



THEME: LABOUR MIGRATION

Held with the patronage of the Government of the Republic of Uganda

# 5<sup>TH</sup> IGAD REGIONAL CONSULTATIVE PROCESS ON

**THEME: LABOUR MIGRATION**

Held with the patronage of the Government of the Republic of Uganda

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In compliance with recommendations of the IGAD Regional Migration Policy Framework (RMPF) as expressed in the IGAD Migration Action Plan (MAP)

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28<sup>TH</sup> - 29<sup>TH</sup> MAY 2015,  
KAMPALA, UGANDA

Summary

Report



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## ACKNOWLEDGEMENTS

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This summary report contains the major findings and deliberations of the 5<sup>th</sup> Meeting of the IGAD Regional Consultative Process on Migration (RCP) as convened by the IGAD secretariat in partnership with IOM and ILO from the 26<sup>th</sup> to the 27<sup>th</sup> of May at the Speke Munyonyo Conference Resort in Kampala, Uganda.

The 5<sup>th</sup> IGAD RCP drew a smaller pool of participants compared to the 4<sup>th</sup> RCP with 40 delegates in attendance compared to 75 in the previous year. This can be attributed to the specialised nature of the theme of this meeting. IGAD is particularly indebted to the trade unions and employer federations from Ethiopia, Kenya and Uganda attended the 5<sup>th</sup> IGAD-RCP. Also in attendance were delegates from six (6) IGAD Member States namely Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda. The delegations were constituted of senior government officials drawn from line ministries bearing responsibility in management of labour migration *inter alia*; immigration, labour, foreign affairs and diaspora affairs. Delegates representing IOM and ILO were in attendance as principal representatives of United Nations (UN) Agencies.

The IGAD secretariat wishes to thank all the participants for the invaluable contribution they made to this meeting and their continued commitment to the regional consultative process as a platform where dialogue on migration matters affecting the IGAD region continues to be held on a sustainable basis. The continued commitment of members states towards realizing the ideals of improved border management, labour migration and improved migration governance in the region as provided for in the IGAD Migration Policy Framework cannot be overstated. The meeting greatly benefited from the close collaboration between representatives from the IGAD secretariat, IOM, ILO and the government of Ethiopia in their capacity as the serving chair of the IGAD Member States during different sessions over the course of the 2-day meeting. The greatest appreciation goes to the Government of Uganda for hosting the 5<sup>th</sup> meeting of the IGAD regional consultative process.

Mr. Phillip Gathungu, IGAD Rapporteur, prepared the summary of deliberations under the guidance of Ms. Caroline Njuki, Regional Migration Coordinator, IGAD, Djibouti and Ms. Nathalie Goetschi, Migration Expert seconded by Switzerland to the IGAD Secretariat through IOM. We gratefully acknowledge the invaluable contribution of the IGAD support team led by Mrs. Aicha Houssein Mohammed, Mr. Benson Njau and IGAD intern, Ms. Marion Motho. Mr. Brazille Musumba, IGAD communications consultant provided specialist support in the capturing of deliberations and generation of content for media release.

The greatest appreciation goes to the Government of Uganda for hosting this 5<sup>th</sup> RCP meeting. Special mention goes to the Swiss Government without whose funding and overall support this process would not have been possible.

## **I. Introduction**

### **Framework of the Deliberations**

The deliberations reflected here are derived from the submissions and discourses that took place during the 5<sup>th</sup> Regional Consultative Process on Migration that was convened by IGAD from the 28<sup>th</sup> to the 29<sup>th</sup> of May 2015 in Kampala, Uganda. The theme for this RCP was labour migration.

The purpose of IGAD-RCP Meetings is to convene policymakers and policy practitioners from government and international agencies to engage in consultative dialogue on improving the management of migration along different thematic clusters. Ultimately, RCPs are meant to facilitate the development of a common position on migration management among IGAD Member States and African Union as provided in the AU Migration Policy Framework (2006). The RCP framework is designed to realize these principal objectives through a three-pronged strategy that:

1. Fosters greater understanding and policy coherence in migration
2. Strengthens regional institutional and technical capacities to implement the Migration Policy Framework for Africa as articulated through:
  - a. The African Common Position on Migration and Development
  - b. The Joint Africa-EU Declaration on Migration and Development
  - c. Other AU and IGAD policies on migration
3. Improves inter-state and intra-regional cooperation on migration management among countries of origin, transit and destination.

In order to achieve this, the Member States and associated stakeholders identified three corresponding priority areas that would be vital to the implementation of the continental AU Strategic Framework for a Policy on Migration in Africa and its regional equivalent, the IGAD Regional Migration Policy Framework. The identified priority areas are:

1. Technical cooperation and capacity building
2. Information collection, dissemination and sharing
3. Formulation and harmonization at the national and regional legislation, policies and administrative practices with regards to:
  - Management of both legal and illegal variants of labour migration
  - Border management especially as it relates to irregular migration, human trafficking and smuggling
  - The mainstreaming of migration in development planning at both national and regional levels

The 5<sup>th</sup> IGAD RCP meeting was organized as part of the continuous process of realizing the recommendations and implementation of the AU Strategic Framework for a Policy on Migration in Africa. Furthermore, it was a demonstration of IGAD's compliance with the AU Assembly

Decisions in Banjul, Gambia that urges all Member States and Regional Economic Communities (RECs) to adopt the Migration Policy Framework for Africa as a blueprint for developing National and Regional Policy Frameworks. Deliberations in this meeting advanced from foregoing discussions in the 2<sup>nd</sup> IGAD RMCC that was held a day previously from the 26<sup>th</sup> to the 27<sup>th</sup> of May 2015 at the same venue.

This preliminary meeting was a closed-door technical session with the departmental heads of immigration and labour from the six IGAD Member States that were present. In addition, discussions of the 5<sup>th</sup> RCP similarly progressed from the findings and recommendations made in the 4<sup>th</sup> IGAD RCP that was held six months previously in November 2014.

Section I of this report presents the draft common position on labour migration. Section II lays out the key findings and summary recommendations arising out of the 5<sup>th</sup> IGAD-RCP meeting. This section also encapsulates the actionable items, identifies crosscutting issues and lays out the conclusion to the meeting. Section III presents summaries of the expert papers presented in the meeting and subsequent deliberations and conclusions from the plenary sessions.

## II. DRAFT COMMON POSITION ON LABOUR MIGRATION

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### DELEGATES OF THE IGAD REGIONAL MIGRATION COORDINATION COMMITTEE

**RECOGNISING** the effects of globalization on Labour Migration and the role of the IGAD region as a source, transit and destination for migrant workers;

**AWARE** that Labour Migration is a complex mix of population displacement and human mobility as induced by factors as diverse as conflict, man-made and natural disasters, development, governance, under development, lack of opportunities, climate change the root causes of migration should be examined and addressed for more effective management;

**ACKNOWLEDGING** that the bulk of Labour Migration from the IGAD region is to destination within the African continent but also towards emerging economies in the middle east and Asian countries as well as developed economies of the global north;

**RECOGNISING** that irregular migration accounts for a significant proportion of labour migrants thereby posing a significant threat to the human rights of migrants as well as the security and stability of the IGAD region;

**CONCERNED** that existing approaches to addressing irregular Migration are dominated by security considerations at the expense of human rights and human dignity and regional development;

**RECOGNISING** that the selective regular migration approaches adopted by more developed countries exacerbate Brain Drain from the IGAD region and constitutes an additional threat to the regional economy;

**CONCERNED** about the negative practices subjected to its citizens primarily engaged as low and semi-skilled labour in the GCC and other parts of the world

**CONSCIOUS** of the substantial contribution labour migrants make to the national economies of IGAD Member States through financial remittances, skills and knowledge transfers;

**EMPHASIZING** the importance of the IGAD Regional Migration Policy Framework as a guiding roadmap to the resolution of the root causes of migration;

**RECALLING** commitments made by Member States and development partners towards enhancement of capacity to manage migration in the IGAD region;

**UNDERSCORING** that inter-state cooperation and dialogue is a key prerequisite to improved migration management including the development of common strategies, harmonized policy, legislation and administration of Labour Migration;

**HIGHLIGHTING** the recommendations of the inter-REC roundtable discussions held in Kigali in March 2015 with regard to achieving the continental objectives on Regional Migration and Labour Mobility as outlined in the AU Agenda 2063

**RECALLING** the principles of preceding regional and continental frameworks on Labour Migration *inter alia*; The IGAD Regional Migration Policy Framework, the 2006 AU Migration Policy Framework, the 2012 AU Plan of Action on Boosting Intra African Trade, which recognizes the key role free movement of people and Labour Migration regulation plays; the resolutions of the 9th Ordinary Session of the AU Labour and Social Affairs Commission held in 2013 that advocates for an AU and RECs Labour Migration Plan which promotes regional and sub-regional labour mobility; The AUC Strategic Plan 2014-2017 whose strategic objective is “to Promote Labour Migration” and the Ouagadougou + 10 Declaration and Plan of Action endorsed by the Special Session of the AU Labour and Social Affairs Commission in April 2014 for whom Labour Migration for regional integration is a priority;

**FURTHER RECALLING** declaration of the 2<sup>nd</sup> UN General Assembly High Level Dialogue on international migration and development issued in October 2013.

**DESIROUS** of adopting the IGAD Common Position on Labour Migration that expresses the collective concerns and outlook of the region in international dialogues and fora;

**THANKING** the IGAD secretariat for coordinating migration dialogue in the region and the Government of the Republic of Djibouti for offering to host the 3<sup>rd</sup> IGAD RMCC in advance of the meeting with Member States of the GCC in 2016;

**HAVE AGREED AS FOLLOWS:**

**On Management of Labour Migration**

To institute comprehensive policy, legislative and administrative measures at national level on Labour Migration that strengthens the capacity of states of origin, transit and destination to oversee Labour Migration.

To institute measures at regional level that improve the management of cross-border labour movements and enhance labour mobility at the regional level.

**On Labour Migrant Rights**

To collectively ensure effective protection of economic, social and cultural rights of labour migrants, particularly the right to retain passports and other travel documents.

IGAD Member States categorically condemn the practice of confiscating the passports and travel documents of labour migrants from the region by employers and call upon the governments of destination countries to curb this illegal practice.



To safeguard the human rights of migrants through domestication and enforcement of the provisions contained in international instruments as they relate to the treatment of migrants.

To cooperate with other countries of origin, transit and destination in securing the dignified return of irregular labour migrants.

### **On Human Capital Development**

To continue creating viable employment and development opportunities within countries of origin as a means of limiting Labour Migration driven principally by unemployment.

To curb the rate of brain drain and retain essential skills for sustainable development through institution of incentives that reverses the flight of highly skilled professionals.

### **On Remittances**

To institute mechanisms that significantly reduce the cost of transmitting remittances and enables them to play a significant role in financing national development.

### **On Diaspora Engagement**

To strengthen and enhance the involvement of diaspora communities in national development processes through implementation of recommendations in the 2004 - 2007 Plan of Action of the African Union *inter alia*; Establishment of a database on experts and professionals in the diaspora, systematic inclusion of diaspora expertise in national development programmes, establishment of mechanisms that facilitate full involvement of diaspora communities in policymaking, electoral processes, economic and socio-cultural life of Member States.

### **On Regional Peace, Security and Stability**

To combat irregular migration through establishment of comprehensive migration management systems that can cope with large-scale, spontaneous flows of migrants

To continuously engage in dialogue with neighbouring origin, transit and destination countries and local host communities as a means of reducing tension and conflict

To step up law enforcement mechanisms to curb the activities of criminal networks that facilitate irregular migration along with the associated circulation of illicit small arms and light weapons and possibly terrorist infiltration

To collectively seek solutions to the challenges posed by irregular labour migratory movements within the broader context of political and institutional efforts at the national, regional and continental level by strengthening mechanisms of political dialogue and institutions mandated with law enforcement and humanitarian assistance.



## **On Regional Initiatives to Manage Labour Migration**

Charge the IGAD Secretariat to:

Scale up efforts to coordinate the development of a common regional policy and position according to the IGAD Regional Migration Policy Framework for the management of Labour Migration taking into account national and regional specificities

Facilitate increased uptake of best practices in Labour Migration by Member States through enhancement of capacity building initiatives at both national, and regional levels.

Launch and sustain regional programmes designed to enable origin, transit and destination countries cope with the challenges of large-scale irregular migration.

Support bilateral and multilateral efforts that aim to achieve effective Labour Migration and realize systematic and regularized movements of labourers, promoting international labour standards and reduce irregular movement of migrants.

## II. Key Findings and Recommendations of the 5<sup>th</sup> IGAD RCP

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1. **Finding:** Participants concluded that the first major factor contributing to the higher rates of abuse and exploitation experienced by labour migrants from the IGAD region is the **fragmented policy and legislative terrain**. The norm is defined by bilateral engagements between countries of origin in the IGAD region and destination countries particularly in the GCC. **This precludes the crafting and adoption of a common position on labour migration** as well as the **setting of enforceable minimum standards** in the treatment of labour migrants from the IGAD region.

**Recommendation:** IGAD Member States are encouraged to accelerate the process of establishing regulatory coherence in the region by signing, ratifying and implementing the applicable International, Regional and National mechanisms that manage the movement of migrants as a pre-condition to standardizing protection of the rights of labour migrants.

2. **Finding:** The legal status of migrants is perhaps the most principal determinants of the probability of human rights violations of migrants. The norm is that **if violation of immigration laws has occurred *ab initio*** at countries of origin, transit or destination, **it will be invariably accompanied by violation of the human rights of labour migrants**. This takes on the form of physical abuse, forced labour, exploitative working conditions, extortion and false detention *vide* confiscation of passports and other travel documents that confer legal status on the Migrant. IGAD Member States therefore recognize that the 'original sin' is a product of excessive restrictions or lacunas in policy, legislative and administrative provisions designed to regulate the movement of migrants and subsequently protect their human rights.

**Recommendation:** There was consensus among IGAD Member States on the need to **finish harmonising cross border migration management regulations**. Specifically, Member States were urged to review migration laws with the understanding that constraints to a reasonably free flow of labour raises the likelihood of migrants compromising their human rights by resorting to illegal migration channels. These illicit migration transactions are the entry point through which a majority of labour migrants are subsequently captured and exploited.

3. **Finding: Labour migrants are an asset to both the host and destination country.** This is measurable in terms of the financial remittances they make, labour gaps they fill and technical know-how they transfer. Participants at the meeting therefore concluded that the potential of migrants to invest in their countries of origin can be better realised by ensuring they are able to access consular services and assistance whilst abroad and where possible granting dual citizenship status which confers upon them an additional layer of protection.

**Recommendation:** A deliberate policy of protecting labour migrants through **entry into Bilateral Agreements with destination countries** was proposed. However these are to be underpinned by the ratification of various instruments that constitute the international labour standards<sup>1</sup> so that Member States can fall back upon international regulations in the event of a dispute. In the same vein, it was recommended that the IGAD region advocate for a reciprocal adoption and ratification of international labour conventions and protocols by those destination countries that are not compliant.

With regard to remittances, Member States were urged to do two things; One, review restrictions in the financial system that in order to **lower the cost of money transfer**. Two; partner with the private sector to **develop asset programmes and financial instruments that funnel remittances away from consumption** and reroute them towards nation building/ economy boosting investments.

4. **Finding:** It was observed that the IGAD region hosts a complex migration environment, where **migrants 'switch' their identities between asylum seekers and economic migrants**. This occurs as they move from origin, transit and destination countries. In addition, the IGAD region is characterised by irregular and mixed migration flows with labour migrants frequently forsaking the shelter of the law as they fall into the hands of migrant smugglers and human traffickers

**Recommendation:** Member States are therefore urged to **prioritize the adoption, ratification and implementation of specific conventions and protocols** designed to respond to irregular migration *inter alia*; UN Convention against Trans-national Organized Crime (2000) as well as its two attendant Protocols:

- The UN Protocol to Prevent, Suppress and Punish Trafficking in persons, Especially Women and Children
- The UN Protocol against the Smuggling of Migrants by Land, Sea and Air.

In addition Member States should work closely with IOs and NGOs to develop **awareness raising programs targeting potential migrants** to warn them of the dangers of irregular migration and provide rehabilitative and restorative services to migrants who have been the victims of human traffickers.

5. **Finding:** Delegates at the meeting noted that there continues to be **a time-lapse in the statistical data covering labour migration in the region**. In addition, the quality of data available to Member State governments was said to be of lower grade compared to other regions that export labour on a large scale e.g. The Philippines. This meant that there is an insufficient body of reliable data and documented case studies from which thoroughgoing analysis and credible projections can be made to inform policy.

**Recommendation:** The meeting advocated for strengthening of **'information partnerships'** and deeper cooperation between Member States as well as with regional international actors engaged in the management of labour migration for instance the EAC,

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<sup>1</sup> These include ILO convention 7 on Migration for Employment and ILO Convention 143 (supplementary provisions) on Migrant Workers and the UN Convention on the Protection of the Rights of Migrant Workers and Their Families

ILO, IOM, UNHCR and RMMS. Collectively these institutions and the Member States were advised to move towards establishing an institutionalised platform for the gathering and dissemination of quantitative migration data and qualitative case studies.<sup>2</sup>

6. **Finding:** The deliberate **inclusion of migrants in policymaking is beneficial to both national and the regional policy formulation outcomes**. Migrants are critical in the identification of development priorities and areas of dialogue with the host governments.

**Recommendation:** The IGAD Member States were urged to **establish and reanimate diaspora and welfare communities** as a means of keeping in touch with their citizens aboard. The Kenyan model that leverages on technology to facilitate online registration of labour migrants was greeted with enthusiasm as it eliminates the bureaucracy and inconvenience of having to travel to the resident mission or consulate. Member States were urged to dispense with restrictive migration policies that cement the gap between migration and development

### Supplementary Recommendations of the 5<sup>th</sup> IGAD RCP On the IGAD-RCP *Modus Operandi*

- The meeting noted that the format of presentations by Member States needed to be standardised in order to smooth out the process of comparison. Delegates recommended the circulation of *aide memoires*
- The meeting observed that though the RCP platform was more than adequate in terms of experience-sharing, the establishment of more task-specific mechanisms to implement recommendations of the RCPs was absolutely essential.

### On Upcoming IGAD-RCPs

- IGAD RCPs should endeavour to secure the principal policymakers on the running theme from each of the host countries to preside over the meetings as the chief guest. This is with the caveat that a stand-in be identified in advance to serve in lieu of the proposed chief guest should he/she be delayed or indisposed.

### Limitations of the 5<sup>th</sup> IGAD RCP

The choice of a leading policymaker i.e. the Minister for Labour, Gender and Social Affairs as the chief guest for the RCP was ideal. However, unexpected demands on his schedule impacted negatively on the programme of the RCP leading to a significant interval and subsequent restructuring of the programme.

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<sup>2</sup> The National Consultative Mechanism (NCM) established by Uganda is one such possible mechanism

### III. Proceedings of the 5<sup>th</sup> IGAD RCP

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**Day 1: Thursday, 28<sup>th</sup> May 2015**

**Opening Ceremony: 09:00am – 09:45am**

<b>WELCOME / OPENING REMARKS</b>
<b>Remarks by IGAD:</b> Fathia A. Alwan Program Manager, Health & Social Development; IGAD for Amb. (Eng.) Mahboub Maalim, Executive Secretary IGAD
<b>Remarks by the IGAD Chair:</b> Mr. Teferi Melesse Desta, Director of Diaspora Affairs, Ministry of Foreign Affairs, Federal Republic of Ethiopia
<b>Remarks by IOM:</b> H.E. Mr. Josiah Ogina, Chief of Mission, Representative to the AU/IGAD/ECA, IOM Special Liaison Office, Ethiopia
<b>Remarks by ILO;</b> Dr. Cynthia Samuel-Olonjuwon; Chief, ILO Regional Programme for Africa, Addis Ababa, Ethiopia
<b>Opening Remarks by the Host Country and Guest of Honour:</b> Hon. Dr. Kamanda Bataringaya, Minister of Gender, Labour & Social Development, Republic of Uganda
<b>Moderator:</b> Caroline Njuki, Regional Migration Coordinator, IGAD secretariat

**Ms. Fathia Alwan**, IGAD Programme Manager, Health & Social Development welcomed participants on behalf of the IGAD Executive Secretary Amb. (Eng.) Mahboub M. Maalim to the meeting. In her remarks she thanked the Government of Uganda and in particular Hon. Dr. Kamanda Bataringaya, Minister of Gender, Labour & Social Development for hosting the meeting. She also thanked IGAD Member States and partners especially the ILO and IOM for the role they play in collaborating on the management of labour migration in the region. Ms. Alwan highlighted that the RCP was a joint dialogue platform launched in 2008 between IGAD, the AU and IOM. She noted that the RCP incorporated not just IGAD Member States but also transit and destination countries in Europe, North America and the Middle East. She noted that the 5<sup>th</sup> RCP comes at opportune time given recent developments such as tragedies in the Mediterranean, mass deportations from Saudi Arabia and xenophobic attacks on labour migrants in South Africa.

Ms. Alwan informed the meeting that the IGAD Member States had been locked in deliberations for the previous two days in the 2<sup>nd</sup> RMCC meeting where they had come up with a common position and action points on labour migration for the region. These would be presented to the RCP and submitted to the council of IGAD ministers for adoption ahead of a special meeting between IGAD Member States and the GCC slated for October 2015.

**Mr. Teferi Melesse Desta**, Director of Diaspora Affairs, Ministry of Foreign Affairs, Federal Republic of Ethiopia, thanked the Republic of Uganda for hosting the delegates at the 5<sup>th</sup> RCP, the IGAD secretariat and IOM for organising the meeting and the Swiss Confederation for supporting efforts to respond to the challenges and opportunities arising out of labour migration in the IGAD region. He noted that the 21<sup>st</sup> century was one of human mobility and migration. He quoted IOM statistics that indicated there are over 242 Million international migrants and 714 Million internal migrants. This means that 1 in 7 people on the planet are migrants. He noted that according to the World Bank, by 2050 there will be more than 400 Million international

migrants and therefore entire economies, societies or cultures were no longer immune to external influence. He observed that migration was desirable and advantageous when well governed. He observed that various push and pull factors drive migration but notably, rising economic disparities, political conflict and environmental degradation were the principal factors driving massive population movements across the globe. In his remarks, he noted that South-South migration was gaining significance especially among young people and human traffickers. He concurred that the RCPs provide a unique opportunity to address the migration challenges facing the region through the building of effective partnerships and broad cooperation among the Member States.

He updated the meeting that Ethiopia has already begun implementing the recommendations of the 4<sup>th</sup> RCP specifically the strengthening of regional cooperation on migration policy, information sharing and screening. At the domestic level, regular meetings focussing on migration have begun to be held from the highest to the lowest levels of government. Ethiopia has established a committee to regulate the employment of regular migrants, provide vocational training for those intending to travel abroad and loans to start business for returnees from the Middle East. He regretted that constraints in technical and financial resources were slowing down efforts to enforce joint border administration, creation of more reception centres and implement emergency evacuation procedures. He noted that in spite of this, focus should be on how partnerships between IGAD Member States, International Organisations and partners as well as the private sector can be leveraged to mobilise more resources that lead to durable solutions. In closing, he assured the meeting of Ethiopia's unwavering commitment to dealing with labour migration and expressed its full support for the outcomes of the 5<sup>th</sup> RCP.

**H.E. Mr. Josiah Ogina**, Chief of Mission, Representative to the AU/IGAD/ECA, IOM Special Liaison Office, Ethiopia began by noting that the IGAD RCP is the youngest yet the possibly most vibrant in the world. It has met consistently on an annual basis and has recently ramped up engagements to a bi-annual basis in order to accelerate the pace of dialogue. Mr. Ogina, note that since 2012, the RCP has made significant progress as illustrated by the interest and support it has generated among external partners notably the Swiss Government which has committed to supporting a capacity building programme on migration management for Member States in the region. These efforts are designed to domesticate regional policy and also realize the objectives of continental policy. Mr. Ogina informed that the IGAD RCP has become a model for emulation by other RECs for instance; ECOWAS has borrowed approaches of the IGAD RCP in applying AU policies at the national level.

Mr. Ogina reiterated that the 5<sup>th</sup> RCP comes at a momentous time given the large waves of migrants making their way to Europe whilst at the same time, large numbers of labour migrants were being repatriated from the Middle East. He urged the meeting to begin examining intra-regional labour migration between IGAD Member States and what policy interventions need to be formulated in response to this phenomenon. He also highlighted the phenomenon of 'Brain Waste' from the IGAD region. This is where highly skilled migrants are unable to secure employment that is commensurate to their qualifications and instead they are engaged as unskilled or semi-skilled labourers. He suggested that one possible solution would be to enhance intra-regional labour mobility so as to retain these skills in the continent and reverse 'Brain Waste' into 'Brain Gain'.

On remittances, Mr. Ogina observed that positive steps had been made in establishing the African Institute of Remittances in Nairobi on 20<sup>th</sup> November 2014. Mr. Ogina expressed the hope that the IGAD region ought to capitalize of this facility. He highlighted other continental efforts to address management of labour migration through the Joint Labour Migration Programme (JLMP). He stated that this programme was one of the practical measures instituted by the AU to address matters arising out of labour migration for instance; portability of social benefits and transferability of qualifications. He thanked the Government of Uganda for hosting the 5<sup>th</sup> RCP and wished the meeting fruitful deliberations.

**Dr. Cynthia Samuel-Olonjuwon;** Chief, ILO Regional Programme for Africa, Addis Ababa, Ethiopia began by thanking the IGAD secretariat and IOM for inviting ILO to the 5<sup>th</sup> RCP. She apprised the meeting that the 24<sup>th</sup> assembly of the AU adopted a continental agenda that committed to creating employment, eradicating poverty and fostering inclusive development. She noted that 4 priority areas that the AUC, RECs and Member States would focus for the next 10 years. First is the promotion of youth employment with a subset on women's employment. Second is effective labour migration governance that would foster greater regional integration. Third is social protection to foster inclusive development in order to bridge the inequities that exist between and within regions. Finally, there is improved labour market governance. Dr. Samuel-Olonjuwon contended that these intervention areas are interconnected and would contribute to stemming the desire by young people to risk their lives by engaging in illicit labour migration. In this circumstance, migration would become a choice rather than a compulsion. She expressed pleasure that the heads of states in adopting the policy on labour migration directed that implementation plans be developed immediately for the realization of the objectives that had been set out. She highlighted the JLMP as the most visible indicator of this commitment and the clearest signal yet that the AU had strengthened its mandate to lead in shaping the future of the continent. She said that discussions around the post MDG agenda emphasised on UN agencies abandoning the 'lone ranger' approach to doing things in favour of partnership building and cooperation with RECs and individual Member States. In closing, she reminded the meeting that migrants are not criminals and pointed to the ILO convention to develop an effective mechanism for addressing labour migration. She argued that labour migration management applies more to RECs considering that 65% of sub Saharan labour migrants remain within this region. The figure is higher in the ECOWAS region at 80% and therefore the focus should be on building local solutions to these local problems.

**Dr. Kamanda Bataringaya,** Minister of Gender, Labour & Social Development, Republic of Uganda recognized the distinguished delegates at the meeting. He made reference to his detailed opening remarks to the 2<sup>nd</sup> meeting of the IGAD RMCC two days previously where he had outlined the measures being undertaken by the Government of Uganda in managing labour migration. He expressed confidence that this meeting would significantly contribute to the development a comprehensive mechanism for labour migration for the region.



## Session 1: 09:45am – 1:00pm

### SETTING THE CONTEXT

**Objectives and expectations of meeting:** Ms. Caroline Njuki, Regional Migration & IGAD-Swiss Partnership Coordinator, IGAD

**Presentation of the background paper on the Labour Migration dynamics from and in the IGAD region:** Mr. David Ndegwa: IGAD/ IOM Labour Migration Expert

**Plenary discussion on background paper**

**Moderator:** Ms. Caroline Njuki, Regional Migration & IGAD-Swiss Partnership Coordinator, IGAD

**Ms. Caroline Njuki**, Regional Migration & IGAD-Swiss Partnership Coordinator, IGAD began her remarks by reiterating that migrants from the Horn of Africa continue to move in search of job opportunities, principally in the service sector. These populations support a larger community back home through remittances. However, recently we have seen an unprecedented rise in the violation of migrant's rights particularly in the GCC. She noted that the majority of those affected are domestic workers where reports of physical and sexual abuse, slavery have been documented. Ms. Njuki pointed out that Labour migration in the IGAD region to the GCC is largely organized by private employment agencies through the *Kafala* system where a *Kafeel* (sponsor) facilitates and vouchsafes the entry of foreign workers. The employment agencies engage the *Kafeels*, source opportunities, negotiate contracts and facilitate travel. She posited that the *Kafala* system instead creates an asymmetrical relationship that subsumes the rights of the employee in favour of the employer and unscrupulous *Kafeels* have been involved in negotiating dubious contracts that do not offer any protection for the migrant workers. Ms. Njuki pointed out that practices such as confiscation of travel documents, forced labour and denial of social protection such as Medicare have been highlighted as some of the worst practices associated with this system. Ultimately, the *Kafala* system when abused constitutes a form of indentured labour because is restrictive of labour mobility and curtails the right of the migrant worker to seek better employment opportunities.

It was against this background that the 5th RCP Meeting was convened to facilitate Member States as well as other relevant stakeholders to engage with each other on the status and dynamics of labour migration in the IGAD region and towards the GCC countries. Ms. Njuki stated that goal of the meeting was determine ways in which to increase coordination and management of labour migration, with a special focus on the protection of migrant workers. In reference to the concept note for the 5<sup>th</sup> RCP meeting Ms. Njuki reminded the meeting that expected outputs of the meeting were:

1. Forge a common understanding of labour migration realities and dynamics from and in the IGAD region and to have an overview on labour mobility on a regional and continental level;
2. Make recommendations both on policy and practice to contribute towards improved labour migration especially protection of migrants and ultimately migration governance in the region as provided for in the IGAD Regional Migration Policy Framework;
3. Update on the current state of play on national coordination mechanisms in IGAD Member States;
4. Agree on the development and the modalities of an RCP recommendations reporting tool.

**Mr. David Ndegwa**, IOM Labour Migration consultant, made a presentation in 8 parts that set out the context of Labour Migration in the IGAD region:

Part I spoke about the **Regional Context** where he tabled a Demographic accounting equation which is affected by various factors *inter alia*; deportation from KSA of Ethiopians and Sudanese, Xenophobic attacks in South Africa, War in Yemen, Mediterranean deaths, Burundi instability, South Sudan war, Drowning of Ethiopians in Lake Malawi, Terrorist attacks in Kenya and Uganda and the Ebola outbreak in West Africa.

Part II outlined the **IGAD RCP** since 2006 and noting that what was needed is an agreement on how to track progress and results from the RCP's.

Part III traced Labour **migration trends in the IGAD region by destination** where he tabled statistics showing that most labour migrants in the IGAD Member States remain in the region but migrants destined for North Africa, Gulf States, Europe and North Africa tend to go there as refugees and asylum seekers who then secure employment.

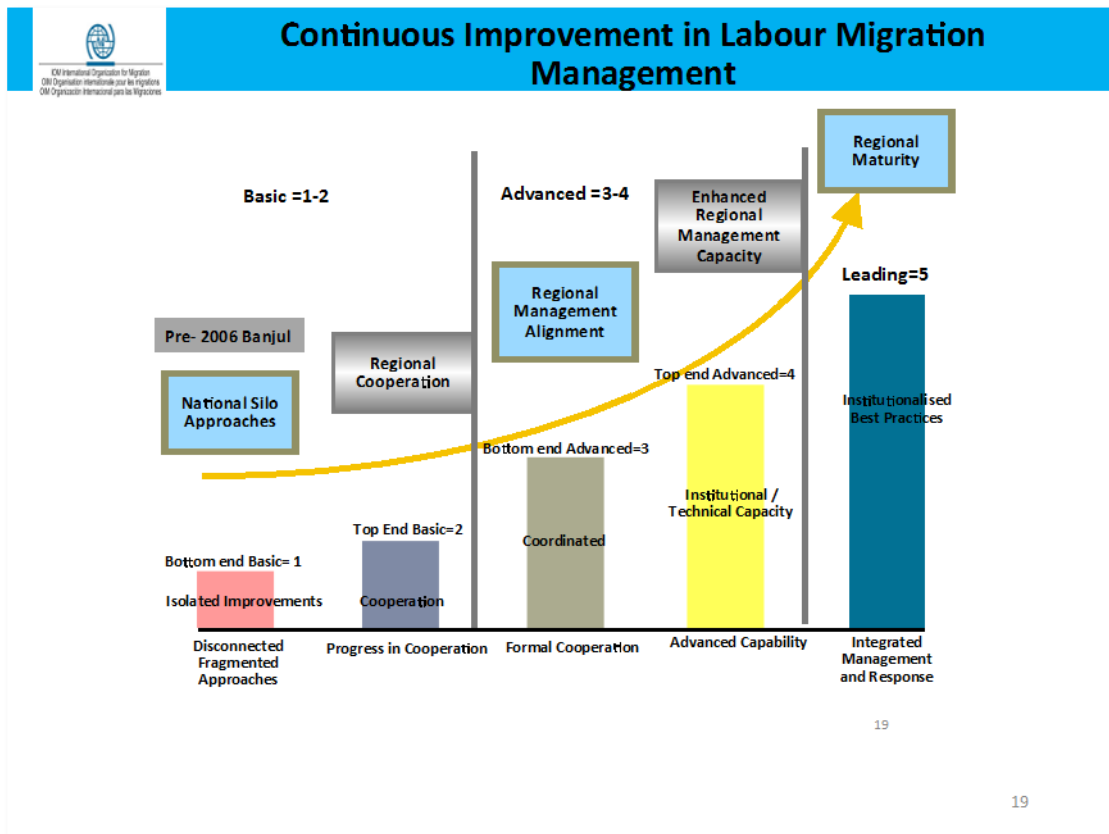
Part IV of the presentation showed Labour **migration trends in the IGAD region as a percentage of labour force** where the most significant finding was that there is a direct relationship between the level of Labour Migration and the level of political instability in IGAD Member States for instance in the case of Somalia.

Part V dealt with Remittances in which a data range between 2005 and 2009 showed that remittances doubled in almost IGAD Member States but tripled in Sudan. The consultant was quick to note that these figures did not capture remittances made through informal channels but were expected to continue growing. He argued that there was a need to leverage mobile platform and other technological advances and reduce transactional costs in order to maximise the efficiency of the 'remittance economy'.

Part VI examined Mixed **Migration** in which a global map was presented reflecting the fact that the largest share of refugees and asylum seekers on the African continent originate from and are hosted by IGAD Member States.

Part VII traced the 3 preferred **Migration routes**; to Europe across the Mediterranean on unseaworthy vessels, to Southern Africa through several countries with instances of numerous deaths and to Yemen and KSA through the Gulf of Aden.

Finally the presenter tabled a draft **Framework for Assessing Progress in the implementation of the IGAD RCP Objectives** in which he tracked the progression of improvement in Labour Migration management as illustrated below.



He also invited the meeting to interrogate the **level of attainment for 5 major RCP objectives** i.e. Policy, Regional Cooperation, Enhancing Capacity, Good Practice and Research Dialogue. He concluded with the following observations from which recommendations on areas of improvement can be inferred:

1. **Policy:** various protocols governing Labour Migration have been ratified and laws relating to protection of migrants, recruitment of migrant workers, diaspora, regulation of private employment agents, and anti-smuggling and human trafficking instrument, however major gaps persist around harmonization of policies.
2. **Regional cooperation:** the existence of IGAD's RCP and RMCC as well as the formulation of the RMPF is a huge milestone but persistent insecurity and lack of implementation remains a major gap.
3. **Enhancing institutional and technical capacity:** the region has also posted significant progress particularly in border management and security and in protection nevertheless, institutionalisation of technical capacity still need to be ramped up.
4. **Dialogue and research:** there exists a major gap on awareness campaigns to combat xenophobia, racism, social exclusion, discrimination; human rights abuse, crime and poverty
5. **Good practices:** work needs to be done around integration of border posts, rights based approach, portability of social benefits, skills retention strategies, eliminate child labour

## Plenary Responses to Expert Presentation

### On Migration Trends

1. Participants appreciated that patterns of migration seem to be shifting to a south-south orientation and questioned whether the IGAD region was ready to respond to the simultaneous demand for labour from the continent and the global north.
2. Delegates debated the Implications of infrastructural linkage development on migratory movements and subsequent impact on inter alia; health, labour and security sectors. They concluded that the mainstreaming of migration data and projections in to development discourses was the only sure-fire way to adequately prepare for what appeared to be a looming crisis in the region.
3. Delegates observed that there were greater migratory movements through the northern (Libya) route in spite of political instability. This was attributed to the absence of order, which allows for greater levels of trafficking to preferred destinations in Europe. In addition the Egypt>Israel>Syria>Turkey route has been closed to increased security measures and conflict

### On data used in the study

1. Participants advised that the paper rely on more current data in order to present an accurate picture of the current state of play. For instance, the data for Sudan and South Sudan was still aggregated, reflecting a pre independence timeframe. It was suggested that the expert may draw upon statistics domiciled at ILO Delegates stated that the percentage based visualisations occasionally presented by the expert may reflect skewed realities in comparison to absolute numbers. The consultant urged to present both scenarios in order for participants to have a more accurate picture.
2. Participants acknowledged that the clandestine nature of human trafficking means that accurate data collection on labour migration in the region is difficult. It was recommended therefore that efforts must be made to better understand patterns of irregular and mixed migration flows.
3. There was consensus in the meeting that data collection and analysis capabilities among Member States need to be strengthened.

### On Remittances

1. Participants advocated for the emplacement of policy guidelines and investment frameworks for remittances in order to reduce losses through conspicuous consumption and mitigate vulnerability of labour migrants upon their return
2. The consultant was advised to examine south-south remittances as well
3. Delegates recommended that Member States could leverage on existing opportunities and mechanisms for remittances (M-Pesa, *Dahabshii*, MamaMoney)

### On Labour Migration Management

1. It was observed that Africa has some of the most restrictive migration regulations, which in turn drive the inter-regional market for human trafficking (Multiple entry visas are a novelty in the region)
2. It was pointed out that the IGAD region could benefit from examining the protocol on free movement of persons in ECOWAS region which is one of the best examples of facilitating south-south migration
3. It was recommended that the Member States ratify protocols on free movement of persons as a prerequisite for regional integration

## Session 2: 2:00pm – 5:30pm

### MEMBER STATE UPDATES

#### Country Presentations on the current state of Labour Migration dynamics in the IGAD Region:

- Djibouti
- Ethiopia
- Kenya
- Somalia
- South Sudan
- Sudan
- Uganda

OBJ

**Moderator:** H.E. Mr. Josiah Ogina, Chief of Mission, Representative to the AU/IGAD/ECA, IOM Special Liaison Office, Ethiopia

The IGAD Member States proceeded to provide updates on the status of management of labour migration in their respective countries.

#### DJIBOUTI (Oral Rendition)

**State of Labour Migration:** The delegate from the Republic of Djibouti informed the meeting that it has an estimated population of between 30,000 to 50,000 labour migrants working in-country. The migrants are mainly engaged in the construction of large-scale infrastructure projects such as the port expansion and railway line between Djibouti and Addis Ababa. These migrants are benefiting from a holistic induction and orientation programme on the laws and culture of Djibouti.

**Challenges & Responses:** The country is facing some challenges stemming from the influx of highly skilled expatriate workers. In response to the excess supply of foreign labour, the country has raised work permit fees from USD 120 to USD 200 as a measure to protect local workers

#### ETHIOPIA (Scripted Report)

The Ethiopian delegation presented a **5-point** presentation focussing on the human trafficking aspect of labour migration. Under **Institutional building**, it was observed that the Ethiopian Government established a National anti-trafficking council in 2013 constituted by the 13 most relevant government Ministry's, 9 regional presidents, 2 mayors and representatives from civil Societies (CETU, EEF, COC, and Religious Fathers, youth association, Women association). This council enjoys support in the highest levels of government being chaired by the Vice Prime minister of FDRE and cascaded to at all levels of government. The council implements its mandate through a task force that focuses on 3 main themes; Media & awareness raising, Law enforcement and training & fundraising. Ethiopia has also undertaken to reorganize its directorate of employment in order to devolve its functions to the *woreda* level and strengthen the inspection system.

Within the **Policy and legal framework**, Ethiopia has reviewed existing laws with regard to employment abroad. Specifically **employment exchange proclamation 632/2005** has been amended and submitted to the responsible organ for approval. Following events in Saudi Arabia that culminated in the forced repatriation of Ethiopian migrants, the government has temporarily suspended the deployment of Ethiopian nationals to any country for labour purposes. The delegate also informed that the government is preparing a law to prevent and combat human trafficking and smuggling of migrants the first draft of which is under discussion at the ministerial level. Similarly an attendant National Plan of Action for the next 5 years also has been prepared is under discussion with stakeholders. The government of the FDRE has issued a directive to the national Bank of Ethiopia ease currency controls with regard to the sending of remittances. Furthermore negotiations with money transfer Companies is under way where the use of branch offices of the Commercial Bank of Ethiopia is under consideration.

The delegate from Ethiopia noted that the government is responding to challenges in **Research and Development** for instance lack of data on migration needed to formulate appropriate strategies and policies. With this regard the Ministry of Labour and Social affairs has undertaken two assessment surveys with ILO, IOM and 4 local universities (Adama, Semera, Hawassa and Haramaya) to determine the needs of returnees from the Kingdom of Saudi Arabia. With regard to **Prevention**, the Government of Ethiopia has launched a national awareness creation campaign to show the community the good and bad side of migration. The campaign is rolled out through both print and electronic platforms *inter alia*; TV and Radio documentaries, Newspaper Articles, Sporting events, Billboards, banners, posters and brochures. In addition to this, National and Regional conferences with the theme "*It is possible to fight trafficking and use opportunities in the nation*" have been convened in conjunction with IOM in the regions affected most by migration. Under this programme, a trafficking prevention manual was developed and translated into the three main national languages (Amharic, Oromofa, and Tigreñ). Within this programme, 4 regions, 13 administrative zones, 60 *woredas* and 313 localities constituting the lowest administrative level were reached. The programme also trained 680 facilitators to work with communities that are vulnerable to human trafficking. One of the new requirements to facilitate the sending of Ethiopian citizens to destination countries was conclusion of bilateral agreements on migrant protection. The Ministry of Labour and Social Affairs as well as the Ministry of Foreign Affairs have been charged to develop sufficiently protective agreements.

The delegate reiterated the position that government of Ethiopia is not anti-migration but advocates for it to happen within the confines of the law. To this end, he shared that the FDRE has developed manuals on Pre-employment and Pre-departure orientation as well as facilitating skills training as a tool to protect the rights and dignity of labour migrants. With this regard the government identified house keeping and care giving as the two main occupations engaging labour migrants and developed a curriculum to be used in training. The government went on further to select 40 vocational training institutions to deliver the content and engage experts from the Philippines in a training of trainers' workshop. The Ethiopian government recognizes that the most effective form of protection is the creation of viable employment opportunities in country. It has embarked

on applying pro poor policy programming approaches that result in the creation of job opportunities through newly created large investment programmes and Mega Projects, creating a conducive policy environment for Micro and small enterprises and charging each regional state and city administrations to create job opportunities for the youth and unemployed population by granting shade (working place) loans. Still under prevention, the government of Ethiopia has undertaken the training of police officers, judicial officers and labour officers on human trafficking and migrant smuggling of people.

Finally under **Cooperation and Partnership**, the delegate regretted that little has been achieved. He however noted that the government of Ethiopia is trying to work with international, regional and neighboring countries to curb human trafficking and pointed to the establishment of 5 border management committees (with Kenya, Sudan, Djibouti, Somalia and S. Sudan), The country's active participation in migration discourses under the auspices of IGAD and the AU with the input of IOM and ILO.

### **KENYA (Oral Rendition)**

**State of Labour Migration:** The delegate from the Republic of Kenya reported that on one hand Kenya receives many asylum seekers who seek secondary status as economic migrants. He also noted that on the other hand, the Middle East and the Gulf region constitute the primary destinations for Kenyan labour migrants. He also highlighted that Kenya is a major transit country for labour migrants and subsequently, the immigration laws are sufficiently flexible to allow for one to apply for and receive a visa upon entry. He stipulated that Kenya's position as regional transport hub in addition to sharing long and porous borders with countries that have experienced instability has made it a principal destination and transit country for migrants. He noted that social interventions by the government such as universal primary and secondary education have had the unintended consequence of flooding the labour market with qualified individuals and subsequently driving up labour migration.

He stated that historically, Kenyans have migrated principally for political and economic reasons especially in the single-party era during which the country was in the economic doldrums. He noted that since 2002, there has been a significant change almost amounting to a reversal in migration patterns for the country as more Kenyans in the diaspora begun returning to participate in the political and economic revival of the country. Current trends indicate that Kenyans now migrate on a short-term basis for educational and trade purposes and even those who take on employment overseas repatriate their earnings back into the Kenyan economy. It is with this in mind that Kenya launched its foreign policy that focuses heavily on economic diplomacy particularly targeting the diaspora community.

With regard to the GCC countries, he stated that Kenya had only 70 recruitment agencies and few unskilled migrants in the GCC in the 1990's. This has changed significantly since 2010 where this number has shot up to over 2,000 recruitment agencies and a spike in the reported cases of abuse of Kenyan nationals working as domestic workers in this region. This prompted the government to place a moratorium on the export of domestic workers to the GCC and established a vetting committee to certify recruitment agencies in



the country. So far 55 have been cleared to continue operations. He states there was a challenge in protecting the over 150,000 undocumented Kenyan nationals who engage directly with these agencies without notifying the Government in addition to another 2,000 illegal migrants. Kenya has established a **taskforce on the administration of foreign employment and management of labour migration** whose core function is to benchmark best practices from labour sending countries that have robust protection mechanisms for their nationals abroad such as the Philippines.

**Challenges & Responses.** He stated that the challenges faced by these individuals range from human and workers rights abuses to difficulties with integrating legally, socially and culturally in the destination countries. The government faces a challenge with the absence of bilateral agreements especially in the case of domestic workers. He updated the meeting that the Kenya government is addressing some of the loopholes in its policy and legislative frameworks through the formulation of a diaspora policy that encourages Kenyans abroad to collectivise in welfare and diaspora associations that afford them a degree of safety in numbers in addition to easing the process of extending consular services to Kenyans abroad. He said that Kenya is in the process of establishing a **national diaspora council** whose mandate will be to conduct research and establish benchmarks on the best practices on diaspora engagement. Kenya has also established a **diaspora portal** to allow Kenyans abroad to register their presence without necessarily having to go to the Kenyan embassy or consulate in their country of employment. The government is also collaborating with financial sector institutions and telecoms companies to ease the process of making remittances through **specially designed diaspora accounts** and the *Mpesa* platform. The government is also undertaking a media campaign to raise awareness on the pitfalls of illegal labour migration and specifically outlines a **checklist of do's and don'ts for potential labour migrants**.

## SOMALIA (Oral Rendition)

**State of Labour Migration:** The delegate from the Federal Republic of Somalia began by noting that due to the protracted conflict and subsequent collapse of institutions, the country did not have any sufficiently reliable data on labour migration patterns. This problem was further compounded by the fact that Somalis generally enjoyed *prima facie* status as refugees *before* they applied for secondary status as economic migrants. In addition, the tradition for Somalis in the diaspora is for them to establish enterprises within the destination countries rather than seek employment. It was mooted that in spite of being party to over 14 international conventions and protocols on labour and migration, the laws of Somalia do not provide sufficient protection for all workers, including migrant workers. Currently, the **1972 Labor Code is used in the absence of specific legislation on labour migration** but the Somali cabinet has approved a new labour migration law which is awaiting enactment by the federal parliament.

He however reported that the rate of returnees has been on the increase as the country moves towards a more stable footing and that the government has been engaging them on the best practices in return and reintegration. One of the clearest recommendations made by returnees is to **strengthen the Office of Diaspora Affairs**. The second recommendation is to **establish a diaspora policy** that institutionalized the process of

return and reintegration. The third recommendation is to **restructure the remittance economy** valued at USD 2 Billion annually from the informal payments made to individuals, families and clans for subsistence purposes to collectivised mechanisms that are designed specifically for investment. He advised the meeting that Somalia was with the assistance of IOM and AMISOM borrowing the '*One Dollar Campaign*' from Rwanda to mobilise Somalis in the diaspora to contribute and participate in national reconstruction.

**Somalia Taskforce on the Yemen Situation:** UNHCR and IOM are co-leading the inter-agency *Somalia Task Force on Yemen Situation*. The Task Force reports to the UN Humanitarian Coordinator, with members drawn from UN agencies, international and local NGOs. Regular coordination is taking place with the Task Force established by the Federal Government of Somalia led by Ministry of Interior and Federal Affairs (MOIFA). The Task Force is coordinating the humanitarian response to support arrivals from Yemen, and their return and reintegration to designated areas of return.

**Recommendations;** The delegate from Somalia concluded by highlighting some recommendations that would assist the country and the IGAD region to respond to the challenges of labour migration.

1. Strengthen Data Collection and Analysis and Information Sharing and Coordination in order to get an informed and evidence-based understanding of the full impact of the crisis dimensions of migration, including on the impact of the return movement on populations and communities.
2. Needs assessment of government capacities (security, judicial, administrative and logistical, including at borders) to manage return movements, including cyclical migration and the return of rejected asylum-seekers abroad.
3. Security situation assessments that factor in the capacity of the security sector to maintain public order and security as well as continued monitoring and updating of safe return routes and logistical modalities

## **SOUTH SUDAN (Oral Rendition)**

**State of Labour Migration:** South Sudan informed the meeting that besides being a source and transit country it is also in a position of being a destination country in that it experiences a net inflow of labour immigrants compared to the rest of the region. This is occasioned by the skill and education gaps in its own population caused by instability during its long war for independence. The country has scores of undocumented labour migrants from neighbouring countries many of whom were unable to find shelter under the provisions of protection of civilians mechanism when the civil crisis broke in December 2013. During the war, labour migration was minimal and dominated by humanitarian aid workers. Since signing of the Comprehensive Peace Agreement, efforts have been made to register foreign nationals working in South Sudan. In 2013 it was estimated that over 35% of South Sudan's population consisted of foreign nationals.

**Challenges & Responses:** Foreign nationals occupy a disproportionate number of employment positions both in the public and private sectors. This raises the levels of

unemployment among South Sudanese nationals leading to smuggling and human trafficking along its weakly policed borders.

## SUDAN (Oral Report)

**State of Labour Migration:** The delegate for Sudan indicated that the country has a reputation for its liberal policies with regard to migration especially with regard to refugees. He stated that Sudan was engaged in negotiations with South Sudan towards the implementation of the **'four freedoms' agreement** allowing citizens of both states to enjoy freedom of residence, freedom of movement, freedom to undertake economic activity and freedom to acquire and dispose property. He stated that Sudan has approximately 4.5 million labour migrants living in diaspora communities around the world and this large number has had the effect of **brain drain** on the country. He stated that the **'economic drain'** of labour emigration on Sudan is very high. He estimated that Sudan spends USD 1.5 million to train a physician who then emigrates to the global north or the GCC. He also noted that the country is also experiencing a **'youth drain'** with the average age of a labour emigrant estimated at 28 years of age compared to 33 years for other labour exporting countries such as Philippines and India and 38 years for developed countries.

**Challenges & Responses:** He registered concern over the fact that Sudan is a major transit country along Africa's northern migration corridor that was being used by human traffickers to funnel immigrants to Europe through the treacherous Mediterranean passage. In response Sudan was at the forefront of forging the partnership between the AU and EU to combat trafficking in 2013 also known as the **'Khartoum process'**. This was followed up by a ministerial meeting that culminated in a joint declaration in Rome, Italy by the EU to jointly tackle irregular migration. In the protection of labour migrant rights, Sudan has been attempting to hold **bilateral talks with the Kingdom of Saudi Arabia** but they are yet to revert. Sudan is working to animate welfare and diaspora associations abroad as an avenue of gathering data on the state of labour migration and offering services to its nationals abroad. On the GCC crisis, Sudan has placed a **moratorium on the export of domestic workers** until effective protection frameworks are put in place. Sudan is working with IOM to fight trafficking and smuggling through the red sea on the supply side whilst improving employment opportunities at home on the demand side. In conclusion he noted that Sudanese abroad have a high rate of dependants approximated at 53% of income, which limits the rate of remittances to the country.

## UGANDA (Scripted Presentation supported by Oral Rendition)

**Brief on Externalisation of Labour Programme.** The first delegate from the republic of Uganda briefed the meeting on the national labour migration programme which falls under Statutory Instrument No. 62 of 2005, *The Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005*. Under this regulation, private companies are licensed to source and formally/officially place Ugandans to work abroad. The objective of the programme is to **reduce unemployment and underemployment in Uganda by**

**facilitating access to decent employment opportunities abroad.** The programme is guided by four objectives:

- To promote full employment and equality of employment opportunities for all and to uphold the dignity and rights of Ugandan migrant workers;
- To allow deployment of Ugandans to countries which have existing labour and social laws or are signatories to international agreements protecting the rights of migrants;
- To protect every Ugandan desiring to work abroad by securing the best possible terms and conditions of employment;
- To provide a mechanism for issuing licenses to recruitment agencies.

Under this programme 36 employment agencies have met the strict regulatory requirements and have been licensed to recruit Ugandans for job placements abroad. The distinguished delegate noted that between 2013 and 2014, a total of 6,556 Ugandan migrant workers abroad transitioned through the Externalisation of Labour Programme. He informed that 52% of these Ugandan migrant workers were employed in the UAE leaving the other seven countries (Afghanistan, Bahrain, Iraq, Somalia, Saudi Arabia, Kuwait, South Sudan and Qatar) to share the remaining 48%. The preferred occupation for these workers was as security guards, which accounted for over 60% of labourers who were recruited. These **migrant workers have since accounted for USD 2 Million every month in remittances** in FY 2014/2015. He stated that the advantage of this formalised channel of labour migration is that it affords Ugandan labour migrants sufficient protection of their rights and consular support in the event of a crisis.<sup>3</sup>

The government of Uganda is undertaking statutory and administrative measures to strengthen the Externalisation of Labour Programme including:

- Revision of the Statutory Instrument No. 62, 2005, The Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005; to include anti-human trafficking provisions;
- Development of Guidelines for the Recruitment Companies and Uganda Migrant Workers
- Setting up a Working Group on Human Trafficking at the Ministry of Internal Affairs (MOIA). This feeds into the Inter – Ministerial Task Force on Combating Human Trafficking under the MOIA.
- Developing an online information sharing system on externalisation of labour among stakeholders;
- Regular meetings with Private Recruitment agencies to constantly receive updates on the situation in the sector.
- Encouraging recruitment agencies to form an association.
- Strengthen the monitoring of Private Recruitment Companies by incorporating other stakeholders in the monitoring;
- Bilateral labour Agreements negotiations with labour receiving countries

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<sup>3</sup> Apart from the basic salary, overtime is paid where work is performed beyond the normal working hours (8 hours), Transport to and from the workplace and accommodation are provided by the employer and other welfare aspects are included i.e. medical insurance, annual leave, terminal benefits and free air ticket at the expiry of the contract.

Going forward, the government intends to **regularly publish the list of licensed companies every quarter** to create public awareness and finalise the online information sharing system among stakeholders. In order to better prepare the labour migrants, the government **will be conducting pre-employment and departure orientation seminars**. In terms of monitoring and evaluation, the government will conduct follow-up visits to assess the working conditions of Uganda migrant workers in addition to **signing Bilateral Labour Agreements (BLAs) between Uganda and countries of destination**.

**State of Labour Migration:** The second delegate from the Republic of Uganda indicated that the country had decentralised passport issuance to regional offices and its foreign missions abroad. It was now in the process of issuing electronic passports where the process of procurement was in the closing stages. Uganda is also revising its national legislation to accommodate dual citizenship for its nationals. She noted that Uganda is both a transit and destination state for migrants who make a significant contribution to the national economy. For instance in FY 2010/2011 the country received UGX 31.5 Billion (USD 86.3 Million) in untaxed revenues from migrants. This figure doubled to UGX 68.7 Billion (USD 188.4 Million) in FY 2013/2014 and by April 2015, it stood at UGX 87.9 Billion (USD 241 Million) in non-tax revenues. Uganda responded by amending its finance act in 2013/2014 to levy fees that would attract skilled labourers whilst deterring unskilled labourers. For better migration management, Uganda is finalising three policies derived from the IGAD regional migration policy i.e. The **National Diaspora Policy**, The **National Immigration Policy** and the **National Migration Policy**. Uganda has also amended its legislation to **accommodate representatives from the Ministry of labour in the national citizenship and immigration board**.

**Challenges & Responses;** The delegate from Uganda indicated that the country has enhanced its inspection, surveillance and investigative capacity in an effort to curb illegal migration. She said that the country also faces capacity constraints in its human, financial and technical envelopes and to this end it has embarked on the **recruitment of 300 additional immigration officers** who will undergo a 9 month training course. The delegate informed that Uganda is also operationalizing its domestic legislation with regard to human trafficking through establishment of a **counter-trafficking taskforce** domiciled in the Ministry of Internal Affairs that draws together relevant law enforcement agencies.

**Session 3: 6:00pm – 7:15pm**

<b>LABOUR AND REGIONAL MOBILITY</b>
AU/ILO/IOM Joint Labor Migration Programme (JLMP)
<b>Moderator:</b> H.E. Mr. Josiah Ogina, Chief of Mission, Representative to the AU/IGAD/ECA, IOM Special Liaison Office, Ethiopia

**Dr. Cynthia Samuel-Olonjuwon:** Chief, ILO Regional Programme for Africa, Addis Ababa, Ethiopia opened the brief on the JLMP by appreciating the close collaboration between the AU and RECs in formulating the JLMP. She acknowledged the invaluable and consistent input of IGAD since November 2013. She re-posed the framework question posed earlier by the Regional Migration Coordinator, IGAD secretariat on the position to be adopted by IGAD Member States with regard to labour migration. She stated that the conversations in the RCP would be addressing themselves to examining migration in the context of regional integration

and thereby addressing the political factors that make migration unacceptable, the economic factors that make migration unprofitable and the socio-cultural factors that make migration undesirable. She segued into statistical analysis where according to UNDESA figures there are 18.7 million migrants in Africa 82.3% of who of who were indigenous Africans. Europeans account for about 800,000 migrants representing North-South flows for instance in Angola where Portuguese expatriates are dominant. She noted that 46% of all African migrants are women, who are increasingly migrating for work, the migrating population is extremely youthful with the median age calculated at 30 years and that Sub-saharan Africa retains 65% of all migrants within its confines. She informed the meeting that the JLMP is a product of the global south and was developed in close collaboration between the AU, African RECs, International organisations and private sector partners. She said it has been validated at the ministerial level at a meeting held in Windhoek in 2014 and then at adopted the AU summit level in January 2015.

**Ms. Naomi Shiferaw**, Liaison Officer to IGAD/AU/UNECA International Organization for Migration (IOM), Addis Ababa, Ethiopia took the meeting through the substantive content of the JLMP. In her remarks she highlighted the background rationale for the JMLP and noted further that it was the first global initiative focused on supporting effective implementation of labour migration as key to development and integration from a continental viewpoint. The JLMP represented the first time anywhere in the world that the three 'major' international entities ILO, IOM and the UN regional Economic Commission came together in support of the AU to design and implement a comprehensive, operational and practical programme to facilitate the development and integration of the entire continent in the crucial arena of migration and mobility

It also represented the first occasion when a formal Summit of Heads of State and Government anywhere has adopted a comprehensive programme on labour migration governance.

Ms. Shiferaw highlighted the many innovations of the JLMP *inter alia*:

- Focus on transformational engagement in support of the AUC, RECs and selected Member States
- A long-term horizon of an Initial four year Programme within a ten-year vision
- Support for the implementation of the AU Migration Policy Framework and AUC Strategic Plan 2014-2017
- Alignment to the 2015 AU Plan of Action on Employment Creation, Poverty Eradication and Inclusive Development priority on Labour Migration

She then outlined the Labour Migration Governance for Development and Integration programme whose overall objective is to strengthen the effective governance and regulation of labour migration and mobility in Africa, under the rule of law with the involvement of key stakeholders.<sup>4</sup> She stated that the program was to rolled out through a number of specific components.

- I. Strengthening effective governance of labour migration in Africa through;
- II. Supporting implementation of labour migration standards and policy.

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<sup>4</sup> These include all relevant government ministries/departments (Labour, Employment, Interior, Education) Private Employers, Workers' Organisations as well as the Migrant/Diaspora communities

- III. Collection of gender and age disaggregated data on migrants' economic activity, employment, skills, education, working conditions, social protection
- IV. Wider implementation of labour migration regimes
- V. Labour Migration Governance for Development and Integration
- VI. Regional tripartite policy coordination & Cooperation with other regions

She then traced the series of meetings, dialogues and consultative processes that have been held since December 2013 to bring about the JLMP and outlined the next stage of engagements, which included:

- August 2015 – **Agreement with core development partner(s) to fund JLMP** resource gap of USD 31million finalized
- August 2015 - **Plan of Action** for supporting the elaboration and coherent revision of RECs' instruments on labour migration developed
- September 2015 – **Official Launch** of the Joint Labour Migration Programme with the Donor (s)
- November 2015: **Publication of 1st Africa regional syntheses report** on labour migration data.
- November 2015: **Full project team recruited** and full fledged programme implementation is fast tracked
- January 2016: **First Report of JLMP** Implementation to AU Assembly



## Plenary Responses to Member States and JLMP Presentations

### On Remittances

- Participants noted that a **majority of the remittances are used for consumption purposes** and urged the meeting to begin considering how they can be structured for investment
- It was noted that **USD 4.5 Billion of Remittances is lost in costs**; and the representative from IOM informed of a unique intervention with the Burundi postal services initiative to lower the cost of remittances
  - In this project IOM and universal postal union in the EU and national postal networks in Burundi are collaborating to lower the cost of money transfer
- Participants noted that intra-regional remittance data is not captured leading to a skewed perception that all remittances flow from the Global north to the south.
  - It was clarified that Asia has 7 dominant remittance destinations, whilst Africa has only 2; Remittances to Egypt and Nigeria dominate African statistics
  - Presenters were reminded that the benefits of migration go beyond remittances and were asked to include aspects such as brain gain from returnees, correction of labour market distortions.

### On labour migration patterns

- Presenters were urged to build on statistical and empirical evidence that gives a true reflection of the status and contribution of migrants to economic growth.
  - Specifically the statistical disaggregation of labour migrant populations according to skill level is useful for the targeting of the vulnerable and generally un-skilled and semi-skilled categories.
- It was demonstrated how France dominates European migration patterns due to rational migration policies, Russia and China are similarly structured in Asia
- It was clarified that Labour migration can be orientated to reduce unemployment; Statistics in Ethiopia show that 96% of regular migrants are female whilst 76% of irregular migrants are male. Female movements have been liberalized following emancipation from male custody and control

Day 2: Friday, 29<sup>th</sup> May 2015

### Session 4: 9:00am – 10.30am

#### LABOUR MIGRATION AND REGIONAL INTEGRATION

**Fair Labour Migration and Regional Integration:** Frameworks and Lessons for IGAD - ILO Regional Office for Africa, Addis Ababa

**Moderator:** Charles Kwenin-IOM

**Aida Awel**, Chief Technical Advisor, representing the International Labour Organization in Addis Ababa, Ethiopia made a presentation on the key considerations on fair labour migration even as the IGAD region moves closer toward regional integration. In her presentation, Ms.

Awel outlined the regional trends for labour migration from the IGAD region to the GCC, which showed that **one in four** labour migrants in a GCC country comes from an IGAD Member State. Furthermore IGAD exports mostly low skilled migrant workers who are engaged in construction, domestic and agricultural work. This means that the GCC maintains a policy of **liberal entry; temporary stay; limited rights**. Due to the massive population movements now being observed, many IGAD states are now simultaneously countries of origin, transit and destination. She charged that the Demographic bonus in the IGAD region has been poorly harnessed in terms of skills for labour market needs and transformative development anchored on young people. As a result, the developmental effects of migration remain limited, a problem that has further been compounded by:

- 1) The absence of labour migration policies
- 2) Poor skills mobilization and utilization and ineffective talent management; especially for high skilled out migrants
- 3) Inadequate capacities of the institutions to develop, implement and monitor appropriate policies and programmes
- 4) Absence of bilateral Agreements to protect migrant workers in countries of origin and destination
- 5) Limited strategic understanding and optimization of the social and financial remittances beyond consumption.

She noted that it was with this in mind that the existing Global, Continental and REC level frameworks and programmes on labour migration provide effective basis for change. The presenter highlighted a series of applicable international labour standards anchored on the ILO Constitution of 1919 and designed to protect workers rights as useful instruments for the IGAD Member States to fall back upon when developing bilateral and multilateral protection regimes for their migrant workers.<sup>5</sup> She then zeroed.

ILO Migration for Employment Convention No. 97: which regulates the conditions in which labour migration takes place and provides general protection provisions such as Non-discrimination and equality of treatment between migrants and nationals, Wages/ working conditions, Trade union rights, Accommodation, Social security, Employment taxes and Access to courts. She noted that this is a particularly useful instrument because **over 50 countries have ratified it**. It was noted however that **Kenya was the only IGAD member state** on the list. She also pointed to Supplementary Provisions of the Migrant Workers Convention (No. 143 of 1975), which similarly facilitates and regulates labour migration flows, suppresses the activities of organizers of clandestine movements of migrant workers and provides minimum protection to all migrant workers.

With regard to ongoing regional integration efforts, the presenter noted that RECs have adopted or are discussing, in some form or the other, legal instruments to promote the free movement of persons, goods and service. Whilst progress has been made in achieving the free movement of goods and services, it has far exceeded progress made in achieving the free

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<sup>5</sup> These included *inter alia*; the ILO Fundamental Rights Conventions (widely ratified)

C87 Freedom of Association and Protection of the Right to Organize Convention, 1948; C98 Right to Organize and Collective Bargaining Convention, 1949; C29 Forced Labour Convention, 1930; C105 Abolition of Forced Labour Convention, 1957; C138 Minimum Age Convention, 1973; C182 Worst Forms of Child Labour Convention, 1999; C100 Equal Remuneration Convention, 1951; C111 Discrimination (Employment and Occupation) Convention, 1958; C81 Labour Inspection Convention, 1947 (and C129: agriculture); C122 Employment Policy Convention, 1949 (and R169)

movement of persons. However some RECs like ECOWAS have made significant progress on free movement of persons. The presenter noted that the AU African Union Migration Policy Framework for Africa (2006) prioritizes and has gone on to institute implementation frameworks under the Social Policy Framework of 2008 which recommends regional integration and collaboration of social security schemes to ensure benefits of labour circulation, the AU Plan of Action on Boosting Intra African Trade (2012) which recognizes the key role of free movement of people and labour migration regulation, the Youth and Women Employment Pact adopted by 9th Ordinary Session of the AU Labour and Social Affairs Commission (April 2013), that included a section on "Promotion of regional and sub-regional labour mobility" and finally the Joint Programme on Labour Migration Governance that convenes ILO, IOM, UNECA with the AUC. The presenter advised the IGAD Member States to review ILO case studies from ASEAN and Philippines in order to extract best practices against which to benchmark their own efforts to effectively manage labour migration. In addition she recommended the ILO publication *Regional Model Competency Standards (RMCS) for Domestic Workers (2015)* as handbook that is being used to safeguard the rights of more than 20 million domestic workers in Asia and the Pacific.

With regard to bilateral agreements, the presenter noted that they are not a magic bullet that will prevent all irregular migration or solves structural unemployment challenges. She recommended that BLAs be accompanied by a strategy linked to countries' national development plans and employment priorities and be based on:

- 1) International Labour Standards
- 2) A preliminary study of receiving country's labour record and nature of job offers
- 3) An assessment of impact on labour market in sending country through analysis of LMIS indicators
- 4) An assessment of capacity needs to accompany workers and effectively protect them (labour ministries, foreign affairs, trade unions' ability to provide protection and service, etc)
- 5) Tripartite social dialogue
- 6) A monitoring & evaluation mechanism implemented at regular interval
- 7) A dispute mechanism that the sending country will effectively be able to access
- 8) Incorporation of a reintegration plan for returned migrants

**Plenary:** Members sought to know the implication of non-ratification of labour conventions for countries sending domestic labour migrants. In addition representatives of the trade unions sought to establish the degree of enforcement of provisions of labour conventions even after ratification. They acknowledged that awareness-creation in the pre-departure stage is a key intervention to prevent illegal/risky labour migration. It was proposed that this ought to happen at the grassroots level where labour migrants are sourced. Delegates concurred on the use the most appropriate channels of communication e.g. vernacular radio stations, FBO's and local administration structures. In addition, pre-departure training and awareness raising on essential requirements and prevalent risks for individuals who have elected to migrate was mooted. Delegates also concurred that benchmarking against countries that have perfected labour export was a good idea and banked verification of contracts as an essential best practice and elementary requirement for the protection of labour migrants. Participants proposed that IGAD Member States ought to collectively set

and enforce the minimum protection standards for labour migrants. This collective approach will deliver the necessary leverage for negotiation with destination countries

### Session 6: 11:00am – 1.00pm

#### NATIONAL COORDINATION ON MIGRATION

**IGAD Regional Assessment on National Coordination Mechanisms** – quick overview by IGAD

**Outcomes of the first national consultative conference on national coordination mechanisms on Migration** - Presentation by Uganda

**Moderator:** Ms. Fathia A. Alwan, Programme Manager, Health & Social Development, IGAD secretariat

**Ms. Caroline Njuki**, Regional Migration Coordinator, IGAD secretariat briefed the meeting on the findings of an assessment of a National consultative Mechanism on migration in Uganda. The general finding was that coordination between agencies with migration management functions remains weak and *ad hoc*. It was however noted that formal coordination mechanisms enshrined in law are more effective than informal mechanisms. The evaluation concluded that the wide spectrum of issues covered under migration management calls for a robust coordination mechanism that convenes the different sectors. Ms. Njuki noted with concern that the assessment found that the various policies were not well known amongst stakeholders. The study recommended that a clear designated lead agency on general migration issues be appointed in Uganda to coordinate the different migration clusters. However, it did not call for the creation of an additional structure. Rather, the existing mechanism should be strengthened to encompass migration in general and clearly set out which is the designated lead agency to coordinate migration in order to curb inter-agency turf wars.

The study proposed that the Office of the Prime Minister (OPM) be designated as the lead agency as their mandate is coordination of Government business. She indicated that the assessment proposed a two-tier approach to coordination that accommodates both the political and strategic level and operational/technical levels. The study proposed the establishment of a permanent structure with a secretariat. This would be a platform with permanent members that are seconded by their respective ministries/institutions.

The presenter stated that the purpose of the coordination platform/mechanism will be to:

- 1) Harmonize, align and coordinate migration policies for more coherence (national migration policy, diaspora policy, immigration policy, etc.)
- 2) Facilitate inter-agency consultations on all migration related issues;
- 3) Act as the steering committee for migration related projects thereby eliminating the need for *ad hoc* project based steering committees); a working group on specific projects could stem out of the said coordination platform
- 4) Function as the technical working group to update and review the Migration Profile for Uganda;
- 5) Act as the entry point for national migration dialogue on emerging issues

IGAD committed to continue supporting the convening of NCCs till end of 2016 through IOM whilst Uganda would continue providing access and technical support

**Ms. Josephine Janet Ekwang Ali**, Commissioner, Inspection and Legal Services, Directorate of Citizenship and Immigration Control, Ministry of Internal Affairs, Uganda presented the outcomes of the 1<sup>st</sup> NCC on migration in Uganda. During this meeting participants drafted the Terms of Reference for the National Mechanism on Migration (NCM). It was defined as a government led inter-agency coordination platform in charge of discussing emerging Migration issues and facilitating cooperation among relevant stakeholders with Migration related functions in Uganda. Ms. Ali stated that the objectives of the NCM were to ensure:

- 1) Continuous dialogue and cooperation among migration stakeholders;
- 2) Understanding of Migration trends and dynamics among key stakeholders;
- 3) Progress towards a comprehensive approach to Migration and informed policy making;
- 4) National stakeholders' contribution to the regional discourse on Migration in a coordinated manner;
- 5) Facilitated implementation of the IGAD Regional Migration Policy Framework at the national level;

She informed the meeting that the NCM would have a broad based composition convening both state<sup>6</sup> and non-state agencies<sup>7</sup>. These agencies will form Thematic Working Groups (TWGs) on particular Migration issues may be established as part of the NCM to respond to specific needs in the area. She elucidated that the NCM will have two levels of participation, one at a senior technical level and another one at the highest political level. **The RCP proposed an intermediate level constituted of Permanent Secretaries to act as the link between the policy and operational levels.** The meeting was informed that the political level of the NCM would be domiciled at the Office of the Prime Minister (OPM) and would meet at least once a year to examine annual reports on activities of the technical team and give direction for future engagements whilst the technical teams would meet on a quarterly basis. Extraordinary meetings of the NCM may be called on an *ad hoc* basis to address specific Migration emergencies/crisis.

**Plenary:** Members sought to know if there was any room in Uganda's NCM to accommodate Trade Unions and Employer Federations. The response was that these entities were accommodated in three spaces; One, under their line Ministry of Trade, Industry and Cooperatives. Two; in their own capacity as non-state actors and three; part of the collective institutions that can be co-opted into the NCM on a needs basis. However, this question sparked some debate where the role that labour/trade unions in other IGAD Member States play with regard to curbing irregular labour migration. It was questioned on whether trade unions champion the rights of migrant workers whereupon the representative of COTU clarified that trade unions are membership organizations and where such interests are represented, the organization will advocate on behalf of the

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<sup>6</sup> State agencies include the Ministries of Finance, Planning and Economic Development, EAC Affairs, Justice and Constitutional Affairs, Trade, Industry and Cooperatives, Security, Health, Education, Tourism, Wildlife and Antiquities, Water and Environment as well as the Directorate of Public Prosecutions, Bureau for Statistics, Bank of Uganda and National ID Project

<sup>7</sup> Non-State agencies include Academia: Makerere University and National Council for Higher Education, IOM, UNHCR, ILO, Trade unions/ employer federations and any other Relevant organizations from Civil Society

membership. For instance, 1,000 migrant Chinese workers are currently represented by COTU

### Session 7: 2:00pm – 4:00pm

REPORT OF THE REGIONAL MIGRATION MANAGEMENT COMMITTEE
<ul style="list-style-type: none"> <li>▪ <b>Presentation of RMCC common position on Labour Migration towards the GCC countries</b> – Ethiopia</li> <li>▪ <b>Reporting back on RCP recommendations – a discussion on modalities /reporting tool</b> – IGAD secretariat</li> <li>▪ <b>Presentation of updated Work plan 2015 of the IGAD migration program</b> - Caroline Njuki, RMC, IGAD</li> </ul>
<p><b>Moderator:</b> Rapporteur Kenya</p>

**Mr. Teferi Melesse Desta**, Director of Diaspora Affairs, Ministry of Foreign Affairs, Federal Republic of Ethiopia presented the summary outcomes of the 2<sup>nd</sup> IGAD RMCC which are reflected in Section I of this report. The rationale of the draft common position on labour migration stems from a realization that Labour Migrants are an asset and therefore the standardization of labour migrant protection from all IGAD Member States to all destination countries is a prudent measure towards protecting them. Mr. Desta walked the meeting through the synthesized responsibilities of host, transit and destination countries with regard to protection of labour migrants and facilitation of labour migration. In the crosscutting recommendations, the RMCC proposed that:

- Extension of voting rights to overseas communities as one avenue of increasing their influence and participation at home
- Engagement with diaspora welfare organisations is a possible means of tapping into pools of opinion on how to better manage labour migration
- IGAD Member States use social media platforms to engage with their citizen abroad
- Development of a diaspora policy by Member States is a cornerstone of government efforts to integrate these communities into national development processes

**Ms. Caroline Njuki**, Regional Migration Coordinator, IGAD secretariat subsequently briefed the meeting on a template that was still at the conceptual stage, which would standardise how Member States reported to the RCP on migration issues. A draft tabulation comprising of 7 sections was presented and would be subject to further refinement and piloting during upcoming RCPs

IGAD Member State: RCP Theme:	
<b>1. Background Context, Status and History</b>	<ul style="list-style-type: none"> <li>▪ Statistical Trends &amp; Patterns</li> <li>▪ Priority areas for the member state under this theme</li> </ul>
<b>2. Actors</b>	<ul style="list-style-type: none"> <li>▪ Regional level</li> <li>▪ National level</li> <li>▪ Sub National level</li> </ul>
<b>3. Regulations</b>	
<b>4. Administrative &amp;</b>	



<b>Enforcement Mechanisms</b>	
<b>5. Existing &amp; Proposed Programmes &amp; Projects</b>	<ul style="list-style-type: none"> <li>▪ Unilateral</li> <li>▪ Bilateral</li> <li>▪ Multilateral</li> </ul>
<b>6. Prevailing Challenges</b>	<ul style="list-style-type: none"> <li>▪ Policy Gaps</li> <li>▪ Legislative <i>Lacunii</i></li> <li>▪ Administrative Limitations</li> </ul>
<b>7. Active responses to challenges &amp; Recommendations for future interventions</b>	

### Session 8: 4:30pm – 5:00pm

<b>CLOSING CEREMONY</b>
<p><b>On behalf of the IGAD Executive Secretary</b> - Ms. Fathia A. Alwan, Programme Manager, Health &amp; Social Development, IGAD secretariat</p> <p><b>Republic of Uganda</b> - Ms. Josephine Janet Ekwang Ali, Commissioner, Inspection and Legal Services, Directorate of Citizenship and Immigration Control, Ministry of Internal Affairs, Uganda</p> <p><b>Remarks by the IGAD Member States Chair:</b> Mr. Teferi Melesse Desta, Director of Diaspora Affairs, Ministry of Foreign Affairs, Federal Republic of Ethiopia</p> <p><b>Vote of Thanks</b> – Federal Republic of Somalia</p>

**Ms. Fathia A. Alwan**, Programme Manager, Health & Social Development, IGAD secretariat on behalf of the Executive Secretary thanked the delegates in attendance of both the 2<sup>nd</sup> RMCC meeting and the 5<sup>th</sup> RCP meeting. She singled out the government of Uganda for their commitment to the migration change agenda and hosting both meetings back-to-back. She also thanked IGAD partners the Swiss Government, IOM and ILO for their consistent support in improving migration management for the region. She assured delegates that the recommendations originated in this meeting would be submitted to the different policy organs and will inform future migration programming. She expressed confidence that the IGAD secretariat would continue supporting Member States to adopt a common position when engaging with not only the GCC but also other RECs.

**Ms. Josephine Janet Ekwang Ali**, delivered the closing remarks on behalf of the Government of Uganda. In her remarks she expressed the appreciation for the consideration given to the Government of Uganda in hosting both the RMCC and RCP meetings. She noted that the relevance of the theme was a testimony to the responsiveness of the RCP to emerging issues in migration management. She noted that the RCP has come of age as a platform for Member States to report and engage on the status of labour migration within the IGAD region and towards the GCC countries. This was evidenced in the quality of information shared by Member States and is reflective of the increasing effectiveness of IGAD as a REC in its role of coordinating the management of labour migration in the region. Ms. Ali assured the meeting



that Uganda remained committed to ensuring that collaboration continues with the other IGAD Member States in achieving the objectives of the IGAD RCP.

**Mr. Teferi Melesse Desta**, Director of Diaspora Affairs, Ministry of Foreign Affairs, Federal Republic of Ethiopia on behalf of the IGAD Member States thanked the Republic of Uganda for their warm reception and hospitality. He thanked the IGAD secretariat, IOM and ILO for their contribution in supporting continuous dialogue on labour migration as part of the development agenda in the region. The chair said he was heartened to observe the desire of IGAD Member States to arrive at a common position with regard to labour migration towards the GCC. He said the proactive exchange of information and experiences among Member States was a testament to the commitment to realizing the outcomes of the RCP. He wished the participants a safe journey

The **representative of the Federal Republic of Somalia** commenced the vote of thanks by noting that for the first time he was able to travel in the IGAD region without the need for a visa. He stated his hope that this would become the norm in the region as Member States facilitated the free movement of persons. He thanked the IGAD secretariat for convening the meeting, IOM and ILO for their input to the meeting as well as the trade unions for their attendance and participation. The delegate noted that the 5<sup>th</sup> IGAD RCP meeting was both educational and informative, as his delegation had taken away many valuable lessons and possible best practices when it comes to the management of labour migration. He cautioned that the deliberations of the 5<sup>th</sup> RCP will be empty talk if concrete efforts are not made to curb illicit labour migration. He called on the governments of Member States present to broaden the approaches used to raise awareness in the dangers of illegal labour migration and human trafficking through social media, local broadcast houses and even song and dance in order to reach the youth who constitute the most vulnerable category for people smugglers.

**5<sup>TH</sup> MEETING ON THE REGIONAL CONSULTATIVE PROCESS  
(RCP) ON MIGRATION**

28<sup>th</sup> to 29<sup>th</sup> May 2015 in Kampala, Uganda, at Speke Munyonyo Hotel

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**Opening Remarks by Mr. Teferi Melesse Desta**  
**Director of Diaspora Affairs in the Ministry of Foreign Affairs of Ethiopia on**  
**the Fifth Meeting on Regional Consultative Process (RCP) on Migration**  
**by Ethiopia**

***H.E. Dr. Kamanda Bataringaya, Minister for Gender, Labour & Social Development, of the Republic of Uganda,***

***H.E. Ambassador (Eng.) Mahboub Maalim, Executive secretary of IGAD,***

***H.E.Mr. Joshia Ogina, Head of IOM Mission in Ethiopia and Representative to the AU, ECA & IGAD***

***Officials and representatives of Regional and International organizations,***

***Delegates from Djibouti, Kenya, Sudan, South Sudan, Somalia,***

***Excellency's,***

***Distinguished guests,***

***Ladies and Gentlemen,***

First of all, I would like to extend my thanks to the Government of Uganda for the warm welcome accorded to us and for sharing their experience in Managing labour migration.

May I also take this opportunity to thank the IGAD secretariat, the International Organization for Migration (IOM) for organizing this meeting and also for working in close cooperation and partnership with the governments' of our region to respond to the challenges and opportunities that migration brings.

AS you might know, this Century is the century of human mobility and migration. According to IOM estimate, there are currently more than 232 million international migrants and 740 million internal migrants. This means that 1 in 7 people on the planet are a migrant and billions more are impacted by the fact that those migrants are on the move.

Human mobility is expected to increase. The World Bank estimates that by 2050 there will be more than 400 million international migrants. We can no longer think about our economies, societies or cultures without thinking about human mobility. Migration is inevitable, necessary and desirable -- when well governed.

There are countless reasons that contribute to the push and pull factors driving migration. Today we live in a globalised world with increased interconnections between

countries and regions. The rising economic disparities between countries and regions make people move to other destinations to find better job opportunities and quality of life. On the other hand, confronted with political tensions and ethnic conflicts that generate humanitarian crises, environmental degradation and climate change have also posed natural disasters, impacting the lives of more people and forcing hundreds of thousands to flee their homes in search of safer places and frequently generate prolonged displacement, which in turn can negatively reflect on hard-won development gains.

Today South-South migration is as important as South-North migration and we are witnessing a South bound migration trends of young people due to unemployment and lack of opportunities as well as illegal human trafficking activities in some of our countries.

These changes in human mobility and the importance that our governments attach to migration governance have compelled us to jointly address this issue at a regional level.

The IGAD RCP was established in 2008 and the four consecutive meetings it held since then had created an important opportunity to improve the governance of labour migration in the region. As Members of this committee assessed the complex nature of the challenges the region faced, no simple solutions exist, building up effective partnership on every aspect of migration and broadening cooperation among all stakeholders involved will only bring the desired result for all of us.

In your last year's meeting in Ethiopia, delegates have identified that each country in the region have taken the challenges posed by labour migration seriously and the progress made was encouraging as each government had started to implement the recommendations.

In Ethiopia, we have reinforced regional cooperation on policy, information sharing and screening, with greater involvement of the international community and particularly regional organizations such as IGAD and the AU. At the domestic level, we have established a forum to deal with irregular migration, extending from the highest, National Council at the Federal level to the lowest administrative level. In addition, Ethiopia has established a national committee to regulate employment of regular migrants, provided vocational training for those that would travel abroad and loans to returnees to start businesses, which for instance was largely implemented in assisting the greater number of returnees from the Middle East.

Of course, we still face challenges mainly because of lack of resources, both financial and manpower to cope up with the dynamics and the daily realities we are facing in Ethiopia and the region. Like re-enforcing joint border administration, in creating of more reception centres ; to improve procedures of evacuation in case of emergencies



as observed recently in Yemen and Libya, and, information sharing and screening, and other areas as well.

These are challenges normally expected when dealing with issues as complex as labour migration. What is important to ask ourselves at this juncture is how our governments, international organizations, civil society and the private sector begin to put in place coherent policies and programmes designed to improve labour migration and the protection of their rights, which ultimately facilitate migration governance in the region? And how can this partnership jointly mobilise additional resources and ensure synergy and complementarity among efforts of all and lead to meaningful solutions to our problems?

I hope that this conference gives all of us the opportunity to start finding appropriate responses for the challenges that we face today and in the coming years.

Finally, I would like to assure you of my country's commitment in dealing with labour migration and express full support for the success of the activities of the Committee.

I thank You!!!