECD Trade Facilitation Report, which ranks South Africa 40th out of 169 countries, and in the WEF Global Enabling Trade Report which ranks South Africa 55th out of 136. In all these three surveys, South Africa scores lowest on customs administration and border coordination related matters. (Source: Stern, M. & Ramkolowan, Y. 2021. Understanding South Africa's trade policy and performance. South African Reserve Bank Working Paper Series WP/20/17, 25 August 2021).

As part of responding to these challenges and issues, the BMA shall implement a border management model that will curb challenges such as the illegitimate movement of people and goods in and out of the borders of South Africa whilst promoting regional trade, regional integration, efficiency of supply chains and efficiencies at the border posts.

The BMA shall implement the border management model by leveraging on its strengths and opportunities while also mitigating the potential adverse impact of their threats, weaknesses and risks. In order to identify these threats and weaknesses, as well as strengths and opportunities, BMA in consultation with its stakeholders conducted a SWOT analysis and the following strengths, opportunities, weaknesses and threats were identified for BMA's consideration as it executes its mandate:

Table 3: BMA SWOT Analysis

STRENGTHS Full and clear mandate which guides the Authority Political will and support Committed and ethical leadership Experienced top leadership resources	OPPORTUNITIES Leading all stakeholders in the border environment Introduction of systems which are fit-for-purpose Integration of all stakeholders Collaboration with other stakeholders within the security cluster Harnessing technology (the Fourth Industrial Revolution (4IR)) Systems integration for data exchange
WEAKNESSES Unintegrated systems Lack of regional and collaborative security Inadequate sharing of information and data with stakeholders	THREATS Instability in neighboring countries Lack of regional and collective security Potential competition, overlapping mandates and duplication of resources Resistance and lack of support by other government departments Susceptibility to corruption

The SWOT analysis led to the identification of potential risks that the BMA should mitigate to prevent them from manifesting. Several interventions have subsequently been identified for implementation to manage the weaknesses and threats identified through the SWOT analysis presented in Table 3 above. Amongst others, the interventions include the following measures:

- a) Harnessing technology - 4IR;
- b) Systems integration;
- c) Business continuity planning;
- d) Harnessing the political support;
- e) A partnership approach with key stakeholders in the roll-out of key programmes;
- f) Coordination and collaborating with all key stakeholders; and
- g) Effective monitoring, control and evaluation.

It is on the basis of the Authority's legislative mandate, the SWOT analysis and resulting intervention measures cited above that the BMA adopts a Theory of Change (ToC) to underpin its strategic outcomes, strategic plan 5-year targets as well as annual performance targets. The detailed ToC is provided in the APP.

PART C: MEASURING PERFORMANCE



PART C: MEASURING PERFORMANCE

11. INSTITUTIONAL PERFORMANCE INFORMATION

11.1 MEASURING THE IMPACT

Impact Statement

BMA as a credible provider of highly efficient, integrated, well-coordinated and technology driven border law enforcement services that contribute to national security and socio-economic development.

11.2 BMA OUTCOMES ALIGNMENT TO MTSF PRIORITIES

The seven priority areas identified by the 6th administration for the electoral cycle 2019-2024 are premised on the long-term vision of the NDP 2030 and they are aimed at addressing the triple challenge that South Africa is grappling with; namely poverty, unemployment and inequality. Outcomes that direct BMA's strategic focus and deployment of resources and capabilities aimed at contributing towards the achievement of the developmental outcomes outlined in the NDP, the priorities of the Sixth Administration and the MTSF Priorities are:

- Institutional excellence distinguished by good corporate governance and ethical leadership;
- Secure borders that protect national interests and enhance national security;
- Enhanced trade and socio-economic development; and
- Strengthened coordination and cooperation amongst stakeholders within the border management environment.

The BMA will achieve its outcomes by executing its mandate across the length and breadth of the Republic as depicted by Figure 2.

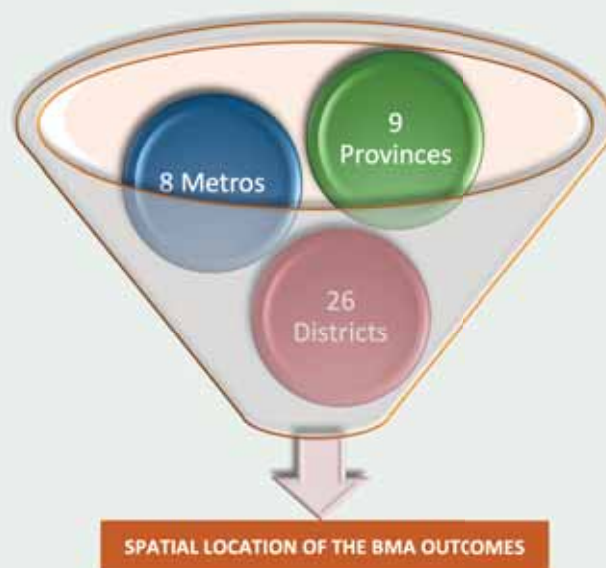


Figure 2 : Spatial location of the BMA Outcomes

The alignment of the four BMA Outcomes to the four of the seven Medium Term Strategic Framework (MTSF) Priorities of the Sixth Administration is depicted in Table 4 below.

Table 4: Alignment of BMA Outcomes to MTSF Priorities

BMA Outcome	MTSF Priorities Alignment
1. Institutional Excellence distinguished by good corporate governance and ethical leadership	<p><u>Priority 1</u></p> <p>A capable, ethical and developmental state</p> <p><u>Priority 2</u></p> <p>Economic transformation and job creation</p> <p><u>Priority 6</u></p> <p>Social cohesion and safer communities</p>
2. Secure borders that protect national interests and enhance national security	<p><u>Priority 2</u></p> <p>Economic transformation and job creation</p> <p><u>Priority 6</u></p> <p>Social cohesion and safer communities</p>
3. Enhanced trade and socio-economic development	<p><u>Priority 1</u></p> <p>A capable, ethical and developmental state</p> <p><u>Priority 2</u></p> <p>Economic transformation and job creation</p> <p><u>Priority 7</u></p> <p>A better Africa and world</p>
4. Strengthened coordination and cooperation amongst stakeholders within the border law enforcement environment	<p><u>Priority 1</u></p> <p>A capable, ethical and developmental state</p>

11.3 MEASURING OUTCOMES

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Priorities 1, 2 and 6: A capable, ethical and developmental state; Economic transformation and job creation; Social cohesion and safer communities			
MSTF Priorities	Outcome Indicator / Measure	Baseline	Five-year target
Outcome	1. Institutional excellence distinguished by good corporate governance and ethical leadership	New target	Integrated good governance framework for the BMA established
Priorities 2 and 6: Economic transformation and job creation; Social cohesion and safer communities.			
MTSF Priorities	Outcome Indicator / Measure	Baseline	Five-year target
Outcome	2. Secure borders that protect national interests and enhance national security	New target	Intelligence and risk capability established and implemented.
Priorities 1, 2 and 7: Capable, ethical and developmental state; Economic transformation and job creation; A better Africa and world.			
MTSF Priorities	Outcome Indicator / Measure	Baseline	Five-year target
Outcome	3. Enhanced trade and socio-economic development.	RfP submitted to National Treasury for approval	Land-sites made available to preferred bidders for the construction and redevelopment of six priority land ports of entry as secure trade and travel-friendly one stop border posts (OSBP)
Priorities 1, 2 and 7: Capable, ethical and developmental state; Economic transformation and job creation; A better Africa and world.			
MTSF Priorities	Outcome Indicator / Measure	Baseline	Five-year target
Outcome	4. Strengthened coordination and cooperation amongst stakeholders within the border law enforcement	New target	<ul style="list-style-type: none"> 11 agreements with stakeholders implemented

11.4 EXPLANATION OF PLANNED PERFORMANCE OVER THE FIVE-YEAR PLANNING PERIOD

The border law enforcement functions within the border law enforcement area and at ports of entry are performed exclusively by the officers of the Authority, which suggests that every South African citizen and foreigner crossing the border line is a client of the BMA. In line with their mandate of facilitating and managing the legitimate movement of persons and goods within the border law enforcement area and at ports of entry; and cooperating and coordinating its border law enforcement functions with other organs of state, border communities or any other persons, following are the BMA outcomes: *Institutional excellence distinguished by good corporate governance and ethical leadership; Secure borders that protect national interests and enhance national security; Enhanced trade and socio-economic development; and Improved coordination and cooperation amongst stakeholders within the border management environment.* The following are explanations of each of these outcomes:

Outcome 1: Institutional excellence distinguished by good corporate governance and ethical leadership

a. The contribution of the outcome towards the achievement of the Monitoring Framework of the 5-year MTSF, the mandate of the institution and priorities of women, children and people with disabilities (where applicable)

One of the reasons for establishing the BMA was the fact that the previous border management dispensation gave birth to numerous challenges and problems. A critical part of the full establishment of the BMA as per the 5-year MTSF is therefore to ensure that the newly established entity is distinguished by good governance and strong ethical leadership in order to ensure the proper fulfillment of its mandate. It thus contributes to MTSF Priorities 1, 2 and 6: A capable, ethical and developmental state; Economic transformation and job creation; Social cohesion and safer communities.

b. The rationale for the choice of the outcome indicators relevant to the outcome

No organisation can function properly without a proper governance framework. The thrust of the performance indicator is therefore to establish and implement a good governance framework for the newly established BMA for the remainder of the current 5-year MTSF period. Given the stringent budgetary constraints the process will unfold over time, starting with the key elements necessary to ensure that the BMA can fulfill its mandate and aiming at full establishment within the remaining timeframe.

c. Explanation of enablers to achieve the 5-year target(s)

The involvement of skilled subject matter experts in combination with experienced and knowledgeable staff will enable thorough results reflected in substantive performance tracking and relevant reports.

d. Explanation of the outcome's contribution to the achievement of impact

The above outcome will contribute towards the establishment of the BMA as a credible provider of highly efficient, integrated, well-coordinated and technology driven border law enforcement services that contribute to national security and socio-economic development and specifically lead to an ethical culture and corruption-free border management which forms a cornerstone to the effective and efficient fulfillment of the BMA's mandate.

Outcome 2: Secure borders that protect national interests and enhance national security**a. The contribution of the outcome towards the achievement of the Monitoring Framework of the Five-Year MTSF, the mandate of the institution and priorities of women, children and people with disabilities (where applicable)**

One of the cornerstones of any government is its ability to secure its borders, thus protecting its national interests and enhancing national security. Therefore social cohesion and safer communities is one of the MTSF priorities supported by the above BMA outcome, which is in line with the Authority's mandate to ensure the legitimacy of any movement through PoEs and in the border law enforcement area and therefore prevent any illegitimate movement in these areas.

b. The rationale for the choice of the outcome's indicators relevant to the outcome

At the heart of border security lies a proper intelligence and risk capability, which informs the BMA as to what measures to take to ensure the effective and efficient securing of the border under its control. Thus a risk-based approach can be implemented against measures that ensure management of borders in a manner that protects national interests and contribute to national security.

c. Explanation of enablers to achieve the 5-year target(s)

Capacity and control measures in relation to the demand are being put in place to ensure that the outcome indicators and targets can be realized.

d. Explanation of the outcome's contribution to the achievement of impact

The above outcome will once again contribute to establishing the BMA as a credible provider of highly efficient, integrated, well-coordinated and technology driven border law enforcement services that contribute to national security and socio-economic development and specifically lead to improved national security through the facilitation of legitimate travel and trade while reducing illicit activities and thus ensuring that all people in South Africa are and feel safe.

Outcome 3: Enhanced trade and socio-economic development**a. The contribution of the outcome towards the achievement of the Monitoring Framework of the Five-Year MTSF, the mandate of the institution and priorities of women, children and people with disabilities (where applicable)**

National security needs to go hand in hand with enhanced trade and economic development, thus the outcome supports the MTSF Priorities 1, 2 and 7: Capable, ethical and developmental state; Economic transformation and job creation; A better Africa and world.

b. The rationale for the choice of the outcome indicators relevant to the outcome

Within the border environment, the BMA can contribute to enhanced trade and economic development mainly through the provision of fit-for-purpose state-of-the-art PoE that are in line with global best practice and will result in regional socio-economic integration and development. The focus is therefore on the provision of excellent border management services to enhance the legitimate movement of people and goods (including specialised goods) as well as providing a conducive environment by creating trade-friendly PoE. Thus secure trade and travel can be facilitated through PoE that meet international best practice and standards.

c. Explanation of enablers to achieve the 5-year target

The provision of trade-friendly ports of entry will happen through a process of PPP which requires compliance (by state organs and bidders) with National Treasury regulations and that many other pre-requisites are met. This often protracted process is necessary to ensure not only the construction of state of the art facilities, but that such happens with the empowerment of local entrepreneurs and job creation amongst others. While the PoE are generally on land that is under state ownership, there are instances where there might be challenges. Some land parcels are incumbered with restitution claims, while the magnitude of the project might dictate procurement of additional private land. Furthermore, private partners and funders would need convincing feasibility studies to commit to major investments.

d. Explanation of the outcomes' contribution to the achievement of impact

In terms of the BMA impact statement, the BMA aims to contribute to socio-economic development especially in the areas mentioned above.

Outcome 4: Strengthened coordination and cooperation amongst stakeholders within the border management environment

a. The contribution of the outcome towards the achievement of the Monitoring Framework of the Five-Year MTSF, the mandate of the institution and priorities of women, children and people with disabilities (where applicable)

The BMA does not operate in a vacuum but is surrounded by local and international stakeholders with whom it needs to cooperate as well as coordinate its operations. Thus it embraces the MTSF Priorities 1, 2 and 7: Capable, ethical and developmental state; Economic transformation and job creation; A better Africa and world.

b. The rationale for the choice of the outcome indicators relevant to the outcome

The performance indicator thus focusses on the extent to which all agreements entered into with domestic and international role-players are implemented. Only by joining hands and embracing the concept of joint responsibility can the border environment be managed successfully.

c. Explanation of enablers to achieve the 5-year target

The agreements entered into with the various role-players are crafted with due consideration of capabilities, resources and contribution that each role-player can make in support of the bigger collective.

d. Explanation of the outcome's contribution to the achievement of impact

The formalising of relationships with the various role-players in the border environment and the implementation of stipulations in the signed agreements will lead to the desired impact of highly efficient, integrated, well-coordinated and technology driven border law enforcement services envisaged in the BMA impact statement.

12. KEY RISKS

Table 5: BMA Key Risks

No	Outcome	Key Risk	Risk Mitigation
1.	Institutional excellence distinguished by good corporate governance and ethical leadership	Cyber-attacks on critical systems	<ul style="list-style-type: none"> Procure the Integrated Threat, Event and Vulnerability Management Solution. IS security specialist to be appointed.
		Inability to deliver on the BMA's APP targets	<ul style="list-style-type: none"> Individual performance agreements aligned to the APP targets. Quarterly performance reviews. Capacitation of the internal audit unit. Business continuity plan developed and monitored.
		Fraud and corruption	<ul style="list-style-type: none"> Counter-corruption and fraud prevention strategy developed and approved. Code of good conduct in place. Constant systems and process review. Governance committees established and function efficiently.
		Negative brand equity/public perception	<ul style="list-style-type: none"> Communication forum with key stakeholders in the border management environment. Constant communication about Authority's work on public platforms. Governance committees established and function efficiently.
2	Secure borders that protect national interests and enhance national security	Inability to contain illegitimate entry of goods and people into South Africa (due to Porous borders)	<ul style="list-style-type: none"> IT systems at the PoE level aligned and integrated. The SANDF has initiated a project to reconstruct and secure the land borderline, i.e. installing fences and surveillance technology (The BMA is a member of the Project Steering Committee). Implementation of signed protocols with SARS, SANDF and SAPS. BMA Regulations finalised. Engagement with the PSCBC on an ongoing basis (conditions of service and BMA as an essential service entity). BMA participation in high-level structures such as the NATJOINTS, JCPS and Inter-Ministerial Committee on Migration, and the Presidency. Establishment of the national targeting centre.
3.	Enhanced trade and socio-economic development	<p>Inability to enforce bio-security and bio-diversity compliance measures</p> <p>High inflation limiting PPP participation in port re-development project</p>	<ul style="list-style-type: none"> Additional agricultural, health and environment specialists recruited Capital injection availed through the DBSA for small contractors who may struggle to source money through commercial banks Pre-requisite for big companies to sub-contract local small business, and general emphasis on local content through the project value-chain.

No	Outcome	Key Risk	Risk Mitigation
4.	Strengthened coordination and cooperation amongst stakeholders within the border management environment	Inability to meet targets (due to e.g. trust deficit, competing priorities, and communication breakdown)	<ul style="list-style-type: none">• Clear communication plan.• Sufficient resources to implement the communication plan.

PART D: TECHNICAL INDICATOR DESCRIPTIONS



PART D: TECHNICAL INDICATOR DESCRIPTIONS (TIDS)

BMA OUTCOME 1 TIDS

Good governance and institutional efficiency

Technical Indicator Description (TID)	
Indicator title	Integrated good governance framework in place
Target title	Integrated good governance framework for the BMA established
Definition	<p>With the advent of the BMA as a Schedule 3A public entity, it is of critical importance that good governance and institutional efficiency should prevail right from the onset. However, it needs to be understood that the BMA will incorporate port of entry related functions and staff from various departments into the entity and therefore also inherit the challenges that these departments experienced in the border environment.</p> <p>This entails that the necessary structures be put in place to ensure that the BMA can functions according to its mandate (including inter alia good governance, risk management, counter corruption and structures relating to the BMA Operations and the BMA Corporate support), and making provision for the integration of the various separate functions incorporated into the BMA. This means aspects such as change management, building an integrated corporate culture and ensuring the seamless integration of the various functions. This in turn requires that business processes would need to be in place and constantly reviewed, especially to detect systems- and process-related vulnerabilities to fraud and corruption. Furthermore, good governance also needs to prevail in the area of finance, especially in the field of the payment of valid invoices within 30 days as this is a government-wide priority. Last but not the least, the tracking and monitoring of institutional performance in relation to the BMA Strategic and Annual Performance Plan targets needs to be included in the framework to ensure that the entity delivers efficiently on its mandate.</p>
Source of data	Organizational structure, Review reports, financial reports, quarterly monitoring reports
Method of calculation/ assessment	The actual number of areas with good corporate governance and institutional efficiency mechanisms in place in relation to the planned numbers
Assumptions	Financial and human capacity, expertise and technology in place to enable achievement of target
Disaggregation of beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Reporting cycle	Quarterly and annually
Desired performance	Integrated good governance framework for the BMA established
Indicator responsibility	Deputy Commissioner Corporate Services, BMA

BMA OUTCOME 2 TIDS

Intelligence and risk capability

Technical Indicator Description (TID)	
Indicator title	Intelligence driven border security measures in place
Target title	Intelligence and risk capability established and implemented
Definition	<p>Over the MTSF period, the BMA will be contributing to the MTSF priority area focusing on, inter alia, border security, illegal immigration and related challenges in line with its mandate.</p> <p>The integrated BMA will deploy risk management and intelligence-led border management, as such the National Targeting Centre (NTC) will be the primary border intelligence instrument.</p> <p>The NTC will serve as the central risk management and intelligence hub for the border environment in South Africa and will assist in identifying and mitigating high-risk travelers, goods and conveyancers passing through South Africa's borders.</p>
Source of data	Proposed operating model and targeting priorities of the NTC
Method of calculation/ assessment	The achievement of the target will be measured in terms of the actual establishment of the intelligence and risk capabilities versus the plan
Assumptions	Capacity, capability, funds, technology and cooperation in place to enable the integrated functioning of the NTC
Disaggregation of beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Reporting cycle	Quarterly and annually
Desired performance	Intelligence and risk capability established and implemented
Indicator responsibility	BMA Commissioner

BMA OUTCOME 3 TIDS

Redevelopment of six priority land ports of entry

Technical Indicator Description (TID)	
Indicator title	Compliance with National Treasury regulations in respect of PPP project for the 6 priority PoE redevelopment
Target title	Land-sites made available to preferred bidders for the construction and redevelopment of six priority land ports of entry as secure trade and travel-friendly one stop border posts (OSBP)
Definition	<p>The target is not new but inherited from the Department of Home Affairs, one of the departments that ceded functions to the BMA. In 2015 the DHA registered a PPP project to redevelop six (6) land ports of entry (Beitbridge, Lebombo, Maseru Bridge, Ficksburg, Kopfontein and Oshoek). After five preferred bidders were pre-qualified, a strategic decision was taken to rather procure one preferred bidder per port. A need also arose, to have the DHA and SARS to align the OSBP with SARS inland pre-clearance hubs concept, as well as the PoE ICT modernization issues. Given the laps of time, National Treasury further identified gaps that informed re-commissioning of traffic and economic studies to inform latest traffic projections and economic-wide impact of the project respectively.</p> <p>The request for proposals (RfP) have been submitted to National Treasury for approval and issuance to the market. Once preferred bidders have been selected and the private party appointed, the Public-Private Partnership (PPP) project will proceed to the construction.</p> <p>By the end of 2027, the construction and redevelopment at the 6 ports of entry would have been completed. This completion and operationalization of the 6 priority land PoE as OSBP will however be realized only in the next MTSF period. The impact of the redevelopment of the six land ports of entry will result in shorter and more efficient processing times, improved security and sterility.</p>
Source of data	Feasibility Study; Request for Quotation (RfQ) and RfP bid specification and bid evaluation outcome documentation; National Treasury (NT) Approvals; land availability, progress reports and project completion certificates.
Method of calculation/ assessment	The quantitative and qualitative performance will be assessed against the redevelopment of six (6) land ports of entry.
Assumptions	<ul style="list-style-type: none"> a) NT approvals will be granted. b) The required private land will be procured without the need for expropriation. c) Redevelopment will take place within the projected 2 to 3 years construction timeframes. d) The Transaction Advisor effects delivery against critical timeframes. e) South Africa will enter into bilateral agreements with the five neighboring countries (Lesotho, Mozambique, eSwatini, Zimbabwe and Botswana).
Disaggregation of beneficiaries (where applicable)	During the 3-year construction and 20-year concession phases, Broad-Based Black Economic Empowerment (BBBEE) equity targets will inform the employment of women, youth and people with disabilities by the Private Party.

Technical Indicator Description (TID)	
Spatial transformation (where applicable)	<p>The redevelopment of six land ports of entry is envisaged to have a positive socio-economic impact on surrounding local communities and municipalities, e.g. employment during the construction phase.</p> <p>The spatial layout and design of the six land ports of entry is aimed at reducing the environmental footprint; promoting more efficient traffic movement; and enhancing the safety and security of travelers, traders and officials at these ports of entry. The redevelopment phase will yield positive economic spin-offs for the host district municipalities and provinces.</p>
Reporting cycle	The APP target in support of the outcome target will be reported on annually in the BMA Annual Report and as part of the BMA quarterly performance review system. Progress against the outcome target will be measured as part of the review of the Strategic Plan on an annual basis.
Desired performance	Land-sites made available to preferred bidders for the construction and redevelopment of six priority land ports of entry as secure trade and travel-friendly one stop border posts (OSBP)
Indicator responsibility	BMA Commissioner

BMA OUTCOME 4 TIDS

Coordination and cooperation mechanisms implemented

Technical Indicator Description (TID)	
Indicator title	Number of agreements with stakeholders implemented
Target title	11 signed agreements with stakeholders implemented
Definition	<p>The BMA does not operate in isolation but is surrounded by local and international stakeholders with whom it needs to cooperate as well as coordinate its operations. Since they are critical to the success of the BMA, the relationships with these role-players need to be formalized and therefore the BMA will focus on forging formal relationships with critical state organs as mandated by legislation and other state organs, border communities as well as neighbouring countries over the MTSF period.</p> <p>BMA will ensure that existing agreements are monitored for implementation while new agreements that are signed with border communities and neighbouring states in the course of the MTSF period are implemented.</p>
Source of data	Signed agreements with border communities and bilateral agreements with neighbouring countries, Implementation reports
Method of calculation/ assessment	Success will be measured against the signed agreements: Actual implementation reports as against planned implementation
Assumptions	Human and financial capacity and capabilities, corporate governance and diplomatic relations exist between South Africa and neighbouring countries.
Disaggregation of beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	This indicator affects communities and municipalities that lie along the border and good cooperation will help ensure border security and overall public safety.
Reporting cycle	Quarterly and annual
Desired performance	11 agreements with stakeholders implemented
Indicator responsibility	BMA Commissioner

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BORDER MANAGEMENT AUTHORITY

909 ARCADIA STREET,

HATFIELD

www.bma.gov.za

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