



**FOURTH ORDINARY SESSION OF THE SPECIALISED
TECHNICAL COMMITTEE ON SOCIAL DEVELOPMENT,
LABOUR AND EMPLOYMENT (STC-SDLE-4)
04-08 APRIL 2022
ADDIS ABABA, ETHIOPIA**

Theme: "Building forward Better Well Being and Living Standards in Africa"

**Draft Consolidated Report:
AU Labour Migration Advisory Committee (AU-LMAC)
October 2019**



A. INTRODUCTION

Labour migration has emerged as an important factor in the development and governance nexus in Africa. The continent is noted as hosting the youngest population, with a median age of 19.7 years compared to the global median of 30.4 years (UNECA 2015). Inevitably, African youth remain the regions greatest asset. If harnessed properly this demographic dividend could generate 11 to 15% GDP growth from 2011 to 2030 (World Bank 2015). Despite this potential the young population in Africa are currently experience unemployment rates as high as 60% and increasingly account for a considerable proportion of migrants.

As an evolving dynamic, Labour migration continues to impact several areas of society in Africa including politics, economics and culture. Similarly, migrant remittances have now surpassed official Development Assistance in many African countries. In addition, South to South Migration has outpaced all other categories of Migration (World Bank 2017) which has helped push Labour Migration to the top of the agenda of many governments in the region. Similarly, the African Diaspora continues to play a pivotal role in the on-going reconstruction of Africa, especially in countries emerging from protracted periods of civil unrest. Despite the harrowing stories from African migrants, each year a growing number of the continent's Youth take the decision to embark on an often-arduous journey out of Africa in search of employment and a better life; however, many have fallen victim to unscrupulous human traffickers and smugglers.

Nevertheless, the Importance of Labour migration is evident in the African Union's 2030 Agenda and Agenda 2063, which emphasizes: (i) the reduction of inequality within and among member states; (ii) the facilitation of orderly, safe, regular and responsible migration and mobility of people (SDG10); and (iii) the promotion of sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (SDG8). These points and others remain integral parts of the global Agenda.

Evidence of the importance of labour migration led to the adoption of the AU Joint Labour Migration Programme (JLMP) in 2015, which promotes critical areas of facilitating the free movement of workers as a means of advancing regional integration and development. Key activity areas of the JLMP include skills portability and the mutual recognition of qualifications, and the development of an African Qualifications Framework.

B. RATIONALE FOR THE LABOUR MIGRATION ADVISORY COMMITTEE

The absence of regional mechanism for dialogue and advisory support on labour migration law, policy and practice across Africa remains a major hindrance to the development and implementation of coherent, stakeholder-owned effective policy and practice. While tripartite social dialogue mechanisms exist in several countries, there are very few national level mechanisms on labour mobility and migration fields. Only two RECs have mechanisms for tripartite discussion of labor migration issues. There is no dedicated space at the Africa-wide level for policy exchange, dialogue and advisory support on labour and skills mobility/migration.

Considering the above lacuna, the AUC-ILO-IOM-ECA Joint Programme on Labour Migration provides for the necessary continental dialogue platform through the establishment and operationalization of an "AU-LSAC associated consultative-advisory body on labour migration established with links to REC forums/mechanisms".

The AU Plan of Action on Employment, Poverty Eradication and Inclusive Development request the AUC to "Create a tripartite African Labour Migration Advisory Committee (LMAC) of the AU LSAC to improve labour migration governance in Africa, addressing the issues of labour force gaps, social protection mechanisms initiated by member states, and RECs".

The LMAC is constituted without representation of Governments given that it is being established to proffer advice to Governments. It is expected that this effort will consolidate an ongoing structured and result-oriented dialogue on labour migration among social partners and relevant government entities, namely ministries of labour/employment. This dialogue will support and facilitate national and regional governance of free movement and migration.

The LMAC is comprised of representatives of AU-RECs, Pan African Parliament, ECOSOCC, African Commission on Human and People's Rights, African Committee of Experts on the rights of Welfare of the Children, OATUU, ITUC-Africa, Business Africa, ILO, IOM, ECA, Universities and Research Institutions, (2) African Diaspora Organizations and Women in Cross-Border Traders. It is the first of a three-layer comprehensive and integrated consultation mechanism on labour migration/mobility consisting of coordination and consultation structures at national, RECs and continental levels.

C. THE AU-ILO-IOM-ECA JOINT PROGRAMME ON LABOUR MIGRATION GOVERNANCE FOR DEVELOPMENT AND INTEGRATION (JLMP)

The AU-ILO-IOM-ECA Joint Programme on Labour Migration Governance for Development and Integration (better known as the Joint Labour Migration Programme, or JLMP) in Africa is a long-term joint undertaking among the four organizations in coordination with other relevant partners operating in Africa, development cooperation actors, private sector organizations and civil society representatives. It is the instrument dedicated to the implementation of the 5th Key Priority Area of the Declaration and Plan of Action on Employment, Poverty Eradication and Inclusive Development which was adopted by the Assembly of Heads of States and Governments in January 2015 in Addis Ababa, Ethiopia. Its strategy focuses on intra-African labour migration and supports achievements of the First 2023 Ten Year Plan of the African Union (AU) Agenda 2063 and of the Sustainable Development Goals (SDGs) recently adopted by the UN. In addition, the JLMP is a critical instrument of implementing the Migration Policy Framework for Africa (MPFA) and Plan of Action (2018-2030) adopted by the AU Executive Council on 25-26 January 2018 in Addis Ababa.

In order to ensure strong take off the JLMP a Three Year Project (2018-2021), the JLMP Priority, is developed with the overall objective to improve the governance of labour migration to achieve safe, orderly and regular migration in Africa as committed in relevant frameworks of the African Union (AU) and Regional Economic Commissions (RECs), as well as relevant international human rights and labour standards and other cooperation processes. The JLMP Priority prioritizes four specific objectives closely drawn from the JLMP:

Outcome 1: Enhanced effectiveness and transparency of operations of labour migration stakeholders, such as labour market actors and institutions, migration authorities, in consultation and cooperation with workers and employers' organizations, the private sector, recruitment industry and relevant civil society organizations, in delivering improved labour migration governance services.

Outcome 2: Improved policy and regulatory systems on labour migration at Member State and REC levels, considering its gender dimension and the relevant international human rights and labour standards.

Outcome 3: Multi-stakeholder policy consultation and practical coordination on labour migration and mobility to provide advisory support to MSs', AU's and REC's decision makers; and

Outcome 4: Continental and regional operational leadership and capacity to spearhead/steer the implementation of the JLMP at all levels.

With technical and financial support of the JLMP Priority project and in line with its 2019 calendar of activities adopted in March 2019 during its annual meeting, the LMAC undertook consultative mission to six Regional Economic Communities (RECs) i.e. the Arab Maghreb Union (UMA), the East African Community (EAC), the Economic Community of Central African States (ECCAS), the Economic Commission of West African States (ECOWAS), the Common Market for Eastern and Southern Africa (COMESA), and the Intergovernmental Authority on Development (IGAD). During the missions, the

Committee also consulted with the Member States hosting the REC Secretariat i.e. Djibouti, Gabon, Morocco, Nigeria and Zambia. For the EAC, the Rules of Procedure dictate that all Partner States must be invited to meetings hosted by the Secretariat, and this was not possible due to limited financial resources.

The main objective of these mission was to understand and share experience on the policy frameworks and legal instruments regulating the labour migration management of the targeted REC to improve its role and advisory service on labour migration management and governance to MS, AU and RECs decision makers.

D. RECOMMENDATIONS

The following recommendations made for AU Member States:

1. Support increased *ratification and domestication of priority international labour standards* and other AU and regional frameworks on labour migration and re-activate the engagement with national Parliaments as well as Pan Africa Parliament;
2. Expansion of the JLMP to RECs which are not among the primary beneficiaries of the JLMP Priority project in its phased implementation approach to be considered and partners to jointly coordinate in raising resources;
3. Harmonize national and regional frameworks and instruments to protect migrant workers, with special attention to female labour migrants;
4. Develop policies that support enterprise growth and create programmes for youth;
5. Address obstacles to mobility at land borders, including provision of necessary infrastructure and capacity building to the border management agents;
6. Facilitate greater engagement of social partners in the collection of labour migration statistics through surveys which serve as less costly means of collection of labour migration information;
7. Private employment agencies to be more engaged in the discussion of labour migration governance as they play an important role in protecting migrants in cases of abuse and should be involved as a key stakeholder in labour migration governance;
8. Increase communication and advocacy campaigns on the benefits of safe, orderly and regular labour migration and the contribution of labour migrants to the economy and sustainable development of both countries of origin and destination;
9. Engage with the diaspora and explore the possibilities for diaspora engagement with JLMP;
10. Collaborate with the African Institute for Remittances (AIR) on lowering remittance costs and other issues related to remittances;
11. Enhance capacities of labour migration actors on labour migration governance, protection of migrant workers and the linkages between labour migration and trade and how well managed labour migration can address increased unemployment;
12. Explore opportunities of complementarity and synergy to effectively utilise resources and expertise on capacity development;
13. Encourage increased and comprehensive AU engagement at the multilateral level for African migrants to different migration corridors e.g. America, Europe, GCC, etc. to address human trafficking & smuggling and other protection-related issue facing migrant workers;
14. Address the challenges related to the collection of labour migration statistics, especially in the finalization of the second edition of the Labour Migration Statistics Report; and
15. Support efforts to identify areas of cooperation and collaboration among Regional Economic communities (RECs) on labour migration governance in view of overlapping membership by states and increased intra-African labour mobility

The following recommendations aimed to enhance the activities and impact of the LMAC

1. AU Commission should support the creation of an independent Secretariat and support team within the Department of Social Affairs to support LMAC activities;
2. LMAC field visits shall feed into the JLMP strategic framework which is currently being developed. It is envisioned the Strategic Framework will highlight the progress of the JLMP implementation since adoption by AU Heads of State and Government in 2015. Underfunded and unfunded areas in the JLMP will be highlighted for the consideration of in resource mobilization.
3. LMAC should advocate and encourage Member States to ratify the AU Protocol on the Free Movement of Persons, Rights of Establishment and Right of Residence as well as relevant international and regional guiding frameworks; and
4. LMAC should participate in Regional Consultative Processes at the invitation of the RECs e.g. MIDWA meetings

E. CHALLENGES AND LESSONS LEARNED

1. LMAC needs an independent Secretariat which will handle all logistics and activities of the committee, including visibility.

F. NEXT STEPS

1. It is expected that the consolidated report will be submitted to relevant STC as indicated in the LMAC TORs.
2. The recommendations will be taken up in the JLMP Strategic Framework